

# Appendix M

## Stakeholder Responses (with response)





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The Fire Brigades Union is the democratic, professional voice of firefighters and other workers within fire and rescue services across the UK. This is our response to the business case for changing the governance of the Norfolk Fire and Rescue service

Dated: 27<sup>th</sup> August 2018

Summary of key points of concern:

1. Operationally, Norfolk Fire and Rescue Service (NFRS) provide excellent Fire cover under the current arrangements. It has a mixture of whole time duty shift (WDS) and retained duty shift personnel (RDS) which cover 42 stations. We note in this business case that operational response has been downgraded from fully staffed type “B” Water Tenders to Sprinter vans and smaller crews. This has massive safety impacts on members of the FBU and the public as these vehicles are not fit for purpose.
2. In line with the above we believe that the report is heavily weighted towards financial savings over public safety.
3. We also have concerns over the issue of neutrality, perceived or otherwise. Our neutrality from the Police is essential to us accessing areas of the community other services simply can't. This allows us to carry out vital prevention and protection work. The “double badging” and joint working suggested in the business case poses a serious threat to this.
4. The business case doesn't state how any “re-investment” of any efficiencies made will be apportioned.
5. The business case frequently references £10 Million of efficiency savings but then fails to explain where this money is coming from; This figure at best is hypothetical and at worst deceptive to the general public.
6. We believe that removing the fire service from the County Council could also be a significant Safety risk as well as financial risk.



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7. The business case doesn't mention how the Police and Crime Commissioner (PCC) will engage with the existing negotiating protocols already in place, these being the National Joint Council (NJC) or how he will manage the terms and conditions of staff as agreed nationally in the Grey Book. An example would be changes to operational resources. These come under the Integrated Risk Management Plan (IRMP) framework and must follow a strict process. This process may not be bypassed to allow change "to go much further and at a faster pace" page 7, A Case for Change (ACFC). It is a structured document that can take years in planning. Here is the guidance the FBU provides on the IRMP process:  
[https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=3&ved=2ahUKEwiJ4PP\\_ordAhXIEVAKHYzHA9cQFjACegQICBAC&url=https%3A%2F%2Fwww.fbu.org.uk%2Fdownload%2Ffile%2Ffid%2F1661&usg=AOvVaw2FJMuUO0I0EKdBzs8Z56US](https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=3&ved=2ahUKEwiJ4PP_ordAhXIEVAKHYzHA9cQFjACegQICBAC&url=https%3A%2F%2Fwww.fbu.org.uk%2Fdownload%2Ffile%2Ffid%2F1661&usg=AOvVaw2FJMuUO0I0EKdBzs8Z56US)
8. The "draft" document is misleading and in some cases factually incorrect.
9. We have concerns about "Support Staff "job safety. This is clearly referenced on page 76.
10. Although current funding is not ring-fenced within NCC, this provides a financial umbrella in case of difficult operational periods and allows for significant capital expenditure, particularly when providing modern appliances and equipment. There is no discussion of capital funding in the business case.
11. Both nationally and locally the FBU oppose the takeover of brigades by the PCC. Here is the FBU stance:  
<https://www.fbu.org.uk/no-pcc-takeover>

Outside of the business case, we have concerns that the current PCC has no understanding of the organisation and operation of a modern fire and rescue service. This has been made clear during consultation meetings; when questioned about the proposals in the business case, the PCC had very little understanding beyond the information presented in the document. Furthermore, the PCC has been witnessed saying "The County Council is proposing to cut the fire service, I am not, and do you agree or disagree with this?" This is a clear abuse of the democratic consultation process. Therefore, we cannot entrust the governance of NFRS to the PCC.



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Detailed response to the business case:

1. **Executive Summary:** It is clear from the summary that Mr Green has a vision. This vision is greater collaboration between the services. This is fully supported by Norfolk FBU. Significant collaboration is already underway, from a shared headquarters to local community safety activity. There is no requirement for a change of governance to allow this to continue nor any clear explanation of why the PCC is more able to drive collaboration over professional Fire and Police officers.

Page six references complex structures of committees and that PCCs can make informed evidence based decisions in a sharper, quicker and more effective manner. The opinion of Norfolk FBU is that occasional delay is the price of accountable democracy; it is preferable for a bipartisan committee to debate whether a proposal is right for the people of Norfolk rather than an individual who knows very little about the service.

**Sometimes quick decision making isn't effective it has the possibility of negative effects on the service especially if it is an ill thought out decision.**

To summarise this section it is clear the PCC wants to change the governance of the service and have greater collaboration between the services. The FBU strongly believe that there is no need for a change of governance, the county council provide this and that there is no real evidence that the PCC would be able to change the pace on decision making. He has failed to understand that the service is subject to National Agreed Terms and that the IRMP governs many if not all of the operational strategic decision making.



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### **Why Things Need to Change:**

The report constantly highlights the need for efficiency, economy, effectiveness and public safety.

Page 20 states “Minimise the cost of delivering Fire and Rescue and Police services to the Tax payer, by improving efficiency”. This statement reinforces the truism that efficiency is simply a measure of cost, rather than a ratio of input to output. Simply reducing expenditure does not improve efficiency; in many cases efficiency is reduced as existing service levels cannot be met. Within the business case, efficiency is a euphemism for cuts. NFRS is one of the most efficient services in the country, based on cost per capita; further cost savings can only result in reduced service levels.

“Provide the level and quality of service the public expects and needs”. NFRS has 42 stations strategically placed to cover the county effectively. Over the past few years we have improved on the service to the county by employing more RDS firefighters at a greater pace than ever before. This has meant that fire cover has improved.

Public Safety: the comments on page 20 about making best use of resources link into the comments on page 64 where the document states replacing larger vehicles with smaller 4 x 4 vehicles and smaller crews. The 2010 IRMP proposed replacing 2<sup>nd</sup> appliances on RDS stations with smaller appliances. However, this report goes further and introduces them to more stations and includes urban areas where the risk is much higher. It also mentions support to paramedics and police which would detract from the core role of NFRS and are not part of the firefighter’s role map and would be subject to national negotiations and agreements. These proposals are actually a danger to public safety.

**The FBU believes that the proposals on page 64 of the business case would result in greater risk to the people of Norfolk.**

As stated previously in this document delivering collaboration, co-location and other strategic benefits has been achieved by the respective services over the years., We have co-located police/fire and ambulance/fire around the county and NFRS HQ is based at JOCC.



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We constantly collaborate with the Police and the Ambulance and with many other departments of the County Council. The joint working with other departments of the county council is a cornerstone of being part of the council. If the PCC has suggestions for other collaboration initiatives, he can put his ideas to the Chief Fire Officer or they can be fed through the appropriate structure, such as the community safety team based in the same building as the office of the PCC.

### **How Public Safety will be improved.**

We have discussed this above to a smaller degree but the business case devotes ten pages of the document to it from pages 60 to 70, so it is worth looking at his ideas for improvement.

The document once again opens with collaboration and mentions that there is significant scope around the way fire and police organise and develop their resources and respond to emergencies. In his opening gambit, the PCC stated that this was not a merger and that the two organisations would maintain their separate identities and yet the document states that for the community safety hub there is an opportunity to move towards fully integrated teams with a shared vision, the community Safety Task Force becoming a joint task force, volunteers having a simplified structure and joint coordinated delivery. The FBU believes that a clear distinction between police and fire employees must be maintained. The Fire service is a humanitarian service and as stated previously, can get into homes and properties the Police can only dream of. The Police are enforcement and as such do not hold the respect the Fire Service commands across the wider community

### **Cadets:**

FBU members are widely involved in the cadet scheme and fail to see why the case for improved efficiency through a change of governance.



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### **Control Room:**

It is true that a project has been ongoing for some time to Co Locate the current Control room based at Whitegates in Hethersett to the JOCC at Wymondham. The negotiations are between the management of NFRS and the FBU and as such are subject to Grey Book terms and conditions.

Fire Control operators are members of the FBU and as such are employed to Grey Book terms and conditions of service. Their role is significantly different to that of the Police Control. The PCC case states that NFRS control handles on average 8,000 calls per annum but this ignores non-emergency activity; the control room is the communications hub for the entire organisation. NFRS control handles about 24,000 calls per annum, including emergency calls from the public, calls from stations and officers and calls from partner organisations. The PCC also states that calls to police are far more complex; this shows a clear lack of understanding on the part of the PCC. Obtaining information from a panicking member of the public who is trapped in their home by a fire, providing emergency fire survival guidance and mobilising lifesaving resource; handling a fire safety complaint; recording a safety event where a firefighter has been injured are all complex and stressful activities for fire control operators. I would like to remind the PCC of those operators that took calls from Grenfell before he makes remarks like that again.

The business case states that no merger of the two services is intended but in the Control room section it talks about joint projects to improve interoperability and making limited savings through redeployment and reducing vacant posts and providing the catalyst of developing “blended skill sets”. This only leads us to believe that the police and fire operators will become a single entity under the PCC.



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### **Co-location and joint responding:**

We have questioned the PCC constantly on the issue of Co-Location and joint estates and each time I have received the following answer “**Read My Lips, no Fire Station Closures**”.

We applaud this. But Norfolk County Council have said exactly the same, in fact under the council we have built a new fire station at Kings Lynn South, with capital investment. we see no monies allocated by the PCC for capital investment on new fire stations. In fact what we do see is that efficiency savings made by co locating Police and Fire Stations will go to the Police budget. What the PCC will do is close rural or smaller urban Police stations and then attach them to the Fire Station. This will free up the land to be sold and the monies raised will be ploughed back into the Police budget.

There will be very small efficiency savings on utilities costs but in the grand scheme of things these will be minimal and not be the cash injection the PCC promises.

We have already discussed smaller Fire Appliances and the potential dangers associated with them. However to back up my point, here is a YouTube video of a smaller appliance at work:

<https://www.youtube.com/watch?v=aPKJRikunJw>

The Document also goes one step further closer to merging the two forces. It states that for example, a police officer could ride on a 4 x 4 fire vehicle, the smaller more agile ones, with the limited equipment capability, and attend selected type of RTC incidents. Well firstly, these types of appliances would not attend RTC incidents and secondly what would this selected type of RTC incident be. Our core business for RTCs is persons trapped, not attending to perhaps direct traffic or gain drivers details. You cannot have police officers riding on Fire appliances. Once again, public perception would be that we are now a part of the police and we would lose our tag as a humanitarian service. It also states jointly badged vehicles.





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The idea of creating a “floating resource” of full time and part time firefighters is laudable but in reality is not achievable. This will cost significant money. RDS crews are only used as and when necessary and called in on pagers. To use them outside of this costs the service a significant amount of money. The service already has seven personnel who are employed as Retained Support Officers and can provide RDS cover.

WDS crews are located to provide cover to areas of greater risk. Service policy is to crew all primary pumps with five personnel; this is not under review as stated on page 64.

We also have no problems with recruiting WDS firefighters as stated on page 65. Whenever there is a recruitment process NFRS has at least 2,000 people apply for the vacancies. RDS recruitment has also been on an upward curve with more courses attended last year than any other.

The fact the PCC states using the WDS crews more efficiently underlines that he has no knowledge of how WDS crews are already used. As stated above WDS crews are normally in the urban areas where the risk is deemed greater and therefore a quicker response is required.

NFRS have crews in the following areas:

Great Yarmouth/ Gorleston and Kings Lynn North and South: 12 personnel allowing for 3 on leave or 2 leave and 1 on a course. This gives a crewing model of 5 and 4.

Sprowston/North Earlham/Carrow: 7 personnel on a crew allowing for 2 on leave or 1 on leave and 1 on a course. This gives a crewing model of 5.

Thetford: Day staffing with 8 allowing for 2 on leave and 1 on rota or 1 leave 1 rota and 1 on course. This gives a crewing model of 5

Dereham: Currently staffed by USAR personnel

All of the above modelling is based on having 5 on the first pump and 4 on the second pump. These are nationally agreed ridership figures. All firefighters, WDS and RDS, have to attend numerous courses per year as well. These include Incident Command, Breathing apparatus Refreshers, Emergency Driving Courses, Trauma Care, Hazmat, Road Traffic Collision refreshers, Winching, Animal Rescue and Water Refresher to name a few. These all take time and planning.



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WDS crews also have significant workloads whilst on duty. The list of what they do is long and varied but it takes time and planning to make sure they meet their targets. These are all linked to the Brigade Safety Plan.

There is limited scope for the more efficient deployment of WDS firefighters and this can be managed without a change of governance.

### **Resource Planning:**

Once again significant assumptions have been made:

1. Under the governance of the PCC there will be a greater focus on improving coverage across the county.
2. Sharing the tasks across Police and Fire and blending skillsets.
3. More flexible response models to be explored.

The PCC has constantly stated that all he will do is let the respective Chiefs run the organisation and will not interfere as he has no expertise, the business case states that the coverage of Fire Appliances response models will be altered. These statements are mutually exclusive.

### **Commercial Revenue and Training:**

Whilst once again it is admirable that the PCC wants to create a “Training Centre of Excellence” this is not achievable without significant investment. Existing facilities are limited and would need to be improved in order to extend joint training beyond existing JESIP CPD. to the Police and Ambulance. The vision stated in the business case is just words in a document and not a reflection of reality.



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### **Financial Case:**

This summer a significant period of sustained hot weather led to a large increase in operational activity and therefore a large increase in financial burden to the service. I am aware that the council will cover this increase with no financial penalty or loss to the service. Under the precept system, a fixed amount of funding is provided to the FRS each year; the business case does not explain how sustained high levels of operational activity will be funded.

There is provision within the Bellwin scheme of emergency financial assistance to local authorities:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/653402/Bellwin\\_Scheme\\_Guidance\\_Notes\\_2017-18.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/653402/Bellwin_Scheme_Guidance_Notes_2017-18.pdf)

However, the rules governing the scheme mean that only some costs will be recovered.

The business case states that the demographic and environment is set to continue to change which will lead to increased use of the service in the future. However, it does not state how this increased use of the service will be funded.



In terms of the wider financial issues contained within the business case, Norfolk FBU supports the NCC response, as listed below:

### **6.1 The purpose of this section**

No comments.

### **6.2 Overview**

The conclusion in the business case that a new organisation is affordable and sustainable based on current government funding projections and share of council tax to be transferred is not evidenced in the business case. There is considerable uncertainty as to the level of future government funding levels after 2019-20 which is subject to a Spending Review and future funding levels have not yet been announced.

We have not seen any evidence to lead us to believe the change will be affordable or sustainable – in fact we think the opposite. The business case incorrectly states that County Council provided a financial solution. In fact, the County Council provided information requested by the OPCC and their consultants, but many of the assumptions then made within the business case were not agreed with the County Council. To say the County Council provided the financial solution or confirmed assumptions is misleading.

The level of council tax assumed in the business case is higher than the amount that would be provided by the County Council to the OPCC. These were not the figures the County Council provided. **FBU comment: Why are the figures different in the PCC document.**

If the proposed transfer proceeds, all financial assumptions would be subject to local negotiations and agreement. However, this is from a starting point where the County Council does not agree.

There can be no certainty that the amounts assumed in the business case would be agreed by the County Council and therefore this impacts on the claimed financial viability. This is especially true if the government continues to reduce the amount of grant funding it provides for local authority services, which would impact directly on a ring-fenced Fire and Rescue Service budget. The current Revenue Support Grant is being replaced from 2020/21 and the impact of this is also unknown. **FBU Comment. it has been confirmed that RSG does reduce every year.**



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## 6.3 Funding NFRS

### 6.3.1 *The Methodology*

We note that the CIPFA guidance relied on is draft.

The County Council does not agree with the proposed methodology in the business case. The County Council supplied the OPCC and consultant with information provided by the government to the County Council and does not agree with how this has been used.

The methodology used in the business case seeks to transfer financial risk to the County Council by understating the amount of Revenue Support Grant that is provided by the government for the Fire and Rescue Service, and overstating the amount of council tax. This is unacceptable.

### 6.3.2 *Establishing the NFRS budget*

As set out in 6.2 above, the County Council did not confirm assumptions made in the business case.

### 6.3.3 *Key differences*

See comments at 6.2 above.

### 6.3.4 *Minimum Revenue Provision (MRP) holiday*

We do not agree with OPCC's view of MRP set out in the business case and therefore do not agree with the associated affordability calculations.

### 6.3.5 *Savings*

The £874k figure quoted is simply a planning assumption which is made for all Council services. It is a pro-rata share of the total 2019/20 budget shortfall that the County Council needs to address and is used for planning purposes only.

In practice, any proposals for service changes or reductions are subject to public scrutiny through the annual budget process and decisions are ultimately made by the County Council in February each year. As we do every year, the County Council is currently planning for its budget for next year. At this stage, no decisions about savings or changes in the Fire and Rescue service have been made. **FBU Comment: NCC have provided reassurances that they will look at this with a potential for ring-fencing the budget again and thus protecting the service from this reduction.**



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Like all parts of the County Council, the Fire and Rescue Service seeks to identify opportunities for efficiency savings each year to mitigate the impact on Government funding reductions. In the last three years, the service has delivered £1.227m of savings without any changes in resilience of the service. In the same period, the service benefitted from funding increases of £1.484m for pressures such as inflation, the introduction of the National Living Wage, as well as capital investment.

It is interesting that the business case does not accept the County Council's planning assumption and has chosen not to include any savings in the baseline savings transfer on the basis that '...savings decisions should be those of the PCC and not Norfolk County Council'. Surely it does not matter where any saving decision is made, just that the saving is deliverable and does not impact on the resilience of or the service or public safety. In any event, the County Council has not yet made any decisions about new budget savings in 2019/20 for any services.

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#### *6.3.6 Cost pressures*

One of the key benefits of the fire and rescue service being part of the County Council is that it can use its significant budget to spread financial pressures. In practice, this means that we are able to re-prioritise spend and activity to ensure that critical activities can continue to be developed. Including water rescue – see comments at 4.3 above.

#### *6.3.7 Revenue budget of NFRS*

No comments.

#### *6.3.8 Funding allocation*

This financial position has not been agreed with the County Council and, should the proposal proceed, will be subject discussion and local agreement, and therefore could change.

#### *6.3.9 Future funding risks for the PCC*

As mentioned in 6.2 and 6.3, the Medium Term Financial Plan is based on assumptions that the County Council does not agree with.



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#### **6.4 High level Medium Term Financial Plan (income and expenditure)**

See 6.3.9 above.

It is also notable that none of the proposed efficiencies have been reflected in the Medium Term Financial Plan which highlights a concern about their robustness and the confidence that they can be delivered. Also see comments at 3.2.1 above.

#### **6.5 High level Medium Term Financial Plan (capital programme)**

The business case proposes, following any transfer, to review the capital programme and develop a revised funding model. This puts at risk the Fire and Rescue Service improvements that the County Council has already deemed to be operationally necessary and has committed to fund and implement.

In 2018/19, the County Council has already committed £5.347m of capital funding to the fire and rescue service, and we have fully funded plans to deliver a further £3.6m investment over the next two years – making a total planned investment of £8.947m.

This will mean:-

- 20 new fire engines
- A replacement aerial ladder platform
- 300 new specialist protective uniforms
- Replacement fire training towers

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Critical equipment, including hydraulic cutting gear, ladders and breathing apparatus

New technology, including ICT equipment and mobile data terminals

There does not appear to be any future investment plan set out in the business case e.g. to invest in fire stations, vehicles, equipment etc. Any delay in this programme could have safety implications on the public and on firefighters themselves.



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## **6.6 Balance sheet**

We agree that the illustrative balance sheet reflects information provided by the County Council and if the transfer proceeds would be subject to change and local agreement. As stated in the business case, the transfer of pension liabilities between organisations is complex. As this work has not been completed, it is unclear what impact this would have on the financial viability of the business case.

Transferring Local Government Pension Scheme liabilities from a larger organisation (County Council) to a smaller one (OPCC) is likely to impact on the actuarial assumptions and could result in an increase in the employer's contribution rate which would need to be funded by the Fire and Rescue Service.

In future any further increase in costs as a result of the triennial actuarial valuation will have to be funded solely by the Fire and Rescue Service and the service would be unable to benefit from the County Council's economies of scale and ability to allocate its total income to protect priority services.

**The FBU has significant concerns over finances and the transfer from County to the OPCC. Too many assumptions are being made and the facts are unclear.**





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### **Why the FBU believes the County Council should continue to run NFRS:**

- **We believe this document makes too many assumptions and in many places is factually incorrect.**
- **We have serious concerns about finances under the PCC. We have a financial umbrella under the council. The PCC cannot provide this.**
- **We are concerned about public safety with some of the proposals stated in the document.**
- **We are concerned that the PCC whilst stating this is not a merger has proposed many alterations that will link Fire and Police and risk damage to the humanitarian service we provide.**
- **Significant investment in new kit and appliances has been gained under the council. We see no new Capital investment from the PCC. In fact we have concerns how capital investment will be guaranteed under the PCC.**
- **Norfolk Fire Service has a record of good collaboration with other partner agencies and we are already co locating in several places.**
- **We have concerns that Fire service budgets could be used for Police led initiatives. This has happened in Essex.**
- **We are concerned that job security for support staff isn't guaranteed.**
- **We have significant concerns about the language used about Control.**
- **With every major stakeholder opposing this take over, those being the staff of NFRS, NCC and the FBU we are concerned that the PCC will not listen and will just push this to the Home Office. That is not democracy.**
- **There are too many statements in the document that the PCC cannot act on. He is only there for governance and will rely on the respective Chiefs to manage the day to day running. Many of the proposals would require significant investment, planning and project management.**
- **There is no credible evidence of where 10 million pounds can be saved over 10 years.**

**To sum up Norfolk FBU reject out of the hand the proposal for the PCC to take governance of Norfolk Fire and Rescue Service. We believe that the case presented is factually incorrect, misleading and represents a danger to public safety. We urge Mr Green to not proceed any further with this proposal and let the County Council continue running the service.**

**Alan Jaye Norfolk FBU Chair**



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**Our Ref:** LG/kw  
**Reply to:** Lorne Green  
**Direct Dial:** 01953 424455  
16 November 2018

Dear Mr Jaye

**Fire Governance - Consultation response**

Thank you for your response to the consultation on the future of Fire Governance in Norfolk dated 27<sup>th</sup> August, 2018.

Please find below the formal response to the concerns you have raised, formatted in accordance with your headings used in your detailed response.

**Executive Summary**

It is acknowledged that the FBU is fully supportive of the PCC's vision for greater collaboration between the two emergency services.

Whilst there are examples of some good work, the successes in terms of collaboration have too often been slow, patchy and complicated. The operational police and fire joint collaboration board had not met for more than 12 months.

Much like the Chief Constable runs the police force, the Chief Fire Officer will be responsible for the operational running of the fire service. These proposals are about governance – providing a strong voice for our communities, holding the chief officers to account, ensuring the public get an effective, efficient service and making sure services meet and respond to community needs. This is a role the PCC already fulfils for policing and crime and would be expanding to cover the fire service as well in the best interest of public safety.

In terms of democratic process, the electorate would still hold the PCC to account as at present. Currently the work and decisions of the PCC are scrutinised by a Police and Crime Panel, made up of elected members of the county and district councils, as well as independent members. If this proposal were to go ahead, that Panel's role and remit would be expanded to become the Police, Fire and Crime Panel.

**Sometimes quick decision making isn't effective it has the possibility of negative effects on the service especially if it is an ill thought out decision.**

Currently, PCC holds the police to account, whilst the fire & rescue service is part of Norfolk County Council – meaning twice the governance. Two lots of governance does not make sense, certainly not when it comes to quick and effective decision making. One of the real benefits of the role of PCCs is that it is not hampered and delayed by a complex structure of committees, sub-committees and immovable meetings. PCCs can make informed, evidence-based decisions in a sharper, quicker and more effective manner.

All operational decisions are made by the Chief Fire Officer, with full operational independence. This is no different to the current governance arrangements with the Police. The business case makes it clear in understanding the importance of the IRMP in any change of service delivery. The expectation would be that the Chief Fire Officer would develop business case led decision making, in consultation with the respective representative organisations. This in turn would be subject to the appropriate level of scrutiny.

The Office of the Police and Crime Commissioner respects and understands National Terms and Conditions and their status within the Fire and Rescue Service. This was made clear to FBU representatives during the consultation process.

There would be no change to staff terms and conditions as a direct result of the business case. If there were to be a change of governance, staff would be consulted regarding the transfer of their contracts from the current Fire and Rescue Authority (Norfolk County Council) to the Police, Fire and Crime Commissioner (PFCC).

### **Why things need to change**

The Policing and Crime Act 2017 provides PCCs with the opportunity to explore whether joint working between police and fire & rescue could be made simpler, faster and better. Options within the legislation include enabling PCCs to take on responsibility for the governance of local fire & rescue services where a local case is made.

The report does constantly highlight the need for efficiency, economy, effectiveness and public safety. This is a legislative requirement in developing a business case proposal.

The primary aim of the case for change proposed by the PCC is to provide the best possible services for the people of Norfolk. Of course, money is a factor and any efficiency outlined in the business case **will** be reinvested in the service. The proposals stated in the business case do not mean a cut in the service; efficiencies identified provide the opportunity for the Chief Fire Officer to reinvest in the service.

Any efficiency would be reinvested in the service as the money has nowhere else to go. By law the two services' budgets and precepts (money raised through council tax) must remain separate. Given that the two services would remain distinct and separate, any savings would be invested back into the individual services.

Public safety: The consultation process made it clear that the business case cannot be fully risk assessed at this stage in terms of the IRMP. The business case necessarily, puts forward proposals. It is not possible at this stage to commit to specific particular operational changes, e.g. to locations or vehicles at any locations. It is however possible to identify a range of potential options that could be considered to enable the changes to take place safely and deliver projected benefits – and these options would necessarily be assessed post implementation, to take into account safety and risk.

**The FBU believes that the proposals on page 64 of the business case would result in greater risk to the people of Norfolk.**

There is no risk to public safety.

It is stated clearly on page 64 that there is recognition that co-location has been on the agenda for some years, this is not disputed.

The business case sets out a range of proposals. These proposals are based on feedback from

officers and staff from within the fire and rescue service, together with desk and field research of developing good practice across the country.

As previously stated, the Chief Fire Officer would have full operational independence on decision making.

### **How Public Safety will be improved**

The business case does state that there is scope around the way fire and police organise and develop their resources and respond to emergencies.

There is no merger; this is reiterated in the public questions and answers resulting from meetings with colleagues from the fire and rescue service.

The two services would remain completely separate with separate budgets. There will be separate chief officers and distinct operational roles. However, a single governance structure would mean the two separate services would work much more closely together, delivering better services more effectively.

The Police and Crime Commissioner (PCC) would become the Police, Fire and Crime Commissioner (PFCC), overseeing the two services and becoming the Norfolk Fire & Rescue Authority.

Community safety teams are already working together, it therefore creates an opportunity to look at shared priorities and how best to deliver the services as effectively as possible. This is building on current work being undertaken within the two respective services.

The two services would remain completely separate with separate budgets. There will be separate chief officers and distinct operational roles. Even with a change of governance, firefighters would remain firefighters and police officers would remain police officers.

It is fully recognised and appreciated that there are two distinct services with distinct cultures, histories and traditions; both are rightfully proud to serve. That would not change and the two services would continue to retain their unique identities, roles and finances – one service's savings would not fund the other, for example. But, by sharing oversight and making the lines of governance much simpler and clearer, both services would work better together and achieve and deliver much more for the people of Norfolk.

The move from Whitegates to the OCC was a concern raised by service personnel in consultation as erosion of the fire and rescue service brand and identity, being absorbed within the headquarters of the Constabulary. The PCC recognises the importance of brand and the differences in services. The governance model would provide the opportunity for the Chief Fire Officer to consider relocation on the site to provide that distinction.

### **Cadets**

A shared youth engagement structure between the two services is a proposal; it is an opportunity to explore if this could lead to a more efficient use of volunteer hours and the ability to introduce joint activities such as training, leisure and community engagement events.

### **Control Room**

It is acknowledged that this project has been ongoing for some time to Co-locate the current Control Room based at Whitegates in Hethersett to the JOCC at Wymondham. It is also understood that negotiations are between the management of NFRS and the FBU and as such are subject to Grey Book terms and conditions.

The business case acknowledges that control room jobs do differ. Therefore, it is agreed that an integrated control room is not practical under current operational conditions, partnership arrangements and the different roles that police and fire control room personnel have. However, it will also be important to make sure that the service does not stand still, and co-location will

enable both control rooms to explore ways in which collaboration could develop.

Blended skillsets might be an area worth exploring in the future and is mentioned in this spirit, but no decision has been made. The intention is that through co-location, both control room teams will have the opportunity to drive development themselves, based on what is practical and what might improve service to the public. An example might be mental health teams and negotiators, where deeper understanding of how to manage stand-off situations could be shared across both teams.

### **Co-location and joint responding**

The draft business case does not propose closing any fire stations. The PCC has said from the start and in numerous media interviews that no fire stations would close – this has not changed

The proposals in the business case are all about the potential to expand the existing programme of co-locating police and fire resources. We have the benefit of being able to draw on experience of co-locating at Sheringham and Downham Market and can be confident that taking this programme forward will deliver financial and operational benefits.

This is about configuring services in the most efficient way; it is not about selling off assets so that money can be taken out of the fire service. Indeed, any money from the sale of fire assets can only be reinvested in the fire service. Under the proposals, the co-location programme can be taken forward more quickly meaning that more can be achieved in a shorter timeframe and therefore more benefit can be delivered over 10 years than under the current arrangements.

There are three key principles that will need to underpin any proposed co-location project:

- Norfolk Fire and Rescue Service must be stationed where it needs to be to reach Norfolk communities, in line with the Integrated Risk Management Plan.
- Firefighter and retained firefighter numbers must not be compromised by reducing capacity, or moving resources away from current locations.
- Operational decisions, including the deployment of fire service resources, must ultimately be determined by the Chief Fire Officer and individual co-location projects will be subject to a detailed business case being made.

It is important to adhere to these three principles; therefore the business case does not attempt to set out a predetermined list of sites where co-location will take place. This will be up to Norfolk Fire and Rescue Service to develop in discussion with Norfolk Constabulary. The Police, Fire and Crime Commissioner's (PFCC) role will simply be to ensure that fire and police collaborate effectively and that investment decisions regarding the estates of both organisations are made quickly and efficiently, while still being subject to effective scrutiny.

To develop the business case, it has been necessary to consider the full list of fire and police locations and the operational needs they embody. Opportunities could range from a new purpose-built joint fire and police station through to a police desk attached to an existing fire station. In practice, and in accordance with the principles outlined above, most opportunities are expected to involve police sharing accommodation on existing Norfolk Fire and Rescue Service sites.

In the business case, it is assumed that the development of 17 sites over the next 10 years should be feasible. This acknowledges that not all sites will prove to be suitable for development or cost effective and there needs to be flexibility over which ones are eventually selected. In order to place an estimated financial benefit on estates co-location in the business case, it has been necessary to look at the detailed and costed proposals at Attleborough, Reepham and Holt, and to draw on preliminary discussions between fire and police about a number of other potential sites. This information has then been used as a basis for estimating the total potential benefit that could be derived from 17 sites over 10 years.

In terms of a floating resource, as stated previously, the expertise for running the operation sits with the Chief Fire Officer. The business case sets out some ideas based on feedback from workshops through the development of the draft business case. These would be decisions made

by the Chief Fire Officer in consultation with the appropriate representatives.

## **Resource Planning**

The PCC would have no operational influence over resource planning. This is no different to the Chief Constable and Norfolk Constabulary.

## **Commercial Revenue and Training**

It is disappointing that this opportunity is dismissed out of hand. Members from the service raised this as a potential area of growth and income generation.

## **Financial Case**

In the event of exceptional operations and costs, there would be three ways of dealing with the situation:

- Current spending could be re-prioritised. It may be possible to freeze budgets or defer other costs.
- The Police, Fire and Crime Commissioner would have a General Reserve (negotiated as part of the financial separation from the County Council) from which exceptional (one-off) costs could be funded.
- The Police, Fire and Crime Commissioner would be able to access 'The Bellwin Scheme of Emergency Financial Assistance to Local Authorities'. 0.2% of the budget would have to be absorbed dealing with the particular incident/series of incidents before a claim could be made.

There are presently around 22 standalone (combined) fire authorities which already manage their budgets as set out above.

## **The Financial Case**

### **6.2 Overview**

All government funding streams are subject to change in the medium term. We have made reference to this in paragraph 6.3.9 on page 82 of the business case. The business case includes a high-level Medium Term Financial Plan (figure 23 on page 83). The funding sustainability and increase assumptions for business rates, Revenue Support Grant (RSG) and council tax are based on information provided to us by Norfolk County Council.

The business case uses a different methodology to calculate the figures.

The Chartered Institute of Public Finance and Accountancy (CIPFA) has published guidance on funding the transfer of a fire and rescue service from a county council to a Police, Fire and Crime Commissioner. The recommended method "which would be fair to county councils and to PCC-style FRAs (Fire and Rescue Authorities)" is "an individual transfer for each county council calculated as a proportion of the net revenue budget allocated to the fire and rescue service."

The business case sets out the calculation that the fire and rescue budget is 4.83% of the overall Norfolk County Council budget. Figure 22 on page 81 of the business case calculates the relevant proportions of the funding streams using the CIPFA recommended methodology.

It is acknowledged by officers that further discussions with the county council will be necessary to finally agree the budget and funding to be transferred.

### **6.6 Balance Sheet**

As stated previously, the Business Case uses a CIPFA methodology with recommended guidance on funding the transfer of a fire and rescue service from a county council to a Police, Fire and Crime Commissioner. It is acknowledged by officers that further discussions with the county council will be necessary to finally agree the budget and funding to be transferred.

## Why the FBU believes the County should continue to run the NFRS

### Summary response:


- The business case provides a range of proposals. Those proposals would be operational decisions by the Chief Fire Officer, business case led in conjunction with the appropriate representative organisations.
- The organisations are not merging; they will still have their own separate budgets. By law, this must remain the case.
- The PFCC has no jurisdiction over operational support staff.
- Every stakeholder is not in opposition. Please refer to the consultation results. Fire and Rescue personnel have only marginally opposed the change.
- Planning and project management is undertaken as core business for Norfolk Constabulary, this would be no different for the Fire and Rescue Service. Investment would be made on an evidence based business case decision making process.

The consultation process is indeed that, an opportunity to put forward a draft business case for discussion, feedback and critique.

The final report provides findings of activities from all key stakeholders throughout the consultation, to provide the reader with a comprehensive account of the process. All feedback will be taken into account in the final business case publication.

**Please find attached a link to the decision notice and consultation report.**

Yours sincerely



Lorne Green  
Police and Crime Commissioner for Norfolk

# Fire & Rescue Services Association



**Official response to the public consultation document –**

**‘A Case for Change: a better way of working for a safer Norfolk’**

*Published by the Officer of the Police and Crime Commissioner for Norfolk*



## **Introduction to the Association**

The Fire & Rescue Services Association (FRSA) is an **independent** trade union in accordance with the Trade Union & Labour Relations Act 1992. Formed in 1976, we have **no political affiliation** and pride ourselves with using the power of argument rather than the argument of power to progress the interests of our members.

While we reserve the right to undertake industrial action as an action of last resort, we refuse to use strike action as a means of progressing our arguments. Our members provide an emergency service in the same community in which they live and/or work which renders it unethical to take strike action against the very people who hold them in such high regard and are also their own friends, family and neighbours.

## Office of the Police and Crime Commissioner for Norfolk – Governance Proposal

In formulating our response to the PCC's proposal to take over the governance of Norfolk Fire and Rescue Service (NFRS), we have taken the following information and considerations into account:

- The OPCC consultation document, 'A Case for Change: a better way of working for a safer Norfolk'
- Norfolk County Council document: Information about Norfolk's Fire and Rescue Service
- Norfolk County Council document: Norfolk Fire and Rescue Service – Keep in safe hands
- Norfolk County Council document: Norfolk Fire and Rescue Service – Keep in safe hands; frequently asked questions
- Statistical data obtained through freedom of information requests to NFRS, relating to the availability of appliances in Norfolk during 2012, 2014, 2016 and 2017
- Decades of first-hand experience of dealing with NFRS management and Norfolk Fire Authorities members
- Comparators with the above, using decades of first-hand experience of dealing with fire service management and fire authorities members from across the UK.

## Options appraisal

The PCC document lists four options:

- Option 1 (Enhanced Voluntary Collaboration) - Continue with the Fire and Rescue Authority as part of the County Council and continue to try to drive additional benefits from voluntary collaboration.
- Option 2 (PCC Representation Model) - Continue with Norfolk Fire and Rescue Authority as Norfolk County Council, but with the PCC becoming a member of the Fire and Rescue Authority as embodied by the Council's Communities Committee.
- Option 3 (PCC Governance Model) - Disaggregate the Norfolk Fire and Rescue Authority and NFRS from Norfolk County Council and set it up as an independent entity under the Police, Fire and Crime Commissioner. Norfolk Constabulary would remain in its current form under the Chief Constable.
- Option 4 (Single Employer Model) - Disaggregate Norfolk Fire and Rescue Authority from Norfolk County Council and set it up as a separable operational unit alongside Norfolk Constabulary under a new a Chief Officer. Governance and strategic direction for the new organisation will be undertaken by the Police, Fire and Crime Commissioner at arms-length.

Our view is that Option 1 provides the status-quo, a model that is familiar to all and has been in operation for decades. However, we have major concerns regarding this proposal as in our view it hasn't delivered the necessary collaboration thus far and we have no reason to believe this will change going forward.

Option 2 is a token gesture of change whereby the PCC takes a seat on the current fire authority. The PCC will have the same voice as any one member of the fire authority which arguably doesn't provide any real influence within the authority, specifically taking into account the current political climate whereby the fire authority is directly opposing the PCC proposal. Therefore this option is likely to actually cause greater unrest within the fire authority than is currently the case.

We are therefore opposed to this option.

Option 3 is the proposal selected by the PCC as his preferred option and one that has been in operation in Essex. The Association supported such a proposal in Essex and interestingly the FBU did not oppose either.

Taking the governance model in isolation, we would not oppose this option.

Option 4 is a total takeover of the Fire Service governance as a single employer model. We believe that such a proposal contains far too many risks and provides the fire service with an uncertain future.

We therefore wholeheartedly oppose this option.

## **Financial stability**

In recent years local councils have suffered a reduction in government grants which have had a detrimental impact on service budgets, this is expected to continue with Norfolk County Council (NCC) having to find approx. £90m in future savings. The council has publically stated that it will protect the fire service budget but experience suggests that this does not provide a cast-iron guarantee for the future. Historically the annual budget for the Retained/On-Call establishment within NFRS has been underspent and the underspend has been used to top-up other departments, we would therefore require assurance that this would not happen in the future either under the governance of NCC or the PCC.

An advantage of PCC governance is that it provides the opportunity for the PCC to specifically increase the fire budget through the increase of its own precept. This is not possible under the current governance structure. We note that within the NCC document 'Keep in Safe Hands', much is made of the fact that NFRS has the fourth lowest budget for a fire service, per head, in England with the additional NCC document (Information about Norfolk Fire and Rescue Service, July 2018) making comparisons with other similar Fire and Rescue Authorities in England claiming that NFRS is 'efficient' and 'lean'. NCC is confusing the provision of an emergency service cheaply with a provision that is efficient.

Providing a service cheaply does not by default mean that the service is efficient, the public are not interested with how much their local fire service costs but that it is provided efficiently and that their money is being spent effectively and efficiently, the actual cost is irrelevant. It could be argued that Norfolk Fire Service should have been arguing for many years that it was being underfunded and needed more resources but it hasn't, either that or NCC has ignored these requests.

It is impossible to predict the future and we have no idea what the financial arrangements will actually be should the fire service stay under the governance of NCC or move over to the PCC, but based on the information we have and looking at how fire services have fared within a combined fire authority, it is reasonable to assume that a fire service which is able to control its finances via an individual precept is more likely to be financially stable and have better control of its delegated budgets.

With regards to the PCC's claim that closer collaboration has the potential to unlock over £10m worth of financial efficiencies over the next 10 years, we treat such claims with some scepticism. It is almost impossible to accurately predict the level of savings with any great assurance due to so many unpredictable variables both locally and nationally. While it is a great headline grabber, saving money isn't necessarily the most important factor compared to an effective and efficient service to the public. The public need greater accountability and transparency that is currently missing from fire governance.

## **Meaningful collaboration and fire reform**

The track record demonstrates that the pace of modernisation is and has been slow with the perception that the fire service reluctantly collaborates rather than pro-actively seeks

effective and efficient ways of working with its blue-light partners. This is naturally disappointing with the majority of collaboration being due to budget reductions.

The public already assume all blue-light services work hand-in-hand with each other, sharing resources and information gathering, however, in reality this is limited and we would like to see improved information sharing as a means of promoting prevention while not suggesting that there are any blurring of lines of responsibility.

We note that the PCC document (section 4.8) refers to FRS personnel being trained in crime prevention. Such a vague comment is unhelpful particularly in light of the sensitivities around the 'rumours' that firefighters will become police officers and vice versa. The 'crime prevention' reference only goes to stoke such rumours and is unhelpful.

While we support information gathering and sharing between blue-light services we are opposed to the blurring of lines between police officers and firefighters. The document has not helped itself by including such an ambiguous reference.

There are also many opportunities for modernisation within the fire service itself, whereby expansion to the role of a firefighter would provide greater opportunities to protect the public by means of social care, safe and well visits, co-responding (emergency medical response), and patient transportation etc., similar to the work being undertaken in Lincolnshire. As 'fire' calls reduce it is imperative that the fire service remains relevant in a modern society by diversifying the service it provides to the public.

### **Reduction in staff**

We welcome the commitment (page 11) that there will be no compulsory redundancies as a direct result of the proposed business case. However, the documents goes on to say that it will:

*'...reduce a limited number of posts through vacancies or through retirement if and when these opportunities arise.'*

We would therefore ask for more detail regarding where the PCC believes these posts can be reduced and how it will manage service delivery without these positions.

The Association fully recognises that under PCC governance there is likely to be new ways of working but we do not expect the change in governance to immediately remove posts either compulsorily or voluntarily.

## **Accountability**

A key governance issue for any fire and rescue service and one of the main reasons for the legislative change allowing PCC to take over governance of 'fire' is the lack of accountability within the current structure.

Fire Authorities are not publically elected, fire authority Chairs are not publically elected and therefore there is no accountability if/when a local fire service is poorly managed and does not deliver best value to the public.

Fire Authorities are made up of local councillors who decide amongst themselves who will sit on the authority and who will be its Chair (and Vice Chair where applicable). This lack of accountability has been a bone of contention for decades as when a service is deemed to fail, the old Chair is removed and new one is put in place, the past Chair still remains an elected member and the new Chair can claim to have a clean pair of hands if taken to task by the media or public questions at local committee meetings. A lack of accountability breeds apathy, if nobody is taking members of the local fire authority to task and there is no consequence for failure then there is no incentive to improve service delivery.

## **Knowledge and experience**

One of the perceived advantages of local government is that it is made up of elected members who come from a broad range of backgrounds and are able to provide knowledge and experience from outside of the public sector. This is no doubt true but to be able to scrutinise an organisation/department elected members need to fully understand how the organisation works and specifically the Retained Duty System in a county where the vast majority of emergency fire provision is provided by Retained/On-Call firefighters. It is our view that the fire authority has not and currently does not contain the appropriate level of knowledge and understanding within its members to provide the appropriate level of scrutiny and fulfil its obligations to the public in providing 'Best Value'. Norfolk is not alone in this situation as our experience suggests that this is unfortunately the norm.

If NFRS is to move to a PCC governance model it is imperative that the OPCC does not fall into the same situation as the fire authority whereby it relies too heavily on the advice of fire officers due to a lack of knowledge and understanding, otherwise progress will not have been made and the status-quo would have been a better option.

## **Frontline Resources**

The consultation document under 'Resource Planning' (page 66) contains a map of Norfolk with the fire stations identified across the county. Unfortunately it would appear that the map is missing two stations, **Hethersett** and **West Walton**. We assume this is a printing error rather than a proposal to close either or both stations?

The map identifies eight stations as potentially having a 'small response vehicle' rather than their current fully equipped frontline appliances.

We are fully aware of similar vehicles being used operationally in other fire and rescue services, specifically in West Midlands Fire Service due to it being a largely suburban area where a smaller vehicle is deemed to be appropriate in terms of speed and incident types.

However, our position on these emergency response vehicles is very clear. These resources should be used as a supplementary provision rather than a replacement. To replace a frontline appliance which is able to carry a broad range of equipment capable of tackling property fires and road traffic collisions (RTCs) among a number of other incidents and accommodate up-to eight firefighters with a small vehicle carrying less equipment that is unable to respond to the same number of incidents and carry fewer firefighters is a backward step and one which we are vehemently oppose to.

The document goes on to claim (page 64) that ‘...smaller 4x4 appliances can reach an incident in a fraction of the time taken to deploy larger appliances...’, this simply isn’t true. Whether Retained/On-Call firefighters are responding to their local fire station to crew a frontline appliance or a 4x4 vehicle the time taken is exactly the same. In fact, if a 4x4 vehicle responds to an incident which the Officer in Charge (OIC) decides it isn’t equipped to deal with and requires a fully equipped appliance, the time taken to provide an adequate resource actually takes much longer. This is why our view is that 4x4 vehicles (or similar) should be a supplement resource not a replacement.

We understand that the wording within section 4.5 (Co-location and joint responding) and the accompanying map has understandably caused much angst with the crews and communities at the eight stations identified as potentially having an inferior appliance located at the station. The residents of Heacham have even launched a facebook campaign to ‘*say no to fire cuts*’, such is the unrest the proposal has caused.

The proposal, irrespective of its original intention, shows a complete lack of understanding of how the fire service functions operationally, and questions the ‘fire’ expertise used to formulate the consultation document. If the PCC takes on the role of governance we would expect a better standard of understanding within the OPCC and this will need to happen very quickly to remove similar unsubstantiated proposals, although we do acknowledge that the PCC is not expected to have the same level of understanding of the fire service due to his limited experience and exposure on a day-to-day basis.

### **Police and Fire Collaboration Board**

Reference is made in the PCC document to the ‘Police and Fire Collaboration Board’, and a claim that the board hasn’t met since early 2017. Quite a damning statement considering collaboration is supposed to be at the heart of both blue-light services.

Within the NCC ‘Frequently Asked Questions’ document, it states that the board continues to meet, last met on April 2018 and is now called the ‘Norfolk Emergency Services Collaboration Steering Group’.

We therefore asked NCC for a copy of the group minutes of the meeting from April 2018. The response was that they didn’t have access to them and wasn’t aware that the ‘revised’ group now meets twice a year and consists of a senior officer from each service (two).

We raise this issue within our response as it demonstrates a lack of organisation currently in place, as the local fire authority is seemingly in the dark about the revised group and unable to access any minutes from the meetings it holds. This doesn't bode well for the council's argument for the status-quo.



## **Police Fire and Crime Commissioner**

If the decision is taken by the Home Office to change the governance arrangements for Norfolk Fire and Rescue Service to a PFCC model, the OPCC will need to undertake a steep learning curve if it is to improve on the current model.

The PCC document (5.4 Human Resources) makes reference to 'professionals' when referring to Wholetime operational staff, subsequently it then goes on to refer to 'retained' operational staff. This sloppy terminology will very quickly alienate Retained firefighters (who provide the vast majority of fire cover in Norfolk) if it is inferred that they are somehow not 'professional' compared to their Wholetime colleagues.

For the avoidance of doubt, a firefighter is a firefighter in Norfolk, the only differences between firefighters is the duty system they work, not how professional they are. We assume the terminology is clumsy rather than a perception of ability by the OPCC. The Association has spent its entire existence in trying to overcome such myths and fight for the rights of its members to be treated as equals with their Wholetime counterparts, which is why we are critical of such ill-informed terminology.

The document also infers that firefighters in Norfolk Co-Respond (page 26). We believe this again is unfortunate wording, rather than a misapprehension that firefighters provide emergency medical response (Co-Respond). We assume that the paragraph refers to close working with the Ambulance service.

We would very much like Co-Responding to be part of the firefighter role in Norfolk, as is the case in neighbouring Lincolnshire (and many other FRSs in England) but alas it is currently not the case. Perhaps if the PCC does take over the governance of the fire service he will seek agreement from the Ambulance trust to undertake this valuable role?

## **Norfolk County Council**

### **Elected member engagement**

The Association is and has always been a strong advocate of early and regular dialogue with fire service middle managers and principle officers and elected members within fire authorities.

If it therefore disappointing that on occasion, past requests to meet with elected members has been met with scepticism and an unwillingness to meet privately (without fire officers present). This lack of trust and openness does not make for productive and meaningful industrial relations between the employer and employee representatives. The Association is a non-political, independent trade union and has no interest in party politics, however it is clear that the FBU's affiliation to the Labour Party has provided them with a more favourable relationship with a selection of past and current members.

Where the PCC governance model is attractive, as our recent experiences suggest is that other PCCs across the country are willing to engage, plus there is consistency of having one person to deal with to formulate a professional and meaningful relationship with over a four year period within which trust and respect can be built upon.

Should the PCC governance model go ahead, we would expect regular dialogue with the PCC to ensure the voice of our members is heard and are professionally represented within the workings of the OPCC.

### **Retained/On-Call Recruitment and Retention**

The Association has regularly raised the issue of recruitment and retention of Norfolk's Retained/On-Call firefighters with both the service and elected members for a number of years. All too often these discussions have amounted to little or no action being taken to address the decline in appliance availability which currently stands at Retained/On-Call appliances being unavailable for approx. 20% of the time.

However, over the last 12 months the service has taken great strides in both acknowledging the problem and undertaking initiatives to halt the decline. This work has been driven by the new management structure rather than elected members. We are unaware that the local fire authority has provided the necessary strategic vision that has been required for over a decade, this despite the Association raising this very point on numerous occasions.

Our question therefore is what would instigate the drive within the fire authority to provide the necessary leadership to overcome the ongoing recruitment and retention issues that have faced the county for a number of years, why should we believe that suddenly the authority will change its approach to the issues facing the service? This is a genuine concern should the fire authority retain governance of NFRS.

## **Summary**

As per our [Position Statement](#) released last year, unlike the [FBU](#), we are not directly opposed to Police and Crime Commissioners taking on the role of governance for a local fire and rescue service. Each proposal will be unique and a number of factors need to be taken into account when forming a position on a case-by-case basis.

While the Norfolk PCC Business Case clearly contains a number of failings in the OPCCs understanding of the workings of the Fire and Rescue Service, that is not in itself a reason to directly oppose the proposal, albeit we would insist that the OPCC undertakes a steep learning curve gathering expert opinion from appropriate, balanced sources to better recognise the changes that would and would not work when proposing different ways of working in the future.

Should the PCC decide to progress his case to the Home Office, we would not oppose this change but would seek assurances that his office puts into place the appropriate industrial relations mechanism to ensure the views of our members are heard and that meaningful dialogue can be exchanged, formally and informally on a regular basis to the benefit of the Association, the service, the OPCC and the public.

*Ends*

**Steven Hornby, FRSA Secretary, Norfolk**

**August 2018**

The Fire and Rescue Service Association (FRSA) – formally the RFU

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16 November 2018

Dear Mr Hornby

**Fire Governance Consultation – Norfolk**

Thank you for your formal response to the consultation process, in particular the depth of research and considerations you have taken into account in formulating your response, is really appreciated.

Please find below our commentary to your response.

**Options**

- We note that you are not opposed to a change in governance to the PCC (Option 3).
- We acknowledge your position in terms of Option 1. The status quo has not delivered the necessary collaboration thus far and that you have no reason to believe this will change moving forward.
- Options (2) and (4) are opposed, in accordance with recommendations in the Business Case.

**Financial Stability**

We note your concern in the NCC document 'Keep in safe hands', that much is made of the fact that NFRS has the fourth lowest budget for a fire service, per head, and further statements relating to being 'efficient' and lean'. We acknowledge your views that providing a service cheaply does not by default mean the service is efficient. The primary aim of the business case for change proposed by the PCC is to provide the best possible services for the people of Norfolk. Of course, money is a factor and any efficiency outlined in the business case will be reinvested in the service, alongside the opportunity to precept independently.

The two services would remain completely separate with separate budgets. There will be separate chief officers and distinct operational roles. By law the two emergency services' budgets and precepts (money raised through council tax) must remain separate. Given that the two services would remain distinct and separate, any savings would be invested back into the individual services and protected.

Were the governance of the fire and rescue service to move to a Police, Fire and Crime Commissioner (PFCC), the fire & rescue service element of the council tax would be consulted upon and set separately for the first time. This would make it clearer and easier for people to know exactly where their money is being spent in terms of fire and rescue. It would no longer be collected as part of Norfolk County Council element of Council Tax bills.

In terms of the proposals as set out in the draft business case, it is also acknowledged that all proposals are indeed draft. Should governance be transferred to the PFCC, the Chief Fire Officer will be responsible for all operational decisions, therefore any proposals would be subject to an evidence based decision on a case by case basis, in accordance with the IRMP and with due consultation with the representative bodies.

### **Meaningful collaboration and fire reform**

We note your comments referring to the track record of modernisation being slow with the perception that the fire and rescue service reluctantly collaborates rather than proactively seeking effective and efficient ways of working with its blue light partners.

Whilst there are examples of some good work, the successes in terms of collaboration have too often been slow, patchy and complicated. As of spring this year, the operational police and fire joint collaboration board had not met for more than 12 months.

Currently, we have a PCC holding the police to account, whilst the fire & rescue service is part of Norfolk County Council – meaning twice the governance. Two lots of governance frankly does not make sense, certainly not when it comes to quick and effective decision making. One of the real benefits of the role of PCC is that it is not hampered and delayed by a complex structure of committees, sub-committees and immovable meetings. PCCs can make informed, evidence-based decisions in a sharper, quicker and more effective manner.

We note your concerns regarding unhelpful language and potential sensitivities with colleagues, particularly in terms of crime prevention. This was not the intention. Even with a change of governance, firefighters would remain firefighters and police officers would remain police officers. We are talking about two distinct services with distinct cultures, histories and traditions; both are rightfully proud to serve. That would not change and the two services would continue to retain their unique identities, roles and finances – one service's savings would not fund the other, for example. But, by sharing oversight and making the lines of governance much simpler and clearer, both services would work better together and achieve and deliver much more for the people of Norfolk.

The new ideas and initiatives you have suggested are welcomed, the common thread throughout the business case is about maximising opportunities for the service, ensuring that in a modern society the service is flexible to change, innovative and forward thinking to meet the needs of our public.

### **Reduction in staff**

There will be no redundancies as a direct result of the business case. The case for change is about who governs the fire and rescue service. As is always the case, any future plans either organisation might have would be subject to separate decision making and analysis and would require their own business case, including consultations with staff and representative bodies.

### **Accountability**

Public transparency and accountability for the fire service is indeed a key driver for change.

The governance model would focus on how the service is overseen and scrutinised and how decisions are made. It is important to be able to demonstrate transparency and enable the public to hold those in charge to account.

The electorate would still hold the PCC to account as at present. Currently the work and decisions of the PCC are scrutinised by a Police and Crime Panel, made up of elected members of the county and district councils, as well as independent members. If this proposal were to go ahead, that Panel's role and remit would be expanded to become the Police, Fire and Crime Panel.

### **Knowledge and experience**

Your view that the fire authority has not and currently does not contain the appropriate level of knowledge and understanding within its members, to provide the appropriate level of scrutiny is noted. Should therefore a change of governance take place, the OPCC will ensure that the appropriate level of advice and understanding is developed to ensure that fully informed scrutiny is delivered to fulfil its obligations to the public in providing 'Best Value'.

### **Frontline resources**

The map is in the business case for illustration only, and the omission of some stations is not an indication of decision to close stations – this was an area of concern that was raised in the consultation; they should have been on there. The draft business case does not propose closing any fire stations. The PCC has said from the start and in numerous media interviews that no fire stations would close – this has not changed.

There is no intention to close fire stations that could affect delivery of the current Integrated Risk Management Plan. The only exception might be where there is an opportunity to develop a new joint facility in the same location. No decisions have been made – each scheme would be subject to its own individual business case, to be overseen by the Chief Fire Officer and his team in order to align with the Integrated Risk Management Plan.

As part of the development of the draft business case a number of workshops and meetings were held in order to explore ideas for the future. Some of those involved staff from Norfolk Fire and Rescue Service and Norfolk Constabulary and looked at operational matters, such as whether the fire and rescue service's response to incidents could be improved.

One of the suggestions from the workshops and meetings was to run a pilot to see whether replacing some larger fire engines with more versatile 4×4 appliances could improve deployment and response in certain areas. The proposal aimed to offer a faster, more efficient response, especially in some (often more rural) areas where there can be problems in sustaining sufficient crew numbers.

Your concerns however are acknowledged and taken into account and we take on board your comments relating to the proposals and their deliverability. It is important that if the NFRS is transferred into a new governance model we learn from the fire authority and the comparisons you have made.

Much like the Chief Constable runs the police force, the Chief Fire Officer will be responsible for the operational running of the fire service. These proposals are about governance – providing a strong voice for our communities, holding the chief officers to account, ensuring the public get an effective, efficient service and making sure services meet and respond to community needs.

### **Police and Fire Collaboration Board**

We note your comments relating to the status of the Board. It is disappointing that you were unable to access any minutes of the meetings it holds, however according to the feedback from the Constabulary, the Board has not met for a period of over 12 months.

### **Police and Crime Commissioner**

It is acknowledged that should the future governance of the fire service change, a fuller appreciation and understanding of the language and terminology would develop in conjunction

with open communication with the service and representative bodies, similar to that of Norfolk Constabulary.

Should there be opportunities to further enhance our emergency services provision with the Ambulance service, the PFCC would welcome open dialogue, working with senior professional to deliver the best possible service to the residents of Norfolk.

### **Norfolk County Council**

It would be inappropriate to comment on the current arrangements with Norfolk County Council. Should there however, be a change in governance; the PCC would adopt a similar approach to the one currently in place with Norfolk Constabulary and all the representative bodies. Regular open dialogue is encouraged, either through formal or informal communication. A professional and meaningful relationship is of paramount importance in the best interests of the service.

### **Retained/On-Call Recruitment and Retention**

This was a key line of enquiry throughout the consultation process. The PCC stated his commitment to the importance of retained/on-call recruitment and retention, an area that would figure large in a strategic vision for the service. The PCC would work with the Chief Fire Officer, representatives, to ensure that this is a key objective and fundamental to future service provision.

### **Summary**

Thank you for your response. Should a change of governance take place, please be assured that the OPCCN will put in place the appropriate industrial relations mechanisms to ensure that your organisations voice is heard and your members are represented in meaningful dialogue on a regular basis to the benefit of the Association, the service, the OPCCN and local residents.

Kind regards



Lorne Green  
Police and Crime Commissioner for Norfolk

Dear Mark,

Please see below response from Unison Norfolk County Branch following the meeting that Jonathan and I had with you, Lorne and John on 29th August 2018.

Kind Regards

Tim

**Tim Allison**

**Unison Representative / Fire Safety Advisor**



**Norfolk Fire & Rescue Service**

Excuses Kill. Get a Smoke Alarm. 🚒

Thank you for meeting with me and UNISON's Fire Service rep Tim Allison; it was a useful conversation.

UNISON are however still opposed for the Fire Service to move away from the County Council and to be accountable to the PCC. This is because we believe this undermines the democratic model that allows local people to make representations to their local councillor on issues that concern them. Whilst we appreciate the PCC is also elected he clearly has a responsibility for the whole of Norfolk, which of course the Chair of Fire Service Panel has, yet without the network of county councillors beneath him to feed directly into the decision making process and, at full Council to have the right to vote in issues that matter to their constituents. UNISON believe this is an effective model of democratic accountability and one that has by and large worked for the people of Norfolk, who of course include 1000's of our members.

From our conversation it was clear that the 10 year financial forecast was very provisional and the PCC, like the County Council, would be to a large extent in the hands of the Government in terms of funding. We did note the ability the PCC has to levy a precept on the council tax ring fenced for the Fire Service and the fact that the Fire Service budget is ring fenced under the proposal. Whilst this may give some assurance re the financing of the service there is still the fear that back office services will be merged to provide efficiencies with the focus on service delivery then being on policing. In such a situation there will be a risk of budgets being blurred, rather than ring fenced, so we would hope transparent mechanisms can be produced to address this IF the case goes forward. There is a perception amongst our members that Fire will be the junior partner in the Governance Model and may be treated as such.

We were also assured that the day to day operation of the service would be down to the CFO and s/he would determine the staffing structure in consultation with the unions. It was reassuring to hear that the consultative arrangements we currently have in place would be no different under a new governance model.

You mentioned lack of clarity from NCC re the various contracts they have with Norse. Ideally UNISON would like to see these services brought back in house, but if that is



considered not to be feasible then we would prefer Norse to be the provider as they have a reputation of delivering a decent service (given the immense budget constraints they have to work under), of treating their staff fairly and recognising and working with unions.

We mentioned the potential high cost of TUPEing staff as a result of the Local Government Pension Scheme. The negotiations on the final amount can lead to an unexpectedly high figure so we would urge you to do all you can to ascertain the likely maximum amount so IF the proposal goes ahead there are not significant financial implications down the line that could have repercussions on jobs.

We were also reassured to learn that the Fire Service wing of the new model would retain Norfolk Fire Service terms and conditions of employment and all new recruits would be employed on the same conditions. We all recognised there would be further work required in this area IF the proposal took place. Apart from the obvious need to amend the hearing processes in grievances and disciplinaries we would also need to agree how job evaluation is done. The most obvious solution here is for the new model to buy the service of NCC's Reward team to ensure consistency and fairness in job evaluation thus minimising the risk of Equal Pay claims.

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Mr T Allison  
Unison Representative/Fire Safety Advisor  
Norfolk Fire & Rescue Service  
Central Fire Safety  
Diamond Jubilee Fire & Rescue Station  
Carrow  
Bracondale  
Norwich NR1 2EE

**Our Ref:** LG/kw  
**Reply to:** Lorne Green  
**Direct Dial:** 01953 424455  
16 November 2018

Dear Mr Allison

### **Financial & Governance**

The business case sets out a range of proposals. These proposals are based on feedback from officers and staff from within Norfolk Fire and Rescue Service, together with desk and field research of developing good practice across the country.

The Chief Fire Officer would have full operational independence on decision making, including the responsibility to develop fully costed options in an evidence based business case for any significant change.

The primary aim of the case for change proposed by the PCC is to provide the best possible services for the people of Norfolk. Of course, money is a factor and any efficiency outlined in the business case will be reinvested in the service. The proposals stated in the business case do not mean a cut in the service; efficiencies identified provide the opportunity for the Chief Fire Officer to reinvest in the service.

You raise concerns over blurring of budgets, there is no merger, and each organisation will still have their own separate budgets. By law, this must remain the case. The two services' budgets and precepts (money raised through council tax) must remain separate. Given that the two services would remain distinct and separate, any savings would be invested back into the individual services

There would be no junior partner in terms of governance model. Whilst the PFCC would adopt the similar governance structure, each organisation would remain separate. The business case sets out the importance of effective governance and scrutiny, which in term leads to better spending decisions, policies, practices and procedures and, ultimately, a better quality of service, leadership and conduct. The governance model is intended to demonstrate transparency and enable the public to hold those in charge to account independently.

### **Operational independence**

This is a very important factor. Similar to the roles and responsibilities of the Chief Constable under the existing governance model, the Chief has full operational independence. Chief Officers

and their respective colleagues are the experts in their professional field and in turn expected to deliver an effective and efficient service. The PFCC would be responsible for holding the Chief Fire Officer to account to deliver the service.

### **Contracts**

We are unable to comment on the existing NORSE contractual arrangements.

### **Terms and Conditions**

Green book employees will remain within the Local Government Pension Scheme as governance by the PCC does not change the fact they will be employed within the local government sector. Contributions would remain the same; there would just be a different employing body paying the employer's contribution. Firefighters would be employed by the Fire Authority/PFCC and would remain in the Firefighters' Pension Scheme.

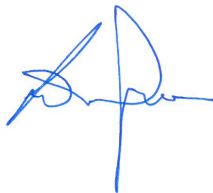
All rules and procedures relating to staffing matters would be developed in full consultation with the respective representative bodies. This would be led by the Chief Fire Officer and his team, however the PFCC would ensure that a full and transparent process is maintained with open communication with representatives.

### **Democracy**

You have raised concerns that a new model of governance undermines the democratic model that allows local people to make representations to their local councillor on issues that concern them.

In terms of democratic process, the electorate would still hold the PCC to account as at present. Currently the work and decisions of the PCC are scrutinised by a Police and Crime Panel, made up of elected members of the county and district councils, as well as independent members. If this proposal were to go ahead, that Panel's role and remit would be expanded to become the Police, Fire and Crime Panel.

Yours sincerely



Lorne Green  
Police and Crime Commissioner for Norfolk