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A 'model' national framework for Fire and Rescue Services in England

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What should the new National Framework for Fire and Rescue Services consist of?

In previous working papers^{1,2,3} we have criticised both the new draft national framework for fire and rescue services and the proposals for the new fire and rescue inspection programme published in parallel by HMICFRS.

Inherent in such a position, is the challenge to set out what, in our view the new National Framework for Fire and Rescue Services should actually contain.

We were struck by the need to do this, when listening to the presentations and debates at the International Forum on Fire Safety Building Codes and Regulations at the House of Lords at the end of January. This event followed the publication of Dame Judith Hackitt's interim report of her review into the (in) adequacy of the building regulations.

One of the questions prompted by the presentations, was how do any (radically improved) building regulations, and Dame Judith's recommendations fit into the bigger picture of policy development and regulatory control?

Our view is that the strategic positioning of the building regulations and those parts of the regulations relating to fire safety should be clearly 'nested' within the organisational and functional landscape provided by the new national fire and rescue framework published by the Home Office. Unfortunately, as our earlier working papers make clear we have serious reservations about the adequacy of the proposed national framework outlined in the Home Office consultation.

An exemplary framework

An exemplary framework starts with, and is built upon, a series of fundamental values and principles and in the UK, must enshrine and promote the 'principles of public life'.

All public servants, whether involved in policy development or service delivery must adhere to the seven principles of public life known as the 'Nolan principles'. They are the basis of the ethical standards expected of public servants, public office holders and all those in other sectors that deliver public services.

These principles established in 1995, cover selflessness, integrity, objectivity, accountability, openness, honesty and leadership. Leadership in this instance means holders of public roles should exhibit the Nolan principles in their own behaviour, actively support and promote the principles and be willing to challenge poor behaviour wherever it occurs. The principles are also enshrined in the UK's ministerial code of conduct and apply to ministers as well as to their civil servants.

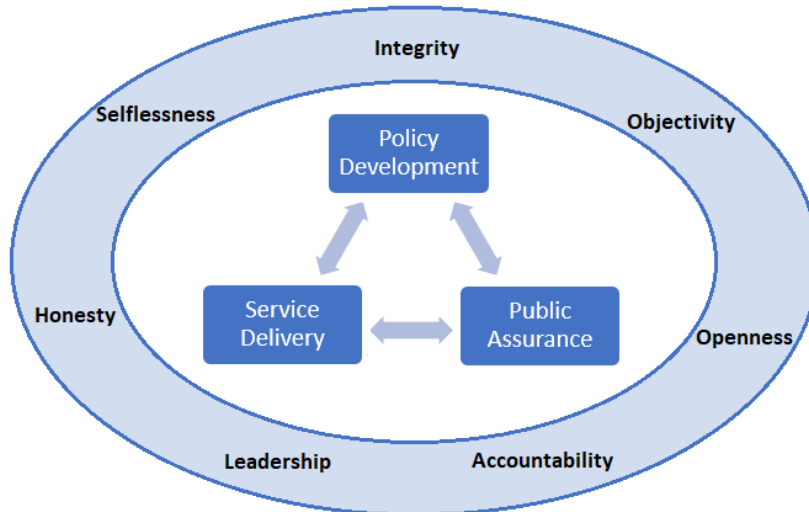
In developing a framework for Fire and Rescue Services, the original authors and ministerial legislators therefore need to adhere to and promote these principles in their work.

The essential components of a national framework for public services.

Any national framework or policy and delivery regime for a public service will need to cover and make provision for three key interconnected domains. These are

- a) The policy development domain. The why, what, and who, of policy development, what for example are the objectives of any policy and what are the parameters to its development and subsequent implementation.
- b) The service delivery domain. This can relate to services, organisations or whole sectors of activity delivered to the public. How is the service to be delivered? how is it 's delivery to be optimised, improved, sustained and innovated?

- c) The public assurance domain. How is the public provided with re-assurance that the money taken off them to finance the policy prescriptions and the strategic and operational delivery of the service, justified and does it deliver value for money? Does the system collectively, and the individual interests within it; 'say what it does and does what it says' – within an open and transparent reporting regime.



As these domains are interconnected there are going to be a number of issues or characteristics that appear in more than one domain. However, turning specifically to the situation or circumstances of Fire and Rescue Services in England what should be covered in each of these domains?

Introductory Issues

Before suggesting considerations for each of these domains, there are some introductory issues that most national (or regional or local), frameworks attempt to cover, and we believe should be covered, as they 'set the scene', for any framework. They are usually dealt with right at the start of any new framework, although the reason for the introduction of a new framework or for changes in an existing framework may be presented before the following three introductory parameters.

The **legislative basis** or series of laws and regulations that provide the authority for the changes that are to be proposed, be they in policy, delivery or public assurance. This is usually the most prominent and one of the first issues addressed by most frameworks in the public sector.

Secondly any framework should set out the current **strategic and operational organisational landscape** that the service or sector operates or exists within, and the roles and responsibilities of the most significant individuals, organisations and institutions within it. It is essential that current relationships within these existing 'actors', are made clear. The introduction should also make clear how any proposed or new individuals, organisations and institutions will fit into the new or proposed organisational landscape, and how any changes, or assumed changes, to existing relationships will present themselves or be reconfigured in the future. This is particularly important if new institutions are to be introduced or the roles of existing institutions significantly changed.

Thirdly, public services are dependent on public money for implementation. The financial and fiduciary duty on those controlling and having responsibility for collecting and expending **the resource envelope** for public services such as fire and rescue services in England is central and local government, with Police and Crime Commissioners expected to play an increasing role as a result of

the Policing and Crime Act 2017. Despite multiple protestations and statements to the contrary, the primary collection and disbursement of the public's money to Fire and Rescue Services is predominantly through central government allocations of expenditure. National limits on public expenditure and revenue raising, together with centrally imposed caps on revenue raised through local sources, are the principal parameters to the resources available to fire and rescue services (both revenue and capital). The resource parameters, and any anticipated, planned or assumed changes to them should be clearly set out as part of the framework's introduction.

Finally, the period that the framework is expected to cover and the arrangements or time for any regular or significant reviews of the framework should be set out. In England there are currently five-year fixed parliamentary terms and the government's own planning and performance framework is related to the treasury's Spending Review, the latest of which was announced in November 2015 and similarly covers a five-year period. Annual reviews are regular features of both spending reviews and national frameworks.

The policy development domain.

As with any public policy, the first consideration is the legislative basis upon which policy and delivery of public services is being considered. What are the legislative or strategic objectives and what are the parameters that limit its development. Any policy will obviously be limited by these ultimate parameters (otherwise in the UK the policy interpretation is deemed to be 'ultra vires'); but policy is also a deliberate and often a limited interpretation of the possibilities generated by primary legislation.

The current national framework and the HMICFRS programme both have multiple examples of self-limitation or variable interpretation.

HMICFRS for instance, accepts that the Home Office can commission thematic or cross-cutting inspections but clearly states that "HMICFRS is not funded to carry out thematic inspections" while the Home Office makes no mention of additional resources being made available for thematic inspections.

The Home Office clearly states that every fire and rescue authority has to "assess all foreseeable fire and rescue related risks that affect their communities, whether they are local, cross-border, multi-authority and/or national in nature from fires to terrorist attacks". HMICFRS is equally clear that its inspections will not cover anything like that range of responsibilities.

It is clear to most people that the challenges, practicalities and opportunities of policy implementation should be considered at the same time as the development of policy. This appears on the face of it to be self-evidently desirable, but unfortunately is seldom adhered to, and is not a strength of the Home Office.

Co-production of national policy, and meaningful engagement of key stakeholders, and the public, within the national policy process, have fallen out of favour and policy is primarily now developed by policy makers and their political masters. Publishing a new national framework between Christmas and the New Year, to a silent fanfare of absent publicity, does nothing to enhance the Home Office's reputation for open collaborative policy development.

Setting out clear strategic objectives that underpin new policy is always essential. They should be comprehensive, coherent, robust, realistic and internally consistent.

Aligning emerging policy with policy agendas in related services or sectors is unfortunately also a characteristic that is increasingly difficult to demonstrate.

Previous governments have used the successive cohorts of Public Service Agreements to accompany successive Spending Reviews, in order to align policy agendas across services and sectors. This also helped to ensure another of the characteristics of good policy development was evident, namely that multiple parts or elements of a policy agenda are mutually reinforcing in their intent.

Ad hoc and individual policies or initiatives that do not pay attention to related policy agendas, frequently generate contradictions, perverse outcomes and unintended consequences often undermining the original policy intention. If multiple services or sectors have the same objective, such as improving fire safety to the public, then their policy programmes should clearly be aligned and mutually reinforcing.

The service delivery domain

Shared, co-produced quality assured data and information is one of those issues that is relevant to all three domains. The quality and robustness of the evidence base available underpins policy development, service delivery and public assurance. The tools, techniques and systems to investigate, interrogate and render raw data and information intelligible to the policy developers, service delivers and the public are equally essential.

Evidence based policy development has been a characteristic of Fire and Rescue Services, yet the current evidence base is partial, contradictory, deteriorating and no longer fit for purpose (ref) as even the prime minister has recently accepted (ref), and Grenfell disastrously demonstrates.

The IRMP process has been accepted without either question or improvement in the last two frameworks. Yet the reality of fire risks in any area are a combination of risks to people (both individuals and communities), and risks to buildings, property and premises. Both are capable of assessment and both should be overlaid on an area to inform service reconfiguration.

Another example are the 'cost of fire' calculations which are universally considered out of date and inadequate, but no one can agree how to revise them.

Leadership and governance arrangements, at both national and local levels, have been extensively criticised by the NAO, the Public Accounts Committee, Dame Judith's interim report, and numerous independent academics and commentators. There is no shortage of advice on what constitutes good leadership and robust governance. Yet external scrutiny of Governance and Leadership is significantly under-powered within the proposed Inspection Regime from HMICFRS.

A robust performance management regime would cover strategic, operational, collaborative, organisational and financial performance. It should provide Incentives for improvement and disincentives for services that dis-engage, resort to a compliance culture or pay lip-service to service improvement.

Fire and Rescue Services are relatively consistent universal services. Support for their improvement is often most economically provided collectively and made available to all services. The national infrastructure for guiding and assisting service delivery and improvement has largely been dismantled in England. A central body for standards, codes and regulations is one part of this infrastructure, a dedicated website may be another. Both of these initiatives, at best, are in the early stages of development.

But they hardly scratch the surface or match the scope of what was provided by the former Audit Commission, the Improvement and Development Agency, the Leadership Centre the former Fire Inspectorate and even the Fire Service College. These are the type of organisation that continually improve the evidence base, question the risk assessments, provide tools techniques and systems to investigate, interrogate and render raw data and information intelligible to the policy developers, service delivers and the public.

One thing the former improvement infrastructure produced collectively and actively disseminated was support for both systemic and individual organisational innovation and creativity, through pathfinders, pilots, beacons, improvement networks and examples of good practice.

Underpinning all this was another characteristic common to all three domains, namely robust scrutiny, extensive quality assurance and a level of accountability and transparency that the public have the right to expect of any publicly funded service.

The public assurance domain

As well as sharing the service or sector's evidence base, one aspect of service delivery and public assurance, that the last 30 years has demonstrated, is the need for Key Performance Indicators. As Fire and Rescue Services are increasingly subject to direct political control these are going to consist of a mixed basket of objective and subjective measures covering the whole range of services and activities undertaken by fire and rescue services – directly delivered, outsourced and collaboratively provided.

This data, together with other key strategic and operational processes systems and documentation, need to be subject to robust internal audit and scrutiny.

An internal audit and scrutiny process that complements and mutually reinforces a robust external audit and scrutiny process. External scrutiny, of which inspection is an essential but not of itself sufficient part, should be designed on the basis of inspection for improvement rather than compliance, and in mature systems is generally proportionate to strategic and operational risk of deterioration in service to significant under-performance or to service or organisational failure.

Self-assessment followed by peer review are essential elements of the improvement journey and best practice in other sector indicates that they should operate both outside and within the inspection methodology

Inspection, triangulated by other evidence should provide the basis for intervention. A hierarchy of intervention arrangements should be developed so that a particular aspect of a service such as their outsourced services, their financial control, their preventative or other services or the services approach to equality and diversity may be addressed, as well as, in extreme cases the organisation as a whole

Finally, two aspects of an exemplary public assurance regime that we have drawn attention to before, but in the light of the recent debate we need to re-emphasise. One is the need for a truly independent external inspectorate, and chief inspector, focussed on the public interest and the improvement of the fire and rescue service as a public service neither beholden to government or reporting to it, but with independent reporting rights and responsibilities. Secondly exemplary public assurance regimes are built into and are supported by the public assurance scrutiny regime of the central state, they are answerable to parliament not to government. In the UK they are usually embraced by the Select Committee system. One of any government's fundamental responsibilities is to ensure the safety of its citizens. In a modern affluent society the public have the right to expect all

emergency services, including Fire and Rescue Services to benefit from an exemplary assurance regime.

The Nolan Principles		
Policy Development	Service Delivery	Public Assurance
The Evidence Base	The Evidence Base	The Evidence Base
Standards and Codes	Standards and Codes	Standards and Codes
Strategic Policy Intent	Leadership and Governance	Internal Audit
Co-production	Performance Management	Peer Review
Strategic Policy Alignment	Improvement Infrastructure	External Audit and Inspection
Mutually Supportive Policies	Innovation	Internal and External
Internal and External	Internal and External	Scrutiny
Scrutiny	Scrutiny	
Situational Context		
Legislative Basis/Strategic and operational Organisational Landscape/Resource Envelope		