

Chapter 2

The gathering storm

Modernisation, Local Alignment and Collaboration

Fire and Rescue Services under the early New Labour administrations from 1997 to 2005.

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Introduction

This chapter will look at one of the most turbulent periods in the history of the Local Government and Fire Services in particular in England. It was a period that saw ‘an unprecedented attempt by UK central government to transform the politics and performance of English local government’ with the result being ‘a decade of unprecedented change, which had profound implications for the governance of local communities and management of local services (Downe and Martin, 2007). How this agenda played out in the Fire Services is one of the most interesting but surprisingly confusing stories of the period from 1997 to 2005. Modernisation during this period was generally regarded more positively in other public services, such as local government and the NHS, and much needed changes in the Fire Service were slower to materialise. As we will see from the next chapter, by the time New Labour left office in 2010, the Fire Service was much more positively engaged in a public service improvement agenda focussing on prevention, protection and collaborative working across public services. This chapter focusses on the complex and fascinating earlier period of 1997-2005.

When Tony Blair’s New Labour government took office after the landslide election of 1997, responsibility for the fire and rescue services in England, Scotland and Wales was part of the Home Office’s portfolio. The service in Northern Ireland, which had been a single Fire and Rescue Service since the Belfast Fire Brigade and the Northern Ireland Fire Authority amalgamated in 1973, was the responsibility of the Northern Ireland Office. Northern Ireland was still under ‘direct rule’ from Westminster and the Good Friday Agreement of 1998 had yet to be signed.

The relationship between the Home Office and the (then) Fire and Rescue Brigades could be characterised as one of ‘benign neglect’¹ (Raynsford, 2016). The Home Office agenda and its media coverage was dominated by criminal justice, immigration, the prisons and the security services, all of which enjoyed a higher priority with the government of the time. Successive Home Secretaries and the fire services themselves were content to accept a low (some would say almost subterranean) profile. This is also a reasonable characterisation of the relationships between local fire brigades and the vast majority of local fire authorities as well as the relationship between local fire services collectively with the Local

Government Association and its predecessors. Fire and Rescue Services had been allowed to quietly ossify and they were ill prepared for the approaching ‘modernisation’ storm.

The legislative basis for the service in essence, remained the 1947 Fire Services Act, which transferred the functions of the short-lived, National Fire Service, created as part of the response to the Blitz during the Second World War, back to local authority control. The Fire Services Act 1959, dealt primarily with pensions and staffing, and there was then no additional primary legislation prior to the New Labour administration coming to power in 1997. Various changes to the structure of Local Government, including the comprehensive reorganisation of 1974, caused barely a ripple in the services as the governance and management of the service elided into the new local authorities.

This primary legislative inactivity was also reflected in a paucity of secondary legislation, policy guidance and performance data and information. The Audit Commission, following its creation in 1983, and prior to 1997, produced only two reports and a management handbook², (Audit Commission 1986, 1995a, 1995b) of fire services, despite the services being part of the annual collection of local authority performance data since its inception in 1993/94³ (Audit Commission 1995c).

In terms of the response to widespread emergencies, disasters and major incidents, it is sanguine to quote the Civil Contingencies Act. “Part 2 of the Act updates the 1920 Emergency Powers Act to reflect the developments in the intervening years and the current and future risk profile”. The framework for cooperation and collaboration with the other emergency services was as neglected as the legislative and policy parameters for the service itself.

The themes for this chapter

This chapter will review the experience of the fire service under the first two New Labour (1995-2005) administrations. In order to focus the account, it will adopt three themes, although these themes clearly overlapped and were inter-related. The three themes are those included in the chapter title namely

- modernisation,
- local public service alignment, and
- inter-agency partnership and collaboration.

Prior to 1997 the service had suffered, as noted above, from a lack of direction from central government. Since 1976, it also suffered long-term under-investment from both central and local government and allowed outdated policies and practices, particularly in terms of its industrial relations, to generate an insular and defensive organisational culture. A series of reports into major disasters and emergencies also meant it was losing its reputation and the confidence of the public. It was about to change, albeit unwillingly.

The period from 1997-2005 was a period of turbulence and unprecedented hostile industrial relations. It also saw some of the biggest changes in the service, as it culminated with the enactment and

implementation of the 2004 Fire and Rescue Services Act and the 2004 Civil Contingencies Act. This chapter attempts to chronicle these changes, while the following chapter will discuss the period from May 2005 up until the election of the Coalition Government in May 2010. During the period from 2005 to 2010 the service became more reconciled to the government’s agenda and significantly improved its performance and its relationship to the government and the public.

The gathering storm 1997-2002

In 1997, prior to the 1999 Greater London Authority Act, the formation of the London Fire and Emergency Planning Authority and the devolution of services to Scotland, and later Wales, there were 50 fire and rescue services in England and Wales and 8 services in Scotland. They were all under local authority control (see table 1). The services varied in size from London and Strathclyde to the Isles of Scilly (see map 1) and this number and pattern of local services remained virtually unchanged in the period up to May 2005.

The Northern Ireland Fire and Rescue Service was the responsibility of the Northern Ireland Office and there were a number of smaller specialised and private fire and rescue services. The Ministry of Defence, the Nuclear Authority and the Palace of Westminster all had their own fire services, as did the Airports, the main Ports and some large factories and industrial premises who operated private services. However, the remainder of this and subsequent chapters are primarily concerned with the local authority controlled services in England and Wales.

| Type of Fire Service | | | | | | |
|----------------------|--------|----------|--------------|--------|----------|------------------|
| England and Wales | | | | | Scotland | Northern Ireland |
| Year | County | Combined | Metropolitan | London | | |
| 1997 | 16 | 27 | 6 | 1 | 8 | 1 |
| 2005 | 16 | 27 | 6 | 1 | 8 | 1 |
| 2016 | 15 | 24 | 6 | 1 | 1 | 1 |

Table 1. Types of Fire Service in the UK



Map 1. Fire service in 1997 and 2005. (Source: Ordnance Survey, 2016)

The period between 1997 and 2002 saw responsibility for the Fire Service move from the Home Office to the Office of the Deputy Prime Minister (ODPM) via a brief stint in the short-lived Department of Transport, Local Government and the Regions. The responsibility for emergency planning moved from the Home Office to the newly created Cabinet Office Civil Contingencies Secretariat in 2001. It was a period that experienced a complete overhaul of the legislative basis for the service; the second national strike in the services history, and unprecedented upheaval in terms of policy and practice.

However, the Conservatives approach of the Home Office to the Fire Service, which we have characterised as one of ‘benign neglect’ initially continued. In May 1997, Jack Straw replaced Michael, the outgoing Home Secretary. Howards’ tenure had been dominated by his tough approach to crime,⁴ and marked by controversies with the judiciary⁵ and the prison service.⁶ Whether, his famous dictum that, ‘prison works’ was true or not, is another matter. What is not in doubt was that during his tenure, from

1993-1997, prison numbers doubled, from 42,000 to nearly 85,000, and were continuing to increase as a direct result of government changes to sentencing policy. The probation services were struggling to cope and Howard displayed little interest in the Fire Service.

As Shadow Home Secretary, Jack Straw⁷ had an even more authoritarian reputation than Michael Howard. In office, he was soon embroiled in the Steven Lawrence affair and set up the Macpherson Inquiry that was later to find the Metropolitan Police Service was institutionally racist⁸. He also had a new electoral system for the European elections (proportional representation) to introduce and the Human Rights Act to steer onto the statute book. However, one of Straw's first pieces of primary legislation as Home Secretary was to re-assert the need for multiple and several organisational responsibility for long-term intractable social problems (which were coined the 'wicked issues'). This Act, and what followed, would radically affect the future scope, form and responsibilities of the Fire Services.

Collaboration and alignment of local agencies

The 1998 Crime and Disorder Act is more famous for its introduction of sex-offender, anti-social and parental orders, but the conceptual thinking and theoretical underpinning that the Act also re-introduced were actually more significant fundamental changes in the approach to the policy and practice of local service delivery.

By 1997 policy makers and academics were much exercised by long term and seemingly intractable social, economic and environmental issues, the 'wicked issues'. These issues were not, apparently, amenable to single agency solution or even mitigation. They required multiple agencies to work together to adopt a focussed, determined and co-ordinated approach in order to have significant impact.

Crime and the rising levels of disorder in civil society were prime examples. The Act re-introduced two fundamental concepts: multiple and several responsibilities for addressing the problem at the local community level, and the need for joined up policy and delivery at local and national levels of government. Henceforth both the Chief Constable and the Chief Executive of the local authority were made personally responsible for producing and maintaining a crime and disorder audit, a reduction strategy and the establishment and leadership of a local partnership of key agencies. Central and Local government would co-produce policy and both would be mutually responsible for public service delivery. The 1998 Crime and Disorder Act, was the first example of both joined-up policy and delivery under New Labour, as well as multiple and several responsibility between agencies for tackling economic, social or environmental problems seemingly endemic in local communities.

Collaboration and partnership working were not new but the period between 1979 and 1996, had seen a reduction in the number of formal and informal partnerships that local agencies were statutorily obliged to be actively engaged with. Individual agency and personal responsibility, were acknowledged to be appropriate for tackling some issues, but the persistence of crime and disorder, the rise in teenage pregnancies, the stubborn resistance of attainment levels in schools to improve or the increasing

inequality of health outcomes required a more collective approach. No longer was it a case of investing in prison or probation, health protection or hospitals, prevention rather than cure. It was now a question of joined up policy and practise, and investment in both sets of approaches. This led to the government's early mantra for local service delivery of 'what matters is what works' (Labour Party 1997). Local Authorities, the local NHS, the Police and Fire Services were the core of the Local Crime and Disorder Reduction Partnerships, established by the Act, and many more of the local public service delivery partnerships that were to follow.

Similarly, the 1980s and early 90s, had also seen a series of major incidents, emergencies and disasters that had clearly challenged the capacity and capabilities of the local emergency services, and required much more joined-up planning, reaction and response than the emergency services were able to provide. The Bradford and Kings Cross Fires; the Kegworth and Lockerby air crashes; the Hillsborough crush; the Loscoe methane explosions, and the multiple widespread flooding incidents all emphasised the importance of emergency planning and preparedness as well as a co-ordinated inter-agency response from the emergency services. The end of the 'cold war' in the early 90's coincided with this rise in peacetime disasters, and emergency planning moved from a concentration on post nuclear attacks, to preparing for a much wider range of man-made and natural disasters. Multiple agency cooperation, co-ordination, and collaboration in response to large or widespread disasters was the only realistic way forward. The three blue light services together with the local authorities were the core of the local emergency planning partnerships, which were to become Local Resilience Forums after the Civil Contingencies Act 2004.

Fire Service Modernisation⁹.

At the same time as the seemingly endless series of inquests or inquiries reporting on these disasters was casting a critical spotlight onto the response from emergency services, the new government's demand for 'modernisation' of the public services was growing. Local Government and the NHS were in the vanguard of modernisation but criminal justice, the police and the fire service would not escape. Modernisation in the Fire Service was not the same as modernisation in local government or the NHS. However, the nature and form of Fire Service modernisation was, inevitably, heavily influenced by local authority modernisation, because Fire was a local authority service, and the other services then under local authority control were forging ahead with the governments' agenda.

The details, and the development of the fire sectors complex relationship to modernisation, can however only be understood by looking at the service with knowledge of three critical factors:

- The benign neglect of the fire agenda by the Home Office,
- the publication of two very critical independent reports into the service, and
- the co-incidental release of two government documents, which, to this day have generated a conspiracy or cock-up debate, that will probably only be resolved by the official release of confidential papers in years to come.

It may have been deliberate, or it may have been a co-incidence, but the day that the white paper on Local Government Modernisation was released, was also the day that the government sent a letter to the Fire Services national negotiators, notifying them that the employers were seeking a more flexible negotiating framework at national level (Burchill 2004). This latter proposal was the source of what was to become only the second national strike by the firefighters unions and the first since the 1970's.

The dispute essentially revolved around, not only pay and conditions of service, but the general principle of devolving determination of pay and conditions from national negotiations to local resolutions. For a long time within the fire service this dispute became synonymous with 'modernisation' and eventually resulted in revised *national* negotiation arrangements. It really started with the letter in July 1998, although a formal strike was not called until November 2002 and was only resolved in July 2003.

In 1999 Jack Straw appointed Professor Frank Burchill, Keele University's first Professor of Industrial Relations, to conduct a review into the machinery for determining the conditions of service. His subsequent report, which was published in 2000 stated:

“There has been an almost total lack of real political engagement in the fire services since the last firefighter's strike in 1977. The 1947 Act is hopelessly outdated. Local Authority employers of fire brigades have, in general, shown a lack of leadership and purpose especially when acting together to negotiate pay and conditions. The Fire Brigades Union, while professing its enthusiasm for change, has shown no real commitment to making it happen from the centre and in many parts of the has mounted sustained and energetic opposition to change. The senior management of the Fire Service has shown a collective lack of leadership.”

(Burchill, 2000 p.3)

In July 1998, the government published the Local Government White Paper “Modern Local Government: in touch with the people” (DETR 1998), which quickly led to the Local Government Act 1999. This act introduced a general duty of Best Value wherein authorities had to “make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.”. Public service organisations (or at least those designated as Best Value Authorities) had henceforth to seek to achieve Best Value in the procuring and delivery of services, and to facilitate the achievement of continuous improvement in all of their activities.

In May 2001, responsibility for the Fire Service transferred from the Home Office to the short-lived Department of Transport, Local Government and Regions and, thence to the more powerful ODPM in May 2002. However, the new duty of Best Value resulted in very few significant service reviews within Fire Services between 2000 and 2002. In September 2002, immediately after the summer recess, the Deputy Prime Minister, John Prescott, announced the 'Bain' review.

The Bain review which reported in December 2002, as Burchill before it, pulled no punches about the need for the service to change.

“We did not realise until we started this review just how much potential for reform exists in the current Fire Service. We were surprised at the extent to which the fire service has fallen behind best practice in the public and private sector. ...The Fire Service needs to be changed from top to bottom and every aspect of its work reformed to bring it into line with best practice at the start of the twenty-first century”

(Bain et al. 2002, pii).

Local Government Modernisation

Between 1998 and 2004, the local government modernisation agenda was central to the reform and improvement of locally delivered public services in England and Wales (Andrews *et al.* 2003, Martin and Bovaird 2005, Downe and Martin, 2007, Morphet, 2007, Laffin 2008) and fundamentally changed the relationship between central and local government. In 1999 the Department of the Environment, Transport and Regions, recruited a Local Government Modernisation Team of ex-local authority Chief Executives and Senior Officers to advise its Director of Local Government, Andrew Whetnall, on the implementation of emerging policy. Whetnall, a career civil servant who had previously been in the Cabinet Office, had been responsible for the 1998 Local Government White Paper and the 1999 and 2000 Local Government Acts. He was keen to ensure effective delivery, or ‘how’ policies should most effectively be delivered, as well as the traditional civil service concern with ‘what’ policy should be delivered. After strengthening the team in November 2000, he had the modernisation team work alongside his career civil servants on the various aspects of modernisation, which are shown in the table 2.

Although local government modernisation has generally been portrayed, in academia, as an exercise in introducing new public management theory, focussing primarily upon performance management regimes, it was much more complex and wide ranging than this in both theory and in practice. Whetnall and his team knew that, if it were to be successful, it had to be based on multiple and mutually reinforcing reforms across policy making, scrutiny and delivery of local government services. Table 2 was devised within the department in early 2001 to illustrate the various key work streams to the agenda and their role or focus.

| Local Government Modernisation Agenda | |
|--|-------------------------|
| Agenda | Initiatives |
| Legal basis and parameters | The Power of Well Being |

| | |
|---|---|
| A Strategic Vision (derived from the community rather than the LA) | Local Strategic Partnerships and Community Leadership |
| Objectives and Priorities (articulated and measureable) | Community Strategies |
| Efficient, effective and economic service delivery | Best Value and collaborative working |
| Better Decision Making | New political structures (executive/ scrutiny split) |
| Probity and openness | A new ethical framework and standards board |
| Innovation and organisational development | New technology and E-government |
| A sustainable long-term funding regime | Review of local government finance |

Table 2. Modernisation Agenda

At the same time as the main programmes and projects identified in table 2, above, were being initiated, developed and promoted a rich ecology of supporting organisations and projects were being established. These were later to become known as the improvement infrastructure. Table 3, below, is by no means exhaustive but contains examples of both organisations and projects that were established or significantly developed around this time.

| Local Government Improvement Infrastructure | |
|--|---|
| Area of interest | Project, programme or organisation |
| Improving the evidence base for local government policy and delivery | Improvement and Development Agency (IDeA) Local Authority Observatories (Web-based, Open and capable of interrogation) Knowledge Hubs(Web-based, Open and capable of interrogation) Employers Organisation (EO) |
| Improving local government as delivery organisations | Improvement and Development Agency (IDeA) The Local Government Leadership Centre Local Government Specialist Consultants Beacon Council Scheme Local Authority Coordinators of Regulatory Services (LACORS) Register of Accredited Political and Officers Peers Employers Organisation (EO) |
| Improving interagency collaboration | Improvement and Development Agency (IDeA) The Local Government Leadership Centre Beacon Council Scheme |

| | |
|---|---|
| | 4ps (Local Government Partnerships) |
| Improving local government as community representatives | Improvement and Development Agency (IDeA) The Local Government Leadership Centre The Standards Board The Centre for Public Scrutiny Register of Accredited Political and Officers Peers |

Table 3. Improvement Infrastructure

Although these new organisations and initiatives were generated around the local Government ‘Modernisation Agenda’ it was, of course, intended that all of these initiatives would be applied in the Fire Service. However, in the early days of 1999-2002, the focus was on neighbourhood renewal, Best Value, changes to political structures, the development of delivery partnerships and the performance of the major local government services principally education, social services benefits administration and waste services. In short, fire services were not a priority and until Bain revealed the scale of improvement needed. They were keen to keep a low profile and were much more exercised by industrial relations, terms and conditions of services and workforce development.

By 2001, the team in the DTLR had were also working on five new initiatives. Local Strategic Partnerships, Local Public Service Agreements, the local e-government strategy, the commissioning of Comprehensive Performance Assessments and preparations and piloting for the intervention by central government in ‘failing’ or significantly underperforming local authorities or their services. All of these, together with the devolution and regional agendas, came together under the auspices of the Office of the Deputy Prime Minister under John Prescott. All of them affected or were applicable to Fire Services and Authorities.

However, as mentioned earlier, the ‘distraction’ of the Bain review, the subsequent long running national dispute, together with the strength of the services’ organisational culture, and the partial and weak application of the first performance management regime for fire, meant that the impact of the modernisation agenda was much less influential than in the rest of local government.

After accepting every recommendation in the Burchill Report, a new National Joint Council (NJC) for the UK Fire and Rescue Services was established. From 2000 to 2008 Frank Burchill was its chairman, and the NJC played a key part in the settlement of the dispute. The national dispute dominated this period and even after its resolution in July 2003, it was immediately followed by the introduction of the new Integrated Personal Development System for fire service staff and the development of Integrated Risk Management Planning for the organisations. It was these initiatives that tended to dominate the post-dispute ‘modernisation’ agenda at the personal and organisational levels rather than Best Value the need for continuous improvement, collaboration across local services, joined-up delivery or the new performance management arrangements that local government had by then embraced.

The new pay deal was dependent upon rapid progress towards the government’s broader definition of modernisation and in order to trigger the new pay deal the Audit Commission was asked to verify progress (Andrews 2010). It was therefore asked to carry out two verification reports in March and September 2004 (Audit Commission 2004a, 2004b). The reports were to “assess progress by fire authorities in England and Wales in implementing the modernisation agenda as set out in the national pay agreement and the subsequent white paper” (Audit Commission, 2004a, p.2). This also allowed the government, the Audit Commission and the authorities themselves to make a judgement as to whether the 47 Fire Services were ready for the rigours of the Comprehensive Performance Assessment process.

The first fire service assessments were carried out in 2004/5, after the annual single and upper tier local authority assessments of 2002-2005 and the District Council Assessments of 2003 (Audit Commission 2009). The methodology used is summarised in Figure 1 below.

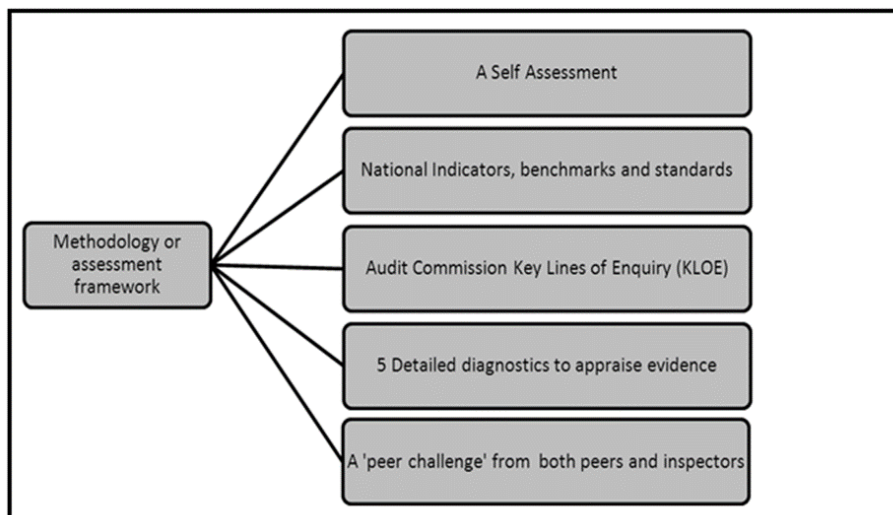


Figure 1. First Assessment Methodology

The results were not published until after the election in 2005. As with the local authority assessments before them, the services were allocated a single overarching label and five categories of performance were used (Poor, Weak, Fair Good or Excellent). The Audit Commission, who carried out the inspections, also provided a ‘direction of travel’ judgement, to indicate whether they were improving and the extent of their improvement. The direction of travel included 4 categories; inadequate, adequate, performing well, and performing strongly. This latter making sense only when you remember that the statutory requirement for services to operate was on the basis of facilitating continuous improvement. The first results are summarised in table 4 below.

| Fire Service | Type of Authority | Fire CPA Score 2005 | Fire Service | Type of Authority | Fire CPA Score 2005 |
|--------------|-------------------|---------------------|--------------|-------------------|---------------------|
|--------------|-------------------|---------------------|--------------|-------------------|---------------------|

| | | | | | |
|--------------------------------------|--------------|-----------|--|-----------------------|-----------|
| Avon | Combined | Fair | Leicester, Leicestershire and Rutland | Combined | Good |
| Bedfordshire and Luton | Combined | Weak | Lincolnshire | County | Poor |
| Buckinghamshire and Milton Keynes | Combined | Weak | London | Fire and Emergency | Good |
| Cambridgeshire and Peterborough | Combined | Good | Merseyside | Metropolitan | Excellent |
| Cheshire | Combined | Good | Norfolk | County | Good |
| Cleveland | Combined | Fair | North Yorkshire | Combined | Good |
| Cornwall | County | Fair | Northamptonshire | County | Weak |
| County Durham and Darlington | Combined | Fair | Northumberland | County | Fair |
| Cumbria | County | Fair | Nottinghamshire and City of Nottingham | Combined | Fair |
| Derbyshire | Combined | Fair | Oxfordshire | County | Good |
| Devon | Combined | Good | Royal Berkshire | Combined | Good |
| Dorset | Combined | Good | Shropshire and Wrekin | Combined | Good |
| East Sussex | Combined | Fair | Somerset | County | Fair |
| Essex | Combined | Fair | South Yorkshire | Metropolitan | Weak |
| Gloucestershire | County | Good | Stoke on Trent and Staffordshire | Combined | Good |
| Greater Manchester | Metropolitan | Good | Suffolk | County | Fair |
| Hampshire | Combined | Good | Surrey | County | Good |
| Hereford and Worcester | Combined | Good | Tyne and Wear | Metropolitan | Fair |
| Hertfordshire | Combined | Fair | Warwickshire | County | Good |
| Humberside | Combined | Fair | West Midlands | Metropolitan | Good |
| Isle of Wight | County | Poor | West Sussex | County | Fair |
| Isles of Scilly | County | Fair | West Yorkshire | Metropolitan | Good |
| Kent and Medway | Combined | Excellent | Wiltshire and Swindon | Combined | Weak |
| Lancashire | Combined | Fair | | | |

Table 4. The 2005 Results

Outside of the service, it was not generally appreciated that the first fire assessments and the methodology (Audit Commission 2004) did not address the operational parts of the service (or the performance of the governance arrangements) but only addressed the non-operational parts of Fire Services. Neither did it address emergency preparedness, a subject deemed too sensitive by the ODPM at the time. Within the operational parts of the services, the relative ambivalence to the national performance indicators was further compounded by the fact that in 1999 the Home Office had set (and later acknowledged) demonstrably arbitrary targets for some of its key performance indicators. The most notorious was the target for 15% of all operational firefighters to be women by 2009 (ODPM 2004). This would not have been achieved if every new recruit up to and including 2009 were women.

Nevertheless, the ODPM established a means of engaging with those FRAs assessed as poor or weak in order to address the improvement issues addressed by the CPA reports published in August 2005.

“Building on experience of establishing lead official roles in local authorities assessed as poor or weak, the ODPM decided to form a small Fire and Rescue Improvement Support Team (FRIST) comprised of external contractors, some of whom had direct experience of providing improvement support in local authorities and others with specialist fire service knowledge... Whilst it drew on earlier guidance and protocols produced for local authorities, specific guidance produced for fire and rescue improvement stressed the aspiration for a voluntary relationship between ODPM and individual FRAs with a focus on the achievement of improvement... Although the possibility of statutory intervention by government is referred to... the prospect was viewed very much as a last resort and a step that would be taken unwillingly.”

(Coleman 2009, p.1)

As table 3 above shows, by June 2005 there were seven authorities (3 Combined, 3 County and 1 Metropolitan) falling into the poor or weak categories: Bedfordshire, Buckinghamshire, the Isle of White, Lincolnshire, Northamptonshire, South Yorkshire and Wiltshire. The ODPM established engagement arrangements with all seven authorities.

The Fire and Rescue Act 2004 and the Civil Contingencies Act 2004.

While relationships between the government, the local authorities and the regulators, were undoubtedly improving between 2002 and 2004, relationships between central government and the fire community were significantly deteriorating, following one of the most volatile periods in the services history. ‘If 2004 was not the nadir in relationships between the government and the fire community then it was pretty close’ (Murphy and Greenhalgh 2014a, p.14).

The white paper that followed the Bain Review *Our Fire and Rescue Services* (ODPM 2003) was as unequivocal as the report that preceded it. The government promised “a radical overhaul of fire institutions to achieve strategic direction, service improvement and the provision of professional advice” and that it would take powers to determine the number and composition of new negotiating bodies for terms and conditions within the service (ODPM, 2003, p 9).

It had specific chapters differentiating national, regional and local responsibilities, institutional reform and the framework for improving performance (chapters 4-6) and differentiated governance from management when identifying appropriate roles for Fire Authorities and for Fire Services (Chapter 7). The Act also changed their name to Fire and Rescue Services.

In our view this was delivered to a:

“confused, dis-orientated and highly defensive fire community, becoming highly sceptical if not cynical about the intentions of the government of the day. It was also a service that was starting to feel isolated from its key collaborators as its key collaborators, as the other emergency services and wider local service deliverers moved

on from arguing about the need for modernisation and began embracing the new era of co-production of policy, and demonstrating improved performance and a willingness to embrace collaborative working”

(Murphy and Greenhalgh, 2014a, p. 15).

The new Integrated Personal Development System (IPDS) clarified the different roles of whole-time and retained firefighters and permitted direct recruitment into all levels of the service. As Andrews (2010) has noted this linked career progression to ability rather than rank and hierarchical position for the first time.

The Integrated Risk Management Planning (IRMP) process, which is still in operation, required fire authorities rather than the Secretary of State to determine resources levels, both human and capital, in relation to the pattern of risk to the public and the configuration of services (Fitzgerald, 2005)

As we state in the article quoted above, the 2004 Act was however the first step in the rebuilding of a mutually respectful working relationship with the New Labour government and a rebuilding of the services historically high levels of trust with the public.

The 2004 Fire and Rescue Services Act and the Civil Contingencies Act 2004, essentially replaced institutions and arrangements, policies and practises that were established by the 1947 Fire Services Act and the 1920 Emergency Powers and 1948 Civil Defence Acts.

Although it was slow and cautious in its implementation, the Fire and Rescue Services Act fundamentally changed the approach to the assessment of risk and subsequent deployment of the service in response to the changing pattern of risks in the community (Murphy et al 2011, Murphy and Greenhalgh 2014a 2014b). Prior to 2004 the system based its operations around the risk to buildings and property and used a gravity model to assess its performance in responding to emergency incidents. The 2004 Act and the Integrated Risk Management Planning it introduced, henceforth required authorities and services to base their risk assessments around the risk to people and communities as well as buildings and places.

“The new system also reinforced the strong tradition within fire services of policy and decision making based upon a robust and effective evaluation of available data and information, i.e. with strategy and delivery being evidence-led, resting on robust, transparent and quality assured performance data that is systematically investigated and situationally appropriate”

(Murphy and Greenhalgh, 2014b, p.37).

The 2004 Act introduced the first National Framework for Fire Services (ODPM 2005), which we describe in the following section. In order to assist services in implementing the new approach, the ODPM provided new databases, tools and techniques designed to help services implement the new IRMP approach. It started developing what became the 2006 FESC Toolkit Review Manual (DCLG 2006) which had been made possible by significant improvements in digital mapping and improvements in IT and computing capacity. The 2004 Act encouraged protection and prevention as well as efficient and effective response. It encouraged greater collaboration and engagement of the services with both

emergency service partnerships and wider local delivery partnerships. It also saw a role for the private sector and the third sector, as well as direct delivery by the public sector. Finally, it brought Fire and Rescue Services into the Comprehensive Performance Assessment Regime (CPA).

By 2004/05 there was general agreement between central and local government, the local government regulators and inspectorates, led by the Audit Commission, that the introduction of CPA had been a considerable success, but that a radical review and updating of the regime was required. Unlike the introduction of Best Value and the first iterations of CPAs (ODPM, 2002, 2003) the general principle and desirability of a new version was relatively uncontested.

By 2005 it was generally accepted, albeit grudgingly, that CPA had generated substantial quantitative and qualitative improvements across local government services, as well as significant efficiencies in their running costs (Martin and Bovaird 2005, Audit Commission 2009). Fire and Rescue was about to be brought fully into the agenda.

The Civil Contingencies Act of 2004 was equally radical but also clearly aligned with the governments' new vision for Fire and Rescue Services. Under the Act, Fire and Rescue Services, together with the police and ambulance services', became category one responders to all emergencies. The approach was to move from an overriding emphasis on response to a balance with more emphasis on prevention and forward planning, from tackling incidents to creating resilience, from focussing on a risk to property, to the risk to people.

The designated responsible authorities and agencies, became jointly and severally responsible for preparing and responding to major incidents and emergencies, and for the recovery of the local communities affected. The previous emergency planning arrangements at national and local authority levels, were replaced by more comprehensive 'resilience' arrangements at local regional and national levels. These were to be based on new risk registers and inter-agency planning and response arrangements co-ordinated by national, regional and local resilience boards.

The first decade of the 21st century saw a series of major hazards, emergencies and domestic disasters, that unlike the 80's and 90s, saw the emergency services at their operational best. The response to these emergencies was to test the new roles, responsibilities and institutions established by the Civil Contingencies Act. They were also going to help restore the services reputation with the government and more importantly with the general public. Cabinet Office Briefing Room A (COBRA) was about to enter the national lexicon.

The first National Framework 2004-05

In July 2004, immediately before parliament was in pirogue for the summer recess, the ODPM published the first Fire and Rescue National Framework for the year 2004-2005. This attempted the herculean task of bringing all of the various changes and initiatives of the pervious years into single document that ran to

over 80 pages. It followed a draft published for consultation in December 2003 and Nick Raynesford in his ministerial forward summed up the new approach. Raynesford stressed:

- the shift in emphasis to the prevention of fires was already having significant effects,
- the National framework was a shared strategy that followed a consultation exercise, the response to which had been overwhelmingly positive,
- that the framework, albeit a one-year document, was part of a long-term reform and improvement agenda and
- that the government was committed to achieving long-term reductions in fire deaths and deliberate fires, including real improvement in the most disadvantaged areas, via a new public service agreement.

The framework stresses that this was not a national blueprint. It was to give fire and rescue authorities the flexibility to meet the specific needs of their local communities and, ‘a firm foundation on which to build local solutions’ (Audit Commission 2005, p.4)

The national framework did not cover Scotland and Northern Ireland as responsibility for fire and rescue services had already been fully devolved. It also anticipated that a forthcoming Fire and Rescue Services Bill would devolve responsibility in Wales to the National Assembly for Wales.

Conclusion

This chapter has sought to show how the fire service changed significantly in terms of its responsibilities and objectives through one of the most turbulent periods of its history. It has sought to chronicle the period from 1997, when Jack Straw inherited a Home Office that had little time or interest in the service up until May 2005, by which time it had become fully engaged with the Labour Governments public reform agenda. In May 2006 the service became the responsibility of the newly formed Department of Communities and Local Government and a succession of Secretaries of State from Ruth Kelly and Hazel Blears to John Denham, although each of these, like Prescott before them, appointed a designated fire minister. If 1997 to 2005 was a period of turbulent relationships, upheaval and change for the service, 2005 to 2010 was to represent a period of consolidation and progress.

Raynsford describes this change as,

from having been the largely passive custodian of existing standards (no local fire station could be closed without agreement of the Secretary of State) to a new more strategic role, publishing a national framework setting out expectations and giving guidance on how local fire and rescue authorities might respond but leaving individual authorities responsible for their own decisions. An inspection regime, involving the Audit Commission, was put in place to monitor how fire and rescue authorities were responding to the new challenges, using similar methodology to the Comprehensive Performance Assessment while the Fire Service

Inspectorate, which had notionally been responsible for this previously was to refocus its work on promoting good practice and supporting the service reform programme' .

(2016, p.155)

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Footnotes

1. Nick Raynesford was the minister responsible for the Fire Services from 2001 to 2005. Chapter 9 of his book relates specifically to his experiences with the fire service. His opening line states ‘This won’t take much of your time. The policy is benign neglect’ a quote from Home Office officials handing over responsibility for the service in 2001. Raynesford’s book provides the political and ministerial perspective that complements this chapter.
2. In 1986 the Audit Commission published *‘Value for Money in the Fire Service: Some Strategic Issues to be resolved’* followed in 1995 by two related reports *‘In the Line of Fire: Value for Money in the Fire Service – The National Picture’*, and *‘In the Line of Fire: a Management Handbook on Value for Money in the Fire Service’*.
3. Audit Commission *‘Local Authority performance Indicators [1993/94]: Volume 3 Police and Fire Services 1995’*.
4. The Conservative Government had sought to hold individual agencies accountable for certain social problems. Howard took the view that tough sentencing and consequential incarceration for longer periods were responsible for the reduction in crime rates during his tenure. His predecessor Kenneth Clarke argued that more effective policing, and better individual, household and car vehicle security all contributed to the reductions. This view was supported by the rising recidivism rate for recently released prisoners which had reached 60% by 1997.
5. Following his intervention to attempt to increase the minimum sentence of Robert Thompson and Jon Venables for the killing of James Bulger, Lord Donaldson a former master of the Rolls, famously described it as “institutionalised vengeance by a politician playing to the gallery”.
6. In 1997 he was accused of interfering in the dismissal of the Director of the Prison Service Derek Lewis.
7. Concerned about street crime, he had even called for a curfew on children in 1995.
8. Sir Ian Macpherson Inquiry into the matters arising from the death of Stephen Lawrence.
9. The following section leans heavily on our article Performance management in Fire and Rescue Services in *Public Money and Management* 33:3, 225-232.
10. The OECD later described this as the ‘Strategic State’ see