

## **LANCASHIRE COMBINED FIRE AUTHORITY**

Meeting to be held on 23 April 2018

### **COLLABORATION WITH POLICE**

Contact for further information: Chris Kenny, Chief Fire Officer

Tel: 01772 866800

#### **Executive Summary**

This paper sets out recent progress on collaboration with Lancashire Constabulary, together with explaining the legislative framework under which this operates. It also outlines the position with the Police and Crime Commissioner (PCC) and the Fire Authority, as well as recent developments to ensure a common understanding for those involved.

#### **Decision Required**

Members are asked to reaffirm that the narrative as laid out is an accurate reflection of the current position.

#### **Information**

Since the introduction of Police and Crime Commissioners in 2012, there has been an increasing pressure from central government for them to have a greater involvement with Fire. This gained greater traction with the long awaited move of Fire to the Home Office on 5 January 2016.

The government has been keen for more collaboration between all emergency services, but this has manifested itself through the greatest emphasis being placed on Fire and Police collaboration. The obligation for blue light services to collaborate was consulted upon between September and November 2015. The government's response to this consultation was published on 26 January 2016 and presented to the Combined Fire Authority (CFA) at its February meeting. There were no great concerns regarding this consultation as Lancashire Fire and Rescue Service (LFRS) was already working productively with the Police. In 2016 LFRS seconded a Group Manager into Lancashire Constabulary to explore collaborative opportunities. This resulted in significant progress on gaining entry to premises for medical emergencies, joint operation and funding for the drone and work of locating vulnerable missing persons. The Police had been resident in Preesall Fire Station since 2010 and more recently have also been using Great Harwood Fire Station. LFRS is also working with North West Ambulance Service (NWAS) on emergency first responding, albeit this is subject to consideration at national level.

Throughout the development of the collaboration agenda the Authority's consistent position has been how to deliver the best outcomes for the communities it serves. The Authority's view was that these benefits for its communities could be realised without the need for change to corporate governance. Initially, this was believed to be a common understanding reached with the PCC. Meetings between the Chair, the PCC and officers from both services on 19 October 2015 and 13 June 2016 indicated this.

In fact, following the first meeting in October 2015, a motion was taken to LCC by the Chair, seconded by County Councillor David O'Toole, on 22 October 2015 endorsing a shared belief with the PCC in collaboration based on evidence of successful achievements to date and joint belief that this would not be improved by any change in governance.

On 31 January 2017 the Policing and Crime Act received Royal Assent and embedded into law the main provisions regarding collaboration between emergency services and additional options for governance of fire and rescue services. Provisions in Sections 6 and 7 Schedule 1 enable PCCs to take on responsibility for the governance of Fire to become Police, Fire and Crime Commissioners. This requires a local case to be made in the interests of economy, efficiency and effectiveness for government evaluation. The FRS is obliged to cooperate in providing information to develop a local case irrespective of whether it agrees with the approach or not. In cases of dispute the final arbitrator will be government who will consider the business case.

Where the PCC does not take responsibility for Fire, the legislation enables them to be represented on the Fire Authority. Currently, the Authority provides an overview to the PCC on CFA meetings. It has responded positively to the consultation of the proposed amendments to the Fire and Rescue Authority combination order at its CFA meeting in December 2017. It acknowledged the PCC's right to request a position on the Fire Authority and that the Authority would consider any such request in good faith. It has not yet received any formal request from the PCC on requiring representation.

LFRS continues to work with the Police to explore new collaborative opportunities. Workshops capturing these initiatives within a more structured framework provides more auditable evidence of the work that is being undertaken. A framework was agreed and shared with the Chair. The planned initial way forward was to sign a Statement of Intent for Enhanced Collaboration by the Chair and the PCC. Following feedback from the Police this was eventually signed at officer level by the Deputy Chiefs of both Services. Two initial workshops were undertaken by department heads of both organisations. The first was facilitated by Shared Service Architects. The outcomes anticipated are a number of work streams that will be assessed and prioritised and then presented to the Authority. This ongoing work was presented to Planning Committee on 19 March 2018.

More recently, at a further meeting with the Chair, PCC and two CFA Members on 21 February 2018, the PCC stated there was increased pressure from central government to review governance arrangements regarding Fire. Subsequently he sent an email to the CFO which said he was commissioning some work "which will produce an Options Report for further discussion with you and other stakeholders. I see the Options Report as being complementary to the work you are already undertaking through your collaborative arrangements as described already. The Options Report will review a range of options to further Police and Fire collaboration in Lancashire, including the status quo, representation on the Fire and Rescue Authority, the governance model (having a Police Fire Crime Commissioner) and finally the single employer model. Through this report I am also keen to develop a further understanding of the scale and impact of collaborative efficiencies and how these can be best harnessed for the people of Lancashire."

On hearing this development, the Authority confirmed it remained confident that current governance arrangements present the best way to deliver a fire and rescue service for its communities. The Authority would provide the information required for the work proposed by the PCC, which it believed would evidence that LFRS was already effectively progressing collaborative opportunities within existing structures.

Following the Planning Committee meeting on 19 March 2018 that position was unanimously endorsed and a Task and Finish Group has been established to consider this and other matters in more detail. The Authority reaffirmed its commitment to collaboration but remained strongly of the view that current governance arrangements best served LFRS and the communities of Lancashire. This position will inform a motion going before LCC on 24 May 2018.

Around the country there are a number of PCCs changing their relationship with Fire. Essex is the first FRS to come under control of the PCC. Six further authorities are under consideration. PCC moves towards Fire in Staffordshire, West Mercia (comprising of Shropshire and Herefordshire & Worcestershire) and Cambridgeshire have been resisted by the Fire Authorities but the business cases, when considered by government, were approved. North Yorkshire and Hertfordshire are still being considered, whilst Northamptonshire is not in dispute an announcement agreeing the PCC taking control is expected shortly.

There have already been calls for a judicial review in West Mercia on the decision to progress PCCs' governance of Fire. Other business cases may receive similar challenges. In North Yorkshire the FBU have used the interest of the PCC to request a non-voting seat on the Authority. This is been viewed favourably by the Fire Authority in return for the FBU support of existing arrangements. However, this has not precluded industrial action on proposed changes within the Service. This is a development that the FBU may seek elsewhere in similar circumstances. The logistics and administration of how this would work, avoiding conflict of interests and managing meetings, or whether other trade unions would also seek similar arrangements, are yet to be determined.

In some other Fire Authorities, most notably Hampshire, they have sought to review and modernise their existing structures to deliver some of the benefits purported to be related to PCC governance. They have reduced costs by reducing the numbers of elected members and streamlined the work going through the Authority to speed up and simplify decision making. Fewer members more focussed on strategic leadership rather than trying to become immersed in the day to day running of the FRS is viewed by some as a far more productive model.

### **Financial Implications**

None arising immediately from this report. The current CFA governance arrangements amount to circa £170k, taking into account allowances, conferences and 1.5 FTE support staff. PCC governance arrangements are considerably more expensive and are separate from Lancashire Constabulary.

## **Sustainability or Environmental Impact**

A major impact of the uncertainty created by this work is future plans for SHQ. This was due to be considered this financial year. With opening up of additional and yet to be defined potential options with the Police, this work has now been put on hold. This will mean a delay in possibly moving to more modern, energy efficient buildings.

## **Equality and Diversity Implications**

None arising from this report.

## **Human Resource Implications**

There are significant implications on some of the Options under consideration by the PCC. The initial internal concerns revolve around security of support staff and senior officer posts. These would be the more likely to be under threat if combined with the Police under a single employer model.

## **Business Risk Implications**

Given that a more detailed piece of work is being undertaken it would be flawed to try and detail the Business Risk Implications as an adjunct to this report. A potential risk worth mentioning is using a one off capital saving to justify a business case. Revenue savings which produce a year on year benefit may be less noteworthy but more productive in the long-term. More fundamental is that in business cases the quality of service provided can often be viewed as secondary to the cost of the service. The public may well see, in terms of the Fire and Rescue Service, the quality of service as paramount.

## **Local Government (Access to Information) Act 1985**

### **List of Background Papers**

Paper	Date	Contact
Reason for inclusion in Part II, if appropriate:		