



Fire and Rescue Service Headquarters, Pirehill
DDI (01785) 898670
Please ask for Kay Johnson

**SPECIAL MEETING OF THE
STOKE-ON-TRENT AND STAFFORDSHIRE
FIRE AND RESCUE AUTHORITY**

Thursday 24 August 2017
10.30am
Room 1
Fire and Rescue Service Headquarters,
Pirehill

H NORRIS
Secretary to the Authority
17 August 2017

**PLEASE NOTE THAT NO POLITICAL GROUP MEETINGS HAVE BEEN
ARRANGED**

A G E N D A

PART ONE

1. Apologies
2. **Declaration of Interests**
3. **Response to the Consultation on the Police and Crime Commissioner's Business Case**

Report of the Secretary

4. **Exclusion of the Public**

The Chairman to move:-

“That the public be excluded from the meeting for the following items of business which involve the likely disclosure of exempt information as defined in the paragraphs of Part I of Schedule 12A of the Local Government Act 1972 indicated below”.

PART TWO

(All reports in this section are on pink paper)

5. **NIL**

Stoke-on-Trent and Staffordshire Fire and Rescue Authority

24 August 2017

Report of the Secretary

1. Consultation Response by the Fire and Rescue Authority

1.1 At the Members Development event on Friday 11 August 2017, Members met with the Police and Crime Commissioner, his Chief Executive and the Chief Constable to discuss the PCC's Business Case which contained proposals for the future governance of the Fire and Rescue Authority. As a consequence of that meeting, Members requested the Secretary to the Authority to draft a response to the Consultation based on their views and comments expressed in the meeting, to subsequently be considered by the full Authority and, if approved, submitted as its formal response.

1.2 Attached to this Report as an **Appendix** is the draft response which Members are asked to consider for approval and submission, subject to any further comments or additions they may deem appropriate.

1.3 **Recommendations** – (a) That Members consider the draft response and make such amendments as they feel appropriate.

(b) That the Authority delegates to the Chairman final approval of the draft should further changes be necessary.

Howard Norris
Secretary to the Authority

Contact Officer: Howard Norris
Telephone: 01785 898672
Email: h.norris@staffordshirefire.gov.uk

**Consultation Response of the Stoke-on-Trent and Staffordshire Fire and
Rescue Authority
to the
Police and Crime Commissioner's Business Case**

Introduction

This document sets out the response of the Stoke-on-Trent and Staffordshire Fire and Rescue Authority (the Authority) to the Business Case prepared by Consultants on behalf of the Staffordshire Police and Crime Commissioner (the Commissioner) for submission to the Home Office. In that document it is proposed that the Commissioner takes on the role of the Authority under the Governance Model.

The Authority is not a statutory consultee to the Business Case process, nevertheless the Authority has considered the contents of the proposal. In this regard the Authority has taken the opportunity to meet with the Commissioner and to ask him questions on the contents of the Business Case together with the Chief Executive of the Office of the Police and Crime Commissioner and the Chief Constable for Staffordshire. This response takes into account the views arising from that meeting.

Legislation and the Present Position

The Authority fully understands and recognises the obligations created by the Statutory Duty to collaborate contained within the Policing and Crime Act 2017 (the Act). The Authority already has established much in the way of collaborations and partnership working within the 'blue light' sector and beyond. Examples of the collaborations/shared service arrangements with the Police are shown in the Commissioners Business Case at Appendix A with annual savings to public funds in the region of £1.75million. In addition the Authority and the Fire Service have looked to establish wider connections including, as an example, its collaboration with West Midlands Fire and Rescue Service (WMFRS) in respect of a Joint Fire Control Service which brings in recurring savings in the order of £1.75million a year and its Joint Fire Investigations partnership with the WMFRS. Added to this are numerous collaborations and partnerships with other bodies which include some notable examples:-

- The use of the Newcastle Community Fire Station by the Staffordshire and Stoke-on-Trent Partnership NHS Trust as a permanent facility.
- The use of the Tamworth Mercia Community Fire Station by the NHS Ambulatory Clinic.

- The use of the drill yards at Stone and Cannock Community Fire stations by the Driver and Vehicle Standards Agency.
- The use of the Leek Community Fire Station as a broadcasting hub by the Community radio station.

These clearly demonstrate that the Authority has fully embraced the concept of collaboration and innovation and actively seeks new opportunities wherever it can be shown that they will enhance community engagement and improve public safety whilst also protecting the public purse.

The Authority has also undertaken two separate Private Finance Initiative schemes with an objective of modernising its Fire Stations but also redefining them as Community facilities and actively engaging with local groups to use the Stations as such. This has provided many opportunities for the Fire Service to engage in a dialogue and provide information and awareness to its communities and enhance public safety.

In respect of its standing generally, the Authority has been described as 'good' and 'performing well' in previous Comprehensive Performance Assessments and as stated in the Business Case, received positive feedback from its Peer Review undertaken in 2016.

In addition the Fire Authority has established, over a number of years, positive working relationships with its representative bodies which includes the operation of a Staff Consultation and Negotiating Forum which has also fostered regular and constructive dialogue.

The Business Case Proposal

It is noted that the Business Case discounts the possibility of a move to the Integration Model at this time and this is a view fully supported by the Authority.

The Business Case makes it clear that it is proposing a Governance Model and includes the statement that this is the Commissioner's preferred option. The Authority has a number of concerns with this proposal. As a preliminary issue it should be kept in consideration that any change to governance has to be justified on an evidence based approach and to the satisfaction of the Home Secretary or her independent panel members by demonstrating the benefits to be achieved.

One of the main principles in respect of a direct change under the legislation to a Governance Model is that it is irreversible. In practical terms this means that, should the Governance Model fail to secure the benefits purported in the Business Case or if the risks connected to its implementation cannot be managed or mitigated, it is not possible to move to the Representation Model. The options outlined in the Business

Case namely Representation, Governance and Integration can be viewed as sequential in their effect in that the amount of risk on implementation and operation increases as the amount of change involved increases. Having regard to the option of an iterative and lower risk change being available to the Commissioner the Authority is concerned that this option has been rejected out of hand.

The Authority would suggest that the Representation Model provides a risk appropriate approach to dealing with a governance change should the Commissioner believe a formal change is necessary. The Authority would refer to the point it has already made, namely that it is a highly effective and well regarded organisation. It is of the view that a wholesale change based largely on assumptions and not evidence could very well detrimentally affect public, partner and government confidence in the organisation. The Authority is strongly of the opinion that the Representation Model could deliver all the benefits of the Governance Model at less risk. Naturally if after a thorough testing that Model fails to deliver all of the benefits or it is evidenced that a Governance Model approach is warranted then the Commissioner would then have it open to him to submit a case to support such a change. The Authority therefore believes that a change to the Governance Model when the Representation Model has not been tested is premature and not warranted on the available evidence.

The Authority further advances this view on the basis that the case for the Governance Model is predicated on a number of financial and other assumptions that are not supported by any detailed evidence. The expression, by the Consultants who prepared the Business Case, of their opinion not supported by evidence is an insufficient basis on which to advance a proposal for such wholesale and irreversible changes. It is also the case that, due to the lack of detail in respect of the financial and other assumptions in the Business Case, the Authority is unable to determine how the levels of savings set out in the document have been calculated and, equally, how they will be achieved.

The Business Case however does make a statement, which is based on evidence, that, 'since both organisations are performing well there is not an immediate need for a change to governance to address urgent public safety concerns'. The Authority would state the view that this is the central issue to any proposed change and as no urgent need is evidenced then if the Commissioner believes some change is necessary then the far more straightforward changes and benefits offered by the Representation Model with its reduced risk profile are available.

Conclusion

The Authority has read the Business Case, discussed the document with the Commissioner, his Chief Executive and the Chief Constable and held a special meeting of the Authority to consider their response on the proposal.

The Authority is of the view that the Business Case does not provide an evidence based case for a change to governance. The Authority would cite the following issues:-

- The basis upon which savings have been estimated has not been properly costed and there remains the possibility that any changes may result in an increase in costs over time rather than a decrease.
- In terms of efficiency there is no evidence on which to base the assertion that the pace of warranted change will accelerate if the Governance Model is introduced.
- The case on improved effectiveness is not made out and the use of quartered green circles to graphically represent the efficacy of the various options is not supported by any cogent evidence in the commentary sections.
- It is agreed by the Consultants that, on the basis of public safety, there is no present need or justification for changing the governance approach.

It is clear that, for any change to be sanctioned by the Home Secretary, an evidence based Business Case must be presented for consideration and the Authority suggests that, as the proposal does not contain any or sufficient evidence upon which a change could be sanctioned the proposal should fail.

This document represents the Consultation response of the Authority. It does not support the proposal in the Business Case for the change to a Governance Model. However, if the Commissioner believes any change is necessary, the option remains open to him to propose the Representation Model which the Authority believes would be appropriate.