

CONSULTATION ON FIRE GOVERNANCE

BACKGROUND INFORMATION

Consultation on the Local business case for fire and rescue governance options to improve the effectiveness of emergency services delivery in Cambridgeshire

The legislation

The Policing and Crime Act 2017 places a duty on police, fire and rescue and ambulance services to collaborate, and enables Police and Crime Commissioners to take on responsibility for the governance of fire and rescue services in their area where a local case is made to do so.

Background

Commissioners will be enabled to seek responsibility for their local Fire and Rescue Service where a local case is made to the Home Secretary. This is subject to tests to ensure that changes will deliver improvements in one or more of economy, efficiency and effectiveness or public safety. In line with the legislation, Commissioners are also required to work with their Fire Authority to prepare their local business case.

The Act provides for four options relating to fire governance:

1. The no change option: Police and fire continue to have governance arrangements that are independent of each other
2. The representation option: The Police and Crime Commissioner has a seat and voting rights on the Fire Authority;
3. The governance option: The Fire Authority is replaced by the Police and Crime Commissioner who becomes the new Fire Authority as a corporation sole. This is referred to as a "PCC style FRA". The PCC would become the "Police, Fire and Crime Commissioner";
4. The single employer option: There is a single Chief Officer for police and fire personnel who becomes the single employer under the Police and Crime Commissioner.

The Government is clear that they will only enable police and fire functions to be brought together under a Police and Crime Commissioner where there is a strong local case to do so. In doing so this requires a Commissioner to consult each of the upper tier local authorities in their area on their proposal before they submit it to the Home Secretary. This ensures that

the consultation requirement captures all local authorities that operate fire and rescue committees.

A Commissioner is also required to consult people in their area and to consult representatives of personnel who a Commissioner considers may be affected by the proposal. This ensures that the Commissioner has secured, and taken into account, local opinion on their proposal before making a request to the Home Secretary. Commissioners are required to publish a response to the consultation he or she has undertaken in the interests of transparency.

The Home Secretary can only make an order creating a PCC-style FRA if it appears to her that a Commissioner’s proposal would be in the interests of either a) economy, b) efficiency and effectiveness, or c) public safety.

Business Case

The Commissioner has worked with Cambridgeshire and Peterborough Fire Authority to explore the potential for greater collaboration between Cambridgeshire Constabulary and Cambridgeshire Fire and Rescue Service. Together they have worked in the spirit of collaboration on a Business Case, the purpose of which is to explore how the economy, efficiency, effectiveness and, above all, public safety, will be affected by a new governance model.

The Business Case assessed the four governance options in the Act in respect of Cambridgeshire as follows:

Option	Description	Potential benefits
No change option	<ul style="list-style-type: none"> ■ Police and Fire continue to have governance arrangements that are independent of each other 	Easy to implement but has limited benefits. Police and Crime Commissioner will have less ability to influence.
Representation option	<ul style="list-style-type: none"> ■ Police and Crime Commissioner has a seat and voting rights on the Cambridgeshire and Peterborough Fire Authority. ■ Police and Crime Commissioner continues to govern Cambridgeshire Constabulary as now. 	Easy to implement but has limited benefits in that the Police and Crime Commissioner will be only one of many members of the Fire Authority.
Governance option	<ul style="list-style-type: none"> ■ The Police and Crime Commissioner takes on the role of the Cambridgeshire and Peterborough Fire Authority, becoming the Police, Fire and Crime Commissioner. ■ Police and Crime Commissioner governs both Cambridgeshire Police and Cambridgeshire Fire and Rescue Service. 	Has significant benefits in terms of: <ul style="list-style-type: none"> ■ Economy ■ Efficiency & effectiveness ■ Public safety It is easily deliverable at a local level.

	<ul style="list-style-type: none"> Each service retains its Chief Officer. 	
Single employer option	<ul style="list-style-type: none"> The Police and Crime Commissioner takes on the role of the Cambridgeshire and Peterborough Fire Authority, becoming the Police, Fire and Crime Commissioner. A single Chief Officer is appointed and leads both Cambridgeshire Constabulary and Cambridgeshire Fire and Rescue Service. Police and Crime Commissioner governs both Cambridgeshire Police and Cambridgeshire Fire and Rescue Service, bringing the services together. 	Has significant benefits (as above) but scores low on deliverability, in that it could be difficult to deliver locally and it is likely that there would be opposition from a number of key local stakeholders.

Of these four options the Commissioner’s preference is for the Governance option which the business case recommends as offering the best balance between ease of implementation and overall benefits that can be delivered in terms of economy, efficiency and effectiveness and public safety.

On the basis of this assessment the Commissioner is proposing the “PCC-style FRA” option of governance, whereby he takes on the role of the Cambridgeshire and Peterborough Fire Authority and is responsible for the governance of the Cambridgeshire Fire and Rescue Service, in the same way as he is currently responsible for the governance of Cambridgeshire Constabulary. This achieves his overall aim of ensuring continued public safety at the same time as creating efficiencies and effectiveness in the way both organisations work together whilst providing value for money for the public they serve.

What this means in practice is that he will be responsible for such things as decisions on how the Fire and Rescue Service spend their budget and whether new fire service facilities should be built or shared with other emergency services. A change of governance would ensure the best use of police and fire assets through a single approach to investment decisions and estates consolidation. Optimisation of estates is perhaps the area of greatest opportunity for financial benefits from collaboration between the two organisations.

These proposals are not a Commissioner nor police takeover of fire and rescue services, or a top-down merger of the roles of police officers and firefighters. The distinction between operational policing and firefighting will be maintained. Funding streams for police and fire will not be merged and police and fire will continue to raise precepts separately, so local people can hold the Commissioner to account for how their money is spent.

Consultation

This Business Case will form the basis of the Commissioner’s consultation exercise on the governance proposal. He is legally required to consult with upper tier local authorities,

representatives of personnel who the Commissioner considers may be affected by the proposal, and the public.

The formal consultation, which will run for 8 weeks during July and August, will ensure that he has secured, and taken into account, local opinion on this proposal before making a request to the Home Secretary on the desired governance model.

He will be consulting with those effected by the proposals and their workforce representative bodies as well as a wide range of stakeholders and the public.

He will consider the feedback from the consultation and then publish a consultation response report, prior to finalising the Local Business Case ready for submission to the Home Secretary in October. The consultation response report will be published on the OPCC website.

Next steps

The Commissioner's aspiration is to seek responsibility for the Fire and Rescue Authority in April 2018 subject to the outcome of the consultation and the Home Secretary's approval that the Commissioner's proposal is in the interests of either economy, efficiency and effectiveness or public safety.

The key milestones are:

Jun 2017	Pre consultation engagement
03 Jul 2017	Consultation opens
28 Aug 2017	Consultation closes
Sep 2017	Revise consultation in light of consultation comments
Oct 2017	Submit to Home Office
Oct – Dec 2017	Home Office to review business case
Dec 2017	Home Office decision on whether to approve business case
Jan – Mar 2018	If approved, prepare for transition to new governance arrangements
01 Apr 2018	Implementation of new governance arrangements