

Fire Brigades Union submission

Home Office consultation White Paper, Reforming Our Fire and Rescue Service

7 July 2022



This is the Fire Brigades Union (FBU) submission to the Home Office consultation on Westminster government's White Paper, *Reforming Our Fire and Rescue Service*, launched on 18 May 2022. The FBU is the democratic, professional voice of firefighters and other workers within fire and rescue services across the UK. The union represents the vast majority of wholetime (full-time) and retained (part-time, on-call) firefighters and emergency fire control staff – all of whom are collectively referred to as firefighters.

The FBU is extremely disappointed with the White Paper. It contains no direct plans or resources to improve the service fire and rescue provides to the public. It will not solve the building safety crisis exposed by the Grenfell Tower fire. The White Paper is remarkably thin on substance, lacking real ambition and seeks mainly to attack the workforce and the FBU. It is a chief fire officers' wish list.

Instead of serious investment and professional standards of service, instead of seeking improvement in delivery of service to our communities, it aims to remove the ability for firefighters to shape the service they provide and reduce them to a 'shut up and do as you are told' workforce who work longer and still get less. The FBU will engage with ministers and employers over the detailed proposals, but the union's primary message to ministers is that they must stop and think again: this is not the way to improve our service and profession.

The White Paper is flawed in many respects:

- It contains no provisions to improve the service firefighters provide to our communities
- It promises no new investment in firefighters or equipment needed to improve the service
- It threatens the legal rights of firefighters to collectively bargain with our employers over pay, conditions, safety and other vital contractual matters
- If implemented, it would cut firefighters' pay, increase hours, roles and the intensity of work, introduce unsafe practices and all while stretching the service to breaking point
- It threatens the right of firefighters to take lawful industrial action when we are attacked by employers and governments
- It seeks to give chief fire officers powers to dictate firefighters' pay, conditions, duty systems, safety and other matters – even though they have no knowledge, training or experience of these matters.

The White Paper contains some gimmicks, which contribute nothing to the service:

- It pledges to impose an oath, committing firefighters to do as they are told, put themselves at risk while losing the right to be heard and listened to, negotiated and consulted with
- It promises a statutory code of ethics, designed not to improve the service, but instead to make it easier to discipline and sack firefighters.

The White Paper contains some proposals that the FBU is happy to discuss, subject to ministers providing more clarity on what they might involve. These include:

- The proposed College of Fire and Rescue
- Professional standards for entry and officers
- Research and data.

The FBU also has a series of our own proposals to improve the service to the public and to improve the pay and conditions of firefighters, matters that should be at the heart of the White Paper.

Threat to firefighters' pay and conditions – the National Joint Council (NJC)

The White Paper states that the ministers “will commission an independent review into the current pay negotiation process and consider if it is fit for a modern emergency service”. This is an attack on the collective bargaining arrangements for firefighters that could cut firefighters pay, worsen working hours and damage industrial relations for years to come.

The National Joint Council (NJC) is supported by both the FBU and the fire employers. It is the UK-wide collective bargaining body where fire employers across the UK and the FBU negotiate on the terms of firefighters' pay and conditions. The Middle Managers Negotiating Body (MMNB) is the related body for officers' pay and conditions. The NJC and MMNB usually meet in full three times a year. However leading officials discuss and meet on a regular weekly basis to ensure industrial relations are managed efficiently.

The employers' side consists of 14 representatives of local authority fire employers in England, the Scottish government, Welsh government and Northern Ireland executive. The FBU represents the employees' side on the NJC and almost all seats on the MMNB. This is because of the FBU's overwhelming membership of firefighters, which far exceeds any other body. Professor Lynette Harris from Nottingham Trent University is the independent chair of the NJC and MMNB. This is what some politicians and chief fire officers want to scrap.

The NJC is a voluntary arrangement between employers and employees. Voluntary arrangements between employers and employees are the norm in the history of British industrial relations. Intervention by central government would be a step towards further centralisation of decision making, which currently sits at local level. That runs counter to claims by central government to support an agenda of devolution of powers.

Threat to firefighters' pay and conditions – the Grey Book

The Grey Book is the scheme of conditions of service for firefighters across the UK. It is the result of negotiation between fire employers and the FBU at the NJC and MMNB. The Grey Book and its associated documentation has evolved over time. It defines firefighters' roles and responsibilities coherently. In an industry dealing with hazards where firefighters collaborate and work across borders, such consistency is vital.

The Grey Book determines firefighters' hours of duty and shift systems to ensure 24/7 fire cover across the UK. It sets out rates of pay, including overtime, allowances and recall to duty. It defines leave arrangements, including for public holidays and sickness. It lays down the provisions for maternity leave and pay, parental leave and other time off work. The Grey Book provides clear guidance on health and safety matters, including personal protective equipment (PPE), display screen equipment and the management of stress. It establishes important procedures for grievance and discipline. The Grey Book also sets the framework for the resolution of local disputes.

The Grey Book provides nationally agreed conditions of service and clear guidance on a range of issues, including equality and safety issues. It sets out a dispute resolution framework which has time and again proved successful in resolving local disputes and thus preventing escalating disputes. This is what some politicians and chief fire officers want to scrap. There is absolutely no evidence to support such an attack.

The threat of pay review bodies

The White Paper rhetoric calls the existing collective bargaining arrangements “cumbersome”. It says they are a “barrier” to change. The former chief fire inspector for England, Thomas Winsor recommended scrapping the NJC and imposing a pay review body instead. His recommendations were designed to worsen firefighters’ pay and conditions. Winsor has form on these issues. The police pay spine he promoted starts at £4,000 less than the previous scale and introduced a two-tier workforce. He aimed to do the same to firefighters.

The FBU and other trade unions oppose pay review bodies for good reasons. Pay review bodies deliberately exclude the voice of the workforce. They impose pay and conditions without negotiation. Sectors that have these bodies – such as police and teaching – have huge recruitment and retention problems and widespread concern regarding performance. Pay review bodies do not deliver better pay rises. They are a fig leaf so ministers can avoid accountability, even when the industry is publicly funded.

The threat of local pay

An even bigger potential threat would come from the introduction of local pay if national structures were scrapped and nothing put in its place. Local pay would be particularly absurd in the fire and rescue service, because of the cross border working. The spectre of firefighters with the same roles but getting very different rates of pay while working together would create huge resentment. Similarly, it would also have a negative impact on the rich and positive tradition of inter-service transfers of personnel, particularly in the middle and principal manager roles, with resultant reductions in the dynamism that this brings to fire and rescue services.

Similarly, local pay would create free market for pay, where slightly better off fire authorities could offer higher rates and attract firefighters away from parts of the country where they are most needed. Some larger, metropolitan fire and rescue services might gain temporarily at the expense of smaller, more rural brigades. It would impact on the training of new recruits and exacerbate the already appalling track record of recruitment and retention of personnel to work the retained duty system. Such an unstable market would ultimately force down the pay rates for all firefighters, while damaging service delivery.

The benefits of collective bargaining

The NJC was established 75 years ago, but has evolved substantially during its history. It has managed pay and negotiations successfully, despite many disagreements, over decades. The NJC’s independent chair provides an annual report of its activities, which the FBU publishes and circulates to our members, in recognition of its value. The FBU believes these reports reflect the constructive engagement between fire employers and the union. In recent years the NJC has:

- Formed the Inclusive Fire Service Group, a stakeholder body tackling developing policy and guidance to address inequalities across the fire and rescue service
- Managed the first nine months of the Covid-19 response
- Ensured retained, part-time firefighters receive equal treatment in compliance with the law
- Raised concerns about the impact of vehicle taxation changes on fire officers
- Developed a procedure for fitness management, to ensure the health of firefighters on duty
- Assisted with implementing apprenticeship schemes across the fire and rescue service.

The NJC reports performs a range of work to resolve disputes and local and national level. Industrial relations often generate complex problems. The NJC is the best vehicle to resolve such matters in the fire and rescue service. In preparing the White Paper, the FBU is not aware of any approach made by Home Office officials to the independent chair of the NJC, which would be an obvious starting point for any discussion about such a body.

Broadening the firefighters' role

The White Paper criticises the NJC for slow progress with UK-wide negotiations on broadening the firefighters' role. The FBU and fire employers are committed to negotiating on broadening the contribution firefighters could make to our communities. The NJC has carried out trials for emergency medical response. The union and employers have negotiated agreements about responses to terrorist incidents. Other matters such as the environment and fire safety inspection have been explored.

However negotiations on broadening firefighters' role have stalled for a number of reasons. An independent evaluation of the trials praised the work carried out, but also identified a range of safety and health concerns. Crucially, any changes require central government backing to progress. Some require Westminster government financial support for fire and rescue services. This has been raised jointly by the FBU and fire employers with ministers over several years. Ministers say they want firefighters to do additional work and take on a wider role, but have not provided the necessary guarantees and investment – including for firefighters' pay. This is why progress has stalled. The responsibility rests largely with ministers at Westminster.

Marauding terrorist attack (MTA) response

The FBU has also shown that progress can be made through collective bargaining on a range of new risks. During 2021, the FBU and representatives from the London Fire Brigade (LFB) and Greater Manchester Fire and Rescue Service (GMFRS) held negotiations concerning fire and rescue service response to incidents involving marauding terrorist attack (MTA).

Negotiations took place in the context of the ongoing Manchester Arena Inquiry. They were also subject to a hostile intervention by Thomas Winsor, which fortunately did not affect the outcome. In December 2021, the FBU received final offers from both these fire and rescue services. The FBU's executive council considered the offers, recommended that members accept them and held successful ballots in early 2022. These agreements show that the FBU and fire employers can find solutions to new and longstanding challenges.

The approach of Thomas Winsor and of Home Office officials has demonstrated a failure to understand employment rights, employment contracts or how such contracts are subject to change. The Home Office has been poorly advised on this issue.

The right to take industrial action

The White Paper states that when firefighters and control staff go on strike, this "inevitably puts the public and non-striking fire professionals at risk". It adds: "While we do not propose removing the freedom for staff to choose to participate in industrial action, we believe that public safety needs to be ensured." Thomas Winsor also used his final *State of Fire and Rescue 2021* report to urge ministers to consider "the removal of the right of firefighters to strike".

It is central government and fire employer attacks on firefighters' pensions, pay and central funding cuts, which put the public and firefighters at greater risk. Firefighters' right to democratically organise, assemble and speak includes the right to take industrial action, up to and including lawful strike action. Any ban or restriction is a political attack, designed to silence the voice of firefighters. Our members like others in the public sector have the ability to withdraw their labour and this right should continue to be protected. Ministers would make better use of their time by helping to tackle the underlying causes of disputes, which invariably result from their poor decisions.

Business continuity

The White Paper states that the Home Office will "work closely with the NFCC to ensure that each service has a robust business continuity plan that considers a range of challenges, including the impact of industrial action."

Fire and rescue service employers already have arrangements in place for business continuity. During the FBU's pension strikes, brought about by the Westminster government's flawed and in part discriminatory proposals to make firefighters pay more, work longer and get less, chief fire officers told the public there was nothing to worry about. To quote just a few of numerous examples:

"I can reassure all members of the community that we have robust plans in place to continue to provide an effective fire and rescue service to the whole of the county."

Andy Hickmott, Warwickshire chief fire officer, *Cotswold Journal*, 19 September 2013

"We have significant contingency plans in place in the county, which have been proven to be effective in previous strikes."

Stewart Edgar, Gloucestershire chief fire officer, *Malvern Gazette*, 20 June 2014

"We are confident that the implementation of our plans will enable us to continue to answer 999 calls and to respond to incidents as quickly as possible."

Dave Ramscar, Lincolnshire chief fire officer, *Spalding Voice*, 29 October 2014

The use of agency labour in fire and rescue service disputes has proven to be a disaster, when attempted in London with AssetCo in 2010. Firefighters came off picket lines to ensure contract staff did not damage homes and businesses. Imposing minimum service arrangements would effectively prevent strike action from taking place, may well be illegal under international law and would fuel massive resentment from the workforce, which never takes strike action lightly and often takes action to better protect the communities we live and serve in.

Chief fire officers' charter

The fundamental objective of this White Paper is to elevate the role of chief fire officers and thereby to diminish the voice of firefighters, particularly the FBU. The White Paper seeks to offer chief fire officers the powers to:

- Make decisions about attendance times and other response standards, night cover, station closures and other vital matters without any accountability to the public
- Turn the local risk management process into a resource management cost-cutting exercise
- Cut firefighter jobs, worsen firefighter safety, impose new roles and contracts without consultation, impose unsafe shift systems and other bad practices that should be made by politicians after negotiation with the FBU
- Become the employer of firefighters, instead of current arrangements which involve public sector organisations with political oversight.

None of these measures will do anything whatsoever to improve public safety. They will in all likelihood lead to empire-building by chief fire officers, waste and bureaucracy, a massive deterioration in industrial relations and damage to the reputation of the fire and rescue service.

“Operational independence”

The White Paper proposes to give chief fire officers ‘operational independence’. Ministers have never fully explained what this means. Chief fire officers already have ‘operational independence’ on the incident ground, since fire authority or board members would never direct emergency intervention. Chief fire officers already make key decisions about prevention, protection and community fire safety. Operational independence seems to be copied from the arrangements for chief constables in the police, although they fulfil a very different role to chief fire officers. In reality it is a mechanism for reducing political accountability to local communities.

The proposal seems to mean chief fire officers would no longer have their work supervised by committees of elected councillors. At most they may have to account to a weak scrutiny panel or a single elected individual, and only on matters such as the overall budget. This is not ‘operational independence’ but political independence, since the aim appears to be a reduction in political control and accountability. This would undermine the rights of local people and their elected representatives. It would mean a significant reduction in local democracy. It would reduce accountability to local taxpayers.

Operational independence would aim to give chief fire officers a free hand to dictate to firefighters on role maps, shift systems, and any other attacks. It is a recipe for a race to the bottom on firefighters’ conditions, atomising the workforce and an effort to weaken the FBU. It would simply encourage chief fire officers to build their own empires and force firefighters to take on additional work without pay. It would also allow chief officers to cut firefighter jobs, reduce attendance times, close fire stations, reduce night cover and make other arbitrary changes to worsen the service to the public. Therefore the FBU is strongly opposed to giving chief fire officers ‘operational independence’.

“Corporations sole”

The White Paper says ministers want to “legislate to make chief fire officers *corporations sole*”. “*Corporations sole*” means making chief fire officers the employer of all staff working for the local fire and rescue service. Almost all chief fire officers are currently and rightly employees – and are accountable to their employer, which is a democratic body such as fire authorities/boards. Only the London Fire Commissioner is currently *corporations sole*. No chief fire officer including the current London Fire Commissioner has had training to perform this role.

A chief fire officer as “*corporations sole*” requires a significant bureaucratic infrastructure (human resources, legal, finance, press and other support staff) that will not be sustainable for small services. Without political oversight, chief fire officers would get the power to downgrade public safety and worsen firefighters pay and conditions without consultation. This is a recipe for conflict.

Corporations sole burdens chief fire officers with huge legal responsibility. It is unclear how financial penalties and compensation claims arising from the legal liabilities from failures of chief fire officers who are “*corporation sole*” would be paid or underwritten. Therefore the FBU opposes making chief fire officers *corporations sole*.

The record of chief fire officers

The role of chief fire officer is a necessary one. However it is a leadership role requiring much oversight, both from communities they serve, elected politicians and the workforce. Sadly, there are a catalogue of mistakes made by chief fire officers in recent years that indicate the real dangers of giving them unrestricted and unconstrained power.

In 2018, the Westminster government was forced to amend the Fire and Rescue National Framework in England to discourage the practice of chief fire officers retiring, collecting a large pension and then returning to their senior role with a cosmetic change of title with a large salary on top. Despite central government efforts, the FBU believes that this practice still continues. The Home Office should report all such cases in an annual report.

Chief fire officers have managed to secure huge six-figure salaries and gold-plated pensions for themselves, so that most now earn more than the prime minister. Salaries of £200,000 a year, five or six times the average pay of firefighters, is a gross insult – particularly when firefighters have lost at least 12% (or £4,000) in real terms since 2010. In many cases, chief fire officers have used public money to commission reports on their own pay. However, since the one who ‘pays the piper calls the tune’, these reports have inevitably recommended significant pay rises for chief fire officers. This is a cynical abuse of power which the Home Office has completely failed to address.

The current crop of chief fire officers have presided over the longest and deepest period of cuts to the fire and rescue service in its history. A fifth of the workforce has been cut. Far from standing up and defending the service, chief fire officers have implemented these cuts, sometimes with relish, while enriching themselves.

These chief fire officers and their immediate predecessors also presided over the failed fire safety regime that was so cruelly exposed by the Grenfell Tower fire. These chief fire officers failed to warn of the dangers of cladding and other failures of compartmentation despite growing evidence from the UK and across the world. This is a disgraceful failure. They failed to act on the lessons from numerous coroners’ inquests and serious accident investigations into fatalities in tower blocks, including the deaths of firefighters. They failed to warn of the dangers of deregulation, fragmentation and lack of oversight instead choosing to provide cover for the fragmentation and cuts agenda of ministers.

Some chief fire officers have made corrupt and venal decisions about their own financial position, including awarding themselves bonuses, perks, vehicles and various other financial gains with public money. Some went to work after retirement with the same private firms they had contracted while chief fire officers. Such behaviour has brought shame on the fire and rescue service. The Home Office and preceding departments have failed to address any such practice.

Some chief officers have made disastrous procurement decisions, wasting millions of public money on equipment that either did not work or was not suitable. A notable case was the combined aerial rescue platforms (CARPs), brought in at the behest of chief officers across several fire and rescue services, which suffered mechanical breakdowns, fires and were sometimes unstable in use. Nothing is ever done to hold those responsible to account.

The role of the National Fire Chiefs Council (NFCC)

The White Paper also seeks to further elevate the National Fire Chiefs Council (NFCC), without explaining to the public exactly what this body is or does. The NFCC is a committee of the Chief Fire Officers Association (CFOA). The NFCC was formed on 1 April 2017.

The NFCC is run by chief fire officers through CFOA, a registered charity and a company. Although it has fewer than 500 members, some of them retired, it now boasts a multi-million income. Unlike real representative bodies, which get their income from membership subscriptions, the NFCC gets millions of pounds every year from central government, with more millions from “corporate subscription income”, which is likely to be funds from fire and rescue service budgets.

The NFCC has been given funding and support by the Home Office, in order to give the Westminster government the veneer of technical expertise from the sector. However the NFCC’s record has been disastrous:

- It is the NFCC that authored the heinous “temporary waking watch” procedure after the Grenfell Tower fire, which has cost tenants thousands of pounds while allowing untrained contractors to provide the fig-leaf of cover for wealthy building owners
- It was the NFCC that actively set out to undermine and destroy the national agreement reached between the FBU and fire employers during the Covid-19 pandemic
- It is the NFCC that has promoted the dangerous and unsafe procedure of allowing firefighters to go beyond the bridgehead and entry control point in a high rise building fire without starting up their breathing apparatus sets, exposing firefighters and the public to a greater risk of death and injury
- It is the NFCC that has encouraged fire authorities to avoid their legal liabilities for firefighters’ pensions, won in the courts by the FBU, denying retired firefighters the money owed to them after a lifetime of service to the public.

The NFCC cannot be trusted to give ministers the honest advice they need to make strategic decisions. A statutory advisory body composed of key organisations in the fire sector, including the FBU, is the best alternative.

An oath

The White Paper proposes to introduce a fire and rescue service ‘oath’ in England. No text of the oath nor any adequate reasons for it are offered by the Home Office. This is an England-only proposal, with no sign of any interest in it from any of the devolved administrations, for good reason.

The White Paper claims the culture in the fire and rescue service is “toxic”, although it provides no evidence for this. If it is so, then the NFCC are responsible and should be held to account. The FBU believes there is a culture of toxic management, evidenced by various reports. In 2015, the union surveyed members about these issues as part of our response to the Adrian Thomas review. Almost ten thousand members responded. The survey revealed the central problem was management bullying of employees lower down the hierarchy:

- two-in-five (40%) of respondents said they had been bullied at work in recent years
- the majority (60%) attributed the bullying to senior managers
- one third blamed corporate management policy and similar numbers said it was their immediate line managers.
- three-quarters (74%) said fire service managers had not been helpful tackling bullying
- three-quarters (76%) said that the FBU had been helpful in tackling the bullying.

The NJC's Inclusive Fire Service Group and FBU equality sections have identified significant matters on equality and diversity that need to be tackled. However an oath will not resolve those matters and may make them worse. The imposition of an oath damns an entire workforce for the unacceptable behaviour of a few individuals. There is already an established disciplinary procedure for tackling these matters.

Some other public sector organisations have an oath. This has not prevented discrimination or bad behaviour from occurring. Politicians and the police are subject to a whole series of oaths, promises, codes and similar gimmicks. Sadly, they are among the worst practitioners of poor behaviour, despite their pledges. Firefighters find it particularly galling to hear politicians seeking to impose an oath on our profession, when they are guilty of widespread law-breaking, corrupt decision making, crimes and other breaches of the rules. Therefore, for the reasons stated above, the FBU opposes the oath.

Statutory code of ethics

The White Paper proposes to put the recently-imposed code of ethics on a statutory footing. The code of ethics is another gimmick, introduced at the behest of Thomas Winsor and copied over from policing. The code was drawn up by chief fire officers without consultation with the workforce. The FBU has never endorsed it.

Firefighters currently work to contracts and role maps that contain significant ethical commitments. In a competent firefighters' role map there is already a commitment to "save and preserve endangered life", "contribute to safety solutions to minimise risks to your community" and to "support the development of colleagues in the workplace".

The new code of ethics adds nothing but more warm words. Making the code statutory will not make it any more pertinent to firefighters' daily behaviour. Bullying and other disciplinary issues are already dealt with by contracts, policy and procedures within fire and rescue services. At best, the code will be irrelevant. At worst, it will be used to rush through the sacking of firefighters without due process.

It is another cruel irony that successive Westminster governments have railed against red tape and the "burdens" of new regulation, and still ministers seem unwilling to make new laws for the safety of our communities. Yet there seems to be ministerial appetite to make matters of industrial relations the subject of regulation. This a distraction from the real task of improving the service to the public and an insult to the professionalism of firefighters. Therefore the FBU opposes putting the code on a statutory footing.

Governance

The White Paper threatens to introduce a more hierarchical and less democratic system of accountability for the fire and rescue service governance. Although there are a range of models, most fire and rescue services are currently overseen by a committee of elected councillors, who come from a range of political parties, are elected locally and can be voted out if the majority of voters believe they are not doing their jobs properly.

The White Paper promotes instead that fire and rescue services would be under the local political control of a single, elected individual. This could be a mayor, a police and crime commissioner, or an “executive councillor”. However the White Paper recognises that “regardless of who the executive leader is, each would need a body to scrutinise their decision making”.

This concedes the FBU’s point about democratic oversight. The union insists that every form of governance should involve a committee of elected politicians for scrutiny and accountability. The scrutiny committee should not be appointed by the authority subject to its supervision, nor composed of cronies or appointed bureaucrats.

Mayoral model

The White Paper proposes transferring fire and rescue functions to Mayoral Combined Authorities (MCAs) “at the earliest opportunity”. At present, only the Mayor of London and the Greater Manchester Combined Authority have these functions. The White Paper suggests that four other MCAs (Cambridgeshire, Sheffield City Region, West Midlands and West Yorkshire) are already coterminous with fire and rescue boundaries. The four remaining existing MCAs (Liverpool City Region, North of Tyne, Tees Valley and West of England) are not currently coterminous with fire and rescue boundaries.

The FBU believes the mayoral model has a number of flaws. First, although the titular head is the mayor, in reality the role of overseeing fire is given to an unelected deputy mayor (as is currently the case in both London and the Greater Manchester). Second, while there is a separate fire committee made up of elected politicians from the Greater London Assembly to scrutinise fire matters in London, in Greater Manchester, fire is currently overseen by the joint police and crime panel. Although this panel also consists of elected politicians, the FBU believes fire should have its own, separate scrutiny body rather than be amalgamated with the much larger police service. Ultimately, these committees cannot prevent disastrous decisions by the mayor to impose fire cuts or worsening the service to the public – or from making other detrimental changes to firefighters’ conditions or safety.

The White Paper does not spell out how fire would be governed in the other mayoral authorities. Levelling up should involve the maximum democratic scrutiny and accountability, but the White Paper sets no minimum standards for governance. Nor does it guarantee that local people will get a vote on whether their fire and rescue service is moved to another body in this way. Therefore the FBU cannot support the transfer of fire to Mayoral Combined Authorities on this basis.

Police and crime commissioners

The White Paper suggests the mandatory transfer of fire governance to police and crime commissioners (PCCs). The only evidence offered is an internal review carried out by consultants who clearly favoured imposing PCC rule on fire authorities. But changing the law to force every fire and rescue service in England to be run by a PCC or mayor is not democratic. Local people should decide how their fire and rescue service is run.

Currently, just four out of 44 fire and rescue services are governed by PCCs, despite the option to transfer for more than five years. There is clearly no appetite for PCCs taking over fire authorities in England, and no plans by the devolved administrations. This was underlined again in Cumbria recently, where the PCC proposed taking over fire, only to face a strong local opposition campaign.

The FBU has opposed PCCs from taking over fire and rescue since the provision was introduced. Fire and rescue service should not be subordinate to policing. Firefighting is a humanitarian service for everyone in our communities. Firefighters' neutrality is integral to how the service accesses communities up and down the country. It allows firefighters to carry out essential prevention and protection work, to ensure continued access to some of the most vulnerable people in our communities. The response from the public to a firefighter knocking on their door is very different from when a police officer arrives. This PCC takeover of fire and rescue would blur these lines with the police. Firefighters' independence is in jeopardy. This is not in the interests of public safety. The ability of the fire and rescue service to intervene in all parts of the community is widely acknowledged yet the point is ignored by Home Office officials.

The FBU has significant concerns about the undemocratic nature of the PCC model. PCCs only have a weak, appointed panel, which does not provide sufficient scrutiny to satisfy firefighters and the public. Although fire and rescue authorities are far from perfect, the PCC model is significantly worse for democracy and accountability. It is no coincidence that as the PCC model has reduced the influence of local people, so confidence in policing appears to have declined, according to Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) and other surveys.

The White Paper further proposes that an "executive councillor" be given the responsibility for fire locally. This model suffers from the same flaws as mayoral and PCC governance. Making a single individual like a council leader alone responsible for the fire and rescue service is no improvement. The FBU will argue for an elected committee for scrutiny and oversight.

Proposals to be discussed

The White Paper contains a number proposals that deserve further discussion and engagement. Among those are:

- A proposed College of Fire and Rescue
- Professional standards of entry
- Professional standards for officers
- Professional standards for principal managers
- Research and data.

It is clear from the Impact Assessment that ministers are keen on these proposals. Unlike, many of the others, they are at least costed. However the FBU has many questions and matters to raise before it considers endorsing these proposals.

College of Fire and Rescue

The White Paper states that ministers "want to explore our ambition for the creation of a College of Fire and Rescue (CoFR) to be the independent body to support our fire and rescue professionals to best protect their communities".

The FBU wants a statutory advisory body, composed of key fire practitioners in the sector, including the FBU. In 2004, the Westminster government with cross-party support agreed to scrap the Central Fire Brigades Advisory Council (CFBAC), which had provided ministers with a range of professional advice for more than fifty years. The Grenfell Tower fire and subsequent inquiry has demonstrated the destructive folly of scrapping the CFBAC and only taking advice from chief fire officers.

A College of Fire and Rescue may be belated recognition at Westminster of the need for a formal arrangement, so that ministers hear a range of opinions from fire professionals and recognition that professional standards and authoritative guidance underpinning regulation are critical to fire safety.

The Home Office model in this White Paper appears to be the College of Policing. The College of Policing is private limited company, where the Home Secretary appoints a board of directors, including representatives from police staff associations. However the College of Policing now has statutory powers to issue codes of practice and guidance.

Ministers have not explained how a College of Fire and Rescue would be funded or governed. The FBU is willing to discuss creating a College of Fire and Rescue as a statutory public body, publicly funded and with representation for the FBU. Such an arrangement would be considerably better than the status quo, where the NFCC dictate standards and guidance without proper consultation and at times threaten firefighter safety.

It also seems appropriate to remind the Westminster government that the UK fire and rescue service was previously served by the Fire Service College at Moreton-in-Marsh, an establishment that was widely regarded as the finest of its type in the world. However, after years of underfunding, in 2013 the ministers sold off the college and its estate to the private company Capita.

Entry requirements

The White Paper seeks views on “clearer, consistent entry requirements for fire service roles”. It also raises the question of “a standardised assessment to reach levels equivalent to assistant chief officer”.

The FBU wants universal, professional standards for recruitment and entry into the fire and rescue service. The current fragmented system, where different fire and rescue services do not have a guaranteed minimum amount of time for recruits, or a common curriculum, cuts against the cross-border nature of firefighting and the frequent transfer later in career, which is vital to maintaining the service. The FBU and fire employers have already undertaken and agreed work on national entry tests and fitness standards. If the Westminster government is proposing universal, professional standards for recruitment and entry, and for promotion and officer development, the FBU will be happy to assist with their development and implementation.

However the FBU will continue to oppose parachuting staff from outside the service into firefighter roles. Such practices avoid the experience and craft of joining the service at ground level and working in frontline roles before promotion. The experience of direct entry in the fire and rescue services has not been a great success. Given the hazards involved in fire and rescue, it is irresponsible and dangerous to place managers in operational supervisory positions with little or no experience of actual incidents. The practice has undermined confidence among frontline firefighters, who are often concerned that they are likely to be instructed or ordered by individuals who have not directly experienced the task of tackling fires or other emergencies. The FBU opposes the expansion of direct entry. There could be far better models for the development of officers and leaders within the profession from among firefighters. This would require investment in training and development.

Data and research

The White Paper suggests the Westminster government is willing to fund central fire and rescue research personnel and provide “central digital and data support”. Currently this is split between the Home Office and the NFCC.

The FBU supports the creation of a statutory advisory body, composed of key fire practitioners in the sector (including the FBU), where such matters would be discussed regularly. The FBU has long complained about the way official statistics have been used to justify cuts and other changes. It remains a scandal that all fire deaths are not reported, due to exemptions. It is outrageous – and illogical – that attendance times for the second and other appliances are not reported. Flood incidents have never been adequately quantified, despite the important work firefighters do in these incidents.

This has a direct impact on the fire inspectorate as well as on ministerial decisions. There are significant differences in reporting between the four administrations, which make UK-wide analysis more difficult. There are also many gaps. The Westminster government has failed to produce a revised costs of fire/value of the fire and rescue service assessment over the last decade, to capture in full the enormous contribution firefighters make to our communities. A thorough review of the fire and rescue data is needed, with the FBU consulted. These matters cannot be left to the NFCC, who have shown no inclination to tackle them despite numerous warnings from the FBU.

The rationale for the White Paper

The rationale for the White Paper is based on a number of false claims, half-truths and mistakes which call into question many of the proposals made later. These include:

- Claims about central government increasing funding, when it has been cut drastically
- Claims about the Covid-19 response, which are simply untrue
- Backing for the destructive former chief inspector in England
- Claims about the Grenfell Tower fire, while ignoring the public inquiry and views and experiences of frontline firefighters.

The consequences of underfunding

The White Paper claims central government has increased funding for the fire and rescue service. This is entirely false. Since 2010, central funding from Westminster to fire and rescue services across the UK has been cut by at least 30% in money terms – and therefore more than 40% in real terms. Since 2010, more than one-in-five (20%) of firefighter jobs (almost 12,000 jobs) have been cut across the UK, the worst period of cuts in the entire history of the service.

Fewer firefighters, along with fire station closures and the removal of appliances, has led to the further slowing of response times to fire and other incidents. At the turn of the century, when there were still national standards of fire cover, response times for the first appliance to primary fires were around 6 minutes and are now close to 9 minutes. For dwelling fires, responses have slowed from around 5 minutes for the first appliance to nearly 8 minutes. Central government does not publish figures for other appliances, which are crucial for safe rescue and evacuation. None of these matters are addressed by the White Paper. These figures on response are a national scandal and those responsible for such worsening of standards should not be in post in the fire and rescue service and should have no role in setting future policy.

Covid-19 national agreement

Firefighters are rightly proud of their response to the Covid-19 pandemic. The established industrial relations channels meant safe working was introduced to ensure resilience, and a national agreement between the FBU, fire employers and the chief fire officers negotiated within days of the first lockdown. This set out the additional activities firefighters would undertake to assist the most

vulnerable people in our communities, as well as provide assistance to the NHS and in particular the ambulance service. The agreement was successfully expanded over the following months.

The FBU believes the agreement contributed to saving lives during the pandemic. The existing efficient industrial relations apparatus was central to providing a high level of assistance, while keeping firefighters safe. Sadly, a small number of chief fire officers working through the NFCC walked away from the national agreement in November 2020. The FBU continued the national agreement with fire employers, until they too walked away in January 2021. The FBU continued to seek agreement nationally and locally.

The national agreements were not “restrictive”. The FBU had a draft agreement on vaccination ready before employers and chief officers walked away. Firefighters continued to assist the public, taking on extra work to help the vulnerable. The FBU did not obstruct anything – the union did more than any other trade union or other representative body to make sure Covid-19 safety was prioritised for the public and for the workforce.

It was a small number of chief fire officers who put the public and firefighters at risk by cutting corners on safety. Myths and lies peddled about firefighters and the FBU during the pandemic are contemptible and should not be used to justify lurches in policy. The FBU has the facts to answer all such claims. It is regrettable that neither the minister nor Home Office officials have attempted to find out the real facts from those involved.

Grenfell Tower Inquiry

Ministers claim in the White Paper to have learned the lessons of the Grenfell Tower fire and to be implementing the recommendations of inquiries and reviews. This is both premature and false. The FBU is a core participant in the Grenfell Tower Inquiry (GTI) and 95% of those firefighters attending the incident were FBU members. This White Paper sadly does nothing to address the concerns of the bereaved, survivors and residents of the Grenfell Tower fire or of those in other communities affected by the building safety crisis.

The GTI made 46 recommendations in its Phase 1 report, mostly aimed at building owners and the London Fire Brigade. Sadly, the Westminster government used the White Paper to announce, under the radar, that it would not implement one of the key recommendations, to introduce Personal Emergency Evacuation Plans (PEEPs) for vulnerable people living in high rise buildings. This leaves disabled and other residents in a dreadful position, worried every night about safety in their homes, in order to save the wealthy building owners the expense of providing facilities to guarantee safety.

Similarly, the Westminster government has also failed to implement the recommendation to develop national guidelines for carrying out partial or total evacuations of high-rise residential buildings. This is a difficult task, but no progress has been made towards resolving this important matter for residents and the fire and rescue service.

The Westminster government also failed to implement in full the recommendations of the Hackitt review. Ministers made a last-minute amendment to the Building Safety Act, which recently reached the statute book, so that owners no longer have to appoint a building safety manager to oversee safety and other matters. This means residents will still struggle to get a prompt and comprehensive response from building owners and their corporations, because there is no guaranteed point of contact to deal with these matters. Again, profits (and rents) are put above safety. This has been the approach to fire safety policy for many years. It is shameful.

Ministers cannot have learned all the lessons from the Grenfell Tower fire, when even their own public inquiry continues to hear evidence in its Phase 2. However, had ministers been following the GTI's proceedings closely in recent months, they would have heard the testimony of residents, politicians, academic experts, civil servants and others explain how their deregulated, free market system of building safety led to the scale of death and destruction in the Grenfell Tower fire.

Devolved administrations

The White Paper draws much of its inspiration from Thomas Winsor. Winsor was a destructive figure who, in exactly the same way as he had previously done to other public sector professionals in his previous roles, did not focus on core service issues, deciding instead to seek the removal of free collective bargaining and attack the ability of workers to be represented by their trade union. He made a series of recommendations in his *State of Fire and Rescue* reports that were well beyond his remit, despite only having jurisdiction for England only.

HMICFRS is the fire inspectorate for England. It has no prerogative over firefighters' pay and conditions, which are UK-wide matters and rightly include the fire service employers within the devolved administrations. Scotland, Wales and Northern Ireland have their own inspection arrangements, which predates devolution. Scotland continued its own inspectorate after the previous body was abolished in England and Wales in 2004. The White Paper makes a range of proposals with significant damaging implications for the devolved administrations and their fire and rescue services. This Anglo-centric approach is insulting to the devolved arrangements for fire policy and should be rejected.

During the years after the previous fire inspectorate was scrapped in England, the FBU was the only voice advocating such a body. The FBU supported the re-establishment of the inspectorate in England and our officials have always sought to engage constructively with HMICFRS.

Role of HMICFRS

HMICFRS under Winsor became increasingly biased. The three *State of Fire and Rescue* reports under Winsor were simply a tool to push through a political agenda against the wishes of the workforce. HMICFRS's *Getting the balance right* report in March 2021 supported draconian proposals to curtail the right to protest, measures that would be condemned as an affront to democracy if introduced in other parts of the world.

HMICFRS was an inspectorate in crisis under Winsor. Its highly paid inspectors were bickering through the employment tribunal process about whether they should be paid £140,000 or £180,000 for their part-time work. It is unedifying for people who earn five or six times more than the average pay of a firefighter to direct their attacks at the pay and conditions of well-respected public servants.

Local inspection reports

Winsor's recommendations were not based on the evidence generated by the first round of inspection reports, which took place in 2018-19 in England. In this first round, only four out of 45 contain complaints about national negotiations. Only four out of 45 raise local concerns. These are about legitimate disputes, which the NJC often helps to resolve.

Winsor's advice to ministers and his subsequent media grandstanding were not based on evidence gathered by local inspectors. The majority of local HMICFRS reports made positive comments about industrial relations, including about joint consultative committees, health and safety committees,

equalities, grievances, risk management, learning and other matters. Even those services critical on certain issues also praised good relations with the FBU. The HMICFRS reports actually showed how industrial relations are managed effectively through negotiation at national and local level.

The original rationale for the inspectorate was to replace the self-serving regime of peer review. As Theresa May put it in her Reform think speech, 24 May 2016:

“In practice [peer review] means that chief fire officers handpick their own reviewer, set their own terms of reference, and decide whether or not to publish the results. It is not so much marking your own homework as setting your own exam paper and resolving that you’ve passed - and it has to change.”

The FBU supported an independent inspectorate during those years when politicians let chief fire officers have a free hand. The primary role of the inspectorate should be holding those chief fire officers to account – a matter the FBU is always willing to assist with. HMICFRS is now under new leadership and the FBU has already engaged with its new inspectors. We hope this will mark a change of direction.

Public perceptions

HMICFRS has however commissioned research into public perceptions of their local fire and rescue service. Its first report, published in January 2020, before the pandemic, found that the public were overwhelmingly positive:

- Almost three-quarters were satisfied (73%). Only 2% dissatisfied
- Nine in ten (90%) were confident they get an effective service. Only 3% were not confident
- Almost three-quarters (72%) said the service was good value for money. Only 4% disagree.

Subsequent HMICFRS public perception surveys also show positive levels of support for the service. These surveys show the public are not clamouring for ‘reforms’ of their fire and rescue service. There is no evidence the public regard the fire and rescue service as failing or in need of dramatic overhaul.

The FBU is aware that public perceptions of the police are significantly worse than for fire. The HMICFRS survey, published in January 2019, found only 61% were satisfied with the police in their community. A YouGov survey published in October 2021 found for the first time that more people were unconfident in the police (48%) than confident (43%).

FBU proposed transformation agenda

The FBU takes the opportunity presented by this White Paper to set out our own proposals for the transformation of the fire and rescue service across the UK, including:

- Westminster-funded investment in the fire and rescue service across the UK
- Immediate recruitment of 5,000 new firefighters as a prelude to a wider review to increase establishments
- UK-wide service delivery standards developed in collaboration with fire and rescue services and governments in the devolved parts of the UK
- A statutory advisory body for the UK, including the FBU in its composition
- A publicly-owned Fire Service College with a governance body, reflecting workforce representatives elected by the workforce and the four UK administrations that will utilise the College
- A publicly-owned and funded fire research body
- Returning the Building Research Establishment to public ownership

- Restoration of all building control functions to local authority building control
- An adequately-resourced and high-quality fire safety inspection regime conducted by trained fire and rescue service specialist fire safety inspectors during all stages of building construction, occupancy and use of all buildings and premises other than individual dwellings.

The FBU wants central government to state its anticipated improved performance outcomes and how its proposals in the White Paper would meet them. These should include the continuous improvement in:

- reduction in the number of fires
- reduction in the occurrence of other incident types that are the statutory responsibility of fire and rescue services
- reduction in the damage caused by fire achieved through early intervention with adequate and safe procedures and sufficient trained crews attending incidents
- reduction in call handling time from time of call to dispatch
- reduction in the attendance times of the first appliance to arrive
- reduction in the attendance times of the second and subsequent appliances to arrive
- increased number of fire safety inspections and related activity of buildings, including during the planning and construction phases
- reduction in the number of fire deaths and other incidents
- reduction in the number of injuries caused at fires and other incidents
- improved pay and reward for firefighters
- reduction in the number of deaths of firefighters
- reduction in the number of injuries caused to firefighters.

FBU responses to the White Paper questions

People

Q1: To what extent do you agree/disagree that fire and rescue services should have the flexibility to deploy resources to help address current and future threats faced by the public beyond core fire and rescue duties?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
		✓		

Q2: To what extent do you agree/disagree that fire and rescue services should play an active role in supporting the wider health and public safety agenda?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
		✓		

Q3: To what extent do you agree/disagree that the business continuity requirements set out in the Civil Contingencies Act 2004 provide sufficient oversight to keep the public safe in the event of strike action?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
✓				

Q4: To what extent do you agree/disagree that the current pay negotiation arrangements are appropriate?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
✓				

Q5: Please provide the reasons for your response.

Question 1

Question 1 is vague and loaded, particularly around “flexibility” and “core” duties. Firefighters’ roles are contractual matters, underpinned by role maps and determined by collective bargaining. The Westminster government cannot substitute for the employers. The Westminster government has also regularly avoided clarifying expectations or requirements in relation to areas of new responsibility for fire and rescue services (such as terrorist attacks, flooding and emergency medical response), despite years of debate.

Firefighters’ roles have changed through collective bargaining throughout fire and rescue service history. The NJC, its advisory panels and working groups, have a strong record in resolving disputes around roles. The FBU is committed to broadening the role and had successes, such as the marauding terrorist attack agreements (MTA) with Greater Manchester and London, as well as the emergency medical response trials. Firefighters will consider requests for additional work and roles, but this should be negotiated not imposed, ensure safe systems of work, guarantee continued fire cover and should come with significant uplift in remuneration for all firefighters. The biggest constraint on broadening the role of firefighters is the lack of central government investment.

Question 2

Firefighters made a tremendous contribution to the Covid-19 pandemic response. This was facilitated by the national agreement between the FBU, fire employers and the NFCC. It meant firefighters could make a massive contribution to our communities, while keeping staff safe and well. The temporary expansion of the role-map during the early stages of the COVID-19 pandemic and the MTA agreements show that when consultation and negotiations take place in a meaningful way, agreements are made.

Similarly, firefighters showed the potential to contribute to public health through the cardiac arrest work within the emergency medical response trials. However the trials also showed the difficulties with wider work, particularly when this did not involve emergency intervention but were rather a sticking plaster on the social care system. The National Joint Council (NJC) negotiations were constructive and fruitful. They did not progress further because central government failed to clarify its position or policy or to provide the necessary, sustained investment or because the conditions laid down by chief fire officers were too arduous and unsafe. The FBU remains open to constructive discussion and negotiation over broadening the role. However, firefighters must not be forced into crime reduction and other policing matters. This conflicts with firefighters' neutral and humanitarian role.

Question 3

Firefighters take strike action as a last resort, when our pay, pensions and safety are attacked, when ministers and employers ignore negotiations and when they impose worse conditions. For example, on three occasions, FBU members have faced the threat of the sacking of the entire workforce or the entire shift-based workforce. Such measures by employers were condemned by ministers when carried out at P&O. Firefighters reserve the right to defend ourselves in the face of such attacks.

Ministers and chief fire officers have assured the public during previous periods of strike action that communities are safe and measures are in place. Current arrangements for business continuity are sufficient. Previously disputes in London and Essex have demonstrated the folly of using agency contractors in safety-critical firefighting roles, within brigades and cross-border. Such staff are no substitute for the trained, professional workforce. Ministers should focus on resolving disputes, not undermining lawful industrial action. Business continuity should concentrate on resilience to major risks like pandemics, floods and other major incidents.

Question 4

Collective bargaining in the fire and rescue service is a UK-wide matter, supported by fire employers and the FBU representing the workforce. It is a voluntary arrangement between employers and employees. There is no appetite for changing these arrangements, which are efficient and relatively low cost, with substantial benefits for dispute resolution and good industrial relations. Low pay in the fire and rescue service is due to Westminster interference and imposed pay freezes, limits and caps. The answer is significant, above-inflation pay rises. The FBU has suggested that the NJC should introduce increments within existing pay bands, as exists in other sectors such as the NHS. This will allow firefighters to progress their competencies and their pay within their current role. The FBU is committed to negotiating an improved pay structure, but this will require central government investment. This includes improving pay for particular sections of the workforce, such as retained firefighters and emergency control staff, where there are concerns about morale and retention.

Q6: To what extent do you agree/disagree that consistent entry requirements should be explored for fire and rescue service roles?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
✓				

Q7: Please provide the reasons for your response.

The FBU would welcome mandatory consistent entry standards, as long as they are fair, robust and appropriate. Entry standards have been reviewed before and firefighters have criticised the situation where each fire and rescue service is allowed to make its own arrangements instead of following a common curriculum. Firefighting is a professional occupation dealing with many hazards, so there should be universal, professional standards for recruitment and entry into the fire and rescue service. This will also assist cross border working, which is extremely common in the service, as well the individual career progression of firefighters into officer roles. The FBU opposes direct entry at any level. There is no evidence for improvement where it has occurred at principal managerial level. Given the hazards involved in fire and rescue, it is irresponsible and dangerous to place managers in operational supervisory positions with little or no experience of actual incidents. Sector competence matters. Direct entry will breed a level of distrust in operational decisions among those tasked with carrying them out. It would lead to a lack of experience and expertise at complex emergencies, putting public safety and firefighter safety at risk. The FBU supports the introduction of high-quality improved training, preparation and mentoring for all employees in all ranks/roles.

Q8: To what extent do you agree/disagree that other roles, in addition to station and area managers, would benefit from a direct entry and talent management scheme?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
				✓

Professionalism

Q9: To what extent do you agree/disagree with the proposed introduction of a 21st century leadership programme?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
✓				

Q10: Please provide reasons for your response.

The FBU would welcome universal, professional standards for leadership, as long as they are fair, robust and appropriate. The FBU supports the introduction of high-quality improved training, preparation and mentoring for all employees for higher rank/role.

Q11: To what extent do you agree/disagree that completion of the proposed 21st century leadership programme should be mandatory before becoming an assistant chief fire officer or above?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
✓				

Q12: To what extent do you agree/disagree that each of the activities outlined above are high priorities for helping improve the use and quality of fire and rescue service data?

A national data analytics capability.

Data-focused training.

Consistent approaches to structuring data

Clear expectations for data governance

Securing data-sharing agreements.

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
✓				

Q13: What other activities, beyond those listed above, would help improve the use and quality of fire and rescue service data? Please give the reasons for your response.

The FBU supports the creation of a statutory advisory body, composed of key fire practitioners in the sector (including the FBU), where such matters would be discussed regularly. The FBU has long complained about the way official statistics have been used to justify cuts and other changes. It remains a scandal that all fire deaths are not reported, due to exemptions. It is outrageous and illogical that attendance times for the second and other appliances are not reported. Flood incidents have never been adequately quantified, despite the important work firefighters do at these incidents.

This has a direct impact on the fire inspectorate as well as on ministerial decisions. There are significant differences in reporting between the four administrations, which make UK-wide analysis more difficult. There are also many gaps. The Westminster government has failed to produce a revised costs of fire/value of the fire and rescue service assessment over the last decade, to capture in full the enormous contribution firefighters make to our communities. A thorough review of fire and rescue data is needed, with the FBU consulted. These matters cannot be left to the NFCC, who have shown no inclination to tackle them despite numerous warnings from the FBU.

Q14: To what extent do you agree/disagree that each of the activities outlined above are high priorities for improving the use and quality of fire evidence and research?

Collaborating

Commissioning

Conducting

Collating

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
✓				

Q15: What other activities, beyond those listed above, would help improve the use and quality of evidence and research on fire and other hazards? Please provide the reasons for your responses.

The activities listed in the White Paper (collaborating, commissioning, conducting and collating) are all standard practices in high quality research. The Westminster government has failed in recent decades to fund research that will improve the service to the public and the conditions of firefighters, instead wasting millions on projects such as FiReControl or consultants who simply justify ministerial whims. Research priorities should be decided by the statutory advisory body (which would include the FBU). Research should be carried out in-house or by university scholars, subject to peer review and then fed back to fire and rescue practitioners for implementation. Research funding should not be wasted on private consultants looking for opportunities for profiting or privatising from public services.

Q16: To what extent do you agree/disagree with the creation of a statutory code of ethics for services in England?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
				✓

Q17: To what extent do you agree/disagree that placing a code of ethics on a statutory basis would better embed ethical principles in services than the present core code of ethics?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
				✓

Q18: To what extent do you agree/disagree that the duty to ensure services act in accordance with the proposed statutory code should be placed on operationally independent chief fire officers?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
				✓

Q19: To what extent do you agree/disagree with making enforcement of the proposed statutory code an employment matter for chief fire officers to determine within their services?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
				✓

Q20: To what extent do you agree/disagree with the creation of a fire and rescue service oath for services in England?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
				✓

Q21: Please give the reasons for your response.

The White Paper proposes to introduce a fire and rescue service ‘oath’ in England. No text of the oath nor any adequate reasons for it are offered by the Home Office. This is an England-only proposal, with no sign of any interest in it from any of the devolved administrations, for good reason.

The White Paper claims the culture in the fire and rescue service is “toxic”, although it provides no evidence for this. The FBU believes there is in some parts of the service a culture of toxic management, evidenced by various reports. In 2015, the union surveyed members about these issues as part of our response to the Adrian Thomas review. Almost ten thousand members responded. The survey revealed the central problem was management bullying of employees lower down the hierarchy:

- two-in-five (40%) of respondents said they had been bullied at work in recent years
- the majority (60%) attributed the bullying to senior managers
- one third blamed corporate management policy and similar numbers said it was their immediate line managers.
- three-quarters (74%) said that fire and rescue service managers had not been helpful tackling bullying
- three-quarters (76%) said that the FBU had been helpful in tackling the bullying.

HMICFRS local inspection reports have identified significant matters on equality and diversity that need to be tackled. However an oath will not resolve those matters and may make them worse.

The imposition of an oath damns an entire workforce for the unacceptable behaviour of a few individuals. There is already an established disciplinary procedure for tackling these matters. Some other public sector organisations have an oath. This has not prevented discrimination or bad behaviour from occurring. Politicians and the police are subject to a whole series of oaths, promises, codes and similar gimmicks. Sadly, they are among the worst practitioners of corrupt decisions making, poor behaviour, despite their pledges. Firefighters find it particularly galling to hear politicians seeking to impose an oath on our profession, when they are guilty of widespread law-breaking, crimes and other breaches of the rules. Therefore the FBU opposes the oath in the strongest possible terms.

Q22: To what extent do you agree/disagree that an Oath would embed the principles of the Code of Ethics amongst fire and rescue authority employees?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
				✓

Q23: To what extent do you agree/disagree with an Oath being mandatory for all employees?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
				✓

Q24: To what extent do you agree/disagree that breach of the fire and rescue service oath should be dealt with as an employment matter?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
				✓

Q25: To what extent do you agree/disagree that the five areas listed above [leadership, data, research, ethics and clear expectations] are priorities for professionalising fire and rescue services?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
				✓

Q26: What other activities, beyond the five listed above, could help to professionalise fire and rescue services?

The FBU believes that the fire and rescue service is already staffed by professionals. The areas listed are not the most important or pressing, either to improve the service to our communities or to improve the situation for firefighters.

To improve the service to the public, ministers, fire employers and chief fire officers should listen to the voices of firefighters in all ranks and roles, and consult with firefighters' chosen trade union, the FBU. They should embark on an ambitious programme of improvement, with common, UK-wide standards (for example for attendance times, crewing, equipment and training) to ensure fire and rescue can meet the pressing emergency needs of the public.

To further professionalise fire and rescue services, central government and fire authorities/boards need to invest in the workforce. That means an immediate pay rise for all roles, to make up for the real terms losses of the past decade and to ensure firefighters do not pay for the cost of living crisis.

Q27: To what extent do you agree/disagree with the creation of an independent College of Fire and Rescue to lead the professionalisation of fire and rescue services?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
		✓		

Q28: Please provide your reasons for your response

The FBU supports the creation of a statutory advisory body, composed of key fire practitioners in the sector, including the FBU. In 2004, the Westminster government with cross-party support agreed to scrap the Central Fire Brigades Advisory Council (CFBAC), which had provided ministers with a range of professional advice for more than fifty years. The Grenfell Tower fire and subsequent inquiry has demonstrated the dangerous folly of scrapping the CFBAC and only taking advice from chief fire officers.

A College of Fire and Rescue may be belated recognition at Westminster of the need for a formal arrangement so that ministers hear a range of opinions from fire professionals and a recognition

that professional standards and authoritative guidance underpinning regulation are critical to fire safety.

The Home Office model in this White Paper appears to be the College of Policing. The College of Policing is private limited company, where the Home Secretary appoints a board of directors, including representatives from police staff associations. However the College of Policing now has statutory powers to issue codes of practice and guidance.

Ministers have not explained how a College of Fire and Rescue would be funded or governed. The FBU is willing to discuss creating a College of Fire and Rescue as a statutory public body, publicly funded and with representation for the FBU. Such an arrangement would be considerably better than the status quo, where the NFCC dictate standards and guidance without proper consultation and at times threaten firefighter safety.

Governance

Q29: To what extent do you agree/disagree that Government should transfer responsibility for fire and rescue services in England to a single elected individual?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
				✓

Q30: What factors should be considered when transferring fire governance to a directly elected individual? Please provide the reasons for your response.

The White Paper threatens to introduce a more hierarchical and less democratic system of accountability for the fire and rescue service governance. Although there a range of models, most fire and rescue services are currently overseen by a committee of elected councillors, who come from a range of political parties, are elected locally and can be voted out if the majority of voters believe they are not doing their jobs properly.

The White Paper promotes instead that fire and rescue services would be under the local political control of a single, elected individual. This could be a mayor, a police and crime commissioner, or an “executive councillor”. However the White Paper recognises that “regardless of who the executive leader is, each would need a body to scrutinise their decision making”. This concedes the FBU’s point about democratic oversight. The union insists that every form of governance should involve a committee of elected politicians for scrutiny and accountability. The scrutiny committee should not be appointed by the authority subject to its supervision, nor composed of cronies or appointed bureaucrats.

The FBU believes the single individual model has a number of flaws. First, although the titular head is elected, in reality the role of overseeing fire is often given to an unelected official. The FBU believes fire should have its own, separate scrutiny body rather than be amalgamated with the much larger police service on a weak, unaccountable scrutiny panel. Ultimately, these committees cannot prevent disastrous decisions by the mayor to impose fire cuts or worsening the service to the public – or from making other detrimental changes to firefighters’ conditions or safety. Levelling up should involve the maximum democratic scrutiny and accountability, but the White Paper sets no minimum standards for governance. Nor does it guarantee that local people will get a vote on whether their fire and rescue service is moved to another body in this way. Therefore the FBU cannot agree to single individual model.

A single elected individual may come into conflict with this elected fire authority, and may impose cuts and other changes to the detriment of public safety. This occurred in London over fire cuts in 2013-14. A single elected individual is not an improvement on the fire authority model currently in operation. The FBU opposes PFCCs and defends the separate integrity of local, humanitarian fire and rescue services, with elected political oversight.

Q31: Where Mayoral Combined Authorities already exist, to what extent do you agree/disagree that fire and rescue functions should be transferred directly to these MCAs for exercise by the Mayor?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
				✓

Q32: To what extent do you agree/disagree that Government should transfer responsibility for fire and rescue services in England to police and crime commissioners?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
				✓

Q33: Apart from combined authority mayors and police and crime commissioners, is there anyone else who we could transfer fire governance that aligns with the principles set out above?

No – there should be no transfer of fire governance.

Q34: If yes, please explain other options and your reasons for proposing them.

This is a leading question, implying privatisation and inviting the involvement of private companies, which would be an unmitigated disaster for the fire and rescue service.

Q35: To what extent do you agree or disagree that the legal basis for fire and rescue authorities could be strengthened and clarified?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
		✓		

Q36: Please provide the reasons for your response.

The FBU has criticised the Fire and Rescue Services Act 2004 and the Regulatory Reform (Fire Safety) Order 2005, the main pieces of fire legislation in England, since they were put on the statute book. The Grenfell Tower Inquiry has underlined and confirmed the FBU's criticism of deregulation, imposed through this legislation and other changes, which has fragmented fire and rescue services and undermined national and local resilience.

These problems should be reviewed after the Grenfell Tower and other public inquiries have concluded their proceedings, with a view to stricter regulation, higher professional standards and sustained investment in the fire and rescue service. These problems will not be solved by putting power in the hands of two individuals – a single elected individual and chief fire officer.

Q37: To what extent do you agree/disagree that boundary changes should be made so that fire and rescue service areas and police force/combined authorities (where present) areas are coterminous?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
				✓

Q38: To what extent do you agree/disagree with ring-fencing the operational fire budget within fire and rescue services run by county councils and unitary authorities?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
✓				

Q39: Please provide the reasons for your response.

The FBU believes central fire funding in England should continue under the local government settlement. Within all governance models, ring-fencing of fire budgets should be part of a package of measures to protect or improve fire funding locally.

Q40. To what extent do you agree with this proposed approach (as outlined in the table above)?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
				✓

Q41. Do you have any other comments to further support your answer?

The proposed division of responsibilities between a single elected individual and a chief fire officer is fundamentally flawed. It gives chief fire officers power over decisions best made by elected and accountable politicians. Decisions about levels of fire cover, including night cover, crewing, stations (and therefore of staff numbers), response times and other matters are political decisions, which should be made by elected politicians directly accountable to the local communities who pay for the service. Chief fire officers have made disastrous decisions, such as the use of contractors such as the bankrupt AssetCo, or to establish their own mutual businesses, which only detract from providing a first-class service to the public free at the point of need.

Q42. Are there any factors we should consider when implementing these proposals?

Giving chief fire officers powers will lead to significant industrial relations strife and a worse service to the public. Some chief fire officers have already made poor decisions, about their own salaries and pensions, the disposal of fire service equipment, and much else with their existing powers. Chief fire officers should be subject to more national and local political scrutiny, not given a free hand for empire-building or to attack firefighters' conditions. Chief fire officers have failed to adopt key recommendations following coroners rulings, notably following Harrow Court fire deaths in 2005, when a member of the public and two firefighters died. Similarly, after the Shirley Towers fire in 2010, and the further death of two firefighters, the coroner commented that the lessons had not been learned and adopted. The coroner after the Oldham Street firefighter fatality in 2013 made a comprehensive case for learning lessons and consulting with the FBU, but was ignored by chief fire officers and by central government.

Q43: What factors should we consider when giving chief fire officers operational independence? Please provide the reasons for your opinions.

The White Paper proposes to give chief fire officers 'operational independence'. Ministers have never fully explained what this means. Chief fire officers already have 'operational independence' on the incident ground, since fire authority or board members would never direct emergency intervention. Chief fire officers already make key decisions about prevention, protection and community fire safety. Operational independence seems to be copied from the arrangements for chief constables in the police, although they fulfil a very different role to chief fire officers. The proposal seems to mean chief fire officers would no longer have their work supervised by committees of elected councillors. At most they may have to account to a weak scrutiny panel or a single elected individual, and only on matters such as the overall budget. This is not 'operational independence' but political independence, since the aim appears to be a reduction in political control and accountability. It seems to diminish the current IRMP process, and instead substitute resource management for risk management. This also reduces the role of public consultation. Operational independence would give chief fire officers a free hand to dictate to firefighters on role maps, shift systems, and any other attacks. It is a recipe for a race to the bottom on firefighters' conditions, atomising the workforce and an effort to weaken the FBU. It would simply encourage chief fire officers to build their own empires and force firefighters to take on additional

work without pay. It would also allow chief officers to cut firefighter jobs, reduce attendance times, close fire stations, reduce night cover and make other arbitrary changes to worsen the service to the public. It facilitates privatisation, with chief fire officers creating companies to profit, rather than provide the public service free at the point of need. The Home Office offers no evidence that giving chief fire officers operational independence will improve the service. The Home Office does not explain how this proposal is consistent with risk-based planning, national resilience or the wishes of local people. Chief fire officers should consider their exposure if given such powers – they will be fully responsible if things go wrong and will be dealt with accordingly. Therefore the FBU is strongly opposed to the proposal to give chief fire officers ‘operational independence’.

Q44: What factors should we consider should we make chief fire officers corporations sole?

The White Paper says ministers want to “legislate to make chief fire officers *corporations sole*”. “*Corporations sole*” means making chief fire officers the employer of all staff working for the local fire and rescue service. Almost all chief fire officers are currently and rightly employees – and are accountable to their employer, which is a democratic body such as fire authorities/boards. Only the London Fire Commissioner is currently *corporations sole*. No chief fire officer including the current London Fire Commissioner has had training to perform this role.

A chief fire officer as “*corporations sole*” requires a significant bureaucratic infrastructure (human resources, legal, finance, press and other support staff) that will not be sustainable for small services. Without political oversight, chief fire officer would get the power to downgrade public safety and worsen firefighters pay and conditions without consultation.

Corporations sole burdens chief fire officers with huge legal responsibility. It is unclear how financial penalties and compensation claims arising from the legal liabilities from failures of chief fire officers who are “*corporation sole*” would be paid or underwritten. Therefore the FBU opposes making chief fire officers *corporations sole*.

Q45: To what extent do you agree or disagree that the responsibility for strategic and operational planning should be better distinguished?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
				✓

Q46: To what extent do you agree or disagree that the strategic plan should be the responsibility of the fire and rescue authority?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
✓				

Q47: To what extent do you agree or disagree that the operational plan should be the responsibility of the chief fire officer?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
				✓

Q48: Please provide the reasons for your response.

The FBU believes that strategic and operational matters should be subject to the scrutiny of elected local politicians. Chief fire officers should be accountable to committees of elected local councillors, so that their plans are understood and agreed before implementation.