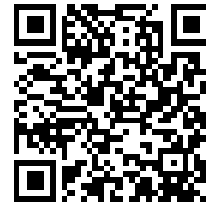


**To: All Members of the Authority
(and any other Members who may wish to attend)**



**J. Henshaw
LLB (Hons)
Clerk to the Authority**

Tel: 0151 296 4000
Extn: 4113 Kelly Kellaway

Your ref:

Our ref HP/NP

Date: 13 October 2015

Dear Sir/Madam,

Further to my invitation to attend a meeting of the **AUTHORITY** to be held at **1.00 pm** on **TUESDAY, 20TH OCTOBER, 2015** in the Liverpool Suite.

Please find attached:

AGENDA ITEM	REPORT
9.	<u>Enabling Closer Working Between Emergency Services Consultation Response</u> (Pages 3 - 10) To consider Report CFO/088/15 of the Chief Fire Officer, concerning the proposed response from Merseyside Fire & Rescue Authority to the Government Consultation on "Enabling closer working between the Emergency Services" issued on 11 th September 2015.

Yours faithfully,

Clerk to the Authority

Encl.

MERSEYSIDE FIRE AND RESCUE AUTHORITY			
MEETING OF THE:	JOINT POLICE & FIRE COLLABORATION COMMITTEE		
DATE:	20TH OCTOBER 2015	REPORT NO:	CFO/088/15
PRESENTING OFFICER	CHIEF FIRE OFFICER		
RESPONSIBLE OFFICER:	CHIEF FIRE OFFICER	REPORT AUTHOR:	CHIEF FIRE OFFICER
OFFICERS CONSULTED:	STRATEGIC MANAGEMENT GROUP MERSEYSIDE POLICE PRINCIPAL OFFICER TEAM		
TITLE OF REPORT:	ENABLING CLOSER WORKING BETWEEN THE EMERGENCY SERVICES CONSULTATION RESPONSE		

APPENDICES:	APPENDIX A	MFRA CONSULTATION RESPONSE
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Purpose of Report

1. To propose a response from the Authority to the Government consultation on 'Enabling closer working between the Emergency Services' issued on 11th September 2015.

Recommendation

2. That Members approve the response as set out at Appendix A.

Introduction and Background

3. On 11th September the Department for Communities and Local Government (DCLG), Home Office (HO) and the Department for Health (DH) issued a consultation document entitled 'Enabling closer working between the Emergency Services'.
4. The consultation arises from the Conservative manifesto commitment "*we will enable fire and police services to work more closely together and develop the role of our elected and accountable Police and Crime Commissioners*" and was launched with the following narrative;

The government believes that greater joint working can strengthen the emergency services and deliver significant savings and benefit for the public.

It has already invested over £70 million to help drive blue light collaboration projects. Although there are many good examples locally of joint working between the emergency services, the overall picture remains patchy and much more can be done to improve taxpayer value for money and the service to communities. For example, the majority of fire and police boundaries are already co-terminus. Whilst this could have led to joint estates, over half of police stations in England are separate but within 1km of a fire station.

5. The consultation consists of 16 questions covering a range of areas specific to Merseyside FRA including;

- A new duty on all three emergency services to actively consider collaboration opportunities to improve efficiency and effectiveness;
 - A power for Police and Crime Commissioners to take on the duties and responsibilities of fire and rescue authorities where a local case is made (and creation of a single employer facilitating shared back office and streamlined management); and
 - A power for Police and Crime Commissioners to have representation on fire and rescue authorities where the authorities continue to exist.
6. The consultation also proposes the abolition of the London Fire and Emergency Planning Authority and giving the Mayor direct responsibility for the Fire and Rescue Service as will be the position in Greater Manchester.
 7. Responses to the consultation are to be submitted no later than 23rd October 2015. The Government intends to issue a response to the consultation at a future date however at this point there is no indication of the Government's expectations about the timescale for pursuing any of the measures being consulted upon.
 8. The proposed Merseyside FRA response is attached at Appendix A for consideration by Members.

Equality and Diversity Implications

9. An Equality Impact Assessment (EIA) has not been undertaken on any of the options under consultation at this time.

Staff Implications

10. Staff have been made aware of this consultation through the Message of the Day function on the staff Portal and encouraged to read the document, discuss it with their manager and submit an individual response if they wish to.

Legal Implications

11. Any legal implications would need to be considered by Government on the conclusion of the consultation process.

Financial Implications & Value for Money

12. A full financial analysis has not been undertaken on any of the options under consultation at this time.

Risk Management, Health & Safety, and Environmental Implications

13. Any risk management, H&S and environmental implications have not been considered within this report.

Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters*

14. Achieving the most appropriate governance structure for the FRA will ensure the best levels of service delivery in terms of fire and rescue provision.

BACKGROUND PAPERS

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Consultation – Enabling closer working between the emergency services

Response – Merseyside Fire and Rescue Authority

Question	Response
<p>1. How do you think this new duty would help drive collaboration between the emergency services?</p>	<p>The consultation document states: “Introducing a new duty on all three emergency services to actively consider collaboration opportunities with one another to improve efficiency and effectiveness; “<i>(Exec Summary bullet 1)</i></p> <p>The question asks how the duty will help drive collaboration– “Actively consider” is not a driver and could be considered as a mandate for procrastination.</p> <p>Whilst acknowledging that Government will always leave final determination to the local level, a duty to collaborate unless a compelling reason not to do so can be demonstrated would act as more of a driver.</p> <p>Why stop at emergency services however? Other local authority and health partners should also be included as community safety related issues often cover a range of sectors.</p>
<p>2. Do you agree that the process set out above would provide an appropriate basis to determine whether a Police and Crime Commissioner should take on responsibility for fire and rescue services?</p>	<p>The process mirrors that as set out within Part 1 of the Fire and Rescue Service (FRS) Act 2004 for the combination of Fire and Rescue Authorities (FRA’s) therefore makes sense from a governance perspective and supports proposal 1 (around collaboration). Merseyside Fire and Rescue Authority (MFRA) wish to make it clear within this response that they have no intention of ceding responsibility of the FRS to the PCC. MFRA believe that as a result of their in depth understanding and experience of the FRS they are best placed to provide the political leadership necessary to support the Service through the next round of budget cuts.</p> <p>MFRA already enjoy an excellent working relationship with the PCC and the North West Ambulance Service (NWS) and can evidence many examples of collaboration such as the Joint Control Centre, the NWS Hazardous Area Response Team collocation with the Merseyside FRS USAR Team and the collocation of NWS on 7 additional fire</p>

	<p>stations across Merseyside.</p> <p>MFRA have established a Joint Police FRS collaboration committee with the PCC and are actively progressing further collaboration across all transactional support services areas, shared estate opportunities and with operational response and community safety service delivery.</p> <p>The MFRA position is further articulated in the response to question 4 below.</p>
3. Do you agree that the case for putting in place a single employer should be assessed using the same process as for transfer of governance?	As above.
4. What benefits do you think could be achieved from empowering Police and Crime Commissioners to create a single employer for police and fire and rescue personnel, whilst retaining separate frontline services, where a local case has been made to do so?	<p>The single employer model would more readily facilitate the creation of a merged transactional support services unit and offer a possible opportunity to streamline some managerial roles.</p> <p>MFRA are of the view however that the extent of the savings already delivered from support services and management structures up to this point are such that any savings to be realised from a full merger with Merseyside Police would be at the margins. MFRA also recognise the significant impact any merger process would have on staff, individually and in terms of organisational capacity to actually deliver a successful outcome.</p> <p>MFRA are not convinced therefore that a compelling business case exists to pursue the single employer model.</p>
5. Do you agree that the requirement for a chief officer to have previously held the office of constable should be removed for senior fire officers?	Yes. The chief officer will be responsible for the operational and support functions of the combined organisation and is therefore in a Chief Executive rather than operational role. Senior FRS and Police Officers will have relevant and transferable experience and skills in this regard.
6. How do you think the requirement for a Police and Crime Commissioner to have access to an informed, independent assessment of the operational performance of the fire service should best be met?	Either the current HMIC could fulfil the role for the FRS and Police, or a new body could do the same. The peer review approach that the FRS adopts has value, and sector led improvement promotes ownership of change and efficiency so should be factored into any performance assessment for FRS and Police.
7. Do you agree that where a PCC takes responsibility for a FRS, the Police and Crime Panel (PCP) should have its remit extended to scrutinise decision making in relation to fire services?	Yes but with a name change for the Panel to reflect the additional role to FRS, Police and Crime Panel.

<p>8. Do you think that where a PCC takes responsibility for a FRS, the PCP should have its membership refreshed to include experts in fire and rescue matters?</p>	<p>Yes. It is not clear how effective the PCP is however. In the event of a merger a full review of its membership, objectives and linkages should be undertaken.</p>
<p>9. Do you think that where a PCC puts in place a single employer for FRS and police personnel, complaints and conduct matters concerning fire should be treated in the same way as complaints and conduct matters concerning the police?</p>	<p>Historically the number of complaints about individual Firefighters or the FRS has been very low therefore a qualified yes. Any approach should be proportionate to the nature of the complaint. Using a Police Complaints Commission type system for complaints of a minor nature may not be an efficient use of public money. The current fire and rescue service systems are adequate in that respect (following ACAS principles) and consideration should be given to combining the best of both systems.</p>
<p>10. Do you agree that PCCs should be represented on FRAs in areas where wider governance changes do not take place?</p>	<p>This seems a logical approach and would help facilitate closer collaboration and help drive efficiencies where they can be realistically delivered. As stated above at Question 2 MFRA already has a Joint Committee with the PCC to oversee joint collaboration although any substantive decision must, quite rightly, be referred back to the full Authority for approval. This arrangement is the preference of MFRA and avoids any issues over representation as highlighted in the body of the consultation document. MFRA are of the view that a member from the FRA should be appointed to the PCP in order to ensure equitable balance with regards to representation.</p>
<p>11. Do you agree that the London Fire and Emergency Planning Authority should be abolished and direct responsibility for fire and rescue transferred to the Mayor of London?</p>	<p>MFRA are of the view that this is a decision for the Mayor and London Assembly to take.</p>
<p>12. In the event that LFEPA is abolished, how would responsibility for fire and rescue be incorporated into the mayoral structure/</p>	<p>As above</p>
<p>13. To what extent do you think there are implications for local resilience (preparedness, response and recovery) in areas where the PCC will have responsibility for police and fire?</p>	<p>There would be a positive impact as collaboration and interoperability must be improved by the new arrangement or the business case for the PCC to take responsibility for the FRS would fall.</p>
<p>14. To what extent do you think there are implications for resilience responsibilities in areas where an</p>	<p>As above</p>

<p>elected metro mayor is also the PCC and responsible for the FRS?</p>	
<p>15. Are there any other views or comments that you would like to add in relation to the emergency services collaboration that were not covered by the other questions in this consultation?</p>	<p>Consideration could be given to changing the name of the PCC where they take on this additional role to reflect the work of the FRS and the police e.g. FRS, Police and Crime Commissioner.</p>
<p>16. Do you think these proposals would have effect on equalities issues?</p>	<p>MFRA can evidence that a close working relationship between Merseyside Police and FRS is already in place and does help identify and assist people who are most at risk/vulnerable.</p>