

EXTRACT OF BRIEFING NOTE TO PCP MEMBERS (APRIL 2018)

EFFECT OF TRANSFER OF GOVERNANCE RESPONSIBILITY FOR STAFFORDSHIRE FIRE AND RESCUE SERVICES TO THE STAFFORDSHIRE POLICE AND CRIME COMMISSIONER

CHANGES FOR THE PCC

The PCC effectively becomes the Fire and Rescue Authority and will be known as the Police, Fire and Crime Commissioner for Staffordshire (PFCC). The post will have 2 separate legal identities – as the Police and Crime Commissioner and as the Fire and Rescue Authority.

Responsibility for personnel - The 2 services continue to operate independently of each other. The Chief Constable remains operationally responsible for policing services and continues to be the employer of police staff. The PFCC will be the employer of all Fire and Rescue Service staff (as the FRA is currently). The Commissioner is required to appoint a Chief Finance Officer and a Chief Fire Officer. In addition the PFCC will require a Head of Paid Service and a Monitoring Officer in connection with his Fire and Rescue Authority role. These posts can be shared with those for the Police and Crime role.

Financial -Each service will continue to have its own Precept, separate funding streams from central government and separate budgets. The revenue streams for each service can only be used for delivering their respective functions. Provision exists to allow the pooling of funds for collaborative projects

National requirements – the current Fire and Rescue Authority is required to 'have regard to' a Fire and Rescue National Framework. Whilst adherence to that Framework is not compulsory, there has to be a compelling case to justify departure from its requirements.

The Framework includes the requirement to prepare a **Strategic Fire and Rescue Plan**. The PFCC will be required to produce that Plan and in doing so have regard to the previous Plan. This is in addition to his Police and Crime Plan. There is an option to produce a joint police and crime and fire and rescue plan which must include the PFCCs priorities for the Fire and Rescue Service but does not have to take account of the previous Fire and Rescue Plan.

An annual **Statement of Assurance** is required under the Framework. The Statement is required to provide assurance (to government, members of the public and other stakeholders) on financial, governance and operational matters.

An **Integrated Risk Management Plan** has to be published by a Fire and Rescue Authority. In drawing up that Plan the Authority has to balance service delivery interventions across the three disciplines of Prevention, Protection and Response. Any proposed material change in any of these three elements requires public consultation and consideration of the outcome of that exercise before a decision is made.

IMPLICATIONS FOR PCP

Membership

The PCP will become the Police, Fire and Crime Panel for Staffordshire.

The Panel currently has 10 elected member representatives (one per member local authority) and the statutorily required 2 Lay/Co-opted members.

To enable it to fulfil its role in relation to Fire and Rescue Services the Panel is required to ensure that amongst its members it has skills, expertise and knowledge of the Fire and Rescue function. If such skills cannot be secured amongst its current membership number there is the option to seek Home Office approval to the creation of further co-optee seat(s).

Training

On 27 June 2018 the Local Government Association will hold a training session here in Stafford for Panel members on key Fire and Rescue Authority responsibilities and the role of the Panel. It is expected that representatives of West Mercia Police and Crime Panel will be attending the event as their PCC's Business Case was approved at the same time as the Staffordshire case.

Additional role/responsibilities

Legislation essentially provides for the Panel to mirror its existing Police and Crime function review and scrutiny arrangements for the Fire and Rescue Service.

Specific detailed requirements are:

- To review the draft (or draft variation) of the Fire and Rescue Plan, and submit a report/recommendations to the Commissioner
- Hold a Public Meeting to review and make a report/recommendations on the annual Statement of Assurance
- Hold Confirmation Hearings for key appointments including the Chief Finance Officer and the Chief Fire Officer – The Panel has the power of veto in relation to both of these appointments.
- Scrutinise and report/make recommendations on the proposed Fire Precept – again the Panel will have the power of veto over the Precept

- Deal with non-serious complaints about the conduct of the Police, Fire and Crime Commissioner and/or his Deputy.

Complaints

The Panel has an agreed process for the handling of complaints about the conduct of the Commissioner and/or his Deputy – this essentially delegates the handling of complaints to the Secretary to the Panel with member involvement when a formal report is deemed appropriate. Complainants who are dissatisfied with the handling of their complaint are able to refer the matter to the Local Government Ombudsman. This provision to refer to the Ombudsman also exists in relation to complaints about the Fire and Rescue Authority.

Number/Frequency of Meetings

The Panel is required to meet on at least 4 occasions each year. Members will need to consider whether they wish to hold, separate meetings to consider Fire and Rescue Service matters or divide agendas into separate sections for Police/Crime and Fire/Rescue reports.

It is anticipated that, initially, a number of meetings will be needed as the Commissioner develops his role and makes key appointments. The longer term impact on the workload of the Panel is difficult to predict at this stage

Funding

The Home Office currently grant funds the Panel. For 2017/18 total funding of £64,340 was allocated (£53,300 for running costs and £11,040 for payment to members). The Home Office is reported to be considering requests for increased funding to cover the additional workload/responsibilities of the Panel..

Officer Support

Until the Panels workload develops it is difficult to quantify the additional support which the Panel might need. For the immediate future Staffordshire County Council is happy to continue as the Host Authority providing secretarial support and assistance from other disciplines (eg Finance) as required.

Terms of Reference

Revisions to the Panels Terms of Reference are needed in order to reflect the extended remit..