



## **Report to the Police and Crime Panel – 3<sup>rd</sup> July 2018**

### **Update on Fire & Rescue Service Governance in Staffordshire and Stoke-on-Trent**

#### **Report of the Police and Crime Commissioner**

#### **1. Introduction**

- 1.1 The report updates the panel on the current position regarding the Police and Crime Commissioner (PCC) role in taking on the governance arrangements for the Fire and Rescue Service in Staffordshire and Stoke-on-Trent.

#### **2. Recommendation**

- 2.1 That the Panel note and comment on the contents of the report, considering implications for their own role in the future.

#### **3. Background**

##### Business case and decision

- 3.1 The PCC submitted the independently written business case to change the governance arrangements of the Staffordshire and Stoke-on-Trent Fire and Rescue Service to the Home Office on 3<sup>rd</sup> October 2017. The documents submitted were: -
- The independent business case written by Prederi, the independent consultancy commissioned by the PCC to complete this work.
  - An independent consultation report written by MEL Research, reporting on the outcome of the consultation that took place between 10<sup>th</sup> July 2017 and 4<sup>th</sup> September 2017.
  - A response by the PCC to key issues arising from written submissions provided during the consultation period, including the submissions by Staffordshire County Council and Stoke-on-Trent City Council to the Minister.
- 3.2 Given the objection to the PCC's proposal by the two top tier local authorities (the 'relevant local authority's' in statute) in Staffordshire and Stoke-on-Trent, the business case required an independent assessment prior to a Home Secretary decision to support or not support it.
- 3.3 The Home Office initiated an independent assessment of the PCC's business case by the Chartered Institute of Public Finance and Accountancy (CIPFA), appropriate to the concerns that had been raised by the two top tier local

authorities. They carried out their assessment and reported their conclusions to the Home Office in December 2017, for ministerial decision.

- 3.4 The timeline originally anticipated for a ministerial decision was delayed and ultimately a letter from the Home Secretary to the PCC was received on 26<sup>th</sup> March 2018.
- 3.5 That letter approved the PCC proposal to become the Fire and Rescue Authority (FRA) for Staffordshire and Stoke-on-Trent, with a comment from the Home Secretary that said; "I consider that it (the OBC) demonstrates that a transfer of governance would be in the interests of economy, efficiency and effectiveness and does not have an adverse effect on public safety".
- 3.6 Subsequent to the ministerial decision, the existing FRA sought a legal opinion on whether there was a case for judicial review of the decision. The FRA met on 13<sup>th</sup> April 2018 and determined that they would not pursue a judicial review.
- 3.7 On the basis that Cambridgeshire and West Mercia were progressing through the same process, the date proposed by the Home Office and accepted in principle by all three areas that were given approval on 26<sup>th</sup> March 2018 was a 'Go Live' date of 1<sup>st</sup> June 2018. This was subsequently adjusted to 1<sup>st</sup> August 2018, when it became clear that Cambridgeshire and West Mercia may be subject to judicial review and that a Statutory Instrument for Staffordshire alone was required.
- 3.8 That Statutory Instrument for Staffordshire was laid and passed on 8<sup>th</sup> June 2018, meaning that the Staffordshire Commissioner Fire and Rescue Authority will commence on 1<sup>st</sup> August 2018, with the existing Fire and Rescue Authority ceasing to be at the same time.

### Implementation

- 3.9 As detailed to the Police and Crime Panel in April 2018, the Statutory Instrument and completion of the Transfer Scheme which consists of two Transfer Orders, form the legal basis of the transfer. These have been completed to the satisfaction of all parties.
- 3.10 A project plan has been developed by the OPCC following discussions with the Fire and Rescue Service / FRA, Home Office and West Mercia and Cambridgeshire OPCCs that sets out what is required to deliver the transition. A Programme Manager is in place and with FRA officials, he has developed a series of work streams for completion in order to deliver the transition. This plan focuses on 'essentials' for 1<sup>st</sup> August 2018, rather than 'desirables'
- 3.11 The work streams are as follows:
  - Statutory Duties and Obligations
  - Governance
  - Finance
  - Assets & Liabilities

- Human Resources
- Communications

- 3.12 A weekly programme delivery meeting takes place every Friday, chaired by the Chief Executive of the OPCC, to provide additional support and oversight of project progress. Each work stream consists of numerous actions that have been identified for completion to deliver a successful transition; the FRA have appointed a lead for each work stream and the OPCC programme manager will oversee the OPCC actions and provide general management and oversight of the project. Appendix A provides further details of the key actions within the project plan.
- 3.13 All the actions identified for 1<sup>st</sup> August 2018 are timetabled to be completed by the due date. There are at the time of writing, some tasks to be completed and it is likely that this will continue to be the case right through to the end of July 2018, due primarily to the tight timescale for completion.
- 3.14 Transition arrangements are in place to oversee delivery of the project plan; these have been developed by the OPCC, FRA, FRS and the Police. A Transition Board chaired by the PCC provides oversight of delivery of the Fire Governance Transition Project and the joint working opportunities contained within the approved Business Case. The Board met in early May and meets again on 13<sup>th</sup> July 2018. This transition arrangement will develop and change again as transition is delivered and 'business as usual' arrangements are established.
- 3.15 Whilst the OPCC with the FRS / FRA are working to deliver new arrangements that meet statutory obligations around governance, the Chief Fire Officer and the Chief Constable are developing plans to deliver against the business case expectations and identify additional opportunities for collaboration. The Fire & Rescue Service and Staffordshire Police will provide a report to the Fire Governance Transition Board chaired by the PCC at its next meeting in July.

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