

Report to the Police, Fire and Crime Panel

Update on Fire & Rescue Service Governance and Commissioner Development in Staffordshire and Stoke-on-Trent

Report of the Staffordshire Commissioner

1. Introduction

- 1.1 The report updates the panel on the current position regarding the Staffordshire Commissioner, Police, Fire and Rescue, Crime (SC) 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 SC 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 3rd October 2017. The documents submitted were: -
- The independent business case written by Prederi, the independent consultancy commissioned by the Commissioner to complete this work.
 - An independent consultation report written by MEL Research, reporting on the outcome of the consultation that took place between 10th July 2017 and 4th September 2017.
 - A response by the Commissioner 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 SC'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 SC'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 SC was received on 26th March 2018.
- 3.5 That letter approved the SC's 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 13th 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 26th March 2018 was a 'Go Live' date of 1st June 2018. This was subsequently adjusted to 1st 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 8th June 2018, meaning that the Staffordshire Commissioner Fire and Rescue Authority will commence on 1st 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 July 2018, the Statutory Instrument and completion of the Transfer Scheme which consists of two Transfer Orders, form the legal basis of the transfer.
- 3.11 Local work streams that led up to the Go Live date of 1st August 2018 were as follows:
 - Statutory Duties and Obligations
 - Governance
 - Finance
 - Assets & Liabilities
 - Human Resources
 - Communications
- 3.12 The Panel has previously been provided with the key actions that sat behind these theme areas. All actions were completed prior to the 1st August and the new Governance Framework for Fire and Rescue was signed off by the Commissioner on 1st August 2018.

- 3.13 The Strategic Governance Board for Fire and Rescue Services had its first meeting on 29th August 2018, from which two further key decisions were published, those being on Illegal Waste Management and the Ringland Close Fire Safety Investigation. The first Performance Assurance Board that will oversee all performance matters relating to Fire and Rescue Services meets on 22nd October 2018.
- 3.14 All other aspects of establishing new governance arrangements have moved smoothly through the transition period and there are no key matters of concern. It is also worth noting that the Commissioner has attended his first Staffordshire and West Midlands Shared Fire Control Governance Board.
- 3.15 Whilst the Staffordshire Commissioner's Office with the FRS have focussed on delivering 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 Police Strategic Governance Board in October on these plans.
- 3.16 The Commissioner's own development around Fire and Rescue is progressing well. He has visited most stations and met both whole time and retained firefighters and also done the same with Fire and Rescue staff. The learning from these sessions has been useful. The Fire and Rescue Service have put on a number of events that provide information and support to the Commissioner and his office; these development events have been helpful.

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