

SURREY POLICE AND CRIME PANEL

GOVERNANCE OF FIRE AND RESCUE IN SURREY

7 December 2017

INTRODUCTION

This paper provides an update on the PCC's project to consider the future governance of the Fire and Rescue service in Surrey. At present, Surrey County Council discharges the role of Fire & Rescue Authority for the county. The Policing and Crime Act 2017 allows this function to move to Police & Crime Commissioners where a strong local case is made.

BACKGROUND

In March 2017, the Policing and Crime Act 2017 was enacted which enables Police and Crime Commissioners (PCCs) to take on governance of their local fire and rescue service if a local business case is made.

Building on the Government's manifesto commitment to "*enable fire and police services to work more closely together and develop the role of our elected and accountable Police and Crime Commissioners*", the Policing and Crime Act 2017 ("the act") introduces a raft of measures to enable the emergency services to meet this ambition. In terms of the options available to PCCs in respect of the future governance of fire, the legislation describes four different models:

- Option 1 No change to governance, but new requirements on blue-light services to collaborate.** Even where a PCC makes no change to current governance arrangements, there is now a new statutory duty on the police, fire and rescue and emergency ambulance services to keep opportunities to collaborate under review and a requirement to collaborate with one another where it is in the interests of either their efficiency or effectiveness.
- Option 2 Representation Model:** this enables PCCs to be represented on their local fire and rescue authority(s) (FRA) (or their committees) with full speaking and voting rights on fire issues, subject to the consent of the FRA.
- Option 3 Governance model:** PCCs can take responsibility for the governance of their local fire and rescue service, where a local case is made setting out how the transfer from the FRA is in the interests of economy, efficiency and effectiveness, or public safety. This is deemed to provide more direct accountability to the public and could be a vehicle for accelerating local collaboration.

Under this model, the existing FRA would be abolished and its functions transferred to the PCC along with all fire and rescue personnel, property, rights and liabilities. The PCC would become the employer of all fire and rescue staff, but in practice would be expected to put in place a Chief Fire Officer (or equivalent) with operational responsibility for the service. The Chief Constable would retain his existing duties around the Police. The distinction between policing and fire-fighting must be maintained with the law preventing full-time police officers from being fire-fighters.

Option 4 Single Employer Model: This option additionally provides for PCCs to delegate their fire and rescue functions and employment of fire and rescue staff to a single chief officer for both policing and fire to maximise the benefits of collaboration between the two services. Again, this will require a PCC to prepare a local case setting out how operating the single employer model will be in the interests of economy, efficiency and effectiveness or public safety.

SURREY FIRE AND RESCUE GOVERNANCE PROJECT

Following Royal Assent of the Act, Surrey's PCC, David Munro, announced that he would undertake a project to consider the best option for Surrey. This project used processes and practices as set out in the national guidance published by APACE (the Association of Police and Crime Chief Executives).

There were three potential phases to the project, dependent on the option chosen by the PCC after Stage 1:

Stage 1 – options analysis against the four options outlined above

Stage 2 - if the PCCs preferred option is to propose a change in governance, development of a full business case, followed by consultation and submission to the Home Office

Stage 3 – if a change of governance is proposed and accepted by the Home Office, implementation of a change in governance of Surrey Fire and Rescue Service from Surrey County Council to the PCC

The OPCC commissioned KPMG to carry out the options analysis. This was carried out between July and September 2017 and a report was provided to the PCC in early October. At this stage, the PCC ruled out options 2 and 4 outlined above. He consulted all key partners (Surrey County Council including the Fire and Rescue Authority, Surrey Police, employee unions and national bodies) on the accuracy of the report and on their views on options 1 and 3.

Following feedback from partners, the PCC decided that, at this current time, he would not pursue a change in governance. However, he did set out expectations for change and progress on fire collaboration – particularly with other fire authorities such as East and West Sussex. These are set out in Appendix A in the PCC's decision paper. This decision paper is published on the PCC's

website. The KPMG options analysis has been provided to the panel and will be published on the PCC's website once all factual accuracy amendments requested by partners have been made.

NEXT STEPS

The OPCC is working with Surrey County Council as Fire and Rescue Authority (FRA) as the FRA develops its plans in response to the PCCs decision and report. It is anticipated that the FRA will discuss the report over the next few weeks.

The PCC continues to be an active member of the Emergency Services Collaboration Board and will work with that board to help drive through fire and rescue collaboration between Surrey, East Sussex and West Sussex Fire Services.

In April 2018, 6 months after the PCC published his decision report, the OPCC will review progress made in fire collaboration and the PCC will consider whether to revisit his decision around fire governance.

As the PCC has not recommended taking on fire governance for the time being, there is no direct impact on the Police and Crime Panel.

RECOMMENDATION

That the Panel notes this report.

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