SOUTH
LANARKSHIRE
COUNCIL

Report

Report to:	**Executive Committee**
Date of Meeting:	**21 April 2011**
Report by:	**Chief Executive**

Subject:	**Submission to Scottish Government on the Future of Fire & Rescue Service in Scotland**

1. Purpose of Report
1.1. The purpose of the report is to:-

♦ Consider a proposed response to the Scottish Government's Consultation on the Future of the Fire & Rescue Service in Scotland.

2. Recommendation(s)
2.1. The Executive Committee is asked to approve the following recommendation(s): -

(1) Approve the submission (contained in Appendix 1) to go to the Scottish Government as the Council's response to the above consultation.

3. Background
3.1. On 11 February, the Scottish Government announced the launch of a consultation on the future of the Fire & Rescue Service in Scotland. The Scottish Government instigated a fundamental review of the roles and responsibilities in relation to the Scottish Fire & Rescue Service in 2008-2009. This culminated in a public consultation on the draft Fire & Rescue Framework for Scotland which raised concerns over the organisation, accountability and delivery of the Scottish Fire & Rescue Service.

3.2. The Scottish Government has since carried out work to identify options for reform that might improve outcomes, protect frontline services and strengthen the links between the Scottish fire & Rescue Service and the communities it serves and between the Service, local government and other public services. In the consultation document, three broad options have been identified - a **single national Fire & Rescue Service** for Scotland. It has stated that there are compelling arguments in favour of this but a business case for change needs to be developed. It also recognised arguments for a **regional Fire & Rescue Service model** with fewer Fire & Rescue Services than at present and finally the retention of the **existing structure but with greater collaboration**.

3.3. The consultation document identifies key principles and desired benefits, the current context and future challenges, the options for structural reform and the way ahead.

3.4.   For a single national Fire & Rescue Service, the initial Ministerial Advisory Group report saw this as a feasible option which has the potential to deliver a responsive service and realise savings in the longer term, with potential for improved outcomes in the long term, though views on the likely impact on outcomes varied. It did not identify any transitional costs with this model.

3.5.   For the regional structure, the Scottish Government believes that it has the potential to generate savings and improve opportunities for standardisation but these will be lower than in the national option and stated that work would be needed on likely transitional costs under this option to identify if any potential economies of scale will be realised. The Scottish Government does not believe that this solution would deliver either the savings required or the improvement in effectiveness that must be delivered.

3.6.   On the current structure with enhanced collaboration, this was seen as capable of generating some short term savings and there was doubt over the scale of any medium term savings and collaboration to date has proved challenging and not delivered the scale of efficiencies required. This option is seen as offering the least scope for savings and is not sustainable over the longer term.

3.7.   The Scottish Government wants to see local fire stations coming together in community resilience hubs – providing a focal point for planning, advice, support and information about not just fire safety but the range of potential emergencies which may threaten local communities. These hubs would be the main mechanism for disseminating public information about the performance and costs of the Scottish Fire & Rescue Service locally. It sees potential for consultative committees responsible for scrutinising Fire & Rescue plans and performance in each council area.

4.   Main issues around future of Fire & Rescue Services in Scotland
4.1.   The Council notes that, as presently constituted, Fire & Rescue Authorities have helped deliver positive progress in key outcomes over the past ten years. It has also overseen the evolution of Fire & Rescue Services, ostensibly designed to tackle fires into organisations that are now more focused on community safety and fire prevention without the need for structural change. Its recent Resident's Survey found the majority of residents rated the service they currently received from Strathclyde Fire & Rescue Service as Very or Quite Good.

4.2.   The Council recognises that the present anomalous situation with Fire & Rescue Services in Scotland relates back to the creation of the existing force structure which resulted in some relatively large and some relatively small establishments. This has meant that some communities benefit from economies of scale, whilst others have to pay for expensive duplication of services at a non-cost-effective rate. In the context of the current climate, significant cuts to the Fire & Rescue Service, and the need to minimise the impact on frontline service delivery in communities, the Council believes that what is required is an evolutionary approach to change rather than a revolutionary one.

4.3.   The Council believes that all proposed changes should be supported by a comprehensively costed plan, which takes into account both short and long term investments required, the need to include transitional arrangements, and potential savings to be accrued. The particular aim should be to see significant and clearly

defined savings over a five-year period. No national reform should take place at the expense of local service delivery.

4.4. The reform of any public service needs to focus on improving outcomes for the public and encouraging more holistic approaches. The Council believes that this is best achieved through bringing public services together at a local level to deliver the national priorities in a local perspective. The discussions must not just be about structures and financial accountability but should focus on the best outcome for the individual and communities that meets their needs.

4.5. The moves towards an outcome approach and the acceptance of the benefits of early intervention and prevention and a holistic approach to solving problems provides the greatest opportunities for improvements in community and fire safety and the outcomes for individuals and communities.

4.6. In South Lanarkshire, there has been for a long time a strong partnership between the Council and the local Strathclyde Fire & Rescue structure, in particular at an operational level with joint structures and on specific initiatives. This has seen an ever closer and deeper relationship in a range of areas – both national and local.

4.7. This relationship covers a wide range of areas. For example in Social Work there is involvement in Home Fire Safety Referrals, Case Studies/Case Conferences as a result of incidents where members of public injured and the Alcohol and drug/ driver offenders for Cut It Out Program and under Restorative Justice, referrals of fire setters. For Roads & Transportation, around education messages and road safety awareness raising as well as the Tactical Assessments to alter road layouts at accident black spots. In Education around youth diversion activities, identification of children with issues, referrals for Fire Reach and the 5th and 6th Year Cut It Out programme.. There are also specific initiatives like the Annual Fireworks/Christmas campaign and information exchanges regarding incidents identified through CCTV and assistance in determining removal of cameras. Through the Joint Problem Solving approach in South Lanarkshire, the Service is involved in the joint tactical assessments that are undertaken, the altering of Community Warden patrols to deal with specific issues and working with our Land Services in relation to the uplift of waste and environmental improvements to reduce potential fire risks. It is through all these local linkages that improved outcomes are being achieved for local residents and communities.

4.8. The Council supports the proposal for a rationalised Fire & Rescue Service model rather than a national one or the existing model. It believes that this would be most likely to retain the linkages with other services that are needed to improve outcomes for individuals and communities. The ability shown in the past by the Fire & Rescue Service in delivering improvements through cultural changes could achieve some of the improvements being sought at less cost than structural change and upheaval.

4.9. The Council recognises that this may need further work to be undertaken to review how the Fire & Rescue Service is best organised to deal with those challenges that need to be considered and planned for at the national level. The Council believes that there is merit in undertaking an exercise similar to the Sustainable Policing Project to help further consultation on the model for the future of the service and give concrete figures on the scale of efficiencies, transition costs and funding implications for the medium to long term as well as the likely impact on staff, stakeholders, the public and other services.

4.10. It believes that local democracy and accountability should be enhanced by any reform process and that structural reform should focus on the benefits from change and be underpinned by evidence, facts and data.

5.   Employee Implications
5.1.   There are no employee implications.

6.   Financial Implications
6.1.   There are no financial implications.

7.   Other Implications
7.1.   There are no other implications.

8.   Equality Impact Assessment and Consultation Arrangements
8.1   This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy and, therefore, no impact assessment is required.

8.2.   There was also no requirement to undertake any consultation in terms of the information contained in this report.

Robert McIlwain
Executive Director (Corporate Resources)

11 April 2011

Link(s) to Council Values/Improvement Themes/Objectives
- Improve health and increase physical activity;
- Improve lives of vulnerable children, young people and adults;
- Develop services for older people;
- Partnership working, community leadership and engagement;
- Tackling disadvantage and deprivation; and
- Working with and respecting others.

Previous References
None

List of Background Papers
A Consultation on the Future of the Scottish Fire & Rescue Service

Contact for Further Information
If you would like to inspect the background papers or want further information, please contact:-

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APPENDIX 1:

Question 1:
Is this the right vision for the Scottish Fire and Rescue Service?

Yes   **No   X**   Don't know

Comments

The Council agrees with much that is articulated in the proposed Vision, which to an extent mirrors that of the Strathclyde Fire & Rescue Service with its focus on: -

- Community - making communities safe places to live, work and visit and working closely with the communities we serve to ensure that the service we deliver is tailored to their expectations and is targeted towards areas of greatest need.
- Protection – protecting the communities it serves delivering a service that works proactively to reduce the incidence of fire and other emergencies and one that responds with dedication and professionalism whenever and wherever the need occurs; and
- People – investing in its personnel to make it stronger, more efficient and more effective and providing a workplace where everyone is treated with dignity, fairness and respect.

The only issue the Council has with the vision relates to the service being 'at the heart of community resilience'. The Council recognises that a greater responsibility is now being placed on Fire and Rescue Services to deal with non-fire civil contingencies and emergencies but believes that its main focus must be on the main demands placed on it, namley that of dealing with fires. There is a danger that this statement could be interpreted as it taking a leading role and places more demands and expectations on the service with no commensurate increase in resources.

The Civil Contingencies Act 2004 Contingency Planning (Scotland) Regulations 2005 defines local authorities, the emergency services, health authorities and the Scottish Environmental Protection Agency (SEPA), as Category One Responders. As such they are each equally obliged to fulfil the following statutory duties:
- Co-operate with other agencies and organisations on contingency planning issues. Assess the risk of an emergency occurring within or affecting its area of operation.
- Plan to respond to an emergency (including a duty to maintain normal functions in the event of an emergency).
- Publish emergency plans and (risk) assessments. A Lanarkshire level assessment is conducted locally (e.g. Lanarkshire, Ayrshire) in collaboration between Category One Responders. Following a local joint decision, these local assessments are aggregated for Strathclyde and published in the public forum via the Strathclyde Fire and Rescue website.
- Provide warning(s), information and advice to the public. Warnings and information would vary depending on the nature of the emergency but this is an aspect which is typically co-ordinated by police where there is a physical incident (explosion, derailment or whatever) however where it's an issue like an outbreak of e-coli or disease this will typically be co-ordinated by Health.
- Share information for the purposes of civil protection; and
- Promote and provide business continuity advice and assistance to business and the voluntary sector. This specifies that the local authority has a lead role in this.

The Council believes that unless this role is clarified in respect of the statutory duties above - and the necessary resources identified to ensure that whatever role is seen for Fire & Rescue services is capable of being delivered - this should be removed from the Vision and instead remains as articulated in the Resilience Outcome.

The Council notes that a recent Scottish Government paper concerning community resilience identified local authority contingency planners as a focal point for information and advice which the Council believes cannot be discharged in isolation and would require the consent and support of all Category One Responders and is not a function any could discharge in isolation.

Question 2:
Do you agree that these should be the key principles for the Scottish Fire and Rescue Service?

Yes   X   No   Don't know

Comments

The Council agrees with the Key principles articulated in the paper which it considers to have much in common with those of the Strathclyde Fire & Rescue Service. The one principle that it believes might be worth adding relates to the environment. The Strathclyde Fire & Rescue Service recognises that it has a duty to protect the environment. Its principles include a commitment to taking positive steps to reduce the environmental impact of its activities, aiming to reduce its carbon footprint by increasing environmental awareness across all parts of its organisation therefore minimising and mitigating the effects service provisions have on the planet.

Question 3:
Do you agree that the option to de-centralise the Scottish Fire and Rescue Service should be considered?

Yes   X   No   Don't know

Comments

The Council notes that, under the present structure, Fire & Rescue Services in Scotland have delivered positive progress in a range of key outcomes. It has also overseen the evolution of Fire & Rescue Services, ostensibly designed to tackle fires to become organisations that are now more focused on community safety and fire prevention without the need for structural change.

The Council recognises the case that has been made for a national Fire & Rescue Service and that the proposed decentralisation on an operational basis, within a nationally set vision, goals and national standards. The Council is concerned that there is a tendency for central government to set narrow, task-orientated performance targets and requirements for services that it directs and this can have major implications for the partnership and collaborative approaches that everyone agrees are necessary to deliver positive outcomes for individuals and communities. It also believes that there is a danger that a structure that places formal responsibility and accountability at a national level may cause less local engagement than the present system. It believes that a similar operational decentralisation within a similar community engagement approach as outlined in the paper can be achieved within the current arrangements, but within a locally agreed and determined framework that works to deliver the nationally set vision and standards.

Question 4:
How well is the Scottish Fire and Rescue Service performing against what you believe to be the key principles and what do you consider to be the priorities for improvement?

Comments

The Council only has experience of the Strathclyde Fire and Rescue Service and believes that it is showing all the aspects of an organisation delivering its commitments and showing a culture of continuous improvement. It notes in particular the way the service has evolved into a much more proactive body and has grasped and made opportunities to integrate and co-ordinate its activities with those of other partners to achieve better outcomes for individuals and communities in South Lanarkshire.

Question 5:
Do you agree that these should be the desired benefits for the Scottish Fire and Rescue Service?

Yes   X   No   Don't know

Are there others we should add?

Comments

The Council believes that the desired benefits outlined in the paper are the correct ones, but believes that the one relating *to National resilience and interoperability* needs to be put clearly into a service context and is concerned how this fits into the existing emergencies planning and civil contingency work and the impact on the service, at a time of resource constraints, to effectively lead this work. On this particular issue, the Council refers back to its comments to Question 1.

Question 6:
What are your views on an appropriate mechanism for Ministers and MSPs to hold the Scottish Fire and Rescue Service to account?

Comments

The Council agrees with the need to ensure clear accountability and the primacy of maintaining the consent and support of the public. As stated earlier, the Council remains concerned that a national framework developed by central Government can end up being seen as directions to deliver against a narrow set of task-orientated performance targets and service requirements with no scope for local circumstances and needs to be responded to and met.

It believes that the existing legislation does allow the Scottish Government and MSPs to hold the Fire & Rescue Service to account, both directly and through the work of the national inspection and scrutiny bodies. It understands the attractiveness to national politicians of structural reform but believes that cultural changes can be more important in delivering better outcomes.

The Council believes that the reform of any public service needs to focus on improving outcomes for the public and encouraging more holistic approaches. It believes that this is best achieved through bringing public services together at a local level to deliver the national priorities in a local perspective. The discussions must not just be about structures

and financial accountability but should focus on the best outcome for the individual and communities that meets their needs.

Question 7:
What are your views on an appropriate mechanism for local communities to hold the Scottish Fire and Rescue Service to account?

Comments

The Council is unclear how under the proposed system local communities would be able to hold a national service to account. There is the issue that cannot be ignored that if the Council Tax is used to at least part fund the service, then residents will expect local councillors to be able to hold the service to account and be engaged in the process of setting priorities and desired outcomes. It is unclear the extent to which having a 'consultative committee' can meet these expectations and this could expose the service to a perceived loss of focus on local circumstances and opportunities and a potential subsequent loss of support that the Scottish Government rightly sees as central to the successful outcome delivery. Similarly local scrutiny of plans and performance which reflect national priorities and objectives may also not be able to show the embedded nature of the service in responding to local circumstances and local needs. There is also the issue of what the mechanism is to ensure that any issues that are raised locally are addressed if the final say remains in Edinburgh.

Question 8:
What is the right balance between the national and local mechanisms set out in questions 6 and 7?

Comments

The Council remains concerned that a service that is seen as a key local service could end up being directed by decisions made at a national level relating to national priorities and objectives that do not allow for local circumstances and needs to be taken account of. As stated earlier, this concern is heightened if the national decision making results in a narrow set of task-orientated performance targets and service requirements being agreed. At a local level, the fact that the duty on the Fire & Rescue Service will only be to consult is likely to lead to frustrations, especially if funding continues to be provided by local Council Tax payers who will not be able to use local councillors to affect any changes they may wish to see. There is also the danger that a nationally influenced 'local plan' may not prove helpful in delivering successful outcomes, for a service like Fire & Rescue, which depends on partnership working and collaboration.

The Council notes that under the national option, a single service is seen as enabling resources to be moved to meet needs wherever they occur in Scotland. The Council does not believe that any reform should lead to a diminution of local services.

Question 9:
Do you think that the number of fire and rescue services needs to be reduced?

Yes **X**   No   Don't know

Comments

The Council acknowledges that the present anomalous situation relates back to the creation of the existing service structure which resulted in some relatively large and some relatively small establishments. This has meant that some communities benefit from

economies of scale, while others have to pay for expensive duplication of services at a non-cost-effective rate. However, as stated earlier, under the present structure, Fire & Rescue Services in Scotland have delivered positive progress in a range of key outcomes and has become a service focused on community safety and fire prevention without having to undergo structural change. The Council's recent survey of 3,940 residents found that 88% rated Strathclyde Fire & Rescue Services as being Very or Quite Good.

The Council understands the pressure on resources and the need for efficiencies but believes that the focus needs to be on the outcomes and options which will ensure the best for individuals and communities. It remains to be convinced that a national model can deliver this given the degree to which local circumstances and needs drive the risks that the service has to deal with to deliver the best outcomes for individuals and communities.

Question 10:
If so, which option do you think should be pursued and why?

Single service   **Regional Structure   X**

Comments
As stated earlier, the Council believes that the existing structure has shown it is capable of delivering significant change in Fire & Rescue Services and delivering improved outcomes. It believes that in many ways the improvements being sought can be delivered through cultural changes rather than with significant structural changes. It believes that the existing structure works best at providing a framework that enables the key linkages with Services, Housing, Health, Social Work, Education, Youth, etc, which can deliver improved outcomes in the core objectives of the service. There are also elements of the national model, such as greater community engagement, which can be delivered but in a context that more fully acknowledges both local circumstances and needs and local partnership working and, as the paper acknowledges, such a structure will still deliver efficiency savings.

Question 11:
To assist with our Equality Impact Assessment process, please also describe any equality issues (in relation to race, gender, disability, age, sexual orientation, transgender people and religion) relevant to your chosen option?

Comment
Whatever organisational structure is finally adopted, the Fire & Rescue Service will have to operate within the existing equality regulations, and the Council believes that the challenges will be as they presently are.

The Council recognises that the Fire & Rescue Service has to deal with not one public but many publics. It believes that there may be merit in considering the particular characteristics of some population sub-groups that contribute to specific Fire & Rescue risks. Consideration should then be given to how far these underlying characteristics apply to various communities present in a local area, and how these might be alleviated within the Fire & Rescue Services framework

This approach would require the Service to identify the relevant groups in their area using official guidance, local audits, individual networking by officers known to have strong community links identifying individuals or groups as well as pre-existing consultative frameworks. It could also be problem-led (consulting with particular groups is related to

specific problems) as well as responding to a direct approach from groups in the community group themselves.

In many ways, with the development of links with Social Work, Police, Youth Services, Regeneration Services, Education, Health Services, the Service, at least in the Strathclyde area, has shown its ability to manage this approach. The Council is not clear how easily the different options of such an approach could be implement and delivered successfully at a national or very local level.

Question 12: To assist with our Regulatory Impact Assessment, please also describe any financial and other impacts for business, charities and the voluntary sector relevant to your chosen option?

Comments

The Council does not feel it is a position to comment usefully on these matters.

Question 13:
What aspects of collaboration and joint working between the Scottish Fire and Rescue Service and other emergency services do you believe should be a key focus in future?

Comments

In relation to the Fire & Rescue Service, the Council believes that the collaborations and joint working that should be the key focus of the service is with Social Work, Housing, Health, Youth Services, Planning, Education and Regeneration Services. These services can provide information and routes for the service into those people where early intervention and prevention work can reduce the risks of fires and accidents leading to rescues and the delivery of successful outcomes for individuals and communities. It believes that this question perhaps raises concerns over whether the consultation is about delivering effective services and whether any changes will enhance the service's ability to do this or a fixation with structural change.

Question 14:
Do you think local fire stations should be developed into community resilience hubs, and, if so, what new services would you see them deliver?

Yes   **No   X**   Don't know

Comments

The Council has a number of concerns over the proposed role of local fire stations as Community Resilience Hubs. As stated earlier it is concerned that this represents a danger of placing more expectations and burdens on the service with no commensurate increase in resources and diverting attention from its core activities. As outlined in the response to Question 1, the Council remains unclear how these will operate in relation to existing emergencies planning procedures and in relation to the Civil Contingencies Act.

Many existing fire stations may also not have the facilities to act as such hubs or safely separate civilians coming to the station with the operational risks associated with a working station. The tendency for newer stations to be placed outwith the heart of communities and being located where they can provide quick access to all locations may also mitigate against them being seen as community hubs. There are also the demands it would place

on the service in covering the range of communities they would have to engage with. This would have to cover not just geographical communities but also communities of interest, communities of circumstance and communities of practitioners. At a time of scarce resources the Council is concerned that this could divert attention and resources from meeting the 'core demands' placed on them of fires and rescues.