

# Appendix A (Item 5 – Paper 3)

## ERD pilot progress and learning report

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## Overview

At the last meeting, the Board approved the proposed approach to pilot the Fire Standards development and one of the areas selected was Emergency Response Driving (ERD).

This report provides the Board with a progress report on the pilot process and the key learning points from it that can be applied to future Fire Standards development.

It also provides some conclusions specifically from the ERD consultation for Board consideration which includes placing progress with this Fire Standard on hold at this time.

Whilst there is overwhelming support for the Fire Standard in this area, an issue related to the legislation planned by the Department for Transport (DfT) that stipulates a defined training time has emerged through the consultation.

The two primary concerns from services if legislation is passed include increased **training time and resultant cost implications as well as the impact on services with on-call workforces**. More detail is included in the report below.

The NFCC are now engaging with the Home Office to request their intervention in discussions with the DfT. It is hoped once progress is made in this area, the Fire Standard and underpinning framework can be taken forward.

## Background

ERD was selected as an activity for the pilot Fire Standard because legislation is due to come into force which relates to exemptions for high speed driving for all emergency services.

Services have been preparing for this legislation for some time but there have been consistent delays in the Government getting legislation passed. The Department for Transport (DfT) reinvigorated their desire to get the outstanding legislation passed during 2019. Importantly, this included a desire to not only stipulate competencies against their own Codes of Practice, but a defined training period for each emergency service and the MoD.

This was an additional requirement that mandates 80 hours of driver training time completed within three months. The Driver Training Advisory Group (DTAG) has been working hard to negotiate a more flexible approach to stated training hours on behalf of fire and rescue services because of the considerable impact on training resources and fire and rescue service budgets. However, at the time of consultation they had to concede and include the DfT requirements in the *NFCC driver and instructor training and competency framework* (framework).

The majority of services were already following the original competency-based framework developed through the NFCC national group DTAG for some number of years. It is considered to be based on good practice and the competencies derived from the DfT's Codes of Practice. However, whilst approved in principle by the DfT, it has never been formally recognised as a national approach as the sector has not had the means to do this.

By creating a Fire Standard for this area, underpinned by the framework a more consistent approach to training assurance about the competency of emergency response drivers in fire and rescue services can be

achieved. In addition, subject to approval by the DfT, following the framework would result in services being compliant with legislation once it is in force.

Achieving consistency, driving improvements and generating efficiencies for services where a national approach is beneficial is clearly an intent behind all Fire Standards as part of the Fire Reform agenda. The NFCC is also aiming to achieve this same outcome for services.

## **Progress on the pilot Fire Standard - emergency response driving**

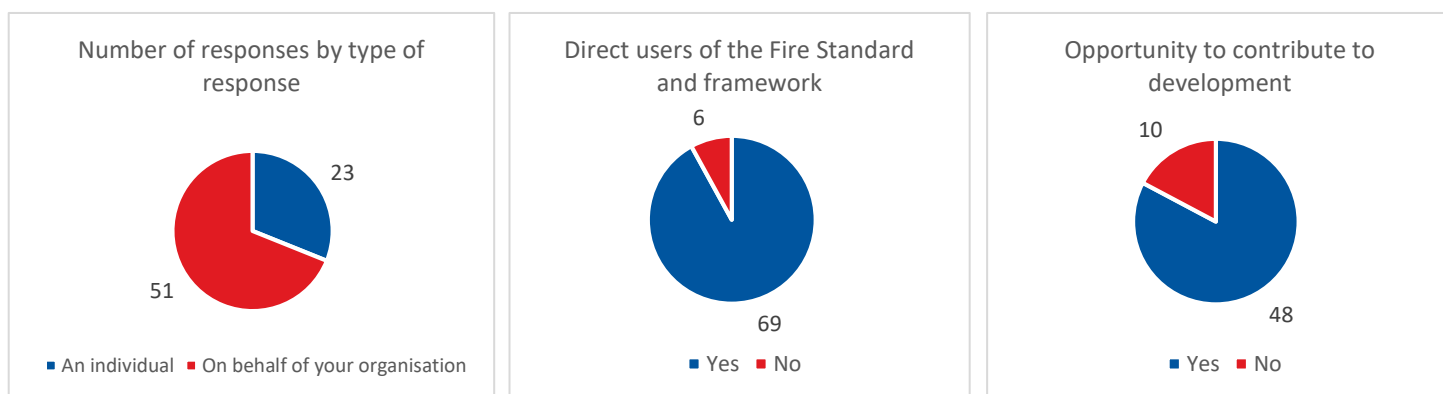
Below is a summary of the pilot activities to date coordinated by the NFCC:

- 1) Work to ensure the framework is comprehensive, easy to understand and use was carried out in the Autumn of 2019. The draft Fire Standard was also produced at this time in liaison with relevant subject matter expertise (DTAG members).
- 2) Preparations for the consultation were made during October 2019 and the consultation launched in November 2019.
- 3) A new NFCC strategic lead for response driving was appointed in November 2019.
- 4) On review of the consultation responses received just ahead of the Xmas period, there was a concern raised by the NFCC strategic lead that not all services had engaged. He was also concerned that the potential impact of the Fire Standard and legislation proposed by the DfT was being underestimated.
- 5) He contacted all Chief Officers to alert them to the consultation, the potential strategic impacts and to encourage them to ensure their service had responded appropriately to the consultation.
- 6) The NFCC strategic lead also made contact with the DfT to open up strategic level dialogue about their proposed requirements for a standardised course length and their justification for this approach. He made the case for why this approach would have a significant impact on fire and rescue services' ability to comply. To date, the DfT has refused to change their position.
- 7) The consultation was due to close in early January but, based on results in late December, the consultation period was extended to the end of January.
- 8) This has had an impact on the original timeline for the Fire Standard. However, it was felt the intervention of the NFCC strategic lead made a considerable difference to the number of consultation responses received with the result being much more meaningful and robust.
- 9) The consultation responses have been reviewed and analysed with DTAG. A report with actions for members of DTAG to complete in response to many of the consultation responses is being drafted. Amendments to the Fire Standard have been completed and amendments to the framework are under review and will be progressed by DTAG.
- 10) As mentioned in the summary above and outlined in the consultation responses below, there is significant concern about the impact on training time, budgets and on-call staff because of the stipulation of a defined period of training (10 days). If we were to progress the Fire Standard and underpinning framework through the Engagement Forum and Steering Group at this stage, it is highly unlikely to gain support from the NFCC.
- 11) If some degree of flexibility can be agreed by the DfT, the issues with regards impact and implementation could be greatly reduced and the Fire Standard and framework could be progressed for approval. This approach would avoid delay in getting services more nationally aligned and build confidence in the introduction of Fire Standards.
- 12) There is still no clear date for when the DfT may get the legislation passed, in the meantime data required to support negotiations with the DfT to resolve the training hours issue can be gathered. Whilst it is hoped a compromise position can be reached, as and when legislation is passed, we can complete work on any revisions to the framework as a result of the consultation.

## Conclusions from consultation

### Responses

The charts below represent an overview of the responses to the consultation:



A **total of 74 responses** were received to the consultation split between those responding as an individual and those responding on behalf of their service. The majority were from fire and rescue services but the Ministry of Defence and the College of Policing (the college advisor on all matters pertaining to Roads Policing including Driver Training) also submitted responses.

The majority were happy to be contacted about their response. Those who were not happy to be contacted had all submitted individual responses rather than on behalf of their organisation, this included one of the external respondents.

Of those who responded, **69 would be direct users** of the Fire Standard and underpinning framework.

Of those who responded, **only 10 felt that they had not had the opportunity to contribute** to development. Reasons included the length of consultation time and notifications and regional structures not working as well as they could which may have hampered communication.

### Feedback on Fire Standard and underpinning guidance

A small number of modifications have been made to the draft ERD Fire Standard as a result of the consultation. They are shown in red text on the revised draft in **Appendix B** and are summarised below:

- Section - Desired Outcome
  - The inclusion of “assessors” in the desired outcome statement stating that both instructors and assessors should be qualified in line with legislation requirements
- Section - How to achieve the Fire Standard
  - Minor changes to the wording of engagement activities

## Feedback on local adoption of the Fire Standard - benefits and barriers

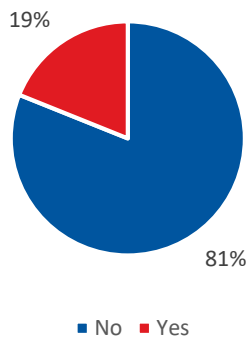
The consultation included questions about the services **ability to align to the Fire Standard** and underpinning framework and whether Fire Standard would **achieve the proposed benefits**.

The responses to these questions are shown below, details of the concerns raised are on the following page:

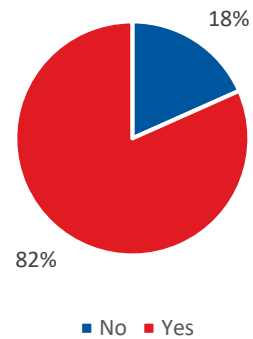
Just over 80% of respondents felt their service could align to the Fire Standard.

Just over 80% of respondents felt that alignment to the Fire Standard would achieve the proposed benefits.

Ability to align to the Fire Standard



Would benefits be achieved if Fire Standard adopted?



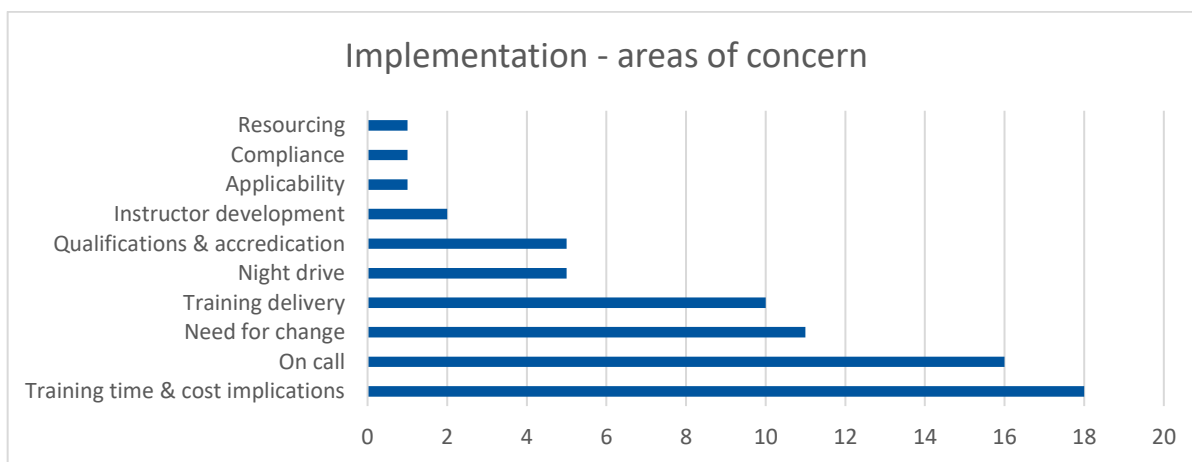
## Impact and Implementation Concerns

Analysis of the consultation responses shows that the majority of services are very supportive of the Fire Standard and the concept behind the underpinning framework. There is recognition that there is a fractured approach nationally and there is a strong desire from services to reach a national minimum for emergency response driver competence and that could include parameters around training time.

The framework consulted on introduces the DfT proposal for a minimum training period of 80 hours (10 working days) and this is what has caused services the most significant concern.

Many services have stated they would not be able to be compliant with the legislation, should it be passed, because of this stipulation and the lack of justification for it. This in turn would result in many services not aligning to the Fire Standard and underpinning framework. Many feel their staff meet the competencies as stated within the framework with current training approaches.

The chart below indicates the areas of concern collated under themes:



All of the issues raised by services are being considered by DTAG and NFCC strategic lead, ACO Paul Stewart and many are being managed through further direct engagement activity by them.

The two primary concerns, **training time and cost implications and impact on services with on-call workforces**, have been raised by many services. The issues are expanded slightly below:

- Increased training cost to services because of extending training times for no perceived benefit.
- Lack of availability of on-call personnel for training (many would not be able to obtain enough leave from their primary employment to attend this training resulting in fewer on-call personnel able to drive appliances and less appliances available to attend incidents from on-call stations).

## Department for Transport approach

The concerns shown in the previous chart are primarily being driven by the stipulation being made by the DfT for a defined training period of 80 hours (equivalent to 10 working days) completed within a three-month period.

The issue, therefore is with the proposed change in the legislation, which the FSB would have to make an element of the standard. The NFCC are now engaging with the Home Office in order to discuss these impacts with the DfT.

## Learning from the pilot process

To date, the following key learning points have been identified through running the pilot process and will be considered and acted upon as future Fire Standards are developed:

- The proposed Fire Standard prototype, component parts and general style of language are, supported and welcomed
- Identifying and working with the appropriate strategic level lead to champion and support work on developing a Fire Standard and any underpinning guidance is key
- Consideration of the timing of consultations (where an eight week consultation is considered appropriate) but to allow for things such as public holidays and other consultations that may be open at the same time
- Consider wording of consultation questions to ensure potential implementation impacts are highlighted and considered by services
- Bolster approaches to communication and engagement to raise awareness of the Fire Standards to strategic level leaders and their Governing bodies and ensure meaningful responses are received from services, especially at consultation stage

## Conclusions and recommendations

The Fire Standards development process has been broadly successful. There has been some learning, particularly around the need to improve engagement. Due to the feedback from the consultation it is not recommended to move the ERD Fire Standard forward at this stage. To do so would be against the advice of the NFCC and would reinforce the potential burden on many services that could be created by the new legislation being created by the DfT.

After many years without any or minimal national standards the introduction of Fire Standards containing stipulations for services to adhere to will be a significant cultural change for many firefighters and fire services. The shift from the approach to date, where services have individually decided on any “standards” they may align to, will take a period of time and adjustment for the majority of services.

Given the link to the prescriptive legislation around mandated training time, it is not surprising that the initial Fire Standard proposed has met with some concern.

There is overwhelming support for services to achieve the desired outcome of safety in emergency response driving. A national Fire Standard in this area would be welcomed by many.

However, it is equally important for services to have a level of flexibility for how they achieve the desired outcomes of a Fire Standard by allowing the adaptation of training approaches to suit their local environments, risk and workforce profiles.