

17 July 2020

To: **Jonny Bugg**, Head of Fire Strategy and Reform Unit  
Fire Resilience Directorate- Home Office

cc: **Glyn Wallis-Jones**  
Department for Transport

### **Emergency Response Driving**

Dear Jonny,

Thank you for your letter dated 18<sup>th</sup> June 2020. Like you, Alison and I are encouraged by the continuing development of our prioritised Fire Standards. We are closely monitoring their progress in line with the delivery plan and timeline shared with you and other Board members at our last meeting.

Paul Stewart and I have agreed to respond jointly to your letter, which helpfully highlighted the previous discussions between the Home Office and the Department for Transport (DfT) on the subject of Emergency Response Driving (ERD).

The working level collaboration with fire and rescue services on ERD over many years, primarily through the Driver Training Advisory Group (DTAG), is recognised and appreciated. We are in full agreement that public safety must be the primary focus and, as you are aware from our Board meetings, the contribution to greater public safety is central to every Fire Standard. We understand and fully support the need to ensure high standards of emergency driver competency.

Strongly coupled with delivering public safety is, of course, the need for firefighters to be appropriately trained. Recognising this, it is understandable why the DfT has adopted a blanket approach to ERD training standards. While acknowledging this, it is also important, as explained in this letter, to allow fire and rescue services sufficient flexibility given their different operating models.

As you point out, the Emergency Response Driver Standard was one of the Fire Standards Board's pilot standards. The significant issues revealed through our consultation on this Fire Standard, specifically concerning the proposed training requirements as drafted in legislation, caused the Board to raise this matter with you for further discussion with DfT. Unfortunately, it seems that previous NFCC attempts to explain the strategic level impact of a prescriptive legislative minimum and timed training period uniformly across all services may not have

been articulated clearly enough to enable the DfT and/or the Home Office fully to appreciate, understand and consider the important implications.

We understand the DfT's view that neither operational availability nor cost savings should dictate minimum safety standards, and indeed the Fire Standards Board starts with similar principles in setting Fire Standards. Further, we agree that the proposed training requirements are appropriate for fire and rescue services which operate in urban areas with predominantly wholtime workforces. However, the current, generic approach will produce an adverse impact on those services serving rural communities. These areas have sparser populations and secondary road infrastructures (no motorways or dual carriageways). They have high proportions of on-call (retained) operational personnel. The firefighters who undertake an on-call operational role in those areas are doing so in addition to their primary employment. Thus, the training requirement differs in remote and rural areas resulting in the proposed blanket approach to training provision being disproportionate compared to training requirements in urban areas with primary road infrastructures. You will be aware that being able to maintain an on-call workforce is currently a key issue for many rural services across the country.

As a result, it must be recognised that proceeding with the legislation as is carries a real and significant risk to public safety for those populations who are reliant on such services. Based on our recent consultation, there are concerns from services who operate in those areas if such mandatory training requirements are put in place. The primary challenge for services is the ability to recruit, train and retain on-call operational personnel and therefore maintain sufficient availability of emergency response to an acceptable level. To be clear, if the driver training requirements are unnecessarily and disproportionately increased, without any flexibility, it will add to the current level of challenge and may mean an absence of emergency response provision across many rural areas risking public safety.

You will appreciate that this will present a far greater risk to the public than allowing for some limited flexibility in specific circumstances. It would seem wholly appropriate for such serious impacts on service delivery to be fully considered in order to avoid adversely impacting on the very public safety that the training requirements seek to improve.

This request should be considered in the context of the current very high safety record for fire and rescue service emergency response drivers, which has been achieved under the current, more flexible training provision.

The NFCC has suggested a possible way forward to address both the anxieties raised by services as contained in responses to the Fire Standards Board's consultation and the Departmental concerns. This is based on utilising the approach they have developed to recognise fundamental operating differences, as used in the National Operational Guidance, which allows for 'evidenced exceptions'. Using this approach as a guide, the legislation could

be written in a way that allows services operating in rural and remote locations some flexibility in how they deliver their training, achieve competency and maintain the safety levels of their on-call emergency response drivers.

To underpin this approach, the NFCC would propose to amend the wording in their accompanying training and competency framework to include clarification about these evidenced exceptions such as community risk profile, road infrastructure and built environment and workforce availability. This would support the services both in demonstrating compliance and assuring inspecting bodies.

We appreciate that fire and rescue services, the NFCC and the Fire Standards Board will have the opportunity to make these points when responding to the formal consultation on this legislation. However, as the timeline for that is currently unclear and the feedback is already available from our consultation, we felt it important to make these points now, maximising the time for consideration and hopefully resolution of these issues.

We would very much appreciate the opportunity to meet with officials from both Departments, to discuss this matter prior to the consultation. As you can see, to help facilitate this we have also copied this letter to the DfT official with whom we understand you have been in contact.

We look forward to hearing receiving your response.

Yours sincerely



**Suzanne McCarthy**  
Chair – Fire Standards Board



**Paul Stewart**  
Assistant Chief NFCC Strategic Lead  
Emergency Response Driving