

Item Number	Item 1
Title of Paper	HMICFRS Report on Values and Culture in Fire and Rescue Services Consideration of the Fire Standards Board response
Decision or Information	For decision
Date of Meeting	13 th June 2023
Presented by	Fire Standards Team
Attachments	Appendix A - HMICFRS recommendations and proposed actions Draft NFCC Culture Action Plan (attached separately)

Summary

Following the publication of HMICFRS [Values and Culture in the Fire and Rescue Service Report](#), three recommendations were made directly to the Board. Certain other recommendations which were not directed to the FSB, might have implications for it.

This exceptional Board meeting has been called to enable the Board to reflect on the report and its recommendations and to consider whether it is prepared to accept the recommendations and act on them, and, if so, agree what action is required.

This paper provides the Board with a summary of the recommendations at Appendix A, the relevant Fire Standards and proposed actions.

Recommendations

The Board is asked to review the contents of this paper to discuss the recommendations, consider the proposals being made for action and either reject or approve them all or in part and direct the Fire Standards Team accordingly.

Background

The recent review into the culture of fire and rescue services, carried out by HMICFRS resulted in three of its 35 recommendations being directed to the Fire Standards Board.

The Fire Standards Team, under the direction of the Chairs, has carried out an initial mapping exercise of the recommendations against the published Fire Standards. They also considered all the recommendations as it was felt that there may be other recommendations which, whilst not directed at the Board, may have implications for it.

A summary of their conclusions and proposals is attached at Appendix A. The table includes both the directed recommendations and the others with possible implications. Through the evaluation work to date, the Chairs feel that 12 of these recommendations have implications for Fire Standards which therefore need discussion and agreement about any actions required.

HMICFRS Value and culture in the fire and rescue service report

Following several high-profile and widely reported cases calling into question the culture of fire and rescue services, the Government commissioned HMICFRS to conduct a spotlight review on culture within fire and rescue services. The report focuses on the values and culture of all 44 fire and rescue services in England and draws on the evidence collected by them during their second round of inspections from 2021 and 2022.

HMICFRS has defined values as principles or standards of behaviour, and culture as ideas, customs and behaviours. It defines 'poor', 'unacceptable' and 'inappropriate' cultures and behaviours as those which have or have the potential to negatively affect others. These behaviours include bullying, harassment and discrimination.

HMICFRS researched and analysed evidence on the following themes:

- values and culture, including bullying, harassment and discrimination
- training and skills
- fairness and diversity
- leadership

HMICFRS is aware that the culture in a fire and rescue service can be heavily influenced by the behaviour of individuals, including those in positions of senior responsibility. They have, therefore, reviewed the competence of leaders from station level to chief fire officers in all services. This includes how they are trained and developed and how they behave. They have reviewed the training given to managers and staff to help them perform their roles effectively.

The report examines what is working well, what needs to change and the barriers to making improvements within services.

The full report can be accessed [here](#).

Appendix A - HMICFRS recommendations and proposed actions

The Fire Standards Team has conducted an analysis of the recommendations against the published Fire Standards.

It has also considered the draft Culture Action Plan produced by the NFCC. A copy of this has been circulated with the meeting papers or can be accessed online by [here](#)

The table below summarises the recommendations which have been directed to the Board or may have implications for it. Members can access the listed Fire Standard by following the respective links in the table.

Against each recommendation are the proposed actions for the Board to consider and discuss, and, if content, agree.

Some of the actions proposed are dependent on other bodies responding to the recommendations or legislation being enacted. Therefore, not all proposals can be acted upon immediately.

The NFCC in its Action Plan refers to its Safeguarding Board reviewing the Safeguarding Fire Standard. Clearly the responsibility for reviewing Fire Standards sits with the FSB. Therefore, it is proposed that the FSB responds to the NFCC requesting that the wording of their action plan makes clear that any comments from any such review are shared with the FSB to inform and support the formal review of the Safeguarding Fire Standard.

Direct Recommendations

Recc Number	Recommendation Detail	Fire Standard(s) Implicated	Observations and Considerations	Proposed Actions
8	<p>By 1 December 2023, the Fire Standards Board, in liaison with the National Fire Chiefs Council, should review the existing relevant standard(s) and underpinning guidance. It should:</p> <ul style="list-style-type: none"> clearly state the requirements for background checks undertaken by services. clarify the minimum requirements (including levels of DBS checks) for all roles, particularly roles where staff have access to vulnerable members of the public. define the standards required to embed a culture across fire and rescue services that empowers all members of staff and local communities to report concerns; and be subject to review following any legislative change. 	<p>Safeguarding</p> <p>Leading the Service</p> <p>(How to Achieve – Should section points 10 C & D)</p>	<p>The published Safeguarding Fire Standard does not go into this level of detail. Normal protocol would be that this level of detail (background checks) would be referenced within guidance that would underpin the Fire Standard.</p> <p>The existing wording in the Fire Standard regarding checks required during recruitment activity within the Fire Standard may be sufficient, although the addition of “recruitment” to the 3rd para of the Outcome Statement may bring clarity.</p> <p>Changes to the Safeguarding legislation are in progress which will have implications and require action by Fire Authorities / Services. The NFCC are working with Government in this regard.</p>	<ul style="list-style-type: none"> Review the Safeguarding Fire Standard once NFCC consultation is complete and new legislation is passed. (approx. Autumn 2023, subject to Government approval) Expected to meet 1st Dec 2023 deadline

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			<p>The current NFCC Safeguarding Consultation will potentially bring clarity about legislation and lead to guidance for services being developed which will then enable the Board to take a decision.</p> <p>The NFCC Safeguarding Board are key stakeholders in the work to review the Fire Standard.</p>	
11	By 1 December 2023, the Fire Standards Board, in liaison with the National Fire Chiefs Council, should review the existing relevant standard(s) and supporting guidance to clearly state how services should handle staff disclosures, complaints and grievances.	<p>Leading and Developing People</p> <p>And</p> <p>Leading the Service</p>	<p>Existing wording in Leading and Developing People may cover this point, but it may need emphasis through communication and engagement with services.</p> <p>In the “How to Achieve” section, point 13. States services <u>must</u>:</p> <p><i>have performance management processes in place to effectively manage and learn from:</i></p> <p><i>a. appraisals, grievances and disciplinary procedures.</i></p>	<ul style="list-style-type: none"> • Review wording of Leading and Developing People to enable a decision about whether more clarity is required. • Leading the Service – review the wording within the “How to Achieve” section referring to grievances / appraisals (point 13 a) • Liaise with the NFCC as they consider their actions in response to this recommendation.

Recc Number	Recommendation Detail	Fire Standard(s) Implicated	Observations and Considerations	Proposed Actions
			Wording within Leading the Service may need to be reviewed to strengthen the responsibilities for leaders.	<ul style="list-style-type: none"> Expected to meet 1st Dec 2023 deadline
13	<p>By 1 December 2023, the Fire Standards Board, in liaison with the National Fire Chiefs Council, should review the existing relevant standard(s) and supporting guidance to clearly state how services should handle misconduct and safeguarding-related allegations and outcomes. These should include requirements to:</p> <ul style="list-style-type: none"> conduct and complete investigations, whether or not the staff member under investigation leaves. consider whether the incident requires immediate dismissal. provide training for staff who are carrying out investigations; and ensure the diversity/neutrality of the investigation panel/person. 	<p>Leading and Developing People</p> <p>Leading the Service</p> <p>Safeguarding</p>	<p>It is suggested that the wording of this recommendation requires clarity from HMICFRS as it is unclear whether the recommendation applies to all cases of misconduct or just those relating to safeguarding related allegations.</p> <p>Again, normal protocol would be that this level of detail (handling misconduct cases) would be referenced within guidance that would underpin the Fire Standard.</p> <p>Existing wording in Leading and Developing People may address this requirement.</p> <p>In the “How to Achieve” section, point 13. States services <u>must</u>:</p>	<ul style="list-style-type: none"> Clarify wording of recommendation with HMICFRS Review the wording of the Leading and Developing People, Leading the Service and Safeguarding Fire Standards Consider whether we have appropriate wording relating to responsibilities for managing disciplinary cases (both process and responsibility for) Specific review should focus on the existing wording in the “How to Achieve” section 5a - d of Leading and Developing and People

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			<p><i>have performance management processes in place to effectively manage and learn from:</i></p> <p><i>b. appraisals, grievances and disciplinary procedures.</i></p> <p>The wording of the Safeguarding Fire Standard may need to be reviewed once the changes to the legislation are in place and the implications of that in relation to handling misconduct are understood.</p>	<ul style="list-style-type: none"> • Expected to meet 1st Dec 2023 deadline

Indirect Recommendations with Implications

Number	Recommendation Detail	Fire Standard(s) Implicated	Observations and Considerations	Proposed Actions
1	By 1 October 2023, chief fire officers should make sure their services provide a confidential way for staff to raise concerns and that staff are aware of whistleblowing processes.	Leading and Developing People Safeguarding	No specific reference to Whistleblowing is currently within either Leading and Developing People or Safeguarding. However, again this level of detail is not normal protocol for the wording of Fire Standards.	<ul style="list-style-type: none"> To clarify actions the NFCC may be taking in relation to guidance for whistleblowing and consider implications for wording of the Fire Standard.
6	By 1 January 2024, the Home Office, working with the Ministry of Justice, should make sure that the Government incorporates fire and rescue authority employees within the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 so that they are eligible for the appropriate DBS checks.	Safeguarding	This is not included in the Safeguarding Fire Standard. New legislation will need to be listed once enacted.	<ul style="list-style-type: none"> Check for correctly referencing legislation once enacted.
7	By 1 May 2024, the Home Office, working with the fire and rescue sector, should make sure that the Police Act 1997 (Criminal Records) Regulations 2002, or a similar appropriate legislatively enabled solution, makes detailed provisions for fire and rescue services.	Safeguarding	This is not included in the Safeguarding Fire Standard. New legislation will need to be listed once enacted.	<ul style="list-style-type: none"> Check for correctly referencing legislation once enacted

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9	<p>By 1 January 2024, chief fire officers should:</p> <ul style="list-style-type: none"> immediately review their current background checks arrangements, and make sure that suitable and sufficient background checks are in place to safeguard their staff and communities they serve; and make sure that appropriate DBS check requests have been submitted for all existing, new staff, and volunteers, according to their roles as identified by the Fire Standards Board. 	Safeguarding	<p>The Safeguarding Fire Standard does not go to this level of detail.</p> <p>The last bullet point does not accurately reflect the role of the FSB and requires challenge.</p>	<ul style="list-style-type: none"> Actions on previous recommendations relating to safeguarding cover actions required (See recommendations 6 and 7) Discuss at Board and agree best course of action with regards to the wording of the recommendation's final bullet point.
12	<p>By 1 March 2024, chief fire officers should provide assurances to HMICFRS that they have implemented the standard on staff disclosure, complaint and grievance handling.</p>	None currently	<p>This recommendation is linked, and reliant on, the conclusions to recommendation 11.</p>	<ul style="list-style-type: none"> Consider once recommendation 11 is addressed.
16	<p>By 1 October 2023, the National Fire Chiefs Council should develop and manage a national barred list that holds details of staff who have been dismissed for gross</p>	None currently	<p>The responsibility for the barred list may have implications for the FSB in future should this</p>	<ul style="list-style-type: none"> Check the response of the NFCC and report back to Board.

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	<p>misconduct (including staff who have already left services). It should ensure that this list is referred to in all appointment processes to prevent those who are barred from re-joining another service. After the College of Fire and Rescue has been established (see recommendation 25), it should take responsibility for managing the list.</p>		<p>recommendation be accepted and acted upon.</p>	
17	<p>With immediate effect, chief fire officers should notify HMICFRS of any allegations that have the potential to constitute staff gross misconduct that:</p> <ul style="list-style-type: none"> • involve allegations of a criminal nature that have the potential to affect public confidence in FRSS. • are of a serious nature; or • relate to assistant chief fire officers or those at equivalent or higher grades. 	<p>Potentially</p> <p>Leading and Developing People</p> <p>Leading the Service</p>	<p>Not included in any Fire Standard as this is a new proposal for action.</p> <p>It is unclear how this recommendation will be addressed at this stage, but should it become an ongoing requirement (rather than a one-off activity), then the Board may wish to consider any implications for Fire Standards.</p> <p>Clarity about the activity being undertaken by the NFCC needs to be understood. Any new</p>	<ul style="list-style-type: none"> • FSB to discuss whether they agree there may be implications for the Leadership and People Fire Standards. • FST to check action being taken by NFCC and report back to Board.

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			<p>guidance may need to be referenced within Fire Standards.</p> <p>The main Fire Standards which may be affected is the Leading and Developing People Fire Standard.</p>	
27	By 1 June 2023, chief fire officers should make sure their equality impact assessments are fit for purpose and, as a minimum, meet the requirements of the National Fire Chiefs Council equality impact assessment toolkit.	Leading and Developing People	<p>No direct mention in the Leading and Developing People Fire Standard, but it is implied.</p> <p>A link to the NFCC Equality Impact Assessment Toolkit is already included in the supporting Information section of the standard.</p>	<ul style="list-style-type: none"> • Review the “How To” section of the Leading and Developing People Fire Standard. Is there a need to explicitly direct services to the toolkit within that section? • The FST to consider whether the peer review approach and consultation questions provide adequate consideration of equality impact when developing Fire Standards (check whether the NFCC EQIA toolkit can be used effectively for Fire Standards)

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28	By 1 June 2023, chief fire officers should review how they gather and use equality and diversity data to improve their understanding of their staff demographics, including applying and meeting the requirements of the National Fire Chiefs Council equality, diversity and inclusion data toolkit.	Data Management Potentially - Community Risk Management Planning	<p>The Data Management Fire Standard does not go into this level of detail.</p> <p>Clarity on the wording of this recommendation may be required to understand any implications for using EDI data to inform Community Risk Management Planning.</p> <p>NFCC guidance (the toolkit mentioned) is optional, and services are not currently mandated to use the toolkit.</p> <p>As a result of publishing the Data Management Fire Standard, it was observed that no national data set is in place.</p>	<ul style="list-style-type: none"> • Gain clarity on the wording of this recommendation and the scope of it. (Is it just to inform understanding of staff or communities also?) • If use of community data is also required, then consider implications for CRMP Fire Standard. • Review whether the link to the NFCC EDI Toolkit is included in the Supporting Information section of the Data Management Fire Standard. • Check the actions being taken by NFCC and services in responding to this recommendation.