

Item Number	Item 6 – Paper 3
Title of Paper	NFCC Response to HMICFRS Misconduct Review
Decision or Information	For discussion and decision
Date of Meeting	9 th September 2024
Presented by	Mark Hardingham
Attachments	None

Summary

Board member Mark Hardingham has set out some areas of context that he would like to discuss at the upcoming FSB meeting. This is shared in this form, rather than a formal paper, to enable colleagues to give the subject some consideration before the meeting.

Context

- Issues of Culture, Inclusion and Misconduct have become an increasingly significant matter for FRS in recent years and this reflects the societal focus across many organisations
- Whilst they are strongly linked, an organisational culture of inclusion; and misconduct are also two separate matters
- There are various reports that have been widely read. These reports cover both organisational culture and misconduct. It is the issues of misconduct, the handling of them, and the over tolerance of them, that have often been the catalyst for the focus on an FRS
- Whilst reports go back several years, the most recent report has been the HMICFRS Misconduct report. The report makes many recommendations about how FRS, and other bodies should better deal with misconduct both strategically and tactically
- The recent Home Affairs Select Committee hearings, chaired by the now Police, Crime and Fire Minister, took evidence from a wide range of people across the different parts of the FRS. The Committee published a letter to the Home Secretary setting out their concerns at the conclusion of the hearings. It is expected that once new committee appointments are made that they will revisit the matter

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- The new Police, Crime and Fire Minister has already made clear her intent to focus on culture, inclusion and misconduct in FRS
- The FSB responded to the HMICFRS Spotlight report by adjusting three standards to better reflect the findings of the report. These recommendations have now been discharged
- There are no recommendations in the Misconduct report that are directed to the FSB
- The handling of Misconduct is broadly set out in FRS terms and conditions. The standard would need to be cognisant of this and the extent of its roles and responsibilities
- The new Government have previously spoken about the need for improved standards in the FRS, albeit the extent and the detail of this remains unclear

Discussion

- The FSB should consider the Misconduct thematic and, in the absence of any clear recommendation should still consider if there is a need to respond
- The FSB discussed this at the last meeting when the HMICFRS attended
- There are a range of ways the FSB might respond. Some suggestions for consideration have been set out below:
 - The FSB might agree to consider the establishment of a Misconduct fire standard. This would sit most closely alongside existing standards on Leadership, Code of Ethics and Safeguarding
 - The FSB might agree to consider how issues of misconduct should be better represented in existing fire standards, either as an exceptional review or as part of the routine review of standards
 - The FSB might agree that misconduct is already suitably enshrined in the existing standards, and that improved guidance in support of standards is the preferred approach

Conclusion and Recommendations

To frame the discussion, I have set out my initial view but would welcome discussion at the Board for further perspectives. My view is we should, at the very least, commission work to look at this in more detail; engage a broader range of stakeholders; draw from the evidence in recent reports; engage those from under-represented groups and those with lived experience; look outside of the FRS sector for good practice in misconduct standard; and bring back a further proposal to the FSB.

I think that Ministers, who have established the Board, would expect us to do that. I think there is an opportunity, either through a new standard or through further detail in existing standards, to set out a better and more strategic narrative that encapsulates expectations and good outcomes in relation to misconduct handling.