

1. Introduction

- 1.1 The National Fire Chiefs Council (NFCC) is pleased to submit written evidence to the House of Commons Public Bill Committee on the English Devolution and Community Empowerment Bill.

2. Background

- 2.1 NFCC is an independent membership association comprised of a council of Chief Fire Officers and is the professional voice of the UK fire and rescue service (FRS). We are a charity, and our overarching aim is to lead, support and coordinate prevention, protection, resilience and emergency response across FRS so that they can meet changing demands and keep communities safe. NFCC has a unique role in representing FRS at a national level and leads on driving improvement and development throughout FRS, while supporting strong leadership.
- 2.2 The Chair of NFCC acts as advisor to the Fire Minister. The NFCC works closely with the Ministry of Housing, Communities and Local Government (MHCLG), fire professionals, and partners such as the Local Government Association and the Association of Police and Crime Commissioners. NFCC represents fire and rescue in a range of Government and sector forums and provides advice to ministers in England during major incidents.

3. Overview

- 3.1 NFCC welcomes the Government's commitment to extend devolution across England through the establishment of new Mayoral Combined Authorities and Combined County Authorities.
- 3.2 NFCC recognises the significant opportunities that devolution presents, including the potential to integrate local services and infrastructure more effectively and to enhance public safety. Evidence from existing arrangements, such as Greater Manchester and North Yorkshire, demonstrates that devolution and the adoption of a Mayoral model can deliver positive outcomes for fire and rescue services.
- 3.3 NFCC considers that the primary focus for fire and rescue services during devolution developments should be on delivering improved public safety, supported by robust and effective governance arrangements. At the same time, NFCC acknowledges that devolution presents certain challenges, including those related to funding, resourcing, and managing the transition to new governance structures.

4. Essential considerations to ensure devolution positively impacts on public safety and the delivery of effective and efficient fire and rescue services in local communities

- 4.1 To assist the Parliamentary Bills Committee, NFCC have set out below, a range of matters that we consider essential to enable the effectiveness and efficiency of our FRSs moving forward. These matters are raised not to slow or undermine the progress but to provide insight on what matters to the sector and the things we feel are important when implementing these governance changes.
- 4.2 These matters are not a reflection on the arrangements in place in any area which has already transitioned, the views are very much informed by our previous experiences of good and poor governance and what works.

5. Operational independence

- 5.1 Irrespective of the governance the role and responsibilities of the Chief Fire Officer (CFO) must be clearly defined. This definition should be captured within legislative change or within the revision of the National Framework (the latter accepting the challenges and timescales associated with legislative change).
- 5.2 This clear and unambiguous position should then set out the roles and responsibilities of the CFO and those of the employer/authority (political governance). In doing so the definition must recognise the operational competencies required to fulfil the role and the role of the CFO in managing and holding responsibility for the associated risks. It is after all the CFO who will be required to attend an Inquiry in the event that something goes wrong.
- 5.3 This independence on operational matters should be an absolute in the authority's scheme of delegation.
- 5.4 The CFO should be recognised for the operational competencies they hold, and they must be allowed to run their fire and rescue services effectively and efficiently to meet the priorities and commitments within the Community Risk Management Plan. The Fire Authority (in the form of the Mayor or equivalent) quite rightly should hold the CFO to account for its delivery. What is important is a clear demarcation of roles and responsibilities.
- 5.5 Clarity on the demarcation provides important protections for both the Chief Fire Officer in the day to day operational running of their service, and for the fire and rescue authority with their focus on governance and oversight.
- 5.6 It is NFCC's view that clarity on the delegations can be made clear in the revisions to the National Framework, with an agreed scheme of delegation

appended to the Fire and Rescue National Framework for England and referenced within the English Devolution and Community Empowerment Bill.

6. Fire funding

- 6.1 NFCC is of the view that FRS funding should be ringfenced in the wider MHCLG budgets, in a manner comparable to police funding in the Home Office. Where relevant, we also consider it vital that it be ringfenced and published within local authority budgets. This will support financial stability, service resilience and transparency to the communities that FRSs serve.
- 6.2 We recognise that both Greater Manchester FRS and North Yorkshire FRS in their devolution arrangements have effective transparency arrangements in place that require the mayor to publish the fire budget and to publicly consult with the scrutiny panel over any plans to change that budget in-year. This has the effect of giving fire budgets some protection. We would ask that at the very least these transparency arrangements are included in the English Devolution and Community Empowerment Bill and apply to all future devolution transfers.
- 6.3 Alongside this, we believe that Council Tax flexibility is crucial to enabling financial stability and sustainability, while giving our communities a say in the funding for their FRS. The flexibility would also enable any Council Tax equalisation to be managed over a reasonable period.
- 6.4 NFCC would like to highlight to the House of Commons Public Bill Committee the potential for inequitable funding arrangements to develop. The extension of mayoral authority governance with the associated council tax flexibilities has the potential to create a funding gap across the sector. This would result in non-mayoral authority fire and rescue services being unable to keep pace with others, ultimately fettering improvement at a local level and reform on a national scale.
- 6.5 We would ask that this is recognised by the House of Commons Public Bill Committee, and the same flexibilities are afforded across all governance models, noting the government's desire to move to a single governance arrangement.

7. Funding the devolution transition

- 7.1 NFCC is concerned about the potential upfront costs that FRSs may incur as part of the Government's devolution programme. The scale and impact of the transition must not be underestimated, and it is vital that the costs are met in full for all affected organisations, including FRSs. Without this, there would likely be an impact on service delivery.

7.2 County Council CFOs have also raised concerns that the proposed changes may result in funding being directed away from the fire and rescue service on the basis that the governance is due to change. This disinvestment should be challenged at all levels.

8. Service cultures and the impact of devolution

8.1 In all cases, the impact of uncoupling from existing organisational and governance structures will be considerable. For those areas that would require FRS mergers, aligning policies, procedures, training, equipment, and operational frameworks across two or more FRSs will be complex and onerous.

8.2 Additionally, the bringing together of two or more distinct organisational cultures will be a significant task, requiring careful management and dedicated resources. Without these resources and a genuine focus on creating a new, cohesive organisation, the transition risks undermining the important ongoing work in services to improve culture.

9. Mayoral powers and Deputy Mayors

9.1 We recognise the importance of good governance and understand that it can be delivered under a variety of governance models.

9.2 NFCC believe there is a strong case for a single, identifiable, individual acting in the role of deputy mayor for fire and rescue, to provide single point accountability and act as the community's voice for fire and rescue.

9.3 Greater Manchester and North Yorkshire FRSs have both reported the benefits of having a deputy mayor for fire, as a single, identifiable individual, providing single point of political accountability for fire and rescue.

9.4 While the Bill identifies that where a mayor does exercise PCC functions, the Bill will ensure that they appoint a Deputy Mayor for Policing and Crime for each force area in which they exercise those functions. There is no specific reference in the Bill around appointing a Deputy Mayor for Fire and Rescue, however there is reference to a Public Safety Commissioner. It is NFCC's view that the Bill should also ensure that a Deputy Mayor for Fire and Rescue or equivalent is also appointed. We would also ask that arrangements are put in place to ensure that the role is subject to scrutiny to ensure the views and opinions of the public are recognised and met.