



Emergency Services Collaboration
Consultation
Police Strategy and Reform Unit
6th Floor Fry Building
2 Marsham Street
London
SW1P 4DF

12 October 2015

Dear Sir/Madam

Re: County Council response to the “Enabling closer working between the Emergency Services” consultation

Thank you for the opportunity to comment on your proposals to enable closer working between the Emergency Services.

Local authorities, although not defined as an “emergency service,” provide a number of services that work very closely with the emergency services to provide for safer communities. Any measures to promote closer working and joint governance between emergency services must not have the effect, however unintentional, of excluding or marginalising the services provided by local authorities.

In Kent, we have recently established a Joint Kent Community Safety Team, where our staff are co-located (in Kent Fire and Rescue premises) with Kent Fire and Rescue Service and Kent Police personnel to deliver community safety work in a collaborative way, giving increased value for money for all three partners. This team was established with the full support of the Police and Crime Commissioner, the unitary and district councils throughout the county, and Public Health England. The number of partners involved demonstrates that it would be unduly restrictive to think only in terms of joint or collaborative working between the three blue light services.

Furthermore, in Kent, we are reviewing all of our services to enable us to not only overcome the financial challenges we are facing, but to deliver a better

service for our residents and businesses alike. As part of that process we are looking at delivering services in different ways, building on synergies between services and working with partners where this delivers better value for money. We are quite clear that different services benefit from different approaches, so I welcome the fact that you propose to enable rather than prescribe closer working.

I note your examples of good practice across the country and I would highlight a particular example of joint working between KCC and the emergency services that we established in Kent in 2014. The county-wide emergency planning function is now carried out by a joint team of KCC, Kent Fire and Rescue Service and Kent Police personnel forming the Kent Resilience Team. The team works from a single site and has a single manager, who oversees a management team of one person from each of the three partners. This multi-agency model has not only produced significant savings but more importantly, enhanced the quality of the emergency response in Kent. Colleagues in the Ambulance Service, Environment Agency and others have a standing invitation to contribute to the work of the team, either on an ad hoc basis or by including some of their staff in the team. The team supports the Kent Resilience Forum, the statutory body bringing together all those with an emergency planning responsibility in the County.

Your proposals focus strongly on governance arrangements. It is our experience in Kent, illustrated by the examples above, that collaboration works best when there is a willingness, to work together at both the operational and management level, and that imposing complex governance arrangements can increase bureaucracy with little or no additional benefit to service delivery. I think that the focus of any measures to promote collaborative working should focus more strongly on removing any bureaucratic or organisational barriers and allow light touch governance arrangements to develop locally.

In response to your consultation questions, Kent County Council offers the comments below:

1. How do you think this new duty would help drive collaboration between the emergency services?

In our experience in Kent, collaboration works best where it is undertaken by willing partners who see mutual benefit in working together. Existing holding-to-account mechanisms, if operating effectively, should ensure that a positive attitude is taken to the possibility of joint working; however, we are unclear as to the further benefit would be obtained by imposing a legal duty to consider collaboration.

Allowing local decision makers the freedom and flexibility to determine the pace of change is essential but we understand that not all Fire and Rescue Authorities and Police Services are as advanced in their collaborative working arrangements as Kent or the examples provided in the consultation. We would not wish the new duty to hinder any other partnership work or collaboration in Kent involving these services.

2. Do you agree that the process set out above would provide an appropriate basis to determine whether a Police and Crime Commissioner should take on responsibility for fire and rescue services?

This proposal risks creating a patchwork of different governance arrangements across the country, with scope for public confusion about where accountability lies. In view of the relatively low level of public interest in Police and Crime Commissioners, as indicated by the turnout in 2012, we would not favour giving them additional powers at this point in time. A better solution where emergency services are working together would be some form of Joint Governance Board, which could include not just the three emergency services, but others including local authorities, who are a vital part of the total service provision. However, as above, such governance arrangements should be down to local services to design and implement rather than imposed.

3. Do you agree that the case for putting in place a single employer should be assessed using the same process as for a transfer of governance?

No comment

4. What benefits do you think could be achieved from empowering Police and Crime Commissioners to create a single employer for police and fire and rescue personnel, whilst retaining separate frontline services, where a local case has been made to do so?

Before this question can be answered, there should be clarity about whether the aim is to create a single front line service providing three functions, or three services working together. If it is the latter, the creation of a single employer would undermine that goal as each partner would lose their individual identity. In Kent, we appreciate the value that the brand identity the Fire and Rescue Service has with the public and in particular, in reaching hard-to-engage groups.

However, there is potential for combining back-office functions (and this need not be limited to the three emergency services) under a single employer. If back office staff have a single employer, they can more easily provide an integrated service and it would allow for easier commissioning of those

services. Furthermore, there could be potential for more joined up procurement of vital equipment and support services under this model.

5. Do you agree that the requirement for a chief officer to have previously held the office of constable should be removed for senior fire officers?

We would certainly advocate having the person with the most appropriate skillset for the role. As such, this does not necessarily mean that the Chief Officer would need to have held the office of constable previously, and we would agree that this requirement should be removed for senior fire officers. Indeed, in Kent we do have a well-respected Chief Executive responsible for Kent Fire and Rescue Service who does not possess a fire officer background.

6. How do you think the requirement for a Police and Crime Commissioner to have access to an informed, independent assessment of the operational performance of the fire service should best be met?

If it is decided to give PCC's oversight of the Fire and Rescue Service, then they should have access to independent assessments of the service in the same way that they are currently able to ask HMIC for advice on policing matters.

7. Do you agree that where a Police and Crime Commissioner takes responsibility for a fire and rescue service, the Police and Crime Panel should have its remit extended to scrutinise decision making in relation to fire services?

If a PCC is to have their powers extended in any way then Police and Crime Panels should have a review and report function in relation to those additional powers.

8. Do you think that where a Police and Crime Commissioner takes responsibility for a fire and rescue service, the Police and Crime Panel should have its membership refreshed to include experts in fire and rescue matters?

The basis of Police and Crime Panels is that locally elected representatives provide a means of reviewing and reporting on the activities of the Police and Crime Commissioner. Their role is not to be "expert" in policing matters so it does not necessarily follow that it should have its membership refreshed to include specific expertise in fire matters. Currently the panel receives expert advice in policing by officers and the same process could be applied to fire matters should it be necessary in future.

9. Do you think that where a Police and Crime Commissioner puts in place a single employer for fire and rescue and police services personnel, complaints and conduct matters concerning fire should be treated in the same way as complaints and conduct matters concerning the police?

The Home Office is currently reviewing police complaint procedures and the role of PCCs within that procedure. Until that review has been completed and the outcome established, it is not possible to comment on whether extending similar arrangements to the Fire and Rescue Service would be appropriate or effective.

10. Do you agree that Police and Crime Commissioners should be represented on fire and rescue authorities in areas where wider governance changes do not take place?

Fire and Rescue Authorities should work in partnership with Police and Crime Commissioners (and other partners); however to include PCCs on fire authorities without governance changes would confuse the role of holding to account with partnership working. We would strongly recommend that any governance changes would be best left to local decision makers to determine.

11. Do you agree that the London Fire and Emergency Planning Authority should be abolished and direct responsibility for fire and rescue transferred to the Mayor of London?

No comment

12. In the event that the London Fire and Emergency Planning Authority is abolished, how should responsibility for fire and rescue be incorporated into the mayoral structure?

No comment

13. To what extent do you think there are implications for local resilience (preparedness, response and recovery) in areas where the Police and Crime Commissioner will have responsibility for police and fire?

I refer to our earlier comments about the Kent Resilience Team. The team has already worked successfully in response to a number of emergencies; most recently, the widespread travel disruption over the recent summer months in Kent resulting from the issues across the Channel. This multi-agency team has

collaboration and partnership in its ethos, reflecting the true principles underlying your proposals.

14. To what extent do you think there are implications for resilience responsibilities in areas where an elected metro mayor is also the Police and Crime Commissioner and responsible for the fire and rescue service?

No comment

15. Are there any other views or comments that you would like to add in relation to emergency services collaboration that were not covered by the other questions in this consultation?

The NHS Ambulance Trusts will also have the opportunity to respond to the consultation. The nature of urgent and emergency services means that the systems of coordination between urgent and emergency medical care services are complex. We would strongly recommend that the proposals respond to the challenges of greater coordination between police and fire services with ambulance services where this can enhance service delivery.

16. Do you think these proposals would have any effect on equalities issues?

We are not aware of any effect the proposals would have on equalities.

As a final point; I would like to take the opportunity to reiterate that in Kent, closer collaboration and operational efficiencies have not been hampered or hindered by the current governance arrangements.

Given Kent's strong track record in multi-agency working, we would welcome the opportunity to work more closely with the Government in exploring how the proposals might be effectively delivered.

This response has been endorsed by KCC's Cabinet

Yours sincerely

Mike Hill, OBE
Cabinet Member for Community Services