



Northumberland

County Council

COMMITTEE: CABINET

DATE: 25TH JANUARY 2022

TITLE OF REPORT: Update on Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) Round 2 Inspection report into Northumberland Fire and Rescue Service (NFRS)

Report of Chief Fire Officer: Paul Hedley

Cabinet Member: Cllr Colin Horncastle Portfolio Holder for Community Services and Fire Authority Chair

Purpose of report

The purpose of the report is to update Cabinet on the findings of Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) following the publication of the second inspection report into Northumberland Fire and Rescue Service on December 15th, 2021. This report covered the period of inspection and assessment from 14th June – 5th August 2021.

A previous briefing report was provided to Cabinet in October 2021, after the pre-publication draft HMICFRS report had been received by NFRS on 27th September 2021.

Recommendations

Cabinet is asked to:

- Note the content of the report
- Invite further reports and/or presentations as necessary to provide assurance on the progress being made against the findings of the report and areas for improvement

Link to Corporate Plan

The principal areas of relevance this report has to the priorities within the NCC Corporate Plan 2018-2021 are;

- "We want to be efficient, open and work for everyone" (**How**)
- "We want you to feel safe, healthy and cared for" (**Living**)
- "We want you to achieve and realise your potential" (**Learning**)
- "We want to make a difference" (**Successes measures**)

1.0 Synopsis

1.1 HMICFRS published the second report into Northumberland Fire and Rescue Service's effectiveness, efficiency, and people on 15th December 2021. NFRS received an embargoed pre-publication copy of the final report on 14th December along with the HMICFRS feedback from the factual accuracy check which was submitted by NFRS on 8th October.

1.2 The factual accuracy check submitted to HMICFRS on the 8th October contained 29 areas of response which broadly covered areas linked to;

- The extension of the 2017-21 Integrated Risk Management Plan (IRMP)
- Risk Profiling
- Grenfell response plans
- Working with partners
- NFRS People Strategy, and,
- The Cause for Concern

1.3 Of the 29 areas of response submitted by NFRS,

- 10 were Accepted
- 11 were Partially Accepted, and,
- 8 were Not Accepted.

Disappointingly, the challenges made in relation to the extension of the IRMP, risk profiling and the cause for concern were rejected.

1.4 The overall findings of the second HMICFRS inspection are that NFRS continues to **Require Improvement** against the three-inspection pillar gradings of Effectiveness, Efficiency and People.

1.5 The 2021 Report contained 25 Areas for Improvement.

2.0 Comparison to 2019 Report

2.1 Following a thorough review and assessment of the pre-publication report by the NFRS Service Leadership Team (SLT) and the HMICFRS Service Liaison Officer, it was the service's view that although the draft pillar gradings currently remain the same, this was a significantly more positive and balanced report than that received in 2019.

Positive Headlines from the Report Pillar Summaries

- *NFRS has improved its effectiveness*
 - *It has made progress against most of the AFIs from 2019*
 - *We saw improvements in the way it protects the public*
 - *We saw good use of data to create risk profiles*
 - *We found NFRS to be moving in a positive direction*
 - *[NFRSs} Financial management is generally good.*
 - *NFRS has made good use of reserves*
 - *We saw improved resourcing of service's prevention, protection and response functions.*
 - *The service collaborates with the county council and other fire and rescue services*
 - *We are pleased with how well NFRS manages its fleet and estates*
 - *We were pleased that the service has made changes to improve its culture*
 - *The service has got better at ensuring it has the right people with the right skills*
 - *The service is moving in the right direction to improve how it looks after its people*
- 2.2 HMI Andy Cooke stated in his introductory summary to the 2021 report that, "*The service has made significant improvements since our last inspection in 2019*", and the HMI Northern Area Chief of Staff also stated during a Teams call to CFO Hedley, "*for the avoidance of doubt, it is very clear that NFRS is an improving service*".
- 2.3 With regard to the 11 diagnostic areas of inspection., NFRS retained the *GOOD* assessment for 'Responding to major and multi-agency incidents' and moved from a 2019 position of Requires Improvement to *GOOD* on the 'Protecting the public through fire regulation'. All other diagnostics remain Requires Improvement
- 2.4 A comparator between the Effectiveness, Efficiency and People chapter summaries is attached as Appendix A

3.0 Cause for Concern

- 3.1 Following the 2021 inspection, NFRS was in receipt of one Cause of Concern (CoC) letter from HMICFRS regarding rest periods for staff operating a dual on-call / wholetime contract. NFRS already have a policy on managing dual contract working, which is low frequency and considered to be low risk, but the HMICFRS inspection identified that the process for monitoring and recording dual contract working was not as effective nor robust as required.
- 3.2 The CoC was referenced as a priority issue for NFRS to address within the Rd2 report, with NFRS required to have a plan to address the CoC formulated by 31st December 2021 and a solution introduced by 31st March 2022.
- 3.3 Although NFRS challenged the issuing of the CoC, whilst awaiting formal confirmation of whether the challenge would be successful simultaneous activity was undertaken to introduce robust and resilient means for tracking dual contract staff activity to ensure that their health, safety, and welfare was more effectively managed. Importantly, there was also a major change of emphasis from individual responsibility to highlight times when personnel may feel fatigued to a system which placed that personal responsibility safeguard at the end of a hierarchy of actions.
- 3.4 After a review of evidence, NFRS determined not to solve the CoC issue via a blanket ban on dual contract availability prior to day shifts as this would have reduced operational availability significantly;
- a. 19 occasions when fire appliances unavailable to respond to an incident
 - b. 25 occasions when the station 4x4 vehicle would have been unavailable to support the appliance mobilisation
 - c. 15 occasions when an appliance would have been reduced to a crew of 3 staffing resulting in the appliance only being available to mobilise to low-risk incident types or proceed as a supplementary crew make up.

The loss / reduction of appliance and support vehicle availability equates to **30% of the on-call incident mobilisations** between 23.00 and 07.59 for the 12-month reference period.

- 3.5 Between 00.00 and 07.00 from 1st June 2020 – 31st May 2021 it was identified that there were only **15 occasions** when staff would have attended for on an operational duty shift after an on-call mobilisation.
- 3.6 NFRS has therefore introduced the following safeguarding measures to address the CoC;
- Fire Control now monitor all on-call mobilisations to determine whether a dual contract member is on the crew. If they are the staffing rotas are checked to see if the individual is due onto a 08.00 or 18.00 wholetime duty shift.

- A visual prompt is displayed for on-call mobilisations on the Fire Control operators' display screen.
- Any dual contract member of staff who is at an incident for more than 1 hour and is due on call in the wholetime roll is identified and told not to report for duty. They are given a delayed start time to ensure suitable periods of rest are provided. The NFRS Duty Manager and the individuals Line manager are notified.
- Full details of the incident, individuals and mitigations are now recorded within Fire Control.
- A Dual Contract Task-card has been designed and issued to all Flexi Duty Officers (FDO) within the service. This Task-card will be invoked where a Station Manager is mobilised to any operational incident or protracted event to outline actions to be taken in relation to any dual contract staff in attendance.
- NFRS HR-PO-006 Rest Period Policy has been updated and revised.
- Six separate dual contract staff engagement sessions have been ran by ACFO McNeill to ensure the new procedure is fully understood and embedded.
- A note has been placed on every dual contract staff member's Personal Record File.
- Engagement with staff across the service has been undertaken to raise awareness of the new procedures.

3.7 The new procedures have been tested at several significant incidents and challenging operational circumstances since their introduction – including for the full Strom Arwen response – and have been shown to have fully captured all dual contract personnel mobilised.

3.8 Longer term NFRS intends to provide further mitigations to add resilience to the actions already taken by increasing the on-call establishment, reducing the number of dual-contract personnel and introducing an integrated staffing software system which will allow automatic management of the issue.

3.9 Initial feedback to HMICFRS was provided orally by Assistant Chief Fire Officer (ACFO) McNeil on Monday 29th of November when he fully outlined the CoC safeguarding processes that Northumberland Fire and Rescue (NFRS) has invoked since 1st of September 2021 during the Teams call with Alan Bell (HMICFRS Service Liaison Lead for NFRS). This was followed up with a more detailed call and explanation with Alan Bell on Friday 7th January 2022. Feedback from HMICFRS has been very positive and all relevant documentation to evidence the new procedures and polices has been provided.

3.10 A CoC panel discussed several CoCs issued during the Tranche 1 inspection phase – including NFRSs - on 12th January. Feedback from Alan Bell was that the measures taken were well received and were considered to address all aspects of the CoC recommendations.

- 3.11 HMICFRS are keen to see how the measures embed within service over a longer period and have indicated that they would like to send a small assessment team in early March to review the process, assess the evidence to date and interview dual contract, managers and Fire Control.
- 3.12 A provisional date of 9th/10th March has been requested by HMICFRS for the facilitation of a formal review prior to a decision being taken on the formal discharge of the CoC.

4.0 Additional Support

- 4.1 Following the pre-publication draft report being received on Monday 27th September the NCC Leader requested a short external review of the CFC together with a review of associated staffing and operational service delivery modelling.
- 4.2 Several potential candidates to undertake this project were identified and provided to the Chief Executive for consideration.
- 4.3 A preferred candidate has been identified and discussions are progressing to scope out the review prior to engagement with CFO Hedley and the NFRS senior leadership team.

5.0 Responding to the Report and Areas for Improvement

- 5.1 Positively, of the 25 AFIs identified in the 2021 report, it is the view of the NFRS Service Leadership Team (SLT) that the Areas for Improvement are.
- not considered to be substantial and requiring notable change to existing service delivery models.
 - they have not introduced any improvement areas which the service was not aware of;
 - they do not require any adjustment of the current continuous improvement roadmap, and,
 - in most cases the AFIs are already in receipt of service attention, planning and/or action.
- 5.2 Progression of the AFIs contained in the final version of the HMICFRS 2021 report will be managed and quality assured via the new NFRS Performance Assurance Framework (PAF) and the Continuous Improvement Plan (CIP) governance model. This process has been subject to assurance review by NCC Internal Audit with a judgment that,

“Internal Audit is pleased to note the improvement made with the action plan documentation and can confirm that the governance arrangements have been significantly improved. The new Continuous Improvement Plan (CIP) and Plan on a Page will capture all of the relevant information, provide

clear links to the source of the improvement action plan along with evidence of action taken.”

”This process should ensure that the CIP continues to be up to date and managing the current and priority improvement initiatives of NFRS.”

- 5.3 The Areas for Improvement have already been uploaded into the CIP and the PAF process has been demonstrated to Deputy Chief Executive McEvoy-Carr by DCFO Binning and Deb Brown (Strategic Performance, Risk and Policy Officer). Arrangements are in progress to demonstrate the PAF / CIP more widely across the Authority.

Implications

Policy	<p>It is not envisaged that delivery of the continuous improvement plan (CIP) will have any impact on NCC policy.</p> <p>Specific NFRS policy documents may require development or amendment to reflect any changes required but none have been identified at this pre-publication stage.</p>
Finance and value for money	None identified at this stage. Potential for a transformation bid to be submitted to improve staffing data systems and platforms.
Legal	Addressing the Areas for Improvement which are included in the final version of the HMICFRS Rd2 report will support and assure the Fire Authority in delivering its responsibilities under the Fire and Rescue Services Act 2004 and other associated legislation, including the Civil Contingencies Act 2004, the Regulatory Reform (Fire Safety) Order 2005 Act and health and safety legislation.
Procurement	None identified although that may change as HMICFRS Areas for Improvement are addressed in more detail through the PAF / CIP.
Human Resources	<p>NFRS have amended HR-PR-006 Rest Period Policy as a direct result of the Cause of Concern.</p> <p>No other HR specific issues have been identified at this stage.</p>
Property	None Identified.
Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	<p>A full EIA will be conducted on any policy required to meet the recommendations and AFIs contained in the final published version of the report.</p> <p>An EIA has been produced for HR-PR-006 Rest Period Policy</p>
Risk Assessment	An overarching assessment of the risks associated with delivering the continuous improvement plan developed to address the recommendations and AFIs will be included in the NFRS strategic risk assessment
Crime & Disorder	None identified at this pre-publication stage.
Customer Consideration	None identified at this pre-publication stage.
Carbon reduction	None identified at this pre-publication stage.
Health and Wellbeing	None identified at this pre-publication stage.
Wards	None identified at this pre-publication stage.

Background papers

HMICFRS report of Northumberland Fire and Rescue Service (received December 2021)

Report sign off.

Authors must ensure that officers and members have agreed the content of the report:

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Monitoring Officer/Legal	Suki Binjal
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Appendix 1

Comparator between 2019 and 2021 HMICFRS Report Chapter Summary Narratives	
<p>2019 – Effectiveness Positive Comments</p> <ul style="list-style-type: none"> • <i>The service understands its risk and has an integrated risk management plan (IRMP), the Fire and Rescue Plan, which it updates annually and uses to determine priorities.</i> • <i>All main areas have their own departmental plans, and the service oversees them well.</i> • <i>The service’s response to national risk is good and it is the national lead on wildfires.</i> • <i>It takes the lead locally in training other agencies in Joint Emergency Services Interoperability Principles (JESIP).</i> 	<p>2021 – Effectiveness Positive Comments</p> <ul style="list-style-type: none"> • <i>NFRS has improved its effectiveness</i> • <i>It has made progress against most of the AFIs from 2019</i> • <i>Improved the way it protects the public</i> • <i>Good use of data to create risk profiles</i> • <i>NFRS is moving in a positive direction</i> <p>N.B. Re: 2019 Positive Comments NFRS has still been rated as GOOD for response to national risk, it is still the national lead on wildfires, and it is still the regional lead on JESIP.</p> <p>N.B. 2021 Report NFRS has also been rated as GOOD for protection of the public through fire safety</p>
<p>2019 – Efficiency Positive Comments</p> <ul style="list-style-type: none"> • <i>The service has a clear strategic intent to do more collaborative work.</i> 	<p>2021 – Effectiveness Positive Comments</p> <ul style="list-style-type: none"> • <i>Financial management is generally good</i> • <i>NFRS has made good use of reserves</i> • <i>Improved resourcing of service’s prevention, protection and response functions.</i> • <i>The service collaborates with the county council and other fire and rescue services</i> • <i>Pleased with how well NFRS manages its fleet and estates</i>
<p>2019 – People Positive Comments</p> <ul style="list-style-type: none"> • <i>More positively, the service’s awareness of the importance of mental health wellbeing is growing. It has blue light champions and offers a range of occupational and mental health services,</i> • <i>It updates its health and safety statement of intent annually</i> 	<p>2021 – People Positive Comments</p> <ul style="list-style-type: none"> • <i>Pleased that the service has made changes to improve its culture</i> • <i>The service has got better at ensuring it has the right people with the right skills</i> • <i>The service is moving in the right direction to improve how it looks after its people.</i> <p>N.B. Re: 2019 Positive Comments NFRS has enhanced the Occupational Health provision since 2019 and we continue to deliver effective mental health and wellbeing provision for staff.</p>