



Safest People, Safest Places

Human Resources Committee

26 November 2024

Options for addressing HMICFRS Recommendation relating to the provision of a Professional Standards Function

REPORT OF DIRECTOR OF PEOPLE AND ORGANISATIONAL DEVELOPMENT

PURPOSE OF REPORT

1. The purpose of this report is to highlight to the Human Resource Committee (HRC) a range of options which would address the recommendation relating to the provision of a Professional Standards Function highlighted in the recent His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) Standards of behaviour: The handling of misconduct in fire and rescue services report

BACKGROUND

2. Inspections carried out by His Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) of Fire and Rescue Services in England from 2018 onwards have highlighted cause for concern in several areas relating to the values and cultures of Fire & Rescue Services (FRSs).
3. Subsequently, in March 2023, HMICFRS published the 'Values and Culture in Fire and Rescue Services' spotlight report, which examined all 44 FRSs in England. The report focused on areas including bullying, harassment, discrimination, fairness, diversity, and reporting and handling of concerns and allegations of misconduct; examining what is working well, what needs to change and the barriers to making improvements. The report made thirty-five recommendations; nineteen of which directly related to actions which must be undertaken by Chief Fire Officers. Recommendation 4, within that report relates to handling of concerns and states:

'...Consideration should be given to creating a professional standards function to handle conduct concerns in service (or from an external service) to have oversight of cases, to make sure they are conducted in a fair and transparent way and to act as a point of contact for all staff involved.'

4. In August 2024, the HMICFRS issued a further report following a thematic inspection of ten fire and rescue services, to assess whether the recommendations within their March 2023 report had been actioned and if change in workplace culture and practices was being realised. Their findings are detailed within the report published in August 2024; 'Standards of Behaviour. However, the report makes a further fifteen

recommendations, and Recommendation 4 again relates to the handling of misconduct cases and states:

'....Chief Fire Officers should make sure their services create or have access to a dedicated professional standards function to oversee the investigation of concerns raised within a service from an internal or external source. This should oversee cases to make sure they are investigated in a fair and transparent way.....'

CURRENT STATUS

5. As part of the Values and Culture action plan, consideration was given to implementation of a professional standards functions however, it was deemed at the time not to be cost effective when the current POD team manage the process as part of their normal role and the amount of case management across the service was relatively low and manageable. However, we agree that this could be enhanced through the introduction of an independent oversight which would provide assurance that policies were being adhered to and that everyone involved was treated fairly and equally.
6. An audit of the Services disciplinary processes has been undertaken in October, the outcomes of which were positive although we are still awaiting the final report. Any recommendations will be added to the action plan and implemented in due course to improve our processes.
7. With regards to disciplinary, the DAT has the remit for initiating action against new allegations and breaches; reviewing suspension risk assessments; appointing the Investigation Manager/ Hearing Manager and reviewing recommendations for hearing with reference to conduct/ gross misconduct. We believe this assists in removing the potential for inconsistencies in application of the policy, and to remove the potential for unconscious bias.
8. We have been actively continuing to explore other options which could further improve these arrangements. This includes continuing to seek ways in which we could introduce an 'external' aspect into our arrangements, some options of which are outlined below.

OPTIONS FOR CONSIDERATION

9. Option 1 - Establish and Internal Professional Standards Function

Establish a dedicated in-house Professional Standards Function (PSF) managed entirely by CDDFRS, staffed with trained personnel from within the organisation

Advantages

- 1) **Complete Autonomy:** The function operates independently, ensuring policies and practices are fully tailored to CDDFRS's specific needs and values.
- 2) **Direct POD Integration:** The POD function can directly support the PSF by managing policies, designing & delivering training, and handling employee relations, ensuring consistent application of standards.
- 3) **Quick Response Capability:** An in-house team allows for faster response times in handling complaints and investigating issues, as it is based entirely within CDDFRS.

Challenges:

- 1) **Resource-Intensive:** Building and maintaining a skilled and impartial team internally requires significant investment in recruitment, training, and ongoing development.
- 2) **Potential Bias:** Consciously or unconsciously, there may be challenges in ensuring independence and impartiality, especially if the PSF staff are part of the existing organisational culture. The perception of staff may be that the PSF is not independent.
- 3) **Organisational Awareness:** Demonstrate an understanding that an in-house PSF might require extra governance mechanisms to maintain impartiality and avoid conflicts of interest, such as oversight from external auditors or partnerships with professional bodies.
- 4) **Cost:** In times where budgets are tight, the service would have to make investment into a role. If case management levels were low, alternative work would need to be sought.

10. Option 2 - Collaboration with Durham Police

CDDFRS partners with the police service to establish a collaborative PSF that leverages well established police expertise in investigations and compliance. Professional standards are not new to the police.

Advantages:

- 1) **Access to Specialist Skills:** Police expertise in handling complex cases, such as criminal investigations, ensures that the PSF operates with a high level of professionalism and legal compliance.
- 2) **Enhanced Credibility and Impartiality:** Collaboration with an external law enforcement agency reinforces public trust and demonstrates a commitment to transparency.
- 3) **Shared Resources:** The police service's established infrastructure and protocols reduce the need for CDDFRS to build these capabilities from scratch, potentially saving costs.
- 4) **Ensures impartiality:** external to the organisation should remove any unconscious bias

Challenges:

- 1) **Coordination Complexity:** Ensuring smooth collaboration and clear communication between two distinct services requires effective governance and management structures.
- 2) **Cultural Differences:** Aligning fire service culture with police protocols and expectations may pose integration challenges.
- 3) **Organisational Awareness:** Highlight the importance of coordinated governance structures (e.g., joint committees) and the need for cultural alignment initiatives to ensure successful integration of police and fire services in this option.
- 4) **Cost:** Depending upon the workload involved and what is agreed, there may be an additional cost associated with this service from the Police.

11. Option 3 – Collaboration with Neighbouring Fire and Rescue Service

Partner with neighbouring fire and rescue services to create a regional PSF, pooling resources and expertise from multiple Services.

Advantages:

- 1) **Cost-Effective Approach:** Sharing resources, including personnel, training facilities, and infrastructure, reduces the financial burden on each individual Service.
- 2) **Standardisation Across Regions:** Collaborating with other services helps create a consistent standard across multiple authorities, which may improve public trust and regulatory compliance.
- 3) **Shared Expertise:** Services can benefit from each other's experiences, learning best practices and implementing them uniformly in similar organisations.

Challenges:

- 1) **Complex to coordinate:** Managing a multi-agency PSF involves navigating different organisational cultures, policies, and procedures, which may complicate operations.
- 2) **Shared Accountability:** Distributing responsibility across multiple Services could lead to delays in decision-making and issues in maintaining accountability if clear structures are not put in place.
- 3) **Defined governance framework:** embedding one national standard would be challenging, resource heavy and time consuming
- 4) **Sector wide costs:** for all individual services may see a saving as opposed to setting up their own PSF, nationally the sector will face challenges
- 5) **Organisational Awareness:** Address the need for a clear governance framework to define roles, responsibilities, and processes for each participating Service, ensuring the PSF operates efficiently and transparently.

12. Option 4 – National Approach

Work to establish a national PSF, supported and overseen by a central fire service body such as the NFCC, that provides professional standards oversight to fire Services across the country.

Advantages:

- 1) **Consistency across the sector:** A national PSF ensures that all FRS' adhere to the same high standards, promoting a unified professional culture.
- 2) **Access to Central Resources:** National-level funding, expertise, and technology can be more comprehensive and robust than what an individual Service could afford.
- 3) **Benchmarking and Best Practices:** The PSF can gather data from multiple Services, identifying best practices and trends, which helps continuously improve the overall professional standard of the service.

Challenges:

- 1) **Timeframes:** Is unlikely to be set up within the timeframes set out in the recommendations.
- 2) **Reduced Local Control:** CDDFRS might have less influence over specific policies or investigative priorities as decisions would be made at a national level.
- 3) **Response Time:** Centralised units may be slower in addressing local issues due to their broader scope and scale of operations.
- 4) **National funding:** Is it cost effective to created given current financial restraints

- 5) **Organisational Awareness:** Acknowledge that while a national PSF offers standardisation, it may require strong local representation and flexibility to adapt national policies to fit specific regional needs and concerns.

13. Option 5 – External Organisation (i.e Safecall)

CDDFRS contracts with an external organisation to establish a PSF that leverages well established expertise in investigations and compliance.

Advantages:

- 1) **Access to Specialist Skills:** Expertise in handling complex cases, ensures that the PSF operates with a high level of professionalism and legal compliance.
- 2) **Enhanced Credibility and Impartiality:** Collaboration with an external organisation reinforces public trust and demonstrates a commitment to transparency.
- 3) **Ensures impartiality:** external to the organisation should remove any unconscious bias

Challenges:

- 1) **Coordination Complexity:** Ensuring smooth collaboration and clear communication between two services requires effective management structures.
- 2) **Cost:** The cost of providing such a service will be significant

Recommendations

14. Based on the evaluation of the above options, recommendation 2 to collaboration with the police service is the most effective option and offers the best balance of independence, expertise, and resource efficiency while aligning closely with political and public expectations for transparency.
15. Members are requested to:
 - (a) **note** and **comment** on the content of the report and proposed actions.
 - (b) **Agree** with proposed progression of Option 2.

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