Justice Committee  
Police and Fire Reform (Scotland) Bill  
Written submission from the Association of Principal Fire Officers Scotland

1. Scottish Fire and Rescue Board

APFOS has no particular comment to make about the number of members forming the new Board, however the Association supports the principle of members being appointed on the basis of relevant skills and expertise.

APFOS is of the opinion that members of the Board have a key role to play in supporting the delivery of high quality front line services whilst aligning to the principles of Best Value. It is imperative that members are competent to assess risk and allocate resources within a difficult economic climate, and then properly scrutinise performance.

2. Functions of the Scottish Fire and Rescue Service

APFOS is disappointed to note that the Bill does not propose to change the functions of the fire and rescue service. The Association considers that it is timely to introduce new functions which better reflect the contribution that the fire and rescue service already makes to a much wider community safety agenda.

Although there is some risk associated with the inclusion of new statutory duties in that they need to be sufficiently resourced, the function described as ‘Promoting fire safety’ does not adequately reflect the broader prevention function on which services are presently engaged. Members of the Association remain convinced that the key role that services play in a wide range of preventative and educational work is not appropriately recognised and would recommend that the function needs to expand beyond its singular fire focus.

The Association is of the opinion that ‘Responding to road traffic accidents’ should be matched by a proactive prevention and education function. Similarly, services have made a significant contribution to the work of Paddy Tomkins and more latterly to the ‘Water Rescue Stakeholders Group’. The duty to respond to flooding does not adequately reflect the expectations of Scotland’s communities and any new modern purpose should capture the much broader water rescue role.

APFOS remains convinced that the Bill should better reflect the broad engagement with partners on initiatives which contribute towards improving the safety and wellbeing of communities.

3. Inspectors of the Scottish Fire and Rescue Service

APFOS supports the principles of scrutiny and audit and is of the opinion that future scrutiny and audit arrangements must be independent, capable of assessing the performance of the operational function and consistent with the recommendations of the Crerar review.
The requirement for the Inspectorate to work closely with the Auditor General is welcome. Audit Scotland is recognised as being an independent audit body and, with support of peer assessors, has been successful in carrying out performance reviews following ‘modernisation’ and as part of the Best Value regime.

APFOS recognises that the Chief Inspector, Inspectors and Assistant Inspectors of the fire and rescue service will be non-Ministerial office bearers and that the Chief Inspector and Inspectors will be holders of the Royal Warrant, however some concern remains over the degree of independence and the potential for a conflict between the Inspectorate and Advisory roles.

APFOS would also wish to ensure that any audit and scrutiny role takes account of the requirements of the Health and Safety Executive (HSE) and draws on its expertise in relation to post-accident investigations.

4. Delivery of fire and rescue services

The principle of stronger engagement with local councillors is supported however it is difficult to see how the proposal to involve far more local councillors in shaping priorities, challenging and scrutinising performance can operate in practice. The Pathfinders provide a welcome opportunity to test these principles however they clearly need to take account of the changing operating landscape.

There also appears to be a conflict in terms of accountability of Local Senior Officers (LSOs) to each local authority within a structure which is centrally directed. Delegating authority to the LSO is welcome, but their ability to deliver against local priorities and expectations within a centrally developed policy and budgetary arrangement will create a difficult and constant tension. APFOS would therefore heed caution as to imposing statutory duties on the LSOs.

One of the main policy objectives of the Bill is to protect and improve local services despite financial cuts, and this is supported, however APFOS is unclear as to how the cost savings outlined within the OBC, particularly those related to prevention, protection and response, support that proposal.

It is also proposed to provide a more equitable access across Scotland to specialist support and expertise and, although this is laudable, APFOS would be keen to learn how that can be achieved in reality. Fire and rescue services already have well developed arrangements to support one another in delivering specialist capabilities, based on risk, and there has been no evidence to suggest that this will be improved upon or delivered any more effectively.

5. Financial and workforce matters

The financial forecasts and requirement to make substantial savings were the principle drivers which initiated the reform of Scotland’s Police Forces and Fire and Rescue Services. On that basis, APFOS has been critical of the fact that the financial analysis was omitted from the initial Outline Business Case and, even now, is based on a number of questionable assumptions.
With over 80% of the current cost of fire and rescue services being attributed to staffing, it is only reasonable to assume that the realisation of the projected savings will emanate from a significant reduction in staffing levels.

As a staff association, APFOS is particularly interested in the impact of reform proposals on its members. As a staff group, Principal Officers, are particularly vulnerable and the uncertainty on how reform impacts on them individually and collectively remains a concern. Unfortunately, even at this stage, no proposed staffing structure has been made available against which the financial assumptions can be tested.

The Association welcomes the Government’s commitment to no compulsory redundancies and the policy that on transfer no individual will suffer any detriment. APFOS also welcomes the commitment for staff to retain their existing mobility arrangements on transfer recognising that placing a requirement for officers to work in other areas of Scotland could place an undue hardship on them. The Association however, is of the opinion that those promises are in contradiction to the projected savings contained within the OBC unless the expectation is that the new authority will be required to deliver those savings through the implementation of sweeping changes, immediately following its establishment. Although any such changes will need to be negotiated, no comfort is provided to the Association or its members, that the Government’s commitments will be carried forward beyond the date of transfer to the new authority.

APFOS is particularly concerned with the assumptions and commentary in relation to voluntary redundancy payments set out in the Financial Memorandum. A figure of £4m has been attributed to the fire and rescue service on the basis that reduction in uniform staff could be managed through staff turnover and retirement and therefore no redundancy costs will be incurred. The Association is of the opinion that this assumption is flawed and is wholly inconsistent with the £80m set aside for the Police.

Association of Principal Fire Officers Scotland
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