



The Scottish Parliament
Pàrlamaid na h-Alba

JUSTICE COMMITTEE

AGENDA

13th Meeting, 2015 (Session 4)

Tuesday 28 April 2015

The Committee will meet at 10.00 am in the David Livingstone Room (CR6).

1. **Decision on taking business in private:** The Committee will decide whether to take item 3 in private.
2. **Fire and rescue service reform:** The Committee will take evidence from—
 - Pat Watters, Chair, Scottish Fire and Rescue Service Board;
 - Alasdair Hay, Chief Officer, Scottish Fire and Rescue Service;
 - Steven Torrie, HM Chief Inspector of the Scottish Fire and Rescue Service;
 - Stephen Thomson, Scottish Secretary, Fire Brigades Union Scotland.
3. **Work programme:** The Committee will consider its work programme.

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The papers for this meeting are as follows—

Agenda item 2

Paper by the clerk

J/S4/15/13/1

Private paper

J/S4/15/13/2 (P)

Agenda item 3

Private paper

J/S4/15/13/3 (P)

Justice Committee

13th Meeting, 2015 (Session 4), Tuesday 28 April 2015

Fire and rescue service reform

Note by the clerk

Introduction

1. This note provides some background information on the Committee's ongoing interest in fire and rescue service reform and contains written evidence provided by witnesses in advance of the oral evidence session on 28 April 2015.

Background

2. The Police and Fire Reform (Scotland) Act 2012 established a single Scottish Fire and Rescue Service (SFRS) in Scotland. On 1 April 2013, the new service took on the functions of the previous eight fire and rescue authorities and joint fire and rescue boards and unitary authorities.

3. The [Fire and Rescue Framework for Scotland, 2013](#) sets out the Ministerial expectation that the SFRS will bring together the best from the previous eight Fire and Rescue Services and create a modern, effective and efficient service.

4. The Scottish Government identified three potential benefits to fire reform. These are:

- to safeguard and improve local services while reducing costs,
- to create more equal access to specialist fire and rescue services across the country, and
- to strengthen the connection between the fire and rescue service and local communities.

Scottish Fire and Rescue Service

5. The SFRS published its strategic plan for 2013-2016 in October 2013¹ in which it identified four strategic aims:

- improved safety for communities and staff,
- more equitable access to fire and rescue services,
- improved outcomes through partnership, and
- a culture of continuous development.

6. Since the publication of its strategic plan, the SFRS has, with input from local authorities and community planning partnerships, developed 32 local plans, one for each local authority area, which are updated annually.

7. On 26 September 2013, the SFRS Board announced its plans to "rationalise properties to remove duplication in order to meet the financial challenges faced by the organisation". These plans included having one training centre and reducing the number

¹ http://www.firescotland.gov.uk/media/459709/strategic_plan.pdf [accessed April 2015]

of control rooms to three. In January 2014, the Board agreed to close five control rooms in Aberdeen, Inverness, Dumfries, Fife and Falkirk².

Her Majesty's Fire Service Inspectorate in Scotland

8. The role and purpose of Her Majesty's Fire Service Inspectorate in Scotland (HMFSI) is defined by the Fire (Scotland) Act 2005 as substantially amended by the Police and Fire Reform (Scotland) Act 2012 which came into effect on 1 April 2013.

9. In November 2013, the Fire Service Inspectorate published An Overview of the Fire and Rescue Service³. While the Inspectorate was generally satisfied by the progress made following reform, the Report identified a number of issues which would require further work before the Service could achieve what the Inspectorate called "a settled state." Amongst other things, those issues included:

- a need to pay particular attention to staff retention and engagement to avoid any degradation of service delivery pending the finalisation of control structures and staffing,
- the provision of operational risk information to firefighters should be addressed as the level of available information had not reached a satisfactory standard across the service,
- it would be important for the Scottish Fire and Rescue Service to fully assess the impact any plans to change the current arrangements for control rooms to ensure effective project management.

HMFSI Business Plan

[HM Fire Service Inspectorate's Business Plan 2014-15](#) states that its inspection plan for the period 2014-15 will focus on three overarching priorities:

- public and firefighter safety,
- progress in delivering the aims and maximising the benefits of reform,
- ensuring that the normal business of the Fire and Rescue Service is continuing to function with minimum disruption.

10. Work on performance management in the SFRS and the allocation of resources in the SFRS took place in Autumn and Winter 2014 and "The Safer Firefighter programme" is due to be carried out in Spring 2015 and will look at the provision and management of operational guidance/ operational risk information; how safe systems of work are developed and implemented; and the provision and management of personal protective equipment.

Audit Scotland report

11. In 2012, Audit Scotland published a series of Best Value reviews on the eight predecessor fire and rescue services and it is expected that in May 2015⁴ it will report on what progress has been made in improving the efficiency and effectiveness of fire and rescue services in Scotland and how the fire reform process was managed.

² Appraisal options Board paper:

http://www.firescotland.gov.uk/media/542354/fire_control_option_appraisal_for_final_locations.pdf

[Accessed April 2015]

³ <http://www.gov.scot/Resource/0043/00437774.pdf> [accessed April 2015]

⁴ http://www.audit-scotland.gov.uk/docs/fwd/pb_scottish_fire_Rescue_service.pdf [accessed April 2015]

Committee consideration

12. The Parliament is required to keep the operation of the 2012 Act under review and, as part of this review; the Committee took oral evidence from a number of stakeholders in 18 June 2013 and agreed to revisit this on 11 March 2014 following an update from the Minister for Community Safety and Legal Affairs in February 2014. In addition, the Committee issued a call for written views on the reform process to date in January 2014 to help inform the oral evidence session in March 2014. On 19 August 2014, the Committee held a one-off session with HM Police and Fire Inspectors where it focused its scrutiny on the following areas:

- what impact there has been at a local level of the single fire service,
- the consultation process for local fire plans,
- the Scottish Fire and Rescue Service's strategic plan,
- the Scottish Fire and Rescue Service's proposals on its estate, including the proposals that there be three control rooms in Scotland and one fire college, and
- any other issues arising from fire reform.

Petitions

13. The Committee currently has two petitions, PE1510 and PE1511 on police and fire control rooms and previously agreed to keep the petitions open pending the forthcoming Audit Scotland report on the Scottish Fire and Rescue Service due to be published in May 2015. The issues raised in the petitions may also be discussed at the evidence session on 28 April 2015.

14. All the evidence and correspondence received and heard by the Committee, including links to the petitions are available to read and watch at the following links:

<http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/72554.aspx>

<https://www.youtube.com/playlist?list=PL4l0q4AbG0mlUHwaiMlrrXOw6fS7wHpdz>

<http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/44107.aspx>

Next steps

15. The Committee will take evidence at its meeting on 28 April from Pat Watters, Chair, Scottish Fire and Rescue Service Board; Alasdair Hay, Chief Officer, Scottish Fire and Rescue Service; Steven Torrie, HM Chief Inspector of the Scottish Fire and Rescue Service; and Stephen Thomson, Scottish Secretary, Fire Brigades Union Scotland.

16. Written evidence has been received from witnesses in advance of this session and has been reproduced in full at the annexe to this note.

ANNEXE

Written submission from the Scottish Fire and Rescue Service

The Chair of the Board and the Chief Officer of the Scottish Fire and Rescue Service (SFRS) welcome the opportunity to give evidence to the Justice Committee on 28 April 2015.

This paper is submitted in advance of that session and outlines some key areas of progress and future direction of travel for the Committee's consideration.

Since the formation of the SFRS on 1 April 2013 the Board, Chief Officer and Strategic Leadership Team (SLT) have worked hard to manage this challenging reform process.

A strong focus during the early years of the new Service was on managing the transformation, from eight regional services to a single national service of a scale unparalleled in the UK. Whilst it was vitally important to ensure that the new Service delivered against the expected benefits of reform, it was equally important that it continued to provide the frontline service that the communities of Scotland required and that its staff remained engaged and felt part of this journey.

One specific challenge for the SFRS has been to deliver an improved service within a reduced cost envelope. Funding available to the SFRS has reduced by £31.5million (11%) in cash terms since 2012/13, while the cost base has risen by £16.7million (5.8%), primarily due to VAT and pay inflation, resulting in a funding gap of £48.2million.

The SFRS has followed best practice guidance from Audit Scotland for merging public bodies to identify and implement efficiency savings to close this funding gap and deliver a service where performance is currently exceeding targets.

It is recognised that going forward funding pressures will intensify and work has been undertaken to project future costs and savings up to 2019/20 across all cost areas. It is considered that the majority of material savings that can be achieved from managerial and back office costs have been identified and will be delivered over this period and as such further savings may require the Service to give consideration to its frontline delivery model. The SFRS will, of course, continue to place community safety and firefighter safety at the forefront of any decisions made.

A recent reorganisation of the SLT will provide consistency in approach across service delivery areas whilst remaining sympathetic to local needs and risks. This change also allows for a stronger focus on Strategic Planning and Performance Management and demonstrates the Service's commitment to continuous improvement. This focus will allow SFRS to give greater consideration for how the Service may transform further over coming years.

To ensure the Service provides a more equitable access to specialist resources across the country the SFRS reviewed the location of all such assets (water rescue, rope rescue, High Reach Vehicles etc). The findings of this review were presented to the Board and the Service is now in the process of implementing the changes to both the position and numbers of specialist resources.

The SFRS has also commissioned a review of Emergency Cover arrangements across Scotland which is nearing completion and will ensure that a long-term strategy can be considered taking into account the needs of all communities as well as future financial constraints.

The introduction of the Local Senior Officer role has undoubtedly aided the SFRS to deliver against another of the aims of reform, in particular building stronger partnership relations, in particular with all 32 local authorities. New scrutiny arrangements and a continued commitment to play an active role within Community Planning Partnerships, combined with a very proactive prevention agenda, have ensured the demands on our emergency response have continued to fall and community safety and wellbeing has increased.

This reduction in emergency response demand presents an opportunity for the SFRS to consider what other contribution it can make to Scotland's communities such as tackling inequalities, improving health outcomes or building safer communities. The SFRS has been a key partner in the production of the Scottish Government's Out of Hospital Cardiac Arrest Strategy and has committed to playing a significant role in saving 1,000 extra lives by 2020 through direct intervention in support of Scottish Ambulance Service and through indirect initiatives such as using our property portfolio and expertise to train individuals and communities in CPR.

During the first year of the new Service the Board set out in its "Strategic Intent" report a plan to create a property infrastructure that would best serve a single National service. This, understandably, led to a reduction in numbers of some of the assets required to deliver eight antecedent services. The SFRS has demonstrated a significant commitment to supporting staff through the change associated with these decisions and has done so through the formation of a change management team and a suite of change management policies. This team provide support to line managers and staff in explaining the background to the decisions being taken and in providing guidance to staff with regard to employment options.

The SFRS developed a working structure in 2013 and this has been kept under regular review to ensure the most efficient use of resources; workforce planning processes have been established and an interim workforce plan has been agreed by the SLT in support of the SFRS critical savings pathway.

The interim workforce plan sets out the SFRS's progress to date in streamlining back office structures, improvements to operational response and incident command models (that ensure consistent standards for firefighter safety and make more efficient use of resources) and early work to improve senior management structures in support of gold command resilience and longer term succession planning arrangements. The interim workforce plan also identifies future drivers for change in terms of building safer communities, specialist resource, emergency cover and Retained Duty System (RDS) reviews as well as the future impact of strategic intent decisions on staffing models.

Under the terms of the "Working Together Framework", the SFRS has worked closely with the recognised support staff trade unions, Unison and Unite, to develop a new Pay and Reward Framework for support staff that removes inequalities within the legacy arrangements and delivers a fair and transparent framework for the Service. The proposed Pay and Reward framework aims to provide clarity between reward and

contribution, enable the SFRS to continue to be an employer of choice and to recruit and retain the people we need to deliver excellent services.

The proposed package will result in a significant investment in support staff pay and terms and conditions of employment; the investment is consistent with legal obligations to deliver Best Value in the use of public funds, supports the strategic aim of remaining an employer of choice and remain competitive with those available elsewhere, particularly in other public sector organisations.

Whilst the SFRS continues to deliver an exceptional emergency response to the people of Scotland when they need it most, and has proven it's ability to respond to major incidents such as the Clutha Bar tragedy, the major fire within the Glasgow School of Art and the wildfires that occurred across the Highlands in 2013, the Service fundamentally believes that its focus should firmly be on prevention.

The SFRS is committed to the delivery of high quality frontline Prevention and Protection activities to Scotland's communities, while simultaneously bringing together the 8 former fire and rescue services, identifying and sharing best practice and reducing duplication where identified.

This success continued throughout 2014, during a period of particularly high demand on Community Safety staff and Auditing Officers supporting the successful delivery of the Glasgow Commonwealth Games. A total of 1,401 fire safety audits were completed as part of the Games' bespoke arrangements, which included 700 fire safety audits being completed within the Athlete's Village, and a further 701 carried out at venues across the Service.

The Service's Fire Safety Enforcement and Community Safety Engagement frameworks were in place from the commencement of the new SFRS, with supporting policies and procedures covering the entire country. This allowed consistent application of the Service's auditing strategy, creating a single approach to audits, supported by the Fire sector, which underpins the Government's principles in relation to better regulation.

The SFRS has also made available the Services of dedicated Fire Engineering teams across the country, providing guidance and technical support to the development of multi million pound projects totalling an estimated value of £4.79billion.

The SFRS has implemented a Scotland wide policy, produced in partnership with the wider fire and business sector, through the SFRS led Business Engagement Forum, to reduce the number of Unwanted Fire Alarm Signals (UFAS) received, and consequently reduce the number of unnecessary fire appliance journeys responding to them.

The Service has also implemented a number of key Community Safety Engagement (CSE) policies that have contributed positively towards improving local and national outcomes, particularly in relation to protecting those most vulnerable within our communities. A key element of our CSE strategy is the delivery of the Home Fire Safety Visit programme, which continues to be provided to homes throughout Scotland.

Our CSE activity relies upon effective local partnership working which, due to the provision of dedicated local Community Action Teams, has been enhanced and strengthened. This has led to the SFRS experiencing fire fatalities amounting to the

lowest ever annual totals over the past 2 years.

There is however a clear need to examine the circumstances of those incidents to recognise emerging trends. Investigations into the circumstances of each of the fire fatalities encountered found that a number of those were already known to other public service and third sector organisations, but not to the SFRS. Contributory factors identified across the fatalities included age, mental health, mobility, living alone, smoking, alcohol use, etc.

The SFRS is therefore seeing a recent emerging trend in relation to fire fatalities, involving those contributory factors outlined above, and believe this trend is unlikely to alter significantly unless a consistent and collaborative approach is taken by all interested parties across the public, private and third sector. The SFRS are therefore actively engaging in the integration of Health & Social Care in Scotland to work closely with Health partners at all levels which, together with the already successful CSE activities referred to, will help to consistently tackle these issues across Scotland.

The SFRS is also leading on phase two of the Scottish Government's Building Safer Communities Programme that aims to reduce unintentional harm. This programme aims to support and implement the principles of the Christie Commission report by building capacity within the Public Sector in Scotland, whilst also contributing towards tackling social inequalities. Success will be achieved by ensuring that robust intelligence and data sharing protocols are implemented. In turn this information will inform the deployment of multi-agency Community Action Teams in order to deliver interventions, and provide support and education to those most at risk from harm.

Since the inception of the SFRS, every area of Scotland is now afforded the same opportunity of receiving the specialist services provided by its Fire Investigation (FI) units. Each of the units has attended incidents across all areas of Scotland, including city centre and remote and rural locations.

The SFRS is fully committed to, and has given early priority to, a number of programmes of work in support of the equalities agenda. The Service produced its first Equal Pay report in 2013 and the Board approved the second report in 2015. Each report outlines the SFRS commitment to equal pay, describes the gender pay gap and reports on levels of occupational segregation as well as setting out a range of improvement activities.

The SFRS uniform workforce is currently 7.5% female and the SFRS continues to review opportunities to improve the gender balance and attract under-represented groups to operational roles. Although the Service does not underestimate the challenge of addressing this issue it will ensure that it explores all possible routes toward delivering a workforce for the future that is truly representative of the communities it serves.

The SFRS is an organisation has performed well against targets set within Scottish Government's Performance Framework and has continued to deliver a first class service to the people of Scotland whilst reducing the cost to the public purse by almost £50million per year.

The Service has stood up to robust scrutiny from a range of agencies and partners and

has delivered against the key aims of reform as defined by the Scottish Government.

The next steps for the SFRS will be defined in its Strategic Plan 2016-19. This strategy will set the direction of travel for a service that will have matured beyond its initial period of reform and will build on the lessons learned during this journey to develop into an organisation that can truly offer a world-class service to the communities of Scotland.

The first two years of the SFRS have been challenging and rewarding and the Service has evolved and improved. The Service will ensure the momentum created through the initial reform period is continued, and that a clear focus is maintained on delivering changes with clear community benefits.

Written submission from HM Chief Inspector of the Scottish Fire and Rescue Service

The Chief Inspector last gave evidence to the Committee in August 2014. At that session, he gave an opinion that the creation of the new, national service had been *effective to date* and that the Service was *operationally stronger than [its] legacy Services*. Since that last session, the Inspectorate has laid 2 reports before the Scottish Parliament:

- **Emergency Medical Response and the Scottish Fire and Rescue Serviceⁱ** was laid in October 2014;
- **Risk based operational decision making in the Scottish Fire and Rescue Serviceⁱⁱ** was laid in November 2014.

We plan to publish a report on **Performance Management Information Systems** in May and are working on a related inquiry, **Planning and Defining Services**.

In a joint briefing with the Inspector of Constabulary last August we said: “we plan to undertake further inspection work which focuses specifically on the local delivery of services in order to more fully assess how these have been protected and improved”. To deliver on that commitment, we have begun a rolling programme of **local area inspections** covering each local authority area in Scotland – starting in Aberdeen City and comprising around four such inquiries each year. With this new category of work, we will not normally lay reports before the Parliament but will publish on the Inspectorate’s website. We will be providing an annual summary of our local area activity which we will lay before the Parliament.

The Scottish Fire and Rescue Service is aware of our programme of local area inspections and a parallel set of thematic inquiries we have planned for 2015. The Scottish Government’s Fire and Rescue Framework is a reference point for our work and provides a structure against which we challenge and report on the Service. By doing this, the Inspectorate is able to comment directly on how well the Service is meeting Ministers’ expectations.

Taking all of our experiences and knowledge together, the following points are offered as an overview of the Scottish Fire and Rescue Service at this point in time:

- The Service continues to operate effectively and has plans in place to progress changes informed by planned budgets. The Board has made and continues to make important strategic decisions – for example, on the reduction of control rooms and training centres, on the rationalisation of specialist resources and on broader workforce planning. Recent changes to the senior management structure provides evidence that the Service continues to learn and adjust its business model and the Board’s Strategic Intent document is evidence of a structured plan for rationalisation.
- There is every reason to believe that the Service will face ongoing funding constraints for a number of years. We are coming to the conclusion, based on our general assessment of evidence, that the efficiencies to be gained by a straightforward ‘back-office’ rationalisation have largely been achieved and further significant cuts to the administrative and support cadre of the Service will be difficult to attain. As an Inspectorate we will be keen to monitor how the Service deals with times of financial restraint without compromising service delivery.
- Recognising that the Service is continuing to pursue some core reform issues, the Inspectorate believes that the time will soon come to look beyond the language of ‘reform’ onto business as usual and continuous improvement. Like any well performing public service body, the Scottish Fire and Rescue Service has a statutory obligation to demonstrate improvement over time and to manage its work in line with available budgets.
- Early implementation of specialist resources is resulting in a more equitable access. We expect that other strategic projects such as the review of fire cover and an examination of the retained duty and volunteer systems might allow the Service to operate more effectively with reducing budgets and these things will be of interest to the Inspectorate. We also have some evidence of an improved relationship with local councils and this is a subject we will be pursuing in our programme of local area inspections.
- In general, the Service is experiencing a long-term reduction in some of its traditional fire-fighting intervention roles. This demand reduction creates opportunities and challenges. There are many good examples across the country of partnership working and Service staff being involved in areas well beyond their traditionally perceived roles. One of the many ongoing challenges the Service faces is to ensure a greater consistency with this sort of work, and to carry out some evidence-based evaluation of what works well and what doesn’t work so well, whilst retaining the ability for local managers and staff to adapt to local circumstances.
- The Inspectorate has put on record its view that there should be a major change in the relationship between the Service and the Scottish Ambulance Service and that the SFRS could and should play a major role in supporting the Scottish Government’s plans for improved health outcomes. The Scottish Government’s new Out of Hospital Cardiac Arrest strategy references the opportunity for SFRS to collaborate in achieving improved patient outcomes, and we understand that

the SFRS is taking significant steps towards exploring a potential role in co-responding with SAS to the most serious medical incidents.

- The Scottish Government has positioned equalities at the front and centre of its forward programme and we consider that this is an area to which the SFRS should be particularly sensitive, given the historical inequalities in the makeup of the uniformed workforce in particular. We would not be surprised to see the Scottish Government being more specific about its expectations on the Service and we will be considering how scrutiny activity on our part might help the SFRS to improve in this area.

Written submission from the Fire Brigades Union Scotland

Excerpt from - *Scottish Fire and Rescue Service Fire Safety and Operational Statistics, Scotland, 2013-14.*

- *“The total number of paid firefighting staff decreased by four per cent in the year to 31 March 2014, around **290** staff members. The number of support staff decreased by 12 per cent or 125 staff. Support services were one of the key areas where efficiency savings could be made following reform, bringing together functions like HR which was previously organised separately by the eight regional FRSSs.*
- *For every ten SFRS staff members, nine were male and one was female, the same gender split as at 31 March 2013.*
- *The SFRS carried out around 71,000 Home Fire Safety Visits in 2013-14, an increase of 26 per cent on the previous year’s total of 56,000 visits. This demonstrates a rise in SFRS activity in this area following relatively little change in the three previous years.*
- *A total of 60,000 smoke alarms were installed during Home Fire Safety Visits in 2013- 14, an increase of over a third on the 2012-13 total of 44,000.”*

The FBU at this point, two years into the single SFRS, want to highlight the ongoing reduction in the number of frontline uniformed firefighters.

17. Since the publication of the above figures, which show a loss of 290 uniformed firefighting staff, this figure will have increased. The SFRS are not recruiting at a level which sustains firefighter numbers, due to the reduction in the SFRS budget.

18. We recognise that certain backroom functions being brought together have provided savings through a reduction in duplication of function. Similarly having a single senior management tier, as opposed to eight, has provided efficiency savings, however the FBU believe the reduction in the number of frontline posts is now having an impact on frontline delivery, with either appliances being put “off the run” due to insufficient personnel being on duty or a reliance on overtime to crew appliances, which has a knock on effect on other areas of SFRS budget.

19. In an attempt to mitigate the worst effects of the cut to the SFRS budget, the FBU has worked with the SFRS on a change to the way specialist appliances are crewed

(Resource Based Crewing) whilst attempting to ensure the decreasing number of firefighters are deployed in a way which still provides a safe system of work when carrying out rescue activities. This is despite our opinion that having dedicated 24/7 crews on all specialist rescue appliances is best practice. Even when “Resource Based Crewing” is fully implemented the FBU believe there are still insufficient firefighters employed in many areas of Scotland.

20. The reduction in the number of fires attended by the fire and rescue service has often been given as a reason that less firefighters are needed, however a significant reason that there are fewer fires is due to the increased prevention activity the service undertakes, which is evidenced in the above excerpt. It must also be remembered that the service responds to many other incident types, which are on the increase. Fewer fires does not mean less activity for firefighters.

21. The first aim of reform is to,

- *“protect and improve local services, despite financial cuts, by stopping duplication and not cutting frontline outcomes” (Fire and Rescue Framework for Scotland 2013)*

22. The FBU believe that if the cuts to the Scottish Fire and Rescue Service budget continue then despite everyone’s best efforts this aim will not be achieved.

ⁱ <http://www.gov.scot/Resource/0046/00460152.pdf>

ⁱⁱ <http://www.gov.scot/Resource/0046/00463134.pdf>