

PROGRESS REPORT – EXPERT ADVISORY PANEL

INTRODUCTION:

This is the third progress report to the Committee from me, as the Chair of the Expert Advisory Panel

I don't propose to say too much about the environment and context here, as this has been considered extensively in previous updates.

But it is worth making a couple of points that will continue to have an impact on the direction of travel for the Service and the Authority, but also the work of the Panel:

CONTEXT:

- ***A consultation paper around moving governance responsibility for fire and rescue from Fire Authorities to local Police and Crime Commissioners was published last year - and the Government has now published its response.***
- ***In summary, the Government has confirmed that it intends to bring forward legislation to enable this to happen, following the next Police and Crime Commissioner elections and where there is an appetite locally to do so.***
- ***Although, the government has stressed the belief that it believes this is the right thing to do, they are not directing the change to happen, they have made clear an expectation that "it should happen" – and the expectation that it will rather than extensive cases built to avoid the change.***
- ***Notwithstanding the intention now to change local governance arrangements, the Government announced that responsibility for fire policy would move away from DCLG to the Home Office and Mike Penning MP now has responsibility for fire and rescue.***
- ***Much of the detail for what this means, as identified last month, remains to be determined, but the early signals are of an appetite to make the shift significant, and to tackle what some perceive as a legacy of difficult industrial relations and a rigid, somewhat traditional culture in need of modernisation.***
- ***Finally, on the issue of context, the Authority has received its financial settlement and analysed the implications - which represent an extremely difficult situation. So, the Authority is currently consulting the public as well as staff and their representatives on a range of options to achieve the best balance between savings and efficiency (see comments at the end of this update on this last point).***

It's important to continue to be explicit that, the issues described here are not directly matters for the Panel - they are clearly the domain of the Fire Authority and the Service.

But it's also important to acknowledge that achieving culture change against these major environmental factors adds another, difficult layer.

So, the context remains relevant to the work of the Panel supporting the Authority and Service.

ACTIVITY - FIRST QUARTER 2016

The first phase of the Panel's role was laying the foundations for change and clearly establishing the role and governance of the Panel. In the last progress report a number of "next steps" were set out for the second phase and these are considered below with a brief overview of the progress against each:

- ***Finalise the report/ review on discipline and grievances with clear recommendations about how to improve - including where external assistance/ support may assist.***

An "emerging findings" report has been drafted and some outline recommendations developed. However, feedback from staff - and in particular managers - has been that they feel they want to contribute more, and they perceive a risk of a one-sided perspective to any recommendations and outcomes.

Whilst there is considerable information available (and a risk of repeating the Lucas review rather than picking up where it left off) the Panel acknowledges that in this area it is vital that there is broad (though not necessarily absolute) agreement to the future approach from all parties involved.

In addition to this perspective, there have also been a number of other cases and matters that have surfaced in the last few weeks and that fit within this aspect of the Panel's work - and require a deeper consideration and examination.

And so, rather than present conclusions as final and non-negotiable - there will now be more engagement with managers and staff and representatives on the emerging findings and reflection on that feedback, and a sense check made before making final recommendations.

There will also be further consideration of the relevance (or otherwise) of the matters recently highlighted to the recommendations going forward.

- ***Move to attending/ supporting the 2020 Programme Board on a monthly basis in a Non-Executive capacity (scrutiny/challenge role - first meeting January 18th).***

This has now happened - the first meeting took place in January, the second will be 16th February. Members of the Authority who attended those meetings will be able to provide feedback.

- ***Move to monthly EAP meetings to follow the Programme Board - the first of these to accept the agreed action plan and subsequent meetings to sign off progress against key actions.***

As above, this has now happened.

- ***Initiate the sub group of the "Your Voice" staff engagement group (to be chaired by Jim Barbour) as a staff sounding Board for the EAP.***

Jim Barbour has now met with the relevant managers' co-ordinating this activity and will bring an outcome to the next EAP meeting in February.

➤ ***Support the introduction and implementation of the Management Review.***

The Authority has now accepted the recommendations from the first stage of this Review, and the practical, project management arrangements of taking this activity forward have now commenced. Natasha Edmunds has met with the senior managers on a number of occasions and is providing on-going support to the implementation of this transition.

➤ ***Support the proposed programme of development for elected members and officers.***

On-going - SOLACE have been engaged by the Service to support this work and a number of their lead consultants have met with the EFA Chairman, Vice Chairman and EFA Group Spokespersons to outline the content and approach for a range of development workshops. Progress on this activity will be brought through the EAP on an on-going basis

➤ ***Allocate roles and responsibilities for panel members to ensure clarity going forward - and from this any bespoke or specific pieces of work required to be undertaken by individual Panel Members.***

There have been a number of meetings between Panel members and senior managers and a number of dates set aside for Panel members to do specific pieces of work as well as start to engage more widely with the Service - stations, etc.

➤ ***Establish the support arrangements/ programme management arrangements for the Independent Review Action Plan and the work of the POHR Cultural Sub Committee.***

This has now happened - appointments have been made to Member support arrangements and the 2020 Programme team and the Officers concerned are now establishing a clear programme of work, as well as a clear "way of working". This is to ensure the EAP can make and support progress, but at the same time keep the Fire Authority (through the POHR Sub Committee) fully involved and engaged. The potential governance changes outlined already, though, add a new dimension to managing this transition at the same time as managing progress against the Independent Review Action Plan.

➤ ***Support the continued engagement of government stakeholders - Officials and Ministers - in the transition from DCLG to Home Office and in particular if there are changes around the issue of Inspection.***

On-going.

➤ ***Develop an approach to a six month Reassurance Review (in conjunction with Sir Ken Knight and against the backdrop of the governance changes described already).***

This will be discussed at the next EAP meeting in February.

➤ ***Further develop communications and staff engagement with the panel but without circumventing or cutting across line management or Service Management.***

On-going.

CONCLUDING COMMENT:

It has been helpful to get in to the New Year and to start moving the work of the Panel in to steady state and get in place sustainable governance arrangements and project management arrangements.

It has been said on many occasions that culture change is not something abstract that happens in isolation to the day-to-day activity of the organisation and can be neatly packaged to achieve, regardless of everything going on around. So, some aspects of the work of the Panel will be in facilitating discussion and dialogue - not easily attributed in an action plan - but nevertheless important and hopefully, helpful activity.

And the “day to day” activity of Essex in recent weeks provides a good example of this, as it has been consumed by the consequences of the Autumn Statement and what that means for the whole Fire and Rescue Sector, but Essex in particular.

The options for change, currently being consulted on, all represent unprecedented and enormous change for Essex - even the “least worst” option (least worst from a staff/ staff representative perspective). It is going to be a real challenge to strike the best balance between risk, resources, council tax levels, service delivery and so on.

Its been said already that this is not directly under the remit of the Panel, and we remain anxious for that to be unequivocal - so we have not and will not in any way interfere in this consultation.

But, at the heart of the findings of the Culture Review lies the inability to cope and manage change without confrontation and/or industrial action. And so whilst we have continued to assert our governance position, we have also sought to be helpful and add perspective to the issues under consideration and consultation.

In other words, try to help Members and Senior Officers reflect on striking this tricky balance, and also help staff and their representatives deal with, and engage with, the new economic and political realities (rather than simply try to resist as may have been the case in the past).

We hope this has been helpful - we believe it has because Elected members and Senior Officers have slightly modified the proposed approach to consultation in order to leave the door open to important contributions from staff and the representatives, and not present a fait accompli.

Equally, staff representatives have undertaken to engage with the consultation process and put their efforts in to presenting their arguments and case professionally without the “threat” of industrial action at this stage. That’s not to say anything has been agreed - on the contrary, there are a lot of issues to be considered around risk management, the Integrated Risk Management Plan and the consequences of the options under consideration. But culture change must encompass the ability to agree to disagree on occasions when dealing with difficult change, and appreciating the respective positions and legal authorities, as well as the stakeholder communities of all the parties involved here.

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