

RESPONSE TO WELSH GOVERNMENT CONSULTATION ON FRA REFORM

Questions for consultation: The Case for Change

1. Do you agree the objectives for reform are appropriate and important?

The principles of the report are supported by the members of the North Wales Fire Authority. A clear governance structure that delivers local accountability, transparency and appropriate scrutiny would be welcomed. The governance structure should not be seen as an end in itself but provide a clear and demonstrable mechanism for comprehensively understanding, addressing and, where possible, reducing community risks including the delivery of prevention and protection work as well as reactive emergency response services. The governance structure needs to support the specific risks faced by an emergency responder, especially during periods of rising tensions or spate conditions.

2. Are there other objectives that the reform programme should pursue?

The development of pathways to support meaningful partnership working to meet the needs of our communities across the North Wales region should be further considered and explored. This would enhance and further evidence the efficiency and effectiveness of the Service across all delivery areas.

Membership

3. Do you think that membership of FRAs should be reduced to provide for a more streamlined, efficient and effective decision-making process?

It was broadly felt that reducing the current membership might provide opportunities for a greater focus and agility of its members. In particular, the provision of training and working groups may be easier to facilitate for small numbers. It was noted that the reduction in numbers may reduce costs although this was dependent on the agreed time commitment and remuneration for Independent Members. It was also highlighted by some Members of the Fire Authority that the current model had contributed to the rejection of recent proposals which aimed to improve emergency cover for the whole of North Wales.

Consistency of membership and the underpinning knowledge and experience of the membership of the FRA was raised as a critical component of delivering the governance principles. Of note was the need to develop and maintain sector specific knowledge in relation to the full range of activities.

4. Do you think that local authorities should nominate one FRA member each?

Whilst broadly in agreement with the principle of reduced numbers it was also felt that the proposal of one member per authority was too few. The proposal would reduce the elected membership from the current level of 28 to six and concern was raised of the capacity or consistency in the event of leave and sickness.

It was identified that only one member from each local authority might create political imbalance and limit diversity on the FRA. It would put a lot of pressure on that one representative and there is a worry that six democratically elected and three independent members would not be enough to service all the subcommittees, pension board and standards committee, increasing the risk that meetings would not be quorate.

It is suggested that a model replicating the approach taken for North Wales Police and Crime Panel might be more proportionate, comprising of nine elected members (two from each local authority except for Ynys Mon and Denbighshire who have one representative) plus three co-opted independent members. This provides a total of 13 members which it was felt provided for greater flexibility, capacity and resilience.

5. Do you think that FRAs should also have independently appointed members?

The majority of members welcome the idea of independently appointed members recognising that they could bring specific knowledge around a range of areas including inspection, performance management, finance, technology and HR which would be beneficial. It was also noted that this would support a regional approach and build effective scrutiny. However, caution was noted that this would need to be underpinned by robust training to ensure that the focus remained on matters of governance.

6. Do you think that independent members of FRAs should be appointed by Welsh Minsters?

No, members did not support this proposal. It was felt that to maintain local accountability the appointments should be made locally to avoid a conflict of interest between national priorities and the need to address local risks. Concern was noted that Welsh Government appointees would not necessarily have a local understanding of North Wales issues and ambitions.

There was a strong belief that the Independent members should be appointed by local authorities or by the Fire Authority itself, as now currently happens with independent members of the standards committee.

7. Do you agree that independent members should make up one third of an FRAs overall membership?

Independent members should make up no more than one third of the membership because they may dilute the principle of democratic local accountability.

8. Do you think that independent members should be appointed to act as full members of the FRA?

Yes, it was considered that independent members should have full voting rights in order to attract suitable and sufficient applicants.

9. Do you believe that FRAs should have independent Chairs, and if so who should appoint them?

Whilst recognising the benefits an independent chair would bring, providing a balanced opinion when parochial issues arise, it is a lot of responsibility for one person to provide the challenge to the other members of the Fire Authority. Furthermore, if the Chair was not appointed by the Fire Authority they may not have the confidence of the other members. It was unanimously agreed that the Chair should be appointed democratically from amongst the appointed membership.

Funding

10. Do you agree that FRAs should be required to formally consult with a view to reaching agreement with local authorities on the level of FRA funding each year?

The Members supported the principles of transparency, scrutiny and local accountability within the setting of the budget. In this respect the Members recognised the challenges of the current system including ensuring sufficient funding to support the emergency response whilst addressing the evolving community risks and the need for essential investment.

Members felt that the consultation did not fully recognise the existing processes in place including the Budget Scrutiny Working Group. This is a member led group with the remit of scrutinising and challenging the budget proposals at a formative stage and the ability to reject or prioritise proposals. This Group was established during 2023, following a 12-month delay in purchasing wildfire personal protective equipment due to budget pressures.

Formal consultation with local authorities already takes place through attending committees and meetings with section 151 officers, Leaders and Chief Executives. The proposal contained within the consultation appears to put these arrangements on a more formal footing and Members highlighted that this could be achieved through a regional scrutiny forum for budget setting. Any scrutiny function outside of the Fire Authority should include detailed knowledge and awareness of the specific risks faced by the Authority.

However, it is unclear who or which authority would make the final decision and what would happen if there was a difference of opinion between each local authority. It is also unclear where the accountability would lie with if the FRA were not to deliver the required service due to implemented budget controls.

Although not possible under the current combination orders, there is a recognition that funding for FRAs should be by means of a precept. This would provide transparency as to the cost of the FRS. However the introduction must be carefully handled so that the public do not think that this is an additional charge that they haven't paid before.

Performance Management and Inspection

11. Do you have any views on how and to whom reporting against the National Framework should take place?
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The value of external reporting to both the public, local authorities and Welsh Government is recognised to provide transparency and assurance.

There should be a direct link from the National Framework to the local Community Risk Management Plans as both are about reducing and responding to risk.

There was concern that Graded judgements would lead to a league table in Wales which would be unfair to FRSs with less resources.

12. Do you agree with the principles and requirements for an inspection programme for Wales as set out in the consultation document?
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It was generally recognised that additional scrutiny may provide additional assurance to stakeholders. It was outlined that scrutiny should be based upon a published set criteria and to a formal timetable so that each FRA would know what it will be assessed against and when it will take place. A fixed timetable over three years would give time for the FRA to implement changes and to respond to recommendations.

13. Do you agree that there is a need for a different approach to be taken to FRS inspection in Wales. If so, what aspects of the options in this paper should be progressed?

Whilst in principle, the potential benefits of an inspection regime were recognised it was acknowledged that there were resource and time implications for an inspected body and therefore there needed to be a balanced approach.

Although it was resource intensive, the previous peer assessment system allowed each FRS to learn from each other and for other stakeholders like WG and Audit Wales to bring external insight into the inspection process. A version of this system with formal criteria led by the Chief Fire and Rescue Advisor would be the most beneficial inspection for service improvement to the public.

There was a strong rejection of the idea of buying an inspection from English bodies such as the HMICFRS. It would be disproportionate to buy in that service. Not only will each service have to fund a dedicated team to service the submission of data and evidence and facilitate the inspection, they would also be charged for the inspection. This does not happen in England. This would be an additional cost to the taxpayer of Wales.

It should also be noted that the staff seconded to HMICFRS are from a junior officer level of English FRSs. This would make it difficult for them to understand the different laws and regulations pertaining to Welsh FRSs. This was demonstrated in the recent South Wales inspection where there was confusion over Community Risk Management Plans (compulsory in England, good practice in Wales) Very few of these secondees would have Welsh language skills to be able to assess culture and health and safety.

General

14. We would like to know your views on the effects that the policy proposals would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English. What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

The Authority endeavours to support the use of the Welsh language throughout its business and it was recognised that any proposals should achieve this aim. In particular, the appointment of independent members and the inspection regime should support this.

15. Please also explain how you believe the policy proposals could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

No further comments to add in this regard except to confirm that we would endeavour to ensure that all meeting papers would be provided bi-lingually and participants would be able to contribute in their language of choice.

16. We have asked a number of specific questions about FRA governance, finance, performance management and inspection. If you have any related issues which we have not specifically addressed, please use this space to report them: