

Justice Committee

Reform of the fire and rescue service

Letter from the Minister for Community Safety and Legal Affairs

End of year performance management arrangements and forthcoming Justice Committee review

With the first operational year of the Scottish Fire and Rescue Service (SFRS) nearing its end, and with the Justice Committee's recent decision to review the progress of fire and rescue reform in March, I thought it timely to write to you with my plans for formally reviewing the performance of this major new public body and invite the Committee's participation.

The SFRS Governance and Accountability Framework document requires the Scottish Government to undertake a formal review of the SFRS at least twice a year with the responsible Scottish Minister meeting with the SFRS Chair at least once a year. SFRS performance will be assessed taking into account the Fire and Rescue Framework for Scotland 2013 which sets out Scottish Ministers' priorities for fire and rescue, the targets contained therein, and the SFRS Strategic Plan and Annual Operating Plan.

My officials undertook the first mid-year review of the SFRS on 5 November 2013, and I attach for your information a copy of the feedback provided to the SFRS Chair. It notes that the SFRS made good progress in its first six months of operation, despite a number of challenges along the way. The outcome of the mid-year review was discussed at the SFRS Board meeting on 28 November.

Although I meet the SFRS Chair regularly, I intend to roll the formal annual meeting with him, and the annual review, into a single event. I plan to hold the annual review in June 2014 in public, in line with the normal arrangements for meetings of the SFRS Board. Members of the Board and Senior Leadership Team will be invited to attend to present their annual performance report (which will be submitted in advance), and to answer performance related questions. I would like to invite Members of the Justice Committee to attend this public meeting, to have the opportunity to scrutinise the performance of the SFRS and ask questions.

In relation to the forthcoming Justice Committee review and the call for evidence on 31 January, I will shortly submit my contribution. The review of progress will no doubt be a useful precursor to this first annual performance review.

I will write to you again once arrangements for the review meeting have been made.

Roseanna Cunningham
Minister for Community Safety and Legal Affairs
4 February 2014

**Letter from the Scottish Government to the Scottish Fire and Rescue Service
SFRS Mid-Year Performance Review 2013**

Thank you for providing detailed performance information on the progress made by the Scottish Fire and Rescue Service (SFRS) since its creation on 1 April 2013 and for coming in with the Chief and Deputy Chief Officers for the mid-year performance discussion on Tuesday 5 November.

As you are aware the formal annual review of SFRS's first year will be held in public in June 2014. The purpose of this Mid-Year Review was both to help prepare for that, but also to jointly consider the first six months to gauge whether the Service is on course to deliver Scottish Ministers' priorities by the end of the year. I am most grateful for the open and constructive approach the Service has adopted in making this a joint endeavour.

We began by acknowledging the impressive start to the SFRS and the enormous amount of work already done, which shows considerable progress in the Service over the last six months. This is particularly impressive given the additional challenges you faced operationally in the spate of wildfires across the country which occurred in the Service's first few weeks, as well as with the pension dispute, threat of industrial action, and the business continuity planning that this entailed. It was never envisaged that fire and rescue reform could be done overnight, and we acknowledge the challenges of balancing reform, merger and improvement whilst maintaining the same high levels of protection and response, and it is to the Service's credit that the progress achieved thus far has been without any negative impact on day-to-day operations.

I have set out the main points from our meeting below.

Key Performance Targets

Only data from the first quarter was available at the time of our discussion, and that showed a slight negative movement on many of the key targets. You said that this was not a cause for concern, and that it partly reflected the process of pulling together the information: you were confident that the targets would be met at the year end. The second quarter's information would be available for the next Board meeting, which would allow a more accurate assessment of progress. Nevertheless, indicators such as attacks on firefighters are worthy of careful consideration, in particular given the subsequent incidents on Bonfire Night.

The first quarterly Performance Report was, understandably, a work in progress and we would be keen to discuss some of the technical aspects with your performance team in the near future. As I mentioned, for the version to be made public at the year end, we would expect to see more differentiation between the 6 key targets set in the Framework and the other performance indicators, with more detailed supporting narrative setting out how the Service's activities are driving improvement against the targets.

You were confident that the Board was developing the right material to enable it to hold the Service to account for delivery against the targets and indicators. You advised me that the Planning and Performance Management Framework has been submitted to the SLT for comment, following which there will be a Board Development Day to consider its views before the formal agreement at the Board meeting in January. We would welcome an opportunity to feed into the draft PPM Framework while it is still in development to feed in our experience of other public bodies.

I was particularly interested to hear the Chief Officer set out his vision for allowing and encouraging local variation in target-setting within a national performance framework: the SFRS will look at how services in each local authority area contribute to national targets, and set local “floor” targets based on that, ensuring that local senior officers have the resources to meet their targets. But each locality will have sufficient resources beyond those necessary for achieving the floor to allocate to meet local priorities of their choice. The flexibility this provides will allow local innovation and this local empowerment is to be welcomed, as is the commitment to assess effectiveness to allow promising initiatives to be replicated elsewhere. The tension between national and local priority setting has, as you know, prompted much discussion and debate throughout the reform process and it is very positive to see SFRS getting to grips with this issue.

Implementing the Fire Framework

The Service submitted a draft paper charting progress against the 58 priorities set out by Scottish Ministers in the Fire Framework for Scotland 2013. Again, this was clearly an early draft, but it will prove a useful input to the public performance assessment at the year end, particularly for reporting to the Parliament given the Framework’s statutory basis. We would be happy to work with you on the presentation and drafting nearer the time to make sure this meets the requirements of the different audiences.

We discussed whether the Framework articulated clearly enough that working together through community planning partnerships and single outcome agreements does not only refer to SFRS working with the other emergency services, but also with all organisations funded by public money. As you know, the Fire Framework was developed in partnership with key stakeholders, including COSLA, and includes clear expectations on the role that SFRS should play in community planning in order to deliver on the Statement of Ambition. We were grateful to the local authorities and Community planning partnerships who provided feedback during the consultation and adjusted the Framework to strengthen references both to partnership working and the role that SFRS must play through CPPs in delivering against SOAs.

In this context, it is very fortunate that in addition to your role as SFRS chair, you also lead the National Group on Community Planning and this will be of enormous benefit to the SFRS as it prepares to deliver against the Agreement on Joint Resourcing and take on strengthened community planning duties under the Community Empowerment Bill. Your leadership through this wider reform process will be vital.

We were glad to hear the emphasis the SFRS intends to give to building those wider partnerships, and look forward to hearing of further progress at the year end.

Protecting the front line

We considered the three budget papers alongside this element of the Framework. Clearly the Service has already taken a number of difficult decisions and faces many more in order to deliver the significant savings expected from the reform process, alongside the efficiencies required across the public sector given the financial situation. I was reassured to hear that you remain confident the Service will manage within the budget set for the year, and for the emphasis you gave to learning the lessons from previous mergers set out, for example, in the relevant Audit Scotland reports.

We also discussed the difficulties the Service is currently facing with regard to the recruitment and retention of procurement staff in the current, very favourable labour market: this is an issue on which we will need to keep in touch over the coming months.

Creating more equal access

I was encouraged to hear that there has been progress made on creating more equal access to specialist services across Scotland. Of course, having a single Service automatically means that all antecedent fire and rescue service resources are now available nationally, but it was helpful to hear that control rooms are now beginning to push information on available resources to incident commanders whereas previously it was the responsibility of the commanders to seek that information. I understand that a detailed report on specialist rescue assets and their geographical locations will be sent to the Board for discussion soon.

We discussed the challenges set in the Framework for the Service to develop a clear role as

a champion of specialist rescue, including clarifying in public the parameters of operational functions. We accept that this is a complex area where time taken to get things right is likely to be beneficial, and are aware much valuable work is being done behind the scenes – but given the links, for example, to the recommendations of HMI's Inquiry into the 2008 Galston Mine Incident, it will be important to show more public progress on this front by the year end: including, for example, publishing the Memoranda of Understanding (MoU) you are developing with other emergency responders.

Strengthening the connections

It was good to hear that Local Senior Officers (LSO) are being empowered to use significant discretion in their work in partnerships at local level. It will be interesting to know what they have been involved in, and we discussed how the Board would determine how effective local partnership working has been as we move forward. I agree that it would be useful to determine some kind of baseline to measure improvement, and I am encouraged to hear that initial, informal, feedback from the

local level is very positive. I look forward to hearing the outcome of your consideration of how best to formalise that feedback.

We discussed briefly my impression that MSPs and other elected representatives have been slow to take up the opportunity to engage with their LSOs in spite of the significant steps we and the Service have taken to highlight the central importance they play at the local level. It may be that recent events have helped raise their profile, but we should come back to consider this again at the end year review.

Strategic Leadership Team (SLT)

We discussed the remit of the SLT, and the amount of work it has been dealing with. It was encouraging to hear that the wealth of experience and skills on the Board has been of assistance to the SLT in what has already been achieved. You had deliberately chosen to start with a small senior team, and expand it if necessary – and you advised me that you will be reviewing the distribution of roles and responsibilities in the SLT in the coming months to see if and where the team might need to be strengthened. I would be grateful to be updated of any progress made in that area in due course.

The Role of the SFRS Board

The SFRS Board was appointed in November 2012, and the SLT soon after that. I am aware that at the same time as building the relationship between the two, both were working towards setting up the SFRS, integrating the 8 antecedent services, and creating governance and management structures. Given this level of activity, the relationship between the Board and the Service is necessarily a developing one, but I am impressed with the determination of both to work together constructively and to discharge their respective responsibilities as set out in the Governance and Accountability Framework.

There will always be a degree of fluidity in the boundary between the roles of the Board and the Service, and this should become easier to manage as SFRS moves from its infancy into a more established body. It was encouraging to hear that the Board now appears to be settling into its way of working. We understand that the Board will be working with the Chartered Institute of Public Finance and Accountancy (CIPFA) on a number of issues, including performance management.

We discussed the expectations on the Board to be fully transparent and accountable, and what more could be done to promote public engagement with the Board and its subcommittees. It is good to see the Board now moving its meetings around the country, and you set out plans to build related events in localities around those formal board meetings.

We also discussed the subject of Board Development Days, and I was pleased to hear that the Board is proactively addressing its own development. Development sessions are a useful tool to help Boards develop common purpose, cohesiveness and a shared understanding but I was reassured to hear that they do not impact on robust discussions during formal Board meetings. As it considers its future

programme of formal meetings and development sessions, I would invite the Board to reflect on how best to strike a balance between the two.

Finally, the Act allows for an increase in the current number of Board members if you felt there were any additional strengths and experience that needed to be added. At this stage, you felt the Board was working well and had the capability it required. We can look again at this at the year end.

Corporate Expectations

We discussed the report you had provided showing the Service's progress against the nine "corporate expectations" agreed by all Scotland's public bodies. We felt there was more the Service could say to demonstrate its record this year, for example, in relation to youth employment. You agreed and talked us through your plans on, amongst other things, modern apprenticeships.

We discussed the lack of 18 – 24 year olds in the Service, and I was encouraged to hear that this is an issue you are mindful of as SFRS moves towards its first external recruitment exercise, which will be put before the Board for approval some time this month. We also discussed the difficulties in attracting volunteers from this age group, and I look forward to hearing about developments on this front at the year end.

Engagement with Scottish Government

Finally I was delighted to hear from both yourself and the Chief that you are happy your relationship with Scottish Government is a comfortable and productive one, and I am equally happy to say the same from our side. One element we would like the Service to work on is our ability to communicate with SFRS staff who are not on the SLT, and who often have the information we require without disturbing the Chief or his assistants. We discussed that this apparent reluctance to talk to us comes from cultural issues of which you are already aware and intend to address, and we hope that we can start to build solid lines of communication between your staff and mine as soon as possible. I am happy to facilitate this in any way I can.

Conclusion

I hope you found this in-year review useful in shaping your thinking about the performance challenge for the rest of the year - I am grateful for your open input at the meeting. It is quite evident that the Service has done an enormous amount of work, and significantly more than was recorded in the suite of documents provided. For the year end, it will be important that this information is captured in order that, in holding the Service publicly to account for any areas of concern, the Service also gets the credit it deserves in what has been an immensely challenging period of change.

Looking ahead, I look forward to building on the positive and productive relationship we have established, as well as seeing the positive and innovative changes SFRS intends to make to the provision of fire and rescue services as it works in partnership with local and national organisations to improve protection for communities across Scotland.

Richard Dennis
Head of Fire and Rescue Division
20 November 2013