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### **Proposal for Representation Model**

#### **Introduction**

This document sets out the North Yorkshire Fire and Rescue Authority's alternative proposal to that set out in the business case developed by the Police and Crime Commissioner (PCC) for a transfer of governance from the current Authority to the PCC.

Whilst there is no requirement for a formal business case to change the governance arrangements to the Representation Model (whereby the PCC is a voting member of the Fire Authority), it is assumed that people interested in this will also be considering the PCC's business case.

The Authority's alternative proposal, below, sets out the high-level reasons for change (the Strategic Case) and why the North Yorkshire Fire and Rescue Authority is proposing to change to a 'Representation Model' (the Economic Case).

The Authority believes that the proposal to move to the Representation Model is the most appropriate way forward which balances costs, savings, collaboration and public safety in a risk assessed way.

#### **Case for Change**

The Fire Authority recognises that there is a case for change in order to drive improvements and the delivery of public services. The recent legislation (Policing and Crime Act 2017) enables certain changes that the Fire Authority would like to take full advantage of in respect of closer working with Police. This will assist progression of collaboration with the Police that has been part of the Authority's plans over the last few years, but has not always been achievable.

However, the Fire Authority's ambition extends further than this and it wishes to move to a model whereby collaboration with all partners, including local authorities and the health sector, as well as with the Police,

North Yorkshire Fire and Rescue Authority has a strong track record of collaborating with partners. At the February Authority meeting, a new collaboration strategy was agreed in order to further drive the pace of



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collaboration. A Collaboration Committee was also established (to include the PCC as one of two voting members and with other partners invited), and this committee oversees the collaboration work.

### **Collaboration**

There are many examples of existing collaboration between NYFRA and a wide range of partners to directly or indirectly improve public safety.

These include:

- Shared Transport and Logistics facility with North Yorkshire Police
- Shared virtual Control Room with Cornwall Fire and Rescue Service
- Emergency First Responder scheme with Yorkshire Ambulance Service
- Joint Fire Investigation provision across the regional fire and rescue services
- Community safety partnerships across North Yorkshire and City of York
- 95 Alive with North Yorkshire, City of York, North Yorkshire Police, and other partners
- Service level agreements with NYCC to provide support services
- LIFE courses (youth engagement and diversion) delivered by FRA, funded by local authorities and OPCC

NYFRA is outward facing and is constantly seeking new opportunities for collaborative working. These include:

- Safe and Well visits (home fire safety checks with additional checks around health and well-being related issues) being developed with Clinical Commissioning Groups and local authority Public Health
- Ongoing discussions with health partners around increasing the fire and rescue response to medical emergencies, including cardiac arrests and falls in the home
- Ongoing discussions with health partners and the voluntary sector around fire and rescue delivering health advice
- Driver training co-location with NYP at NYFRA premises
- Opportunities for sharing premises with a wide range of partners.

As can be seen from the above, the collaborations that will deliver the best community outcomes are often with a range of partners. The



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recent focus, nationally, as well as in North Yorkshire and York, has been on the fire and rescue service becoming more involved in the delivery of health initiatives, as there is a growing body of evidence that demonstrates the benefits of this work.

In all respects other than collaboration, the Authority is high performing and has driven forward change.

### **History of assessments, audit and performance**

North Yorkshire Fire and Rescue Authority is consistently high performing, as evidenced by independently external opinion:

- In 2006 in the Comprehensive Performance Assessment (CPA), NYFRA was rated “good” (range = excellent, good, fair, weak or poor).
- In 2007, under a direction of travel assessment, NYFRA was rated as “performing well” (consistently above minimum requirements; range = inadequate performance, adequate performance, performing well, performing strongly).
- In 2009 under Comprehensive Area Assessment (CAA), NYFRA was rated as “performing well” (as above).
- In 2013 NYFRA underwent a Peer Review. This is not an assessment, but a process to provide external challenge and support improvement. The team were asked to consider a number of areas, including new management structures and the Service’s response to flooding. The report provided some useful direction (which for example resulted in the Fire Cover Review being undertaken), but on the whole was positive about the Service and Authority.
- In 2014/15 and 2015/16 the external auditors issued an “Unqualified Value for Money” conclusion. Prior to that, under different guidelines from the National Audit Office, the auditors reported each year that the “Authority had proper arrangements in place to secure economy, efficiency and effectiveness in its use of resources”.
- Performance indicators show that NYFRA is consistently high performing and demonstrating continuous improvement year on year.

In other areas of work, the Authority has shown consistent innovation. Recent years have seen increasing flexible use of these staff through



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temporary transfers to whole time contracts and the introduction of new duty systems (including self-rostering, the use of mid shifts and variable hours (part time) contracts). The introduction of the Tactical Response Vehicles, which is a new model of operational response, also uses staff more efficiently as these vehicles respond to the same types of incident as standard fire engines, but with fewer staff.

Therefore, the changes that are required are only those that will further enable the collaboration with partners. In all other respects the evidence is that the current governance arrangements are resulting in a high performing organisation.

### **Why the Representation Model?**

The starting point for considering a new governance model should be about how the proposals will improve outcomes for citizens living in the area in terms of better multi-agency working, increased effectiveness and resilience and the delivery of efficiencies.

The Authority believes that local leaders are best placed to determine the sort of collaboration that is in the best interests of the communities they are elected to serve. We are committed to steps that will enable the police, fire and rescue, and other emergency services to collaborate where it helps us to achieve the outcomes we aspire to for our communities and where it brings greater efficiency and effectiveness in achieving those outcomes.

We can however get there more easily and more quickly. We do not need to rely on time-consuming structural reform to get better collaboration. We can look for local solutions to collaboration on all aspects of public protection that use the legislation's criteria for ways of working together, namely economy, efficiency, effectiveness, and public safety.

The Representation Model is one where the PCC is a voting member of the Fire Authority. However, in recognition that this would be only one vote among many, this Authority has taken what we believe to be a unique step, in creating a Collaboration Committee, with delegated authority to make decisions relating to collaboration. The PCC sits on this committee as one of only two voting members. This means that the PCC has an equal say about collaborations that Fire and Rescue Service enters into and with whom. In this respect the Fire Authority has effectively ceded some of its decision making to the PCC. In addition to



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that, other partner agencies are invited to attend the committee, meaning that this arrangement will provide the opportunity to consider all potential collaborations to determine which are in the best interests of the community.

### **Assessment of Representation Model**

The PCC's business case sets out a number of "critical success factors" against which the various options are tested. A summary of the Fire Authority's Representation Model against each factor is set out below.

- *Accelerates scale and pace of change.* The Representation Model can deliver collaborative change effectively and quickly. This is due to the Collaboration Committee, which includes the PCC, and the fact that the representation retains close links with local authorities.
- *Brings benefits in terms of transparency and accountability.* There is increased transparency and accountability that would accrue under the Representation Model. This is because the local councillors retain their elected accountability to the residents of North Yorkshire and York, over a large geography, including areas of deep rurality. Therefore, the challenges resulting from our geography means that it would be more beneficial to have a number of elected representatives and the PCC to represent the views and concerns of our diverse communities. This is better than either alternative of elected members or PCC alone.
- *Is deliverable.* The Representation Model is highly deliverable. The Collaboration Committee has already been set up, and the necessary secondary legislation to allow the PCC to become a voting member of the Fire Authority is currently being put in place.
- *Mitigate strategic risks.* There are a number of risks identified in the PCC's business case of moving to the Governance Model. These include "a long term risk that strategic commissioning becomes more geared towards achievement of police objectives than fire". Also, "the PCC will need to put appropriate resource into maintaining links with local government". Finally, "there is also a risk that there is a perceived lack of separation and therefore lack of challenge between police and fire, particularly when it comes to allocation of cost. The PCC would need to put robust controls and independent scrutiny of the cost allocations in place." The Representation Model manages these risks by having the PCC as





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part of the decision making process, but with the check and challenge of the other elected members of the Fire Authority.

### **An Irreversible Change**

One of the key points in respect of any governance change under the legislation is that a move directly to the Governance model (which is the PCC's preference) is irreversible. The three options of Representation Model, Governance Model and Single Employer Model can be seen as sequential, in that it is possible to move through the different models of governance, if the experience of one model fails to deliver the anticipated benefits i.e. scale and pace of collaboration, financial savings etc.

However, and this is a crucial point to note, in the event that the Governance Model is implemented, but then fails to deliver the benefits purported in the PCC's business case, or if the risks cannot be mitigated, it is not possible in law to move to the Representation Model (the Fire Authority's preferred model). In this regard it is analogous to a one-way street.

Therefore, it appears that the risk appropriate way of dealing with governance change to a critical and highly effective, public safety organisation, would be to move through those stages to test the assumptions that are made in each case. The Authority is suggesting that the Representation Model will deliver all the benefits of the governance model, in terms of collaboration and improved outcomes for citizens. If that model fails to deliver all of those benefits, then a change to the Governance Model can be considered. A move to the Governance Model now would be premature as the Representation Model has not been tested, and high risk as it cannot be reversed.

### **Financial benefits of Representation Model**

One of the principles underlying the Representation Model, is that any collaboration can occur under this model with the Police or the PCC. Many of the projects set out in the PCC's business case, such as a shared HQ, are already being considered in the Authority's plan.

The PCC's business case does not consider in detail any of the proposals, and indeed says that there will need to be business cases produced for each project. This is exactly the approach taken by the



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Authority currently, and any such case must deliver value for money and therefore must consider all possible options, including collaboration with other partners.

The PCC's business case contains a number of assumptions that are not supported by evidence. The business case itself recognises this and makes clear that detailed further analysis and consultation is required to identify the true costs and potential benefits of any change. This makes these benefit claims theoretical at best and suggests that supporting a major governance change on these basic estimates would be premature.

Due to the lack of detail on each of the projects in the PCC's business case, the Authority is unable to determine how the level of savings set out for the Governance Model have been arrived at. However, given that the Representation Model will be able to deliver the same collaboration projects, it follows that similar levels of savings will accrue from the Representation Model.

### **Conclusion**

North Yorkshire Fire and Rescue Authority's proposal for a change of governance to the Representation Model represents a risk appropriate change that balances costs, savings, collaboration and public safety. It does not preclude further change, including to the Governance Model.

### **Councillor Andrew Backhouse**

