

COMMISSIONERS FOR FIRE & RESCUE SERVICE

Papers for the Board of Commissioners Committee to be held on:

Friday 9 August 2024, 1200hrs

**In person at South Wales Fire & Rescue Service Headquarters,
Forest View Business Park, Llantrisant, CF72 8LX**

Or

Remotely via MS Teams

**Please ensure you join the meeting 15 minutes prior to meeting
time**

Meeting Link: https://bit.ly/Meeting_09-08-24

**Any issues please contact
01443 232000 and ask for Governance Support**

A G E N D A

1. Apologies for Absence
2. Declarations of Interest

Commissioners are reminded of their personal responsibility to declare both orally and in writing any personal and/or prejudicial interest in respect of matters contained in this agenda in accordance with the provisions of the South Wales Fire and Rescue Authority (Exercise of Functions) (Wales) Directions 2024 and the Local Government Act 2000.

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Signature of Monitoring Officer:



MEMBERSHIP

Commissioners:

C	Foulkes
V	Randeniya
Baroness	Wilcox
K	Williams

AGENDA ITEM NO 4

Report for Decision

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THIS REPORT IS NOT EXEMPT AND IN THE PUBLIC DOMAIN**SOUTH WALES FIRE & RESCUE SERVICE**AGENDA ITEM NO 4.i
09 AUGUST 2024

BOARD OF THE COMMISSIONERS

REPORT OF THE DIRECTOR OF STRATEGIC CHANGE AND
TRANSFORMATION**HIS MAJESTY'S INSPECTORATE OF CONSTABULARY AND FIRE &
RESCUE SERVICE BENCHMARK INSPECTION****THIS REPORT IS FOR DECISION**REPORT APPROVED BY DIRECTOR OF STRATEGIC CHANGE AND
TRANSFORMATION AND REPORT PRESENTED BY CULTURE
CHANGE PROGRAMME MANAGER**SUMMARY**

HMICFRS carry out routine and regular reviews for fire and rescue services in England and are part of the framework to support performance improvement for the sector and to deliver better outcomes for the public. Conducting a review will require considerable preparation and orientation for the HMICFRS team and SWFRS, and they have indicated that a review could begin as soon as September 2024.

This work will give the Commissioners, the Service and Welsh Government a comprehensive understanding and supporting data about the performance of the organisation that would build on the Morris Review by adding further context and insight into the people elements, as well as contributing to the research arising from the three thematic reviews.

This richer picture will enable the Service to fully understand its capability, performance and outcomes in a structured and measured way and support ongoing transformation work.

Costs to the Service are estimated to fall in the region of £600k and are not final as confirmation of a follow up inspection has not been confirmed or quantified.

RECOMMENDATIONS

1. That the Commissioners note the Treasurers approval of finances to commission a HMICFRS inspection.

2. That the Commissioners approve a direct award, through the publication of a Voluntary Ex-ante Transparency Notice (VEAT), of a contract to HMICFRS.
3. That the Commissioners note the approval of temporary resource to support the HMICFRS inspection and wider culture and transformation priorities.
4. That the Commissioners note the full contents of the report.

1. BACKGROUND

- 1.1 On 3 January 2024, an independent report on the culture of South Wales Fire and Rescue Service (SWFRS) was published (Morris Review), which exposed widespread discriminatory and abusive behaviour and serious failings of leadership and management. Considering the report's findings, the Welsh Government used its powers of direction under section 29(5) and (6) of the Local Government (Wales) Measure 2009 to remove the elected members from the governance functions of the fire authority and to replace them by appointing four Commissioners.
- 1.2 The Commissioners have been charged with ensuring the full (where possible) and sustainable implementation of recommendations arising from that independent review and three thematic reviews undertaken by the Chief Fire and Rescue Advisor and Inspector (CFRAI). This is the minimum part of the Commissioners' scope, and they are developing a set of milestones and objectives that chart a way forward.
- 1.3 It has been agreed with Welsh Government that an independent evaluation of SWFRS will be critical to demonstrating the progress towards recovery that SWFRS makes under their stewardship, and to informing a decision to bring the intervention to an end. The importance of robust regimes for inspections and audit was also raised in the Equality and Social Justice Committee report "Sound the Alarm".
- 1.4 While the CFRAI is independent of Welsh Government, it is recognised that they are not resourced to undertake an inspection of the scale that His Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) could conduct. The Commissioners have also considered whether this baseline assessment could be delivered by other organisations. It is clear though that the only body with the knowledge, skill and experience of such assessment work in the sector is HMICFRS.
- 1.5 A full inspection by HMICFRS of the efficiency and effectiveness of SWFRS, would include how well the Service looks after its people. It would identify any areas of concern and areas for improvement, and where appropriate, make recommendations to address them.

- 1.6 It would build on the Morris Review by adding further context and insight into the people elements, as well as contributing to the research arising from the thematic reviews. This richer picture will enable the Service to fully understand its capability, performance, and outcomes in a structured and measured way. This work will give the Commissioners, the Service, and indeed Welsh Government a comprehensive understanding and supporting data about the performance of the organisation. It is on this basis that Welsh Government have expressed support for the proposal.
- 1.7 Inspections, on which this review would be modelled, are routine and regularly conducted by HMICFRS in FRSs across the UK, and are part of the ongoing context to support performance improvement for the sector and to deliver better outcomes for the public.
- 1.8 Conducting a review requires considerable preparation and orientation for the HMICFRS team and SWFRS, and they have indicated that a review could begin as soon as September 2024 and issue their report early in the new year.

2. ISSUE / PROPOSAL

- 2.1 The Director of Strategic Change and Transformation proposes to formally request HMICFRS assistance in line with their powers under Schedule A3 of the Fire and Rescue Services Act 2004 to provide assistance to any public authority for the purpose of the exercise by that authority of its functions. The assistance that would be requested is a full inspection of the efficiency and effectiveness of SWFRS, including how well the Service looks after its people. This would though clearly be additional to HMICFRS current work plan and likely necessitate them engaging additional inspectors to undertake the inspection.
- 2.2 The Service is not seeking to comment on the wider application of the process within Wales. Clearly though this inspection could demonstrate how such an inspection regime might be undertaken across Wales. The Service is seeking to commission the HMICFRS inspection to provide an evidence base for next steps in the transformation programme for SWFRS. It will provide a benchmark that will greatly enhance understanding on current levels of performance, areas of good practice, and areas that require improvement.
- 2.3 To support the delivery of the inspection and wider leadership priority within the transformation programme, the Service will immediately recruit a temporary Group Manager B Leadership and Improvement who will act as the Service Liaison Officer for HMICFRS, and they will be supported by a Station Manager Leadership and Improvement. These posts will be

temporary 12-month fixed term appointments reporting to the Director of Strategic Change and Transformation.

- 2.4 It is recognised that in general, bodies subject to intervention such as that being undertaken by the Commissioners meet the costs of their own recovery, as this provides a strong incentive to complete the process swiftly. However, the Home Office bears the inspection costs for all English Fire Services.
- 2.5 The Director of Strategic Change and Transformation is seeking to progress the inspection at the earliest opportunity, given that the benchmark will greatly enhance understanding on current levels of performance, areas of good practice, and areas that require improvement.
- 2.6 However, it is recognised that there are existing pressures on the budget from the transformation programme. The Director of Strategic Change and Transformation will seek to ensure that the work undertaken by HMICFRS complements rather than duplicates the work already undertaken by the CFRAI and Fenella Morris KC, and takes into account their findings and recommendations, in the hope that this will limit costs and assist completion of the HMICFRS inspection report. It is understood that the Commissioners will also continue discussions with Welsh Government and WLGA with a view to securing contribution to the inspection costs which will limit the direct financial impact on SWFRS's budget and reserves.

3. IMPLICATIONS

3.1 Community and Environment

3.1.1 Equality, Diversity and Inclusion

Equality, Diversity and Inclusion and the delivery of the strategic equality plan and the inclusive action plan remains a priority. As part of the Service's culture improvement programme there are also several recommendations from the Morris Review that focus on this area. HMICFRS inspection criteria includes a full assessment of EDI, including a judgement and recommendations on how well the Service ensures fairness and promotes diversity.

3.1.2 Welsh Language

Welsh translation is available and included in the cost estimate.

3.1.3 Well-Being Of Future Generations (Wales) Act

HMICFRS inspection reflects Service context which will include Welsh legislation and how future generations are considered in areas such as community risk management and prevention activities, as well as ways of working.

3.1.4 Sustainability / Environment / Carbon Reduction

HMICFRS inspection considers how well the Service makes use of resources and makes sure the FRS is affordable now and in the future. This assessment and resulting recommendations will support the Service in understanding and improving its sustainability plans.

3.1.5 Safeguarding

HMICFRS inspection considers and reports on the Service's safeguarding procedures. The assessment and recommendations will provide assurance and identify areas of improvement when required.

3.1.6 Consultation and Communications

A staff communication and engagement plan is being developed. This will include briefing and engagement sessions with managers to help them understand the inspection methodology and how it can support them to improve service delivery in their areas of responsibility.

Inspection methodology includes a staff survey that is standard and comparable with other FRSs. The Service will receive the results, and this will support our ongoing staff engagement.

3.1.7 Consultation with Representative Bodies

As part of the inspection, representative bodies will receive a survey from HMICFRS. The methodology assesses how well the Service works with representative bodies. The assessment and recommendations will support our ongoing development of Social Partnership working.

Representative bodies will receive a briefing on the inspection as part of the communications plan.

3.2 Regulatory, Strategy and Policy

3.2.1 Legal

HMICFRS inspects FRSs in England under powers of the Fire and Rescue Services Act 2004. These powers do not extend to FRSs in Wales where the function is conducted by Chief Fire and Rescue Adviser and Inspector for Wales.

The Director of Strategic Change and Transformation therefore proposes that the Commissioners formally request HMICFRS assistance in line with their powers under Schedule A3 of the Fire and Rescue Services Act 2004 to provide assistance to any public authority for the purpose of the exercise by that authority of its functions.

3.2.2 Financial

There are mix of direct and indirect cost associated with the engagement HMICFRS as follows;

Direct cost of inspection and associated accommodation / travel	£322,421
Indirect costs of 1x12-month temporary Group Manager and 1xStation Commander (or equivalent corporate grade)	£176,000
Sub Total	£498,421

The above does not include the cost of a follow up inspection which is a practice generally undertaken by audit bodies.

An approximation of £130k, i.e. 40% of the original inspection fee will result in a total value of work in the region of **£628,421k**. Costs have yet to be confirmed through contracting arrangements with HMICFRS and updates will be reported through budget monitoring reports to the Finance and Audit Committee.

The Home Office bear direct costs for fire and rescue services falling under the English inspection regime, although as this is voluntary for SWFRS it presents a significant cost pressure.

The above costs are unbudgeted and at this early stage of the financial year, there are no underspends available to support addition. Consequently, costs will be borne from reserves with the authorisation of the Treasurer which has been provided. Any additional amounts to those outlined above will require further

authorisation and an assessment of the effectiveness of the investment.

3.2.3 Procurement

SWFRS Contract Standing Orders (CSO's) stipulate, where a proposed contract is likely to exceed the World Trade Organisation Government Procurement Agreement (WTO GPA) Threshold for Supplies, Services and Works Contracts of £179k, that no officer has delegated powers to grant an exemption.

Commissioners are therefore required to authorise the direct award of contract through the publication of a VEAT notice to progress this area of work. Following the advertisement of the VEAT notice there is a requirement to observe a 10-day standstill period to allow interested parties the opportunity to challenge prior to the award of a contract. If a challenge is received during this time the award is postponed until resolution is reached. The benefits of a VEAT notice are enhanced transparency and reduced risk of financial penalties arising from successful challenges.

3.2.4 Health, Safety and Wellbeing

As part of the inspection HMICFRS assess the Service provision for Health, Safety and Wellbeing. The assessment and any recommendations will provide a better understanding of our provision and how we can improve.

3.2.5 Strategic Change and Transformation

A benchmark inspection will provide an important assessment for the Service to understand its performance benchmarked against other FRSs. Any recommendations will assist the Commissioners and Welsh Government in having a detailed understanding of performance.

Recruitment of additional temporary resource will support delivery of key improvement priorities within the transformation programme, specifically leadership.

The postholders will ensure the transformation achieves embedded and sustainable change.

3.2.6 **Morris Report**

The temporary posts will support the CFO and the Director of Strategic Change and Transformation to deliver the programme of leadership identified as a key priority within the transformation programme. They will work across the Service in support of the HMICFRS benchmark inspection and its subsequent assessment of the Service's efficiency, effectiveness and how well it looks after its people.

3.3 **Resources, Assets and Delivery**

3.3.1 **Human Resource and People Development**

The Director of People Services, Head of People Services and Head of Finance have been consulted on the recruitment process and requirements. There will be no additional recruitment fees.

3.3.2 **Budget**

The Head of Finance has been consulted. It is noted that there will be ongoing costs and potentially further process requirements, as outlined above.

4 **EVALUATION & CONCLUSIONS**

- 4.1 HMICFRS will provide the Service with a full inspection of the efficiency and effectiveness of South Wales FRS, including how well the Service looks after its people.
- 4.2 HMICFRS methodology will be consistent with their third full programme of inspection of FRSs in England. This would enable judgments about how well the Service:
 - a. Understands the risk of fire and other emergencies;
 - b. Prevents fires and other risks;
 - c. Protects the public through fire regulation;
 - d. Responds to fires and other emergencies;
 - e. Responds to major and multi-agency incidents;
 - f. Makes best use of resources;
 - g. Makes the FRS affordable now and in the future;
 - h. Promotes the right values and culture;
 - i. Trains their staff, and how skilled their staff are;
 - j. Ensures fairness and promotes diversity;
 - k. Manages performance and develops leaders.

These questions are linked: for example there is a close relationship between response and training. A grade will be provided for each of these topic areas on the scale 'outstanding', 'good', 'adequate', 'requires improvement' and 'inadequate'.

The awarded grades would be comparable with those grades provided to English FRSs. HMICFRS would also identify any causes of concern and areas for improvement and would make recommendations to address them.

HMICFRS would gather information to inform the assessments using a range of methods that include:

- a. Analysis of documents and data;
- b. Reviews of operational incidents;
- c. Surveys of the public and of FRS staff;
- d. Interviews;
- e. Focus groups;
- f. Observations of fire and rescue practice.

An assessment of what data is available would need to be undertaken by HMICFRS Insight Portfolio to ascertain if this is fit for inspection purposes and/or if a specific data collection is required.

5 RECOMMENDATIONS

- 5.1 That the Commissioners note the Treasurer's approval of finances to commission a HMICFRS inspection.
- 5.2 That the Commissioners approve a direct award, through the publication of a Voluntary Ex-ante Transparency Notice (VEAT), of a contract to HMICFRS.
- 5.3 That the Commissioners note the approval of temporary resource to support the HMICFRS inspection and wider culture and transformation priorities.
- 5.4 That the Commissioners note the full contents of the report.

Contact Officer:	Dominic Mika Director of Strategic Change and Transformation	
Background Papers	Date	Source / Contact
None		

AGENDA ITEM NO 5

Report for Information

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AGENDA ITEM NO 6

**To consider any items of business that the Chairperson deems urgent
(Part 1 or 2)**

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