



**DORSET & WILTSHIRE
FIRE AND RESCUE
AUTHORITY**

Item 24/46

MEETING	Dorset & Wiltshire Fire and Rescue Authority
DATE OF MEETING	1 October 2024
SUBJECT OF THE REPORT	HMICFRS thematic review – Standards of behaviour, the handling of misconduct in fire and rescue service
STATUS OF REPORT	For open publication
PURPOSE OF REPORT	For consideration and to note
EXECUTIVE SUMMARY	<p>In November 2022, London Fire Brigade published their independent cultural report. The subsequent media interest in this report heightened public concern about cultural issues more generally across the fire and rescue sector.</p> <p>In March 2023, the then Minister of State for Crime, Policing and Fire commissioned His Majesty's Inspectorate of Constabulary to deliver a review into the values and culture of fire and rescue services. The eventual report set out 35 recommendations for fire and rescue services and other key stakeholders, including the LGA, NFCC, Chief Constables, to deliver to improve values and culture within the sector. This was duly reported to Members on 14 June 2023.</p> <p>In July 2023, the then Home Office Minister then commissioned the Inspectorate to undertake a thematic review into the handling of misconduct in fire and rescue services in England. Ten fire and rescue services were inspected as part of this thematic inspection, including our own. All of these inspections took place between October 2023 and January 2024.</p> <p>The Inspectorate published their findings on the 1 August 2024. This paper provides an overview of the key findings along with the 15 recommendations made. As set out in table 1 in the report, the Service has</p>

	<p>already made good progress against the recommendations.</p> <p>As Members are aware the Service was subject to a full inspection during February-April 2024. It is expected that the Service's round 3 inspection report will be published in the Autumn.</p>
RISK ASSESSMENT	<p>Failure to continuously develop and promote organisational culture may result in the organisation not achieving the vision and priorities set by the Authority. This will have detrimental impacts for all those involved in the Service and may cause governance and reputation damage for the Authority.</p>
COMMUNITY IMPACT ASSESSMENT	<p>None for the purposes of this report</p>
ENVIRONMENTAL IMPACT ASSESSMENT	<p>None for the purposes of this report</p>
BUDGET IMPLICATIONS	<p>None for the purposes of this report</p>
RECOMMENDATIONS	<p>Members are asked to consider and note the report</p>
BACKGROUND PAPERS	<p>HMICFRS Spotlight report (March 2023) Values and culture in fire and rescue services</p> <p>https://assets-hmicfrs.justiceinspectorates.gov.uk/uploads/values-and-culture-in-fire-and-rescue-services.pdf</p> <p>HMICFRS thematic review – Standards of behaviour, the handling of misconduct in fire and rescue service report.</p> <p>https://s3-eu-west-2.amazonaws.com/assets-hmicfrs.justiceinspectorates.gov.uk/uploads/standards-of-behaviour-handling-misconduct-in-frs.pdf</p>
APPENDIX	<p>None.</p>
REPORT ORIGINATOR AND CONTACT	<p>Name: Jill McCrae, Assistant Chief Officer Email: jill.mccrae@dwfire.org.uk Tel no: 01722 691000</p>

1 Background

- 1.1 In November 2022, London Fire Brigade (LFB) published their Independent Culture Review of London Fire Brigade report. Following the publication of this report, the Service undertook a self-assessment against the report recommendation and commissioned our internal culture review.
- 1.2 However, as Members are aware, in January/February 2023 there was significant interest into our Service following allegations of poor workplace behaviour by the media. As a result the Chief Fire Officer commissioned an Independent review into our workplace culture.
- 1.3 Shortly after the commissioning of our independent review, His Majesty's Inspectorate of Constabulary and Fire and Rescue Services (the inspectorate) advised that they had been commissioned, by the Minister of State for Crime, Policing and Fire, to deliver a spotlight into the values and culture of fire and rescue services. The spotlight report which was published on the 30 March 2023 set out 35 recommendations for fire and rescue services and other key stakeholders, including the LGA, NFCC, Chief Constables, to deliver to improve values and culture within the sector.
- 1.4 Within the 35 recommendations 20 were for Chief Fire Officers to deliver. Whilst the timeframe expectations set by the inspectorate was ambitious, the Service has completed them all.

2 Thematic review report – Standards of behaviour, the handling of misconduct in fire and rescue service

- 2.1 On 13 July 2023, the Home Secretary commissioned the Inspectorate to undertake a thematic inspection into the handling of misconduct in fire and rescue services in England, which was to build on the findings of the previous spotlight report.
- 2.2 The terms of reference for this thematic inspection was set to assess the extent to which services have taken steps to implement the recommendations the inspectorate made within their values and culture spotlight report and include examining:
 - The extent to which services are identifying and investigating misconduct.
 - The effectiveness of misconduct processes and how consistently they are applied.
 - How confident fire and rescue service staff are in raising concerns and in misconduct processes.
 - The role of fire and rescue authorities and other organisations in handling misconduct.

- 2.3 This inspection took place between October 2023 and January 2024, with the inspectorate carrying out detailed inspections of ten fire and rescue services: Cornwall, Dorset and Wiltshire, Greater Manchester, Humberside, Kent, Lincolnshire, Northamptonshire, Staffordshire, Tyne and Wear, and West Midlands. These services were selected to be a representative sample of FRSs across England, in terms of size, location, governance structures and performance.
- 2.4 The inspection process included a data and document collection, focus group sessions, staff interviews, desk top reviews, reality testing sessions, staff survey and interviews with former employees. The Service's received their three-week inspection between the 4-22 December 2023.
- 2.5 Following the completion of the thematic inspections across the ten fire and rescue services, the inspectorate published their full 'Standards of behaviour, the handling of misconduct in fire and rescue service' report on the 1 August 2024.
- 2.6 The overall report highlighted that most fire and rescue services have taken steps to improve standards of behaviour and root out misconduct. However, the Inspectorate emphasised that it did find pockets of abhorrent behaviour and has called for further improvements to make sure misconduct is handled effectively and set out 15 recommendations.
- 2.7 Whilst the inspectorate visited ten services as part of this thematic inspection, it has not provided each fire and rescue service with their own inspection report and or grading. Instead, specific findings from this thematic inspection, will be provided in the services' next full inspection report. As Members are aware the Service received their third full inspection between February and April 2024. This inspection report is expected to be received in the Autumn.
- 2.8 Following the publication of the report the Service has undertaken a self-assessment against the recommendations. Table 1. provides an overview of the Service's current position. Of the 15 recommendations the Service has appropriate arrangements in place to meet the requirements across 11 actions. The remaining 4 actions, highlighted as amber, are progressing well with delivery aligned to the timeframes set.
- 2.9 Actions required to strengthen the Service's position will be captured within the Service's cultural action plan and monitored through the agreed governance arrangements. This includes a six-monthly review by the Finance & Audit Committee.

Report Recommendations		Service Position
The culture in fire and rescue services		
1	By 1 February 2025, chief fire officers should, as a priority, make sure their	

	staff are aware of, and follow the Core Code of Ethics. Services should build the code into all relevant policies and practices.	
2	By 1 February 2025, chief fire officers should make sure a policy for probationary staff is in place. This policy should make clear that services can immediately dismiss probationers who fail to meet the required standards of behaviour set out in the Core Code of Ethics and the Code of Ethics fire standard.	
3	By 1 May 2025, chief fire officers should make sure their workforce plans allow staff to be moved from a wholetime watch to a different watch or station, within their contractual requirements, proactively and reactively as required.	
	By 1 May 2025, chief fire officers should also make sure firefighters who are promoted are posted to a different watch or station, including when the promotion is temporary for two months or more. If this isn't possible, chief fire officers should show how the risks of reinforcing a negative culture have been addressed.	
The extent to which services are identifying misconduct		
4	By 1 February 2025, chief fire officers should make sure their services create or have access to a dedicated professional standards function to oversee the investigation of concerns raised within a service or from an external source. This should oversee cases to make sure they are investigated in a fair and transparent way, manage complex cases directly and act as a point of contact for all staff involved.	
5	By 1 November 2024, chief fire officers should make sure all staff understand how to raise a concern and use grievance and whistle-blowing processes. Chief fire officers should: <ul style="list-style-type: none"> • make sure staff know how services will handle responses and maintain confidentiality and anonymity; and • explain how staff can access services' whistle-blowing capability and the difference between whistle-blowing and other processes for raising concerns. 	
6	By 1 February 2025, chief fire officers should make sure a programme of training is in place for all supervisors and managers on how to manage staff performance and welfare and how to raise an issue. It should be supported by relevant policies and procedures. Training should include: <ul style="list-style-type: none"> • staff welfare and absence management. • the process for managing individual staff performance, addressing poor performance and potential misconduct issues. • how to handle difficult conversations and resolve issues informally, if appropriate, when a concern is identified; and • clarifying the role of HR services in helping managers to deal with staff concerns and misconduct issues. <p>Chief fire officers should make sure all managers and supervisors attend the training programme.</p>	
The effectiveness of misconduct processes		

7	By 1 May 2025, chief fire officers should make sure the policies and processes for misconduct are consistent for all staff and are fairly applied within their respective conditions of employment.	
	By 1 August 2025, the National Joint Council for Local Authority Fire and Rescue Services and the National Joint Council for Local Government Services, supported by the National Fire Chiefs Council, should make misconduct processes consistent for all staff irrespective of the terms and conditions of their employment.	N/A
8	By 1 November 2024, chief fire officers should make sure all allegations of misconduct are handled in a consistent way and staff have confidence in misconduct processes. Chief fire officers should carry out a full review of the processes, from initial identification of a misconduct issue through to the resolution or outcome. This should include a review of how services: <ul style="list-style-type: none"> • monitor and manage investigations. • maintain accurate records; and • adhere to required timescales. 	
9	By 1 August 2025, chief fire officers should introduce a case management system if they don't already have one. The case management system should allow data to be produced that will help them to better understand and oversee misconduct cases in their services.	
10	By 1 May 2025, chief fire officers should make sure their services have enough capacity to carry out their misconduct investigations. They should consider using external investigators or a similar independent resource to support the process if required.	
11	By 1 May 2025, chief fire officers should review the training their services provide for supervisors and managers who investigate misconduct issues at all levels. Chief fire officers should make sure: <ul style="list-style-type: none"> • all staff who carry out investigations receive adequate training to carry out the task. • a programme of refresher training and ongoing support is available so that staff can maintain a level of competence; and • it is clear how services' HR provision, staff associations and any trade union representative or fellow employee will support the investigation process 	
12	With immediate effect, chief fire officers should make sure all staff are aware of the welfare support, including occupational health support, that is available to staff involved in misconduct processes. Chief fire officers should encourage all staff involved in misconduct processes to access this support, whether they are an alleged perpetrator, complainant, witness, investigator or decision-maker. Welfare personnel should be independent of the investigation and have been appropriately trained for this role.	
13	By 1 November 2024, fire and rescue authorities and chief fire officers should consider varying the approach to hearing appeals so that appeals for complex or serious cases are heard by a panel rather than one person.	

	<p>By 1 February 2025, fire and rescue authorities and chief fire officers should make sure all service managers and members of fire and rescue authorities who hear appeals receive appropriate training.</p> <p>Chief fire officers should make sure services have a consistent approach to hearing appeals.</p>	
Understanding misconduct and sharing lessons learned		
14	<p>By 1 November 2025, chief fire officers should implement a process that makes sure they can oversee and scrutinise their services' performance relating to misconduct issues. This process should provide:</p> <ul style="list-style-type: none"> • a strategic overview of performance and analysis of trends, including disproportionality. • regular reporting of issues, outcomes and trends to the fire and rescue authority; and • identification of learning outcomes and how they will be shared with fire and rescue service staff, to prevent repeat behaviours. 	
15	<p>By 1 February 2025, chief fire officers should put in place a process for sharing learning from misconduct cases that have been resolved while preserving the confidentiality of all parties involved. Any learning should feed into the national system, when established.</p>	
	<p>By 1 May 2025, the National Fire Chiefs Council should establish a system for sharing learning from more serious cases of misconduct with fire and rescue service staff. The information shared should preserve the anonymity and confidentiality of all parties involved. The College of Fire and Rescue, once it is established, should take responsibility for maintaining this system.</p>	N/A

Table 1. Assessment of status against the Standards of behaviour, the handling of misconduct in fire and rescue service

3 Summary and key points

- 3.1 The Service is already making good progress against the national recommendations in the thematic review into the handling of misconduct in fire and rescue service. We will continue to monitor progress through the Service's cultural action plan, which is overseen by the Finance & Audit Committee on a six-monthly basis.
- 3.2 It is expected that the Service's round 3 full inspection report will be published in the Autumn, following the ten-week inspection in early 2024. This report will also include learning from the thematic inspection.