

PFCC and FRS Inspection response record

Version:

FRS	Staffordshire
Police and Crime Commissioner	Ben Adams
Chief Fire Officer	Rob Barber
Title of inspection	Standards of behaviour: The handling of misconduct in fire and rescue services
Inspectorate	 <p>His Majesty's Inspectorate of Constabulary and Fire & Rescue Services</p>
Summary of inspection	<p>Poor behaviour, including bullying, harassment and discrimination. Our evidence showed such behaviour wasn't rare. Despite the work of fire and rescue service (FRS) leaders, this behaviour continues. But some progress is being made. The leaders we interviewed had prioritised improving the culture in their services and showed us their action plans for tackling misconduct. In the interviews and focus groups we conducted, some staff reported that the initiatives their services were putting in place were improving behaviour.</p> <p>The terms of reference were to carry out an inspection of the handling of misconduct in FRSs in England. This was to include examining:</p> <ul style="list-style-type: none"> • the extent to which services are identifying and investigating misconduct; • the effectiveness of misconduct processes and how consistently they are applied; • how confident FRS staff are in raising concerns and in misconduct processes; and • the role of fire and rescue authorities and other organisations in handling misconduct.
Grade	
Recommendations	<p>The culture in fire and rescue services Recommendation 1 -3</p> <ul style="list-style-type: none"> • 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. • 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. • By 1 May 2025, chief fire officers should make sure their workforce plans allow staff to be moved from a wholtime 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.

Recommendation 4 -6 The extent to which services are identifying misconduct

- 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.
- 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.
- 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.

Recommendation 7 – 13 The effectiveness of misconduct processes

- 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 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.
- 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.
- 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.
- 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. 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.
- 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.
- 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. Chief Officers should ensure services have a consistent approach to hearing appeals.

Recommendation 14 -15 Understanding misconduct and sharing lessons learned

- 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.
- 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.

Areas for improvement

Police, Fire & Crime Commissioner's initial response

I welcome this report building on the Values and Culture report of last year. I am reassured by the progress that Staffordshire FRS have made against those recommendations and I am confident that the findings of this report will have the same level of attention and action. The Service has matured in its approach to external inspections and there is now a robust action plan overseen at the highest governance levels ensuring actions are tracked and only signed off once improvements are embedded and sustained.

The Core Code of Ethics is now embedded and ownership and management exist both at Chief Officer level and operationally. In addition, there are a number of platforms to report concerns. I welcome the scrutiny around misconduct hearing panels and my office will be thoroughly reviewing the current approach considering whether appeals for complex or serious cases should be heard by a panel rather than one person. I also agree that we should ensure all service managers and members of fire and rescue authorities who hear appeals receive appropriate training.

Chief Fire Officer's response

In its report, HMICFRS said that most fire and rescue services have taken steps to improve standards of behaviour and root out misconduct. But the inspectorate found there are still pockets of abhorrent behaviour, and it has called for further improvements to make sure misconduct is handled effectively.

As you will be aware, we were one of 10 fire and rescue services to take part in this thematic inspection back in November last year which focused on misconduct, improving values and culture in across fire and rescue services nationally.

Across the 10 services inspected, the inspectors found:

- occurrences of unacceptable behaviours including sexist, racist and homophobic language were most common within watches
- there is a widespread lack of confidence in misconduct processes which prevents staff, particularly women, from speaking out
- supervisors and managers are not sufficiently trained to manage staff performance, poor behaviour and welfare issues. Staff that manage and investigate misconduct need the right training
- fire and rescue services need to learn from their misconduct cases to prevent reoccurrence of incidents of unacceptable behaviours.

The hot debrief that Staffordshire received did not raise any significant issues however, I am working with the rest of the principal officers and others to review the 15 Recommendations which HMICFRS has made for **all fire and rescue services** and we will look to implement any changes required across our Service.

These recommendations and our progress against them, will be tracked and monitored using our HMICFRS Action Tracker, alongside Areas for Improvement and Recommendations arising out of other inspections and reports such as the Values and Culture report. Scrutiny is applied through our governance arrangements and individual Recommendations and Areas for Improvement will only be regarded as 'Complete' having been signed off at Service Delivery Board.

It is extremely important to us that we have a positive culture within the Service and we are constantly looking to improve the support we give our staff, increase diversity to be reflective of our local communities and ensure our organisation is a place where people enjoy coming to work.

We have taken the opportunity to remind our staff of the standards of behaviour we expect, and that there is no place for unacceptable or discriminatory behaviour within our Service. If anyone experiences any such behaviour or witnesses it, we actively encourage them to raise their concerns. We also have our independent reporting line 'SAY SO' whereby staff can report concerns anonymously.

Our full inspection report is due to be published early Autumn and will provide Staffordshire specific information on our overall performance and progress that we will review and act upon.

Police, Fire & Crime Commissioner's overall comments

I am confident in the processes Staffordshire FRS have in place to monitor and progress HMICFRS inspection actions and I will continue to include misconduct and grievance updates as a standing agenda item in my senior review meetings with the Chief Officer team. I am also keen to maintain transparency in reporting progress on inspection actions to the public so HMICFRS updates will remain as a standing agenda item at my regular Fire Public Performance Meetings. In addition, this formal response is published on my PFCC website and I would welcome formalising the requirement to respond to HMICFRS and the Home Office on inspection findings.