



Home Office

Rt Hon Mike Penning MP,
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Robert Neill MP
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Dear Bob

04 JUL 2016

POLICING AND CRIME BILL: INSPECTION OF FIRE AND RESCUE SERVICES

During the debate on day two of Report stage of the Policing and Crime Bill on the Government amendments to strengthen the inspection framework for fire and rescue services, you made some important points regarding the possibility of enabling the delegation of inspection powers to allow external contractors to undertake inspections where that expertise might be required (Official Report, 13 June 2016, column 1487-1488). In short there is nothing to prevent the bringing in of experts to provide advice should it be needed. For example, there may be a need to hire financial experts to review some aspects of a fire and rescue authority's accounts, or alternatively to produce a thematic review of the whole of the service based on research and available information.

What is not possible is for the inspection function itself to be delegated other than to another public authority. This power to delegate is to prevent duplication of effort between public bodies.

The inspection function is undertaken by those who are given a public office by Her Majesty, and given the extent of the powers that are held, including access to information and premises, this appears to me to be wholly appropriate. The chief inspector of fire and rescue services for England can appoint assistant inspectors and other officers to assist inspectors. These remain personal appointments, and one would expect them to cover the expertise required. We have modelled the clauses for fire inspection on the

legislative provisions for the inspection of policing. In this context HMIC supplement these appointed personnel with civil servants and secondees, and also expert associates whom they bring in on a contract basis.

This does not however, as I have indicated above, prevent engagement with experts – including private companies - to assist with the provision of advice if this were to prove necessary.

I think this is the right balance between ensuring the confidence of fire and rescue authorities and the general public in the public purpose and integrity of an inspectorate, and enabling it to draw on expertise as necessary to support its inspection role.

I do hope that you find this answer satisfactory, but would be happy to discuss further if that would help. We can of course review the situation in the future, and in the light of experience gained once the inspection process starts.

I am copying this letter to Andy Burnham and Jim Fitzpatrick and placing a copy in the library of the House.

Regards
Mike

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