

Impact Assessment, The Home Office

Title: Minimum Service Levels (MSL)
Secondary Legislation for Fire and Rescue Services

Date: 08 February 2024

Stage: FINAL

IA No: 0458 **RPC Reference No:**

Intervention: Final

Other departments or agencies:

Measure: Secondary legislation

Enquiries:
frsminimumservicelevels@homeoffice.gov.uk

RPC Opinion: Not Applicable

Business Impact Target: Non-qualifying regulatory provisions

Cost of Preferred (or more likely) Option (in 2023/24 prices)

Net Present Social Value NPSV (£m)	100.13	Business Net Present Value BNPV (£m)	-0.14e	Net cost to business per year EANDCB (£m)	0.01
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What is the problem under consideration? Why is government intervention necessary?

Currently, fire and rescue services (FRS) activity during strike action relies on cover from employees not undertaking strike action or from external parties (military personnel or contracted support). All FRS have business continuity plans in place, and sometimes also have voluntary return to work agreements to draw on the event that a major incident occurs. However, these do not provide sufficient assurances to adequately mitigate the risk posed by strike action. Minimum Service Levels (MSL) are needed to mitigate as much risk to public safety as possible and to ensure an appropriate level of staffing is upheld during strike action. Currently, there is no legislation that introduces statutory MSL during periods of strike action, therefore government intervention is necessary.

What is the strategic objective? What are the main policy objectives and intended effects?

Strategic objective: Improve public safety by limiting the impacts of firefighter strike action whilst balancing this with the ability for FRS employees to strike.

Policy objective: The legislation aims to ensure a minimum service level is provided by FRS to the public during strike action, while maintaining the ability for strike action to take place. It also aims to mitigate the risk that FRS could be overwhelmed by demand during strike periods, reduce the potential impact of major incidents during strike action, improve public safety and the safety of firefighters, and reduce the costs associated with developing business continuity plans.

What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base)

Option 0: 'Do nothing' Take no action and make no legislative changes.

Option 1: Set an MSL requiring FRS to staff 73 per cent of pumping appliances in a business as usual context during a period of strike action. **This is the government's preferred option as it meets the strategic and policy objectives.**

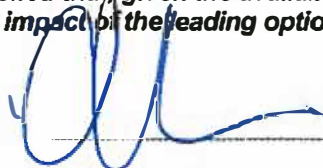
Main assumptions/sensitivities and economic/analytical risks	Discount rate (%)	3.5%
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The best available data is used in the analysis, informed by experience and expertise. Several high impact assumptions are made which are significant determinants of the NPSV of these policies. These include the amount of strike action that this legislation would prevent, actual and potential strike turnout, and the monetised value of a firefighter's work. However, relevant analysis and data is put forward to help understand the uncertainties involved.

Will the policy be reviewed? It will be reviewed. If applicable, set review date: Feb 2029

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits, and impact of the leading options.

Signed by the responsible Minister



Date: 07 February 2024