

## **Note of last Fire Services Management Committee meeting**

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**Title:** Fire Services Management Committee

**Date:** Monday 12 March 2018

**Venue:** The Hilton Hotel, Gateshead

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### **Attendance**

An attendance list is attached as **Appendix A** to this note

<b>Item</b>	<b>Decisions and actions</b>
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<b>1</b>	<b>Welcome, apologies and declarations of interest</b>
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The Chair welcomed members to Gateshead and noted that there were apologies from Cllrs Nick Chard, Jason Ablewhite and Judith Hughes. Cllr John Robinson was present as a substitute for Cllr Hughes.

There were no declarations of interest.

<b>2</b>	<b>NFCC Plan - presentation from Roy Wilsher</b>
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The Chair introduced Roy Wilsher, Chair of the National Fire Chiefs Council (NFCC), who gave members an update on the work the NFCC has carried out over the last year. This included an overview of work on the new inspectorate and standards body, as well as inspections following the Hackitt Review. The NFCC had established an action plan going forward into next year, which was designed to support FRAs to work collaboratively. The action plan covered risk assessments, advice on governance, workforce reform strategy, finance, prevention work and development of a digital strategy. Roy noted that the NFCC had been supporting the Hackitt Review and that it had representation on each of the six workstreams.

On the Professional Standards Body (PSB), Roy explained that work on this would go through the NFCC's Central Programme Office and would be supported by FRAs. He noted that there was a proposal to establish a board that would sit above the PSB, and that the LGA and NFCC would both have seats on that board. Underneath this would be a consultation group which would involve all other stakeholders. Roy advised members that FRAs would not be required to contribute any additional funding but that match funding from the Home Office had been secured and there was talk of the Home Office contributing £1.5 million per year for this work. Members were told that the paper included in the agenda pack was the start of the engagement and consultation process and Roy noted that there would also be a workshop on this subject at the LGA's Fire Conference.

Members made the following comments:

- Members raised concerns about funding and questioned how long the Home Office's commitment to £1.5 million per year would last. Roy explained that the money had been agreed up until the next Comprehensive Spending Review (CSR) but that the Government would not be able to commit to any additional funding beyond that.
- Members noted that they had been advised that there would be an approximate £27,000 cost to each FRA for this work and they were concerned that this amount could increase. Roy explained that no additional cost burden would be placed on FRAs on top of what had already been agreed. He agreed that the new inspection regime should not impose too much of an added burden on FRAs and he noted that there would be no more than one inspection per year.
- On the inspectorate, members sought reassurance that the new regime would be proportionate and that there would be transparency in terms of future costs to FRAs. There were concerns that additional staff would need to be hired for the inspection process post-Grenfell and that while it was agreed that buildings must be inspected, that additional burden needed to come with extra resource.
- Members were keen to know how long the standards guidance would last and whether it was anticipated that there would be further changes in the future. Roy hoped that the new standards would have longevity but did note that circumstances can change and that they would be at the whim of the Government so it was not possible to give any guarantees at this stage.
- Some concerns were raised about the lack of involvement FRAs have had in developing the new standards guidance. Members felt that the LGA could be more involved in the process. Roy noted that the FSMC had a seat on the Professional Standards Body Project Board and that he fed back Members' views from FSMC meetings. Roy suggested that he could meet with the Chair more regularly between FSMC meetings if it would be helpful.

### **Decision**

Members **noted** the presentation.

### **Action**

Officers to arrange additional meetings between Cllr Ian Stephens as Chair of the FSMC and Roy Wilsher.

## **3 Fire safety in high rise buildings**

Mark Norris, LGA Principal Policy Adviser, gave members an update on the continuing work around fire safety in high rise buildings and noted that the LGA had been given a position on two of the six working groups set up following Dame Judith Hackitt's interim report - the Occupation and Maintenance Group and the Residents' Voice Group.

The Occupation and Maintenance Group was looking at the responsibilities of the fire service and environmental health officers, and how to balance the conflict between fire safety orders and the Housing Act 2004. The Group was keen that when considering fire safety in high rise buildings, the building is looked at as a whole and that whoever is responsible for fire safety has the ability to exercise powers in both communal areas and inside the individual residences.

The Group was also considering whether there should be a new regulator for fire safety, what a regulator would look like and who it would be. Members were advised that the Group were considering whether a national, overarching regulator could work or whether there would be a lead agency responsible for fire safety and coordinating activity which would determine whether or not a building was safe.

In terms of the broader ongoing work, Mark noted that efforts were still being made to identify private high rise blocks with ACM cladding, but that Ministry for Housing, Communities and Local Government (MHCLG) officials had stated that there were a substantial number of blocks they have not yet been able to identify the cladding on due to the sheer number of buildings that needed to be inspected. It was also noted that there was still no clear legal guidance on the powers local authorities have in cases where the owners of private blocks were unwilling to cooperate or on who can compel owners to remove cladding if it is found to be unsafe. An additional £1 million in funding had been made available to local authorities struggling to identify the materials on some of their buildings and officers were due to meet with officials the following week to discuss how that money would be used.

Members made the following comments:

- The cost burden produced by this work was a significant concern for members and while it was acknowledged that the work would be expensive, it was not clear what the overall costs would be. Members were keen for some indication from the Government of how much the work would likely cost overall and whether additional funding would be made available to local authorities and fire and rescue services. It was felt that councils were not able to play the role they wanted to without appropriate funding.
- It was noted that obtaining information about privately owned high rises was proving difficult, particularly in relation to ownership of such buildings. It was also suggested that there was a need to look beyond just high rise buildings in terms of inspection and enforcement.
- Concerns were raised about issues with supply chains in terms of expertise and materials and it was thought that scarce resources were likely to lead to inflated costs once the private sector began inspecting buildings and replacing unsafe cladding. It was suggested that joint procurement between councils could be useful in an effort to prevent the private sector from outbidding local government in terms of the costs. On the private sector, it was also felt that there was a huge amount of funding potential in private industry and that the NFCC could perhaps lead on joint engagement between the private sector

and local government.

- Members wanted to see progress from the Government in terms of guidance on which materials were safe and felt the LGA could press harder for this. It was also suggested that a national categorisation or prioritisation system could be established to ensure that the buildings most at risk had cladding removed and replaced as quickly as possible. It was acknowledged that this would not be done overnight but that the public needed to be assured that progress was being made. Members were keen that a list of questions were drawn up and presented to the Government either via parliamentary questions or engagement with MPs.
- Members welcomed the letter sent to Dame Judith Hackitt by the Grenfell Task and Finish Group but were concerned that the FSMC's involvement in this was not strong enough. It was noted that there had been disagreements between the FSMC and the Board responsible for housing and building regulations in the past and there was a feeling that the FSMC had been side lined despite representing fire and rescue services across the country. It was suggested that the FSMC should have parity with other LGA policy boards and a better level of engagement with the Grenfell Task and Finish Group.
- In terms of a regulator, some members suggested a similar format to the HSE in the short term while a more permanent arrangement was made, and some raised concerns about ensuring that whatever the regulator looks like, it needed to have sufficient capacity and expertise to work effectively.

## **Decision**

Members **noted** the update.

## **Actions**

1. Officers to draw up list of questions to ask the Government on funding and resources, as well as guidelines on what sort of cladding is safe to use.
2. Officers to draft a letter from the FSMC Lead Members to be sent to the Fire Minister.
3. The Chair to meet with Lord Porter to raise the Committee's concerns about their ability to engage on these issues.
4. Officers to share action points with the Grenfell Task and Finish Group.

## **4 Fire Conference 2018 and 2019**

Lucy Ellender, LGA Adviser, outlined the conference programme and noted that although the Fire Minister was invited, he was unable to attend. He had been invited to the next Fire Commission meeting and was

provisionally holding the date in his diary.

Catriona Coyle, LGA Events Manager, summarised the proposals for the 2019 conference and sought members' views.

Members made the following comments:

- Members agreed that moving the conference to another part of the UK would be a good idea and that it could lead to the LGA having greater bargaining power.
- Members wanted to be clear that any hotel that was chosen had a fully operational sprinkler system throughout the building.
- Members were happy with the suggestion of Brighton and felt that the Jury's Inn was reasonably priced.
- Following the problems with transport experienced by delegates at the previous Brighton meeting, it was felt that some PR work may be needed in advance of the meeting.
- Members did not want to change the dates of the conference as it fit neatly into an existing calendar of conferences.

### **Decision**

Members **noted** the conference programme and **agreed** proposals to hold the 2019 conference at the Jury's Inn in Brighton, if available on the required dates.

### **Action**

Officers to proceed in line with members' views.

## **5 Workforce report**

Clair Alcock, LGA Firefighters' Pensions Adviser, briefly outlined the updates contained in the report, noting in particular the significant increase in FRAs and Scheme Managers meeting The Pension Regulator's expectations. Clair noted that a GDPR data conference was being put on specifically for FRAs to support them ensuring their pensions data is in order, and that the two new websites had been made live.

Gill Gittins, LGA Principal Negotiating Officer, updated members on the negotiations, noting that the Fire Minister in England had given his feedback and requested additional information. Gill said that the Welsh Government wished to engage in further discussions and that the Scottish Government had already provided a commitment to funding which would be sufficient to cover national negotiations and changes they wanted to see locally in the Scottish FRS. Gill also advised members that £10,000 had been allocated to work on the Court of Justice Matzak case, and would be used to seek a QC's opinion to inform guidance on the implications of the case. A sounding board had been set up to inform this work.

The following comments were made:

- The Chair of the On-call Steering Group, Terry McDermott, had welcomed the work being done and it was noted that he had a place on the sounding board.
- Members praised the work of Cllr Nick Chard and the workforce team, and the progress they had made in negotiations was noted.
- Members asked what impact the additional funding announcement from the Scottish Government would have on the NJC negotiation. Gill explained the Scottish FRS and FBU representatives in Scotland had recently issued a joint statement on how work in relation to the changes Scottish Government wish to see would be taken forward. It made reference to the Board, management and union being fully committed to the NHC and that anything involved in the national negotiation would therefore be progressed through NJC routes.

## **Decision**

Members **noted** the report.

## **6 Outside bodies - oral update from members**

Members gave the following updates:

- The first meeting of the cross-party Sprinkler Working Group had been held and it was agreed that despite the title, other fire suppression measures would also be considered by the group. An update on the Group's work would be given at the next FSMC meeting in June.
- Members were keen for the Chair to write to the facilitator of the Fire Leadership Essentials programme [I didn't catch the name of this person, please clarify].
- Cllr Simon Spencer noted the work carried out by the Oncall Steering Group [clarify] and said that a good marketing campaign had been established. He noted that some campaign videos were being planned and that they would be a useful tool for all FRAs.
- A conversation was had about the inspection regime and how the main focus of the regime was on the operation of FRSs rather than governance. Members asked where the review of political governance fit into the inspection regime and whether any progress had been made in terms of LGA peer reviews. It was suggested that it would be useful to see the finalised methodology of inspections by HMICFRS before pursuing peer reviews but that as the pilots begin, the group would be re-energised. It was felt that governance shaped operation so there were some concerns about the inspection regime not taking an overall view of how an FRS operates. Charles Loft, LGA Senior

Adviser, said that the Peer Review Working Group would be re-established once the results of the initial pilots had been made available.

### **Decision**

Members **noted** the update.

### **Action**

1. Officers to draft letter to facilitator [insert name].
2. Officers to proceed as directed on the Peer Review Working Group.

## **7 Fire Services Management Committee update and outside bodies paper**

Members **noted** the update paper.

## **8 Minutes of the previous meeting**

Members **agreed** the notes of the previous meeting as an accurate summary of the discussion which took place.

### **Appendix A -Attendance**

Position/Role	Councillor	Authority
Chairman	Cllr Ian Stephens	Isle of Wight Council
Vice-Chair	Ms Fiona Twycross AM	London Fire and Emergency Planning Authority (LFEPA)
Deputy-chairman	Cllr Rebecca Knox	Dorset and Wiltshire Fire and Rescue Service
	Cllr Keith Aspden	North Yorkshire Fire & Rescue Service
Members	Cllr John Bell	Greater Manchester Fire and Rescue Authority
	Cllr Mark Healey MBE	Devon and Somerset Fire and Rescue Authority
	Cllr Simon Spencer	Derbyshire Fire and Rescue Authority
	Cllr David Acton	Trafford Metropolitan Borough Council
	Cllr Les Byrom CBE	Merseyside Fire and Rescue Authority
	Cllr John Edwards	West Midlands Fire and Rescue Authority
Apologies	Cllr Kevin Dodds	Gateshead Metropolitan Borough Council
	Cllr Jason Ablewhite	Huntingdonshire District Council
	Cllr Nick Chard	Kent and Medway Fire and Rescue Authority
In Attendance	Cllr Judith Hughes	Kirklees Metropolitan Council
		NFCC