

Note of last Fire Commission meeting

Title:	Fire Commission
Date:	Friday 20 September 2019
Venue:	Bevin Hall, Ground Floor, 18 Smith Square, London, SW1P 3HZ

Attendance

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

Item	Decisions and actions	Action
1	Chair's Welcome, Apologies, Declarations of Interest The Chair welcomed members to the meeting. The Chair said he had a list of apologies for the meeting and asked for any further apologies from the floor. There were no further apologies. There were no declarations of interest. He said that a new format was being tried for the meeting with cabaret style seating rather than theatre style to try and facilitate discussion amongst Commission members, particularly during item 5. The Chair pointed out the flip chart at the back of the room and asked members to write down on it any ideas they had for the Fire Conference in March. The Chair highlighted the lunchtime session on the Matzak case and encouraged members to stay on for this important item. He also urged members to look at the sector-led improvement leaflets that were distributed on the tables.	
2	Fire Standards Board The Chair welcomed Suzanne McCarthy, Chair of the Fire Standards Board, to the meeting and asked her to update members of the Commission on the work of the Board. Suzanne explained that the Fire Standards Board was established by the Home Office in January to create a suite of professional standards which would support the continuous improvement of services delivered by fire & rescue services across England. This in turn would achieve greater transparency and lead to enhanced public confidence in fire services. She stressed that the Board is not a regulator and doesn't have the power to enforce the standards. She said that the board comprises seven members	

with her as the independent chair, and an independent vice chair, Alison Sansome, who was also in attendance. She added that the Board has been given five years to establish the standards but she was optimistic that it could be done more quickly than this.

Suzanne went on to explain what the Board had been doing since it was set up in January:

- She reported that the Board had now met three times, agreeing a governance process and a process for developing individual standards.
- She stressed the importance of the Board not working in isolation and that they were seeking views of stakeholders in the process. To this end, she explained that a Strategic Engagement Forum had been established.
- Work had started on creating a standard template. Suzanne stressed that this must be short, concise and written in plain English so that fire & rescue services are clear what is expected of them.
- Scoping of a full suite of standards would take place at the Board's next meeting in November.

Suzanne explained that the Board was working very closely with Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) over the development of the standards and the two organisations were currently in the process of agreeing a Memorandum of Understanding.

Suzanne explained that the Board was going to pilot two standards in the first instance, to determine how well the process works, and that they aimed to get the first of these officially in place during 2020.

Suzanne stressed the importance of communicating what the Board was doing and flagged up the Board's new website – www.firestandards.org. She asked members of the Commission to make use of it and to spread the word to other colleagues and stakeholders.

Suzanne concluded by saying that she wanted the Board to remain in regular dialogue with the LGA to make the process of developing and introducing the standards as efficient and effective as possible.

Following Suzanne's presentation, members asked the following questions:

- How would success be measured against the standards? Suzanne said that they would be reporting annually to the Home Office.
- Wouldn't it have been more sensible for the standards to have been set before the HMICFRS started work? Assurance was sought that the new standards were being led by the independent Board and not by the Inspectorate. Suzanne repeated that they are working closely with the Inspectorate but that they are separate independent bodies.

- Within each standard, how high would the bar be set? Suzanne said that a basic standard would need to be reached but that support should also be provided to help and encourage Fire & Rescue Services to go beyond that standard.

The Chair thanked Suzanne for her presentation.

Decision

The Commission noted the presentation.

3 Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services

The Chair welcomed Zoe Billingham, HM Inspector of Fire & Rescue Services, to the meeting.

Zoe updated members on emerging findings from the tranche 1 & 2 Inspections of fire & rescue services and some initial observations from tranche 3:

- The emergency response function was generally very good.
- Understanding of risk, and development of Integrated Risk Management Plans, was patchy.
- Protection measures were generally a concern.
- Response to national incidents needed to be looked at much more thoroughly in future inspection rounds.
- Efficiency – fire and rescue services were struggling financially much more in tranche 2 compared to tranche 1.
- Modernisation and transformation of the way services are delivered also needed greater attention in the second round of inspections, in particular, learning from best practice.
- Values – diversity, inclusion, leadership and treatment of staff were all major concerns in tranches 1 and 2.
- No significant surprises have emerged from tranche 3.

Zoe said that HMICFRS had made 2 recommendations as a result of the inspections so far:

- Consistent standards regarding performance in key areas (identification and determination of risk, and consistency of definitions related to emergency responses and high-rise buildings) should be established for fire and rescue services.
- At the next spending review, the Home Office should address the deficit in the fire sector's national capacity and capability to support change.

Zoe explained that tranche 3 reports would be published in December 2019 alongside the Inspectorate's first State of Fire and Rescue report

which would summarise the key national themes. These would include:

- National infrastructure
- Standard of Leadership
- Consistency of approach – tackling the ‘postcode lottery’ including financial disparity
- Barriers to delivering a fire service for the future.
- NJC negotiating machinery as a barrier to change
- Complexity of resourcing rural areas

Zoe explained that the next cycle of inspections of the 45 fire & rescue authorities would start sometime between April and September 2020. She said that they would be broadly similar to the first cycle but a Direction of Travel Statement may be introduced. She added that the Inspectorate may use smaller tranches of inspections which would lead to faster publication of the results.

Zoe said that she was anxious to get more expertise in for the next cycle of inspections and, to that end, she would be looking to recruit secondees from the fire & rescue services on a longer term basis than had been done for the first inspections.

Zoe concluded her presentation by stating that the Inspectorate was in the process of updating methods for corporate governance inspections and until this work had been completed, there would be no inspections of this aspect of fire & rescue authorities’ work.

The following comments and questions were raised by members:

- It was vital that the Government recognised the serious financial difficulties being faced by fire & rescue authorities. Extra resources were being directed at the Police service and the NHS but not at fire services. Zoe said that they had only found two authorities that were in serious financial difficulty during their inspections but funding was a political issue and not within the Inspectorate’s remit to lobby Government on.
- In respect of modernisation of services, the Inspectorate needed to be sensitive to the difficult decisions that would need to be made by authorities that might have very specific issues. Zoe agreed with this comment.
- When would the data gathering phase start for the next cycle of inspections? Zoe said that it was difficult to say until she had been given a firm date for the start of the second phase but she would let authorities know as soon as she knew.
- Would it be possible to move to a five-year cycle for inspections? Was it necessary to inspect all authorities on such a regular basis as is currently happening? Zoe said that it was likely after the

second cycle that they would move towards more of a risk-based system and concentrate inspections on the poorer performing authorities.

- Could the Inspectorate look at how effective different duty systems were as some authorities struggle to recruit staff for the retained system? Zoe said that she wasn't aware of other viable alternatives at the present time.
- Does the Inspectorate recommend a preferred method of governance? Zoe said that they look at each authority and how effective its individual governance arrangements were but don't recommend a particular model.
- There seems to be a misunderstanding in the Home Office that Fire & Rescue Authorities can spend capital funding on revenue.

The Chair thanked Zoe for her presentation.

Decision

Members of the Commission noted the presentation.

4 NFCC People Programme Inclusion Strategy

The Chair welcomed Ann Millington, NFCC People Lead, to the meeting.

Ann introduced the NFCC's People Programme Inclusion Strategy and said that it had six main objectives which would help create an inclusive and positive workplace:

1. Strengthen Leadership and Line Management to support organisational change and improved community outcomes.
2. Develop cultural values and behaviours which would make the Fire & Rescue Service a great place to work for all our people.
3. Ways of working that are able to respond to service needs.
4. Provide excellent training and education to ensure continuous improvement of services to the public.
5. Continue to support the Health and Well-being of all our people.
6. Strengthen our ability to provide good service by diversifying our staff and creating a fair & equal place to work.

Ann said that an Action Plan was being drafted to accompany the Strategy and she urged colleagues in the room to comment on it when it comes out.

Ann stressed to Commission members the importance of inclusion and diversity – it was core to service delivery and should be at the heart of the activity of every fire & rescue authority, not just a tick box add-on. Bad behaviour, especially towards women needed to be challenged more. She

added that inclusion was also now a legal requirement and it was vitally important that effective Equality Impact Assessments were carried out by Fire & Rescue Authorities.

Ann cited the example of people able to self-rescue from an incident and pointed out that people unable to self-rescue were potentially at greater risk. There are a variety of reasons people may be unable to self-rescue including pregnancy, disabilities, mental health issues, and learning difficulties. She said that Equality Impact Assessments and prevention plans must take this sort of thing into account, otherwise authorities could be vulnerable to legal challenge, with services getting considerable value from engaging with their communities on these issues.

Ann concluded by making a plea to Commission members about authorities' commercial work, and in particular, procurement. She said that some authorities needed to be much better at managing contracts and entering into joint procurement arrangements with other local authorities. She added that there was lots of money to be saved by doing these things more efficiently and the Home Office would want to see evidence of this before contemplating increases in central funding for Fire & Rescue Authorities.

The following comments and questions were raised by members:

- Inclusion needed to be part of regional meetings and should be a key part of the Fire Commission's work.
- Inclusion was too often not seen as a priority and whilst organisations were signed up, it was just to tick the box. A commitment to diversity and inclusion should also be a key part of the recruitment process for new Chief Fire Officers.
- What could the Fire Services Management Committee and the Fire Commission do to help deliver change in attitude and practice at fire & rescue authorities? Ann said that the LGA needed to be clear that some of the existing bad practices wouldn't be tolerated.
- Good practice needed to be shared more widely to enable others to learn from the best.

The Chair thanked Ann for her presentation.

Decision

Members of the Commission noted the presentation.

5 Discussion session - national picture and future priorities

The Chair asked Gary Hughes and John Tench from the LGA to introduce the discussion session on the national picture and future priorities.

Gary introduced the session by giving a brief update on the LGA & NFCC Peer Support Framework and explained how the process could be of benefit to fire & rescue authorities.

Following this introduction, John asked Commission members to discuss the following questions and to record the key points to help officers set future priorities:

1. What are you most concerned about in your area? What are your key priorities?
2. What are you most proud of in your area? How can we share that notable/best practice?
3. What else can the LGA do to help support you? And as a result of this discussion is there anything missing from the draft priorities paper?

The session concluded by members providing brief feedback from their tables.

The Chair thanked Gary and John for facilitating the session.

6 Fire Commission and Fire Services Management Committee Priorities 2019-20

The Chair asked Lucy Ellender from the LGA to introduce the report. Lucy thanked Commission members for their input over the previous discussion session and said that the feedback would be collated and used to update the priorities set out in the paper. Lucy asked members to e-mail her if they had any further comments.

The Chair thanked Lucy for her presentation.

Decision

Members of the Commission noted the report.

7 Workforce update

The Chair tabled the Workforce Update report which was noted by members without discussion.

8 Fire Commission update paper

The Chair tabled the Fire Commission Update report and noted that Cllr Carter had issued a point of clarification, by e-mail prior to the meeting, on the Fire Reform Agenda on page 26 of the report.

Cllr Carter stated that the judge did say the Government could still proceed with the current arrangements irrespective of the findings, which is currently being appealed against by the Shropshire and Telford Fire & Rescue Authority legal team in addition to them having put forward a further request regarding the business case. He added that in his view Shropshire and Telford Fire and Rescue Authority did not technically lose the Judicial Review. He added that, in his view, the second paragraph needed to recognise that further challenges were in the process of going ahead.

Decision

The update was noted by members without discussion.

9 National Fire Chiefs' Council update

The Chair tabled the National Fire Chiefs' Council update report which was noted by members without discussion.

10 Building safety update

The Chair tabled the Building Safety Update report which was noted by members without discussion.

11 Minutes of the previous meeting

The minutes of the meeting held on 24 May 2019 were agreed.

12 Workforce (EU Working Time Directive, Matzak case)

A presentation on the Matzak case was given over lunchtime by Philip Bundy from the LGA.

Decision

Members of the Commission noted the presentation.

Appendix A -Attendance

Position/Role	Councillor	Authority
Chairman	Cllr Ian Stephens	Isle of Wight Council
Members	Cllr Peter Lewis MBE	Conwy County Borough Council
	Cllr Rob Nolan	Cornwall Council
	Cllr John Chatterley	Central Bedfordshire Council
	Cllr Paul Kirton	Stockton-on-Tees Borough Council
	Cllr Robert Taylor	Rotherham Metropolitan Borough Council
	Stephen Mold	Northamptonshire Police, Fire and Crime Commissioner
	Clare Monaghan	Greater Manchester Combined Authority
	Cllr Roger Price	Hampshire Fire and Rescue Authority
	Cllr Roger Phillips	Herefordshire Council
	Cllr Terry Hone	Hertfordshire County Council
	Cllr John Briggs	Humberside Fire Authority
	Cllr Jayne McCoy	Sutton Council
	Cllr Les Byrom CBE	Merseyside Fire and Rescue Authority
	Cllr Stuart Tranter	Kent and Medway Fire and Rescue Authority
	Cllr Frank De Molfetta	Lancashire Combined Fire Authority
	Cllr Tig Anthony Outlaw	Isle of Wight Council

	Cllr Miles Parkinson OBE	Lancashire Fire & Rescue Service
	Cllr Zafar Iqbal MBE JP	Birmingham City Council
	Cllr Nick Worth	Lincolnshire County Council
	Ms Fiona Twycross AM	Greater London Authority
	Cllr Denise Turner-Stewart	Surrey County Council
	Cllr Richard Rout	St Edmundsbury Borough Council
	Cllr Carol Theobald	East Sussex Fire Authority
	Cllr Keith Aspden	North Yorkshire Fire & Rescue Service
	Cllr Colin Spence	Suffolk County Council
	Cllr Donald Davies	North Somerset Council
	Cllr Kevin Buttery	Derbyshire Fire & Rescue Service
	Cllr Sara Randall Johnson	Devon and Somerset Fire and Rescue Authority
	Cllr Rebecca Knox	Dorset and Wiltshire Fire and Rescue Service
	Cllr Nikki Hennessy	Lancashire County Council
	Cllr Ruth Skelton	Derby City Council
Apologies	Cllr Byron Quayle	Dorset and Wiltshire Fire Authority
	Cllr Michael Payne	Nottinghamshire County Council
	Cllr Jan Curtice	Swansea City and County Council
	Cllr Tina McKenzie-Boyle	Bracknell Forest Borough Council
	Cllr Tony Taylor	Sunderland City Council
	Cllr Darren O'Donovan	Kirklees Metropolitan Council
	Cllr John Robinson JP	County Durham and Darlington Fire & Rescue Authority
	Cllr Brian Kenny	Wirral Metropolitan Borough Council
	Cllr Christopher Carter	Hampshire Fire and Rescue Authority
	Cllr David Norman MBE	Gloucestershire County Council
	Cllr Nick Chard	Kent and Medway Fire and Rescue Authority
	Cllr Nicholas Rushton	Leicester, Leicestershire & Rutland Combined Fire Authority
	Cllr Peter Hogarth MBE	Solihull Metropolitan Borough Council
	Cllr Judith Heathcoat	Oxfordshire County Council
	Cllr Eric Carter	Telford and Wrekin Council
	Cllr Peter Harrand	West Yorkshire Fire and Rescue Authority
	Cllr Kevin Reynolds	Cambridgeshire and Peterborough Fire Authority
	Cllr Bob Rudd	Cheshire Fire & Rescue Service
	Cllr Janet Willis	Cumbria County Council
	Cllr Leigh Redman	Devon and Somerset Fire and Rescue Authority
	Cllr Colleen Atkins MBE	Bedfordshire Combined Fire Authority
	Cllr Kevin Dodds	Gateshead Council
	Cllr Shaun O'Neill	Rochdale Metropolitan Borough Council
	Cllr Steve Marshall-Clarke	Derbyshire Fire and Rescue Authority
	Cllr Fran Oborski MBE	Hereford and Worcester Fire and Rescue Authority
	Cllr Val Smith	South Wales Fire Authority
	Cllr Rachel Bailey	Cheshire East Council
	Cllr David Cannon	Berkshire FRA
	Cllr Linda Taylor	Cornwall Council
	Cllr Jason Zadrozny	Ashfield District Council