

17 November 2017

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

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<b>Title:</b>	Fire Services Management Committee
<b>Date:</b>	Friday 22 September 2017
<b>Venue:</b>	Rooms D&E, Ground Floor, Layden House, Turnmill Street, London, EC1M 5LG

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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 &amp; Declarations of Interest</b>
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The new Chair, Cllr Ian Stephens, welcomed members to the meeting, noting the change in membership, and giving thanks to FSMC's previous Chair, Cllr Jeremy Hilton, Cllr Peter Jackson, and Cllr David Acton who was a Deputy Chair in the previous meeting cycles and now returns to the Committee as a member. The Chair noted that the lead members would now be holding regular meetings in between full Committee meetings.

Apologies were received from Cllr Rebecca Knox, Cllr Simon Spencer, Cllr David Acton and Cllr Judith Hughes.

There were no declarations of interest.

Members were advised that this was the last meeting of the Committee to be held at Layden House, and that the LGA would be moving back to Smith Square at the end of October.

<b>2</b>	<b>Terms of reference, membership and outside bodies</b>
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The Chair introduced this item and drew members' attention to the list of outside bodies. A brief conversation was had about outside body appointments and it was agreed that each political group would make their nominations and the appointments would be discussed by lead members and officers after the meeting.

**Decision:**

Members **noted** the report.

**Action:**

Officers and lead members to agree appointments to outside bodies.

### 3 FSMC Policy Priorities for 2017-18

The Chair outlined the policy priorities for the coming year.

Members made comments on the following issues:

- Concerns were voiced that the implications of the Grenfell Tower fire were not listed as a corporate priority by the LGA Leadership Board.
- Members felt that the funding priority needed to be fleshed out in light of discussions between the National Fire Chiefs Council and the Home Office.

#### **Decision:**

Members **noted** the Committee's priorities for 2017-18.

### 4 Fire and Rescue Service Inspections

The Chair introduced HMI Zoe Billingham, who gave members an update on the future inspection of fire and rescue services following the appointment of HMICFRS as the inspectorate. Zoe wanted to reinforce the idea that the new inspectorate would be working closely with FRAs and that an inspection would not work in isolation. Members were told that the inspection system would be developed with the service to promote improvement and identify existing excellence across the fire and rescue service. FRAs would be given advance notice of inspections and the inspectorate will use experts from across the service in the delivery of inspections and to issue guidance to FRAs on how to do well.

Members were told that inspections would focus on three key areas: operational service delivery, organisational effectiveness and efficiency. The inspections would entail one week of fieldwork, during which time staff would be asked for data as well as a self-assessment of strengths. As the inspection methodology develops, HMICFRS will carry out two or possibly three pilot inspections. 45 FRAs had so far volunteered to take part in these pilots. The actual inspections would be conducted in three tranches over 18 months starting in April 2018. The inspection plan HMICFRS would be working to would be published in March 2018. Once the first round had been completed inspections would then be carried out on a risk based approach.

Zoe concluded her presentation by assuring members that the inspectorate would continue to work closely with the service and that there would be a wide ranging consultation of the inspection programme as it progresses.

Following the presentation, members made the following comments:

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- It is important to talk with stakeholders as well as those directly involved in the service. Members were advised that the inspectorate was seeking public opinion through surveys, opinion polls and focus groups, and that they were considering which other public service bodies ought to be involved in the process.
- Concerns were raised about funding pressures but members were assured that the inspectorate was being funded to carry out this work and that there would be no additional charge to services taking part in the initial pilots or inspections going forward.
- Members questioned whether the goalposts for inspections were likely to change as the inspectorate goes through different batches of the pilot. Members were keen to ensure there would be no advantage to services that were inspected at a later stage. Zoe agreed that while lessons would be learnt as the process goes on, the goalposts would not be moved.
- The use of language during these inspections was discussed, with members concerned that some of the language used in inspections in other sectors had the potential to humiliate authorities – ‘excellent, good, poor’ etc. Members suggested that the language used needs to be careful while provided a useful description of the quality of the service. Zoe said that reports of inspections would be given in the clearest terms and that there would be a single graded judgement of each FRA, as well as scores of each of the three strands of inspection.
- Members were keen to see peer involvement included in the inspection system and they suggested that both officer and member peer involvement would make the inspections more credible. Members questioned whether the inspections would look at the governance of the service. Members were told that while there is value in including peer inspectors, there are complications relating to legislation and that as judgements will be of operational service delivery, the HMICFRS does not necessarily see a role for member peers. That said, Zoe suggested that there was room for conversation about this and that over time, a corporate governance type of inspection, only to be used rarely, would be developed and that there could be a role for member peers there.
- Members were keen to see clarity in the terms of inspections and made the point that the terms need to be clear and in language that the public can understand. Zoe agreed that judgement grades need to be clear and that there needs to be a balance between being frank about the quality of a service being provided and not alarming the public unduly in cases where the service is not performing as it should.

**Decision:**

Members **noted** the recommendations set out in the paper.

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**Action:**

Officers to proceed as necessary.

**5 Professional Standards Body**

Dan Tasker, Area Manager at Hampshire Fire and Rescue Authority, attended the meeting to give members an update on the work he is doing on the Professional Standards Body Project.

Dan explained that part of the fire reform agenda was the need to create a suite of standards for the fire and rescue service. The Professional Standards Body (PSB) Project team has been commissioned to create a consistent, accountable and transparent set of standards which the service can strive to achieve and also be measure against. This is an ongoing process and the project team are working closely with HMICFRS, as well as looking at how existing standards bodies work for other public services. Research undertaken as part of the project had been narrowed down to two primary means of delivering standards – physical standard setting and a standardised approach to delivery. The PSB would provide a clear, standardised approach on how to achieve a benchmark level of standards but the model by which this is delivered was still up for discussion. Dan outlined four possible delivery models – the fully absorbed model within the College of Policing, the mirror model where the PSB was part of the College of Policing but produced separate fire standards, an affiliated or collaborative model with the College of Policing, and a FRS-led model. It was suggested that the second and third options look most useful and that the affiliated model seemed to be a popular choice with stakeholders.

The affiliation model of delivering standards would allow for two separate colleges – one for fire standing alongside the College of Policing – with collaboration at its heart. This would involve joint standards, codes of ethics and scene investigation, with the fire and rescue service already works with the police on. The PSB was looking at how best to bring joint strategic leadership programmes, as well as joint research and development hubs together to benefit both services.

In terms of funding, members were told that there had to be an idea of the scope and nature of the standards agreed, as well as the size of the organisation needed to deliver such standards before an accurate suggestion of costs could be made. The project team had started to look at where potential funding could come from and it was noted that a lot of what is needed already exists so it could be a matter of utilising existing capacity to deliver a standards body. Consideration was also being given to a transition grant fund and whether fire authorities would need funding support to achieve new standards.

Dan concluded by saying that developing standards involves a six-stage process which can take up to 18 months but as a number of standards already exist, it may not take this long.

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Following the presentation, members made the following comments:

- Members wanted clarity about the number of bodies looking at standards for the fire service and where responsibility for setting standards would ultimately sit. Dan said that there was still a lot of debate to be had on this point and that the governance structure was still being considered.
- A question was asked about how the Professional Standards Body fits in with the National Occupational Committee which is also setting standards. Dan agreed that this was confusing as there were a number of organisations claiming to be setting national standards, including: the Institute of Fire Engineers, the National Occupational Committee, the National Occupational Standards, the National Operation Guidance Programme. It was noted that pulling all of these strands together to ensure a single set of clear standards was the purpose of the Professional Standards Body.
- Concerns were raised about how this project and the delivery of standards would be paid for. It was noted that the College of Policing receives funding from the Home Office but it wasn't clear whether additional money would be available for the fire service. Chloe Dunnett from the Home Office noted that this project was not seeking to replicate the College of Policing but that efforts to work jointly with the sector were being made to create something different which was fit for purpose. The Home Office position is that consideration needs to be given to creating something which is value for money and identifying the funding streams was critical in deciding what would be the best way forward. Members felt that the Home Office should assign as much money to the fire service as it does to the police service and that cut backs or efficiency savings already being made in the fire service could only go so far.
- Members suggested that research and development across the sector ought to be brought together to avoid carrying out the same work many times over. There is a need to be more efficient in deciding who does what and where the money comes from for research.
- A point was made that establishing one set of standards was a good way to be efficient in terms of working with other regions so that national policy can be agreed to and delivered at a local level. Members said that it was one thing to talk about a national strategy but another to deliver it on the ground. Concerns were raised about underestimating the cost of individual and collaborative standards departments to ensure checks and balances are maintained through this process.

**Decision:**

Members **noted** the report and suggested that the report's

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recommendations should feature concerns about funding.

## **6 Grenfell Tower and fire safety in high rise buildings**

The Chair introduced Sir Ken Knight, who is leading the independent expert advisory panel advising the Government on fire safety measures in the wake of Grenfell. Sir Ken outlined the remit of the panel and explained that the panel's work means it sits to some extent alongside the inquest and the police investigations, but is separate from the public inquiries. Sir Ken updated the members on work being done to test cladding samples and to communicate with local authorities so they could assess residents' immediate safety. As well as liaising with social housing landlords, the panel was also hoping to obtain more information about the cladding on private sector buildings. Sir Ken was keen to emphasise that the panel's key priority was to assess risk to occupants in buildings and that this was the main focus over compliance with building regulations more specifically.

Sir Ken told members that the panel was working closely with Home Office officials, giving advice to the Minister, but also with the London Fire Brigade (LFB), specifically Nick Coombe, who provides fire safety management support at the LFB. Nick spoke briefly to members about fire safety guidance and the need to update guidance for buildings which have unsafe cladding. The LFB maintains support for the 'stay put' guidance and suggests that this guidance would be retained once unsafe cladding had been removed from the affected buildings. Dany Cotton, Commissioner of the LFB, also gave members an update on the ongoing work around fire safety as well as ensuring the ongoing safety and welfare of fire officers. Dany was clear that there was a good reason for the 'stay-put' guidance and that it continued to be the correct guidance for residents in high rise buildings. The message was that the guidance was not just about building regulations and compliance but the vulnerable people living in these buildings.

Following these updates, members made the following comments:

- Members all praised the work of the LFB and echoed concerns about any attempts to water down the stay-put policy. The LGA should stand by its guidance while also recognising that some buildings will require a different approach while unsafe cladding is removed. Members felt it was important that the sector had one, united voice to ensure that messages on public safety were clear.
- A concern was raised about how fire safety measures, once established, would be monitored and enforced. Nick Coombe explained that the legislation is very clear in saying that the responsibility for fire safety rests with the landlord, or the managing agents in leaseholder blocks, while it is the Fire and Rescue Service's role to enforce and monitor compliance with legislation through its inspection programme. It was explained that in London, a risk based approach is taken as there is nowhere near enough capacity to inspect every single building.

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- On fire suppression measures, members felt that stronger support needed to be given to the installation of sprinklers in new buildings but also retrofitting them wherever possible. Some members felt that retrofitting could be done cost-effectively without negatively impacting residents too much, but that some landlords and leaseholders make this difficult. It was noted that the report referenced local decision making ability but the reality was that very few authorities would be able to retrofit sprinklers because they could not afford it. Members felt that the LGA needed to be stronger in saying that sprinklers are essential and in lobbying the Government to ensure that they properly funded the necessary work. Sir Ken agreed that fire suppression systems are vital but also noted that there had been a lot of innovation in the field and that while sprinklers form a valuable part of a holistic package of fire safety measures, they were not a panacea.
- A discussion was had about funding and what level of support would be available from the Government. LGA Principal Policy Adviser, Mark Norris, noted that work was ongoing to survey local authorities, asking what the cost of recladding their affected buildings would be. He said that they had received some estimates but would have a better idea of what level of support would be needed in time. It was noted that London Councils was carrying out similar work and that an initial idea of the quantities involved would be available soon.
- Members were keen that when lobbying the Government, the LGA should emphasise the point that the conversation is not just about planning or cladding, but about people being and feeling safe in their homes.

**Decision:**

Members **noted** the update.

**Action:**

Officers to continue liaising with local authorities about the cost of recladding and making buildings safe.

## **7 Workforce report**

LGA Fire Pensions Adviser, Clair Alcock, provided members with an update on the work to make people aware of the risks within the Firefighters Pension Scheme. Clair mentioned the Pension Scheme Governance and LGA Firefighters Pension AGM events being held on 9-10 October 2017 and encouraged members to attend if they could.

On the Scheme Advisory Board, Clair told members that details of the three members nominated to sit on the board had been referred to the Minister and she was hoping for confirmation shortly. Members were told

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that the board had been consulted by the Government Actuary's Department (GAD) with regards to two elements of the 2016 valuation, past service costs and industry specific assumptions, in order to respond to the consultation, external actuarial advice has been sought. It is estimated by GAD that the details of the change to employer contributions for 2019 will be finalised by about April 2018. Clair told members that changes to tax rules in 2016 will lead to significant numbers of the workforce becoming liable for tax payments on their pension savings. Tax awareness seminars had been commissioned to provide clarity on this issue. Details on events from the board can be found [here](#).

Gill Gittins, LGA Principal Negotiating Officer, then updated members on the pay offer. Gill noted that the National Employers had written to the employees' side suggesting that a 1 per cent uplift in pay was agreed while discussions about the wider offer were ongoing. A response on that matter was awaited. She advised members that the National Employers would be meeting on 5 October and that there were clear indications that the employees side wished to remain positively engaged in negotiations to secure an overall agreement on broadening the role and related pay increases. It also remained engaged in joint political lobbying work and issues being explored in the joint Technical Working Group in respect of learning points from the trials.

Gill also advised members that the team would be in contact with FRAs shortly before the meeting on 5 October to assess the impact of the FBU direction to its members that they should no longer engage with the trials with effect from 18 September as a consequence of rejecting the over-arching longer term offer. It was noted that there could be an issue at local level around MTFA for those services with specialist teams. It appeared that some local union officials may be interpreting the FBU instruction as also applying in that area despite it not being part of the trials. The FBU had issued a circular on MTFA following reports of some services advising staff that such work is contractual and already part of the role. The circular had expressed a contrary view but also advised members that its Executive Council had not made any decision yet, therefore it was not covered by the trials decision.

Members made the following comments:

- Members thanked the workforce team for their ongoing work, recognising the union change from initial rejection to a recommendation to accept, and felt it was a shame that the pay offer had then been rejected by FBU members. There were concerns that the workforce felt acceptance of the 2 per cent offer included an agreement to continue co-responding work indefinitely. Gill advised members that FAQs had been issued to FRAs at the start of the process, and that the FBU had also issued clear FAQs and a letter from the President so efforts had been made to make it clear what acceptance would entail.
- Members were keen that the pace of the discussions remained unchanged and that an agreement on broadening the role was



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secured.

- Members said that they understood why employees were concerned about the level of proposed increases in the context of increasing media coverage of public sector pay and lifting pay restraint but the Government position remained unclear.

**Decision:**

Members **noted** the update from the workforce team.

**8 Update paper**

The Chair referred to the update paper included in the agenda and highlighted that members were still able to bid for sessions at Fire Conference.

**Decision:**

Members **noted** the update paper.

**9 Minutes of the previous meeting**

Members **agreed** the minutes of the previous meeting were an accurate record of the discussion.

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**Appendix A -Attendance**

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