

11 April 2008

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## **Update from Fire Services Management Committee 10 March 2008**

1. The Fire Services Management Committee met on 10 March 2008 in Coventry ahead of the LGA fire conference, where the following issues were discussed:

### **Update on current issues**

2. The Chairman informed the meeting that David Harper would be leaving Communities and Local Government at the end of March and wished him well.
3. Four constructive meetings of the NJC's joint working party on pay '08 have been held and further dates have been scheduled on a monthly basis up until June.
4. The LGA had submitted responses to the three CLG consultations all of which are on the LGA website:
  - On the Centre of Excellence consultation, around eighty per cent of fire authorities had responded to. The responses were mixed. CLG will establish a committee to look at issues requiring national coordination.
  - On the National Framework consultation, CLG is currently evaluating the responses and will then assess where any amendments are needed. The aim is to publish a formal consultation response by the end of March with publication and the Statutory Instrument in April/May.
  - On the Equality and Diversity Consultation, CLG advised that there had been a lot of consensus in relation to the consultation. A launch event has been scheduled to take place on 28 May at QEII at which the minister and Cllr Les Byrom will speak.
5. It was agreed that Sir Ken Knight will be invited to attend a future FSMC meeting to report on how the Chief Fire and Rescue Adviser's Unit. It was noted that Sir Ken was assessing the order in which to refresh the Health and Safety Manuals. It was agreed that an FSMC member should link into further discussions.
6. Cllr Anthony Duggan advised the meeting that the Executive Leadership Course was proving to be very successful and that there had been a good standard of applicant.
7. It was noted that the process for the Comprehensive Area Assessment (CAA) replacing CPA was underway.
8. With regard to the Audit Commission National Performance Assessment Report, the Chairman advised that the majority of FRAs were improving but that it has been reported that the gap between the best and worst performing authorities was increasing. It was agreed that at its next meeting, the FSMC will discuss CAA and performance issues.

## **Pensions**

9. Cllr Fred Walker told members that the working group had now held two of its three meetings and had started to sift figures that identified the management of ill-health retirement in individual FRSS. A recommendation to the minister will be formulated at the third meeting of the group.

## **FiReControl**

10. The main issue of concern was still the business case. A letter from CLG, co-signed by Cllr Jerry Willmott, explaining the delay in the publication of the business case, has been sent to all FRAs. The Fire Services Management Committee will continue to work with and scrutinise CLG to ensure that the final business case is published in June. This finalised document will include regional annexes and details of expected savings.

## **Equality and Diversity in the fire and rescue service – next steps**

11. Emma Varley provided an update on the initial analysis of responses to CLG's Equality and Diversity Strategy consultation. Nine joint national actions have been developed and will be progressed jointly by CLG, CFOA and the LGA. Members agreed a proposed LGA action plan to provide a strategic lead on equality and diversity

## **Current CLG Position on Integrated Risk Management Planning (IRMP)**

12. David Harper (CLG) explained that CLG's position was based on four issues:
  - 'good practice' guidance
  - research to underpin and drive forward the evidence base for IRMP
  - adequacy and impact of IRMP research
  - CLG 'health check' of IRMP policy implementation.
13. Good practise guidance has been developed by FRS officers; six guides have been produced, three more are being developed and two additional guides have been commissioned by CLG. This guidance is not mandatory and aims to avoid an overly prescriptive approach. The IRMP Steering Group has endorsed a number of pieces of research to support the evidence base for IRMP. This will be finalised and released as a FRS circular in due course.

## **Corporate Manslaughter and Corporate Homicide Act 2007**

14. David Harper (CLG) explained that CLG circular 6/2008 informed FRAs that they were specifically mentioned in this piece of legislation and urged them to seek legal advice on it. The Ministry of Justice has published a guide to the Act that can be found here:  
<http://www.justice.gov.uk/docs/guidetomanslaughterhomicide07.pdf> Paragraph 33 is of relevance to the FRS as it states that corporate manslaughter does not apply to the emergency services when they are responding to an emergency. Paragraph 34 goes on to describe the effect of this exemption with regards to timeliness and effectiveness of response. No duty of care is set out in the Act.

- 15. The Chairman noted that this was an important piece of information and that FRAs will need to take guidance from legal teams and CFOA. Health and safety manuals will also need updating to ensure that all FRSs are within the legislation.**

**Next meeting**

- 16. The next meeting of the Fire Services Management Committee will be held on Monday 12<sup>th</sup> May at Local Government House.**