

Fire Commission update paper

Purpose of report

For information.

Summary

The report outlines issues of interest to the Commission not covered under the other items on the agenda.

Recommendation

Members to note the update

Action

Officers to progress as appropriate.

Contact officer: Helen Murray
Position: Head of Programmes, LG Group
Phone no: 020 7664 3266
E-mail: helen.murray@local.gov.uk

Fire Commission update paper

Localism Bill: charging for False Alarms callout

1. The LG Group, CFOA and London Fire Brigade have been lobbying for an amendment to the Localism Bill concerning the ability of FRS to charge for false alarms. There is a concern that the current drafting of Clause 10, which deals with the power of Fire and Rescue Authorities to charge for responding to fire signals from AFA where mechanical error was the cause, is unnecessarily restrictive and in fact does not address the policy intention of reducing the number of false AFA callouts, which is a huge drain on resources across the fire service nationally.
2. Following positive discussions with CFOA, industry and DCLG in August, we had hoped the proposal to have the word “mismanaged” (alongside “misinstalled” and “malfunctioned”) would be inserted into the Bill. However DCLG have now confirmed that this will not be the case although we expect clarification around what the terms can include. This may assist FRAs. We continue to lobby on this point, and the President of CFOA has written to the Fire Minister supporting our case. The report stage of the bill will finish on 10 October when the outcome will be confirmed.

Fire capital grant allocation – consultation launched

3. LG Group and CFOA met with DCLG at the beginning of August to discuss the methodology for distributing capital funding for the next three years (a total of £210m, £70m per year). The LG Group and CFOA have registered the difficulties about a burdensome bidding process on already stretched FRAs. For speed and clarity, the advice of finance directors has been that the current distribution formula, although not perfect, would be preferable.
4. DCLG have now launched a formal consultation seeking views on the distribution and have partially accepted our case. The suggestion, subject to views, is that the fund will be split into two parts: allocations based on an efficiency fund, administered via a bidding process, and a pro-rata distribution using the current method.
5. The consultation is seeking views on bid criteria, the proportion of funding available for distribution versus the proportion of funding available to be bid against, the number of bidding rounds and sharing best practice. The LG Group and CFOA will be responding jointly to the consultation by 21 October deadline. Lead Members of the FSMC will be signing off this response.

6. See below link for the consultation document
<http://www.communities.gov.uk/publications/fire/capitalgrantconsultation>

Fire Service College

7. On 5 September, the Fire Minister launched the Government's premarket engagement exercise on the future of the Fire Service College. It is encouraging that the Minister favours a public/private partnership to jointly run the college with the fire sector having an integral role in the governance structure. This is line with the recommendations from the Fire Commission's Working Group. David Cartwright has met DCLG's consultant, Harriet Hepburn to explain the detail of our proposal and the Chairman is due to see the Minister on 12 October.
8. The FSMC's comments were picked up by the trade press, namely in articles in Public Finance, Fire Magazine and by the Fire Industry Association:
 - 8.1 <http://www.publicfinance.co.uk/news/2011/09/ministers-look-for-private-partners-for-fire-service-college/>
 - 8.2 <http://www.fire-magazine.com/Content/Doc.aspx?id=1946>
 - 8.3 <http://www.fia.uk.com/en/Information/Details/index.cfm/Govtseeking-private-partners-to-run-Fire-Service-College>

Emergency Services Mobile Communication Programme (ESMCP)

9. The Emergency Services Mobile Communication Programme (ESMCP) has been set up to consider options for the replacement of the existing Airwave radio system used by UK Police, Fire and Ambulance services. Contracts for the Airwave system begin to expire from 2016 and this will require the emergency services, to identify a suitable replacement that will provide the resilience and interoperability now considered an essential requirement across the UK.
10. The programme carries with it many significant risks including the funding pressure that will be created by a programme that will potentially run into hundreds of millions of pounds for the fire and Rescue Service alone.
11. The Programme is currently being led by the Home Office as the Lead Department of the biggest Airwave user - the Police, with programme management undertaken by the National Policing Improvement Agency (NPIA). However lead departments for Fire and Rescue (DCLG) and Ambulance Services (Department of Health) are already well engaged

Item 6

with the Programme as are professional bodies such as the Chief Fire Officers Association (CFOA). At this stage work is centred around the development of a clear set of user requirements and the engagement of industry to encourage a healthy market environment.

12. Given the cross-departmental nature of this programme perhaps the biggest risk is the danger of failure in the inter-departmental involvement. This might mean that one particular department, or one particular service dominates the programme and that the inter-operability requirements cannot be met. Members of the Fire Commission will be kept informed of progress.

Business continuity

13. Following the discussion at the June Fire Commission meeting, Cllr Brian Coleman wrote to all Chairs of FRAs reinforcing the need to review business continuity arrangements. A copy of this letter is attached at appendix A.

Fire Conference – March 2012

14. Planning for the annual Fire conference is now underway. The central theme of the event will be resilience and there will be a host of workshops tackling key related issues including the National Framework, civil disturbances and preparedness for the Olympic and Paralympic Games. Further details about the programme will be provided at the December Commission meeting.

Fires and incidents at sea – Maritime Incident Response Group

15. The Maritime Incident Response Group (MIRG) is a collective of 13 UK FRAs set up in 2006 to ensure that professional firefighters could be deployed to tackle fires and incidents at sea. In 2010/11 the cost of running the MIRG to the MCA was approximately £600,000 (matchfunded by the 13 MIRG FRS).
16. On 15 September, Mike Penning, MP (Parliamentary Under Secretary of State for Transport) released a Ministerial Statement stating that the existing MIRG arrangements will end on 14 December 2011.
17. Feedback from the shipping industry suggested that the most valued service provided by the MIRG was their initial fire assessment advice, a service that the government now intends to establish through the use of commercial salvors. There will be no cost to the public purse as the costs are recoverable.

<http://www.dft.gov.uk/news/statements/penning-20110915>

Item 6

18. CFOA have serious concerns about this proposal not only due to its potential impact on public safety but also on all coastal fire and rescue services.
19. The FSMC discussed this briefly and the Chairman has registered concerns of elected Members in a letter to the Minister (see appendix B for the text of the letter).

Pensions

20. The Government is planning to introduce changes to the Firefighters' Pension Scheme (1992) and the New Firefighters' Pension Scheme (2006). In the short term it proposes to raise employee contributions by 3.2 per cent over the next three years with the first increase scheduled for April 2012. In the longer term Government intends to introduce an entirely new Firefighters' Pension Scheme in line with the principles set out by Lord Hutton.
21. The LG Group are currently conducting a pensions survey to gauge take-up and leaving rates for pension schemes and the perceptions around contributions that employees hold. This includes contacting FRAs as this will help build a clearer picture of what the issues are for the fire sector.

Recovery Grant Scheme

22. Eighteen Fire and Rescue Services (appendix C for full list) are eligible to apply for a share of the £10 million Recovery Scheme Grant alongside local authorities for affected areas to assist with direct costs as a result of August's civil disturbances. Examples of expenditure that could be relevant to Fire and Rescue Services include:
 - 22.1 repairs to (uninsured) vehicles;
 - 22.2 the hire of additional vehicles, plant and machinery that are not those already in use by the authority, and incidental expenses;
 - 22.3 additional temporary employees or contractors, to work on the emergency or replace permanent employees diverted from normal work;
 - 22.4 special overtime for employees, either during the emergency for overtime worked on the emergency itself, or afterwards to catch up on work from which they were diverted by the incident;
 - 22.5 legal, clerical and other charges incurred on the above work.

Fire Kills campaign

23. The national advertising strategy for Fire Kills has been agreed and will be launched shortly. The strategy will include themed months, where each month a different message is promoted (for example, smoke alarm testing in October and exercising caution with candles in November). FRS will receive early indications of the themes so they can align local campaigns with the national one if they deem it appropriate.

Appendix A

Dear Colleague

BUSINESS CONTINUITY

You may recall that at the 17th June Fire Commission meeting, we discussed business continuity arrangements of Fire and Rescue Authorities. The amended recommendation recorded in the minutes asked Members to report on what action they have taken, or are intending to take, to test and review business continuity plans and to ensure that their own Authorities have made necessary arrangements to fulfil their statutory duties in relation to business continuity.

No doubt, you will all have seen the press release and circular issued by the Fire Brigades Union on 28th July about industrial action over pensions and suggesting support for industrial action in the autumn.

Informal soundings suggest that there is still a significant proportion of Authorities which have not examined business continuity plans in detail. There may be a number of reasons for this: some Chiefs believe that any industrial action will not affect their area; or that the impact on different unions will be phased; or indeed that these are target duties rather than absolute duties. However, Lead Member colleagues on the Fire Services Management Committee and I do not share that view and I am therefore urging you to urgently review and test your business continuity plans to satisfy yourself that these are plans are in place. In the event of widespread industrial action, it is unlikely that the Government, or the media, would regard it as acceptable for politicians of any FRA not to have recently tested processes and procedures.

We have a number of business continuity technical experts in our sector who can provide first class support and guidance so please do not hesitate to ask if you would like to take advantage of this.

Councillor Brian Coleman AM FRSA

Chairman, Local Government Group Fire Services Management Committee

Appendix B

Dear Minister,

Maritime Incident Response Group Funding

The Fire Services Management Committee (FSMC) of the Local Government Group are given to understand that your Department has announced the disbanding of the Maritime Incident Response Group (MIRG) by removing the central funding stream and have chosen to implement a strategy for public safety based on cost rather than risk.

The FSMC feels that this course of action would be extremely short sighted and we strongly urge you to ensure that the funding for MIRG is reinstated. Local Fire and Rescue Authorities should not be left to maintain and fund this key element of the UK's national resilience capability.

Over the last 12 months a significant amount of evidence has been developed that supports the requirement and benefit of having professionally trained UK firefighters able to deploy to vessels at sea. This has included an independent Review carried out in 2010, at some considerable cost to the Maritime & Coastguard Agency (MCA), which identified a very high risk of a significant incident involving fire occurring at sea (with the potential for the loss of 10 or more lives). The Review identified MIRG as the most effective and efficient response to these incidents and predicted 2-3 would occur each year which is in line with current MIRG activity.

The Transport Select Committee also recognised the significant impact MIRG has had at incidents since it was introduced in 2006 and recommended that it be maintained and funded centrally to ensure national resilience.

The FSMC are concerned at the way the MCA have arrived at this decision which cuts across the credible evidence and relies on a commercial capability that is not yet available and will not achieve the same response standards as the UK Fire and Rescue Service.

UK Fire and Rescue Authorities have no statutory duty to respond to incidents at sea and were acting in support of the MCA who have a duty to initiate a response to a fire on a vessel when requested by the Master. The reassurance provided to Masters, crew and passengers by MIRG over the last 5 years has been invaluable and its loss, on the grounds of cost (£380,000 per annum) and against all of the credible evidence is inconceivable, especially in light of the increased threat of terrorist activity and the risk surrounding the London 2012 Olympics.

It is of interest to note that on the same day that your Department announced the cut in funding for MIRG, a serious fire on a cruise ship off the coast of Norway resulted in the loss of two lives and left a number of passengers seriously injured. The scenario of a vessel on fire at sea in UK coastal waters without any national capability to respond, resulting in a loss of life or serious injuries is surely one which would cause major embarrassment to the Government and which should be avoided.

I would welcome your comments on the above points and look forward to receiving your reply as a matter of urgency, as Fire and Rescue Authorities have now received correspondence detailing the formal three month notice period to end MIRG with effect from December.

Appendix C

FRAAs that reported attendance at a fire relating to a civil disturbance, and therefore eligible to apply for the recovery grant funding include:

- LFEPA
- Greater Manchester
- Merseyside
- West Midlands
- Nottinghamshire
- Avon
- Buckinghamshire
- West Yorkshire
- Gloucestershire
- Berkshire
- Oxfordshire
- Essex
- Hertfordshire
- Leicestershire
- Tyne and Wear
- Bedfordshire and Luton
- Cheshire
- Northamptonshire