

Note of decisions taken and actions required

Title: Fire Commission
Date and time: Friday 17 June, 11.00am
Venue: Westminster suite (Room 8.1)

Item	Decisions and actions	Action by
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1 7/7 Inquest recommendations and lessons for the FRS

Commissioner Ron Dobson gave a brief overview of the key national implications of the inquest.

In response, the Chairman said that the Fringe meeting at the LGA conference on Wednesday 29 June would address Portfolioholder responsibilities and a paper on 7/7 lessons for the FRS would be prepared for this event.

The Commissioner said that he also spoke to many Chief Fire Officers on this issue and has offered to share the learning with CFOA.

Action

Officers to circulate the 7/7 Annual Conference workshop paper/presentation to all Chairs of Fire Authorities and community safety portfolio holders in counties (as they hold responsibility for fire matters).

**LG Group
Officers**

2 Fire Service College Working Group report

The Chairman thanked the working group for the work they put into the final report on the College. He noted that there had been strong interest from central government on the group's findings and that this was a good example of the Fire and Rescue Service leading the way.

Mr David Cartwright summarised the key recommendations from the report that the college be run as a public/private

partnership. He emphasised that there has already been significant interest from the private sector and that several companies were already standing by to compete for any consequent contract.

Mr Cartwright said that the future of the College would require input from all key players, including CFOA, LGA and CLG. He recommended the Commission becomes fully involved with forthcoming CLG discussions. He thanked all Members of the Working Group for their contribution to date.

In reference to private sector interest, Members asked what form the intervention of private sector enterprise would take and commented that the Fire Service has a responsibility to ensure the success of the new partnership with the private sector. Members said they were keen to see a range of options to ensure that the fire service can influence the detail of the new arrangements.

In response, Mr Cartwright said that the potential for private sector involvement was “huge” but that further work was needed within the sector on which training specialisms would need to be focused on before a decision could be made. He said that plans are still at a preliminary stage and discussions with CLG are yet to take place.

Members noted that many FRSs have stopped using the College in recent years due to subsistence and travel costs and a strong argument needs to be put forward to these authorities for keeping it open. Some Members commented that current usage of the College was inconsistent, with the College being virtually empty on some days and full on others. Members supported a review of what training is provided to address this issue.

Some Members endorsed private sector over public sector ownership and suggested that the best way to maximise the resource’s usage was to let other companies use the facilities as well as FRSs.

On the issue of running the College, some Members questioned why the concept of a government owned model had been dismissed so quickly.

Mr Cartwright responded that the major issue facing the College was lack of investment and that the funding required was

unlikely to come from either national or local government. He said that the future use of the facilities required fresh thinking and a strong board would be required to ensure the effective running of the College.

The report was agreed. The Chairman invited Members to submit any further comments on the report prior to the next meeting of the FSMC.

Decision

Members noted progress to date and agreed the recommendations set out in the report.

Action

Chair and Members of the working group to take account of comments and to reflect appropriately in recommendations to the Fire Services Management Committee.

**LG Group
Officers**

3 Business Continuity

Commissioner Dobson summarised the imperative for business continuity planning in all FRSs to be in line with current legal advice.

The Chairman said that this issue had been raised at the highest level. Politically, Members of fire authorities will be held responsible by government if an emergency situation occurs without adequate contingency arrangements in place. The Chairman reminded Members that this duty already existed in statute.

On communicating progress, some Members questioned the report's recommendation that they report to the Committee on what action they have taken. These conversations should be between the Fire Service and central government as it was a matter for individual FRAs.

In response, the Chairman said that central government had already communicated that they were unhappy with the situation as it stands. He agreed that FRSs needed to sort out their own problems but also help each other. He said that Chairmen of FAs currently rated as "Excellent", including LFEPA, would be happy to speak to other FAs who were at a less advanced stage of contingency planning.

The Chairman said that Sir Ken Knight is set to repeat his survey of all FRAs soon and this represents an opportunity for individual authorities to demonstrate how they are prepared.

Members from Greater Manchester pointed out that some authorities have just had big cuts in their budgets, making further contingency planning difficult.

Members said that legal advice is not always consistent over what are target duties and what are civil contingencies.

Cllr Sian Timoney agreed to re-word the recommendation on Member responsibilities to provide greater clarity in response to comments from the floor.

Action

In response to a point raised by Cllr Timoney, it was agreed to reword the recommendation to Members on business continuity as follows:

**Cllr Timoney,
LG Group
Officers**

“Members are asked to note the statutory duties in place for business continuity arrangements in FRAs and the importance of regularly testing and reviewing local business continuity plans in the light of the Audit Commission report's recommendations and the Minister's concerns.”

4 National Joint Council update

LG Group Principal Negotiating Officer Gill Gittins provided an oral update on the work of the fire negotiations team.

On the pay claim, Officers said that Fire Chairs had recently been sent a circular which included the Employer's Side response to the 5.2% claim that they are unable to make an offer this year. The Employer's Side recognised that this is the second year of no increase and also said it would be helpful to hold discussion at Joint Secretary level to see if it would be possible to justify a different position in 2012.

On the Part-Time Workers (Prevention of Less Favourable Treatment) Regulations legal agreements, Officers said that a small number of FRSs had been slow to respond to queries for sending out offer letters which meant the sector was already 2 months in breach of the legal agreement with the FBU and was

now also in breach of the RFU agreement. . They asked Members to urge their Chiefs to ensure any queries were responded to immediately as although the first stage was drawing to a close, a second stage would be likely to generate queries as well before compensation offer letters could be issued to employees.

5 Fire Commission update paper

The Chairman will be writing about the national framework working group and the issue will be brought to the FSMC at an appropriate time.

On the review of the LG Group/CFOA Peer Challenge, Councillor David Rowlands expressed disappointment that there was no CFA Members on the FSMC Working Group. Cllr Rowlands was duly invited by the Chairman to join the Group to ensure a balance of views was represented.

Members were asked to note the date of next year's Fire Conference on Tuesday 20 and Wednesday 21 March 2012 at the Highcliff Marriott Hotel in Bournemouth. Bookings can be made at <http://www.lga.gov.uk/lga/events/display-event.do?id=19064839>

In reference to the forthcoming Roundtable on Retained Duty System, the Chairman said that as the LG Group representative, Cllr Kay Hammond would feed in any views from colleagues.

6 Notes of the last meeting

In reference to the localisation of business rates, Members emphasised that Met Authorities are currently in a very different position to other types of Fire Authority.

Officers responded that the decision on this issue will recognise the arrangements in different Fire Authorities.

Decision

Members agreed the notes of the last meeting as a correct record.



Action

**LG Group
Officers**

Officers to circulate Business rates paper when it goes to
FSMC.

Date of next meeting: Friday 14 October 2011, Local Government House