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FSMC update paper

Purpose of report

For discussion and direction.

Summary

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

Recommendations

Members to note the update

Action

Officers to progress as appropriate.

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FSMC update paper

Fire Conference and Exhibition 2012

1. Following the steer from Members at the last Committee meeting, officers have researched possible venues in the south of England for next year's Fire Conference.
2. Officers propose that next year's conference be held on **Tuesday 20 and Wednesday 21 March 2012** at the **Bournemouth Highcliff Marriott Hotel**. The venue, a four star hotel that has just undergone refurbishment, and has sprinkler systems in line with Members' request, has been used consistently and successfully as the venue for previous LG Group Conferences.
3. Officers have been successful in negotiating decreased costs. A provisional booking has been made and, provided this is acceptable to Members, this will be confirmed shortly after the Committee meeting.

Local Government Resource Review

4. In March, Government published the terms of reference for phase 1 of its Local Government Resource Review (LGRR). The purpose of the review is to consider the way in which local authorities are funded, with a view to giving authorities greater financial autonomy and strengthening incentives to support local economic growth. Although timescales for the review are short – phase 1 is due to complete in July 2011 – the government is committed to implementing reform in 2013-14. The LGA's view is that the LGRR provides the most significant opportunity for meaningful reform of local government finance for some time.
5. Phase 1 of the review is focusing on the relocalisation of business rates, a change the LGA has consistently argued in favour of. However, the review is necessarily looking beyond business rates: since more than 80% of formula grant is funded by pooled business rates, relocalisation would inevitably require changes to the existing formula grant system. In considering relocalisation, the review is primarily concerned with how authorities can be incentivised through retaining business rate revenue to promote local economic growth.
6. Key issues for the review therefore include:

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- 6.1 Whether a reformed local government finance system should continue to assess needs and resources in order to ensure some degree of resource equalisation;
 - 6.2 Who should manage a needs / resource assessment and equalisation process if these elements are retained;
 - 6.3 How a relocalised model should incorporate an incentive mechanism and maximise public benefit from the reform;
 - 6.4 What local flexibility there should be around the business rate multiplier, discounts and reliefs, and revaluation.
7. The LGA's emerging position on the review was discussed at the Fire Commission meeting in January. From that discussion it was clear that FRAs are also interested in the implications for precepting authorities.
 8. The LGA has published two consultation papers seeking the views of its members on the review. The first paper highlights the key strategic issues arising from the review and is aimed at a non-technical audience. Additionally, a more detailed paper looks at a high level model of re-localised business rates and the technical challenges associated with re-localisation of business rates.
 9. Responses to both are requested by 20 May 2011, and should be sent to lgfinance@local.gov.uk

7/7 inquest findings

10. On Friday 6th May, Lady Justice Hallett published her findings into the deaths of 52 people who died in the July 7 terrorist bombings in 2005. As expected, the Inquest recorded verdicts of unlawful killing in all 52 cases. It also found that there was no evidence to support a conclusion that any failings of any organisation or individual caused or contributed to the deaths and that " each of the victims would have died no matter what time emergency services reached them". However, the report made nine recommendations covering the security service MI5, the emergency services and Transport for London:
 - 10.1 MI5 must review its procedures on showing photographs to informants, and make sure they see the best possible pictures
 - 10.2 MI5 should examine its procedures to see if it can further improve the recording of decisions on the assessment of targets
 - 10.3 Emergency planners should review the inter-agency training for front line staff, particularly with reference to the Underground system

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- 10.4 The way Transport for London is alerted to major incidents, and the way it tells other agencies about emergencies on its network, should be reviewed
 - 10.5 Transport for London and the emergency services should review procedures for agreeing a common initial rendezvous point. That point should then be permanently manned by an appropriate person from London Underground
 - 10.6 There should be a review of procedures for telling emergency services that the power in Underground tunnels has been switched off, and that it is safe to go onto the tracks
 - 10.7 Transport for London should consider whether first aid kits can be carried on Tube trains, and whether the stretchers stored at stations are suitable for use on both trains and stations
 - 10.8 London Ambulance Service and London Air Ambulance must review training of their staff for triage, or assessment, at incidents with multiple casualties. Particularly, staff should be told that performing triage does not prevent them giving immediate or basic medical treatment
 - 10.9 The government, the Mayor of London and other bodies should examine the funding and capabilities of the London Air Ambulance, which currently relies on "corporate funding" and charitable donations
11. Hallett also considered whether firefighters should have more discretion in deciding when they can proceed to an incident – in light of current protocols which meant firefighters had to wait for a second appliance to be deployed before they could approach the wrecked train carriages - and found that these were matters for London Fire Brigade to determine in reviewing their procedures and policies. London Fire Brigade responded that they would study the findings in depth.

Local Government Challenge

12. In April this year, the Local Government Challenge - a competition to find local government's future top executives – held its first ever challenge within a Fire and Rescue Authority. The challenge, hosted by Durham and Darlington FRA, was to spend a day working with the crews of two state-of-the-art PFI fire stations, and then to present innovative and sustainable proposals to increase community use of the two buildings. The challenge was set firmly in the context of their priority to reduce the numbers of vulnerable people dying in house fires.
13. Next year's LG Challenge will be launched in July at the LG Group Annual Conference in Birmingham, and the organisers are keen to see more fire and rescue services becoming involved. If you are interested in

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hosting a challenge, or in nominating one of the up and coming stars of your authority to take part, drop in at the LG Group stand or register your interest on the LG Group website from July onwards.

FiReControl

14. The Government's consultation on the future of fire control services closed on 8 April. The LG Group submitted the response approved by the FSMC at the last meeting in March. Initial feedback suggests a varied response on preferred options. A summary of responses and information about CLG's preferred funding model is expected soon after the end of purdah period.

Draft Fire Safety Guidance for Purpose Built Blocks of Flats

15. The Local Government Group has produced draft fire safety guidance for purpose built blocks of flats intended to give practical support and advice to all those with responsibilities for ensuring the safety of residents and others in these types of buildings. The work has been funded by CLG and produced under the auspices of the LG Group Environment and Housing Programme Board and is currently in draft for consultation on the LGA's website. The final guidance will be cleared with lead members of the FSMC before publication scheduled for July.

Flexibility to apply enhanced redundancy terms to NJC for LAFRS employees

16. As requested by the National Employers, the Secretariat has explored this option with CLG (in the first instance). Clarification has been provided on a number of points and members will be updated at the NJC Employers' Side meeting on 15 June.

Pay 2011

17. A working group of HR and finance advisers from across the spectrum of FRAs, supported by an LG Group researcher, has been progressing work related to changes we may wish to achieve in relation to the whole employment package. A report will be presented to members of the Employers' Side of the NJC for LAFRS when it next meets. We have not yet received a pay claim from the Employees' Side of the NJC but the Secretariat has been informed that one will be sent soon. The exceptionally difficult current circumstances for authorities will be of paramount importance in those considerations and how to take matters forward.

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Royal Wedding

18. Members will be aware that the Employees' Side of the NJC for Local Authority Fire and Rescue Services entered a claim for 29 April to be treated as a public holiday in the same manner as Christmas Day, for example, in terms of enhanced pay and time off in lieu as appropriate.
19. Members of the Employers' Side considered the claim and responded, in line with discussions at the last FSMC, that, whilst on this occasion the Employers' Side would be prepared to maintain enhanced payments for those required to work on that day (and who would have received enhanced payments on a public holiday as is the case for other nationally recognised public holidays), time off in lieu would not be appropriate in any circumstances. Following representations from the Employees' Side and concern raised by a number of FRAs it was agreed that time off in lieu would be applied to Station Managers on the Flexible Duty System and above (who would not be entitled in any case to enhanced payment). This enabled both sides to reach a collective agreement which was communicated to Fire Authorities via a circular.

Part Time Workers (Prevention of Less Favourable Treatment) Regulations

20. There are approximately 15,000 cases in the Employment Tribunal system brought across all FRAs with retained duty system employees, supported by the FBU (12,500 approx) and RFU (2,500 approx) designed to test whether or not the above regulations applied to employees on a retained duty system. Test cases have been progressed through the legal system up to the House of Lords, which asked the original Tribunal to reconsider its judgement. At that point the original Tribunal decided in favour of the FBU (which supports the test cases) and asked the parties to negotiate an outcome if at all possible given the complexity of the matters under consideration. Separate agreements have now been reached with the FBU and the RFU and a process for withdrawal of the cases identified. That process will shortly reach the offer letter stage.

Industrial relations

21. Relations at national level remain good at present, although over recent weeks there has been a slight increase in the number of individual FRAs requesting Joint Secretarial help to resolve local differences. Since March we have also handled three formal Joint Secretaries conciliations and a joint mediation as part of a legal process for an FRA. A further

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formal conciliation is currently in the process of being arranged. We have also handled a number of requests for informal assistance.