

## Supplemental Agenda

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### Fire Services Management Committee: Supplemental Agenda

Monday 6 March 2023

4.00 pm

Talbot Room, Crowne Plaza Hotel, Nottingham and Online

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**Meeting:** Fire Services Management Committee

**Date:** 6 March 2022



## Building Safety Update

### Purpose of report

For noting.

### Summary

This report updates members on the LGA's building safety-related work since the last meeting.

### Is this report confidential?

No

### Recommendation

That members note and comment on the LGA's building safety related work.

### Contact details

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# Building Safety Update



## Background

1. Since the Board's last meeting, the LGA has continued to monitor the implementation of the Fire Safety and Building Safety Acts, to plan related improvement work and continued to support remediation.

## Remediation

### Joint Inspection Team (JIT)

2. Councils have a duty to investigate suspected category 1 hazards under the Housing Act, which could include buildings with flammable cladding. The LGA is continuing to encourage its members to consider whether any private buildings in their area might benefit from a JIT inspection.

### General Position

3. The Department of Levelling Up, Housing and Communities (DLUHC) [statistics](#) for 31 January 2023 show that there has been a slight change from the December figures in respect of:
  - 3.1. 95% (464) of all identified high-rise residential and publicly owned buildings in England had either completed or started remediation work to remove and replace unsafe Aluminium Composite Material (ACM) cladding (99% of buildings identified at 31 December 2019, 98% of buildings identified at 31 December 2020 and 96% of buildings identified at 31 December 2021).
  - 3.2. All social sector residential buildings have either completed or started remediation. 99% have had their ACM cladding removed. No change from November.
  - 3.3. 443 buildings (91% of all identified buildings) no longer have unsafe ACM cladding systems – an increase of one since the end of December 2022.
  - 3.4. 407 (83% of all buildings) have completed ACM remediation works – no change since the end of December 2022. This includes 357 (73% of all buildings) which have received building control sign off – an increase of three since the end of December 2022.
4. On 28 July 2022, the government's £4.5 billion Building Safety Fund (BSF) reopened for new applications and remains open. Buildings over 18m with cladding issues are eligible to apply for the fund with guidance for applicants available [here](#). More information for leaseholders about the Building Safety Fund and what it covers can be accessed [here](#). Leaseholders can check if they qualify for the cost protections under the Building Safety Act using the government's new [Leaseholder Protections Checker](#) with [further guidance](#) available.

5. [Building Safety Fund data](#) shows that as of 31 January, 358 buildings have either started or completed work under the BSF, including 83 in the social sector, only 11 have completed and had building control sign off, another 93 are complete but not yet approved.
6. As of 31 January 2022, the total amount of funding allocated for the remediation of non-ACM cladding is £1,767m (including social sector). £169m of this is for the social sector.
7. As of 31 January 2022, the Building Safety Fund's total expenditure (including Social and Private Sector spend) was £809m.

## **Building Safety Act**

8. The LGA continues to work with the National Fire Chiefs Council (NFCC) and Local Authority Building Control (LABC) to support the Health and Safety Executive's (HSE) delivery of the new regime.
9. The NFCC has been asked to update members on its work in relation to the new regime at the meeting.
10. The LGA has a number of concerns, including:
  - 10.1. the difficulty fire services are experiencing in increasing staff capacity to deliver the new regime;
  - 10.2. the lack of information available to duty holders (who must begin registering buildings with the new regulator in April and complete the process by October); and
  - 10.3. proposed rules around the definition of a building for the purposes of the Building Safety Act, which risk excluding crucial parts of structures from the BSR's overview, confusing duty-holders and producing an unfunded transfer of work to the fire service.
11. The HSE plans further engagement with duty holders under the Building Safety Act in 2023 focused on what they need to do to register their building(s). The LGA will continue to support this engagement.
12. The HSE launched its 'Be ready' building safety campaign on 27 February. The campaign aims to help and encourage everyone affected by changes to building safety law to:
  - be ready – understand what is coming and how to prepare
  - step up – take ownership and manage risks
  - act now – comply with new law

The campaign's first focus is on being ready for high-rise building registration, the first operational function of the Building Safety Regulator (BSR) to come into force under the Building Safety Act, 2022. Owners of high-rise residential buildings must register them with the Building Safety Regulator by 1 October

2023. Details can be found [here](#); and you can sign-up to receive detailed information [here](#).

13. The first Building Safety Conference is being hosted by the BSR on Wednesday 22nd March at the Methodist Central Hall, Whitehall. Attendees will hear directly from BSR about the important changes that will come into effect from April 2023 and how to prepare for them.

## **Approved Document B: Open Consultation**

14. The LGA shall be responding shortly to DLUHC's [consultation](#) on proposed changes to Approved Document B.
15. The consultation includes:
  - 15.1. Consulting on the appropriate height threshold for the provision of a second staircase in new residential buildings, with a proposal to set a threshold for single stair residential buildings at 30m;
  - 15.2. Making provisions for all new care homes to include sprinklers;
  - 15.3. Recommending the removal of the national classification system (BS 476) for reaction to fire and fire resistance of construction products, ending the dual system currently in place; and
  - 15.4. Calling for evidence on revisions to paragraphs 10.6 and 10.7 of Approved Document B covering materials and products used in the construction of external walls.
16. The LGA shall be responding in line with previous policy positions and recommendations from the NFCC.
  - 16.1. We shall propose a threshold of 18m for provision of a second staircase in new residential buildings.
  - 16.2. We shall support the mandatory provision of sprinklers in all new care homes of any height.
  - 16.3. Subject to NFCC views, we shall support the removal of the national classification system (BS 476).
  - 16.4. We shall oppose any watering down of paragraphs 10.6 and 10.7.
17. A draft of the response has been discussed by Lead Members of the Committee.

## **Improvement**

18. The LGA has commissioned a set of six case studies on Large Panel Systems (LPS) Buildings which aim to explain the various management strategies of different local authorities in England.
  - 18.1. These case studies will detail the unique circumstances in which each council found their LPS stock, the challenges they encountered and the solutions they then adopted, varying from maintenance to demolition of all LPS blocks.

- 18.2. The case studies will be published on the LGA website and will provide a resource for councils to utilise when facing their own challenges involving LPS building blocks. We anticipate further cases where LPS blocks require management and see the introduction of a new safety case regime for high rise buildings as a good time to share best practice.
19. A Building Safety [Leadership Essentials](#) event for councillors was held in person at Warwick University on 1-2 February 2023. We had a very strong turn out and responses have been positive.
20. The next [LGA Building Safety Webinar](#) will take place on 9 March between 14:00-16:00. This event is aimed at Directors of Housing and updates on councils' responsibilities as landlords/ALMO overseers in respect of the new Building Safety Act regime, the Fire Safety Act and new fire safety regulations arriving in January. HSE will provide an update on BSR development (which will include the timetable for implementation) and speak about safety cases and resident engagement in the new in-occupation safety regime (for existing blocks); there will be an update on the Fire Safety Act and associated regulations. To register to attend please click [here](#).

## Implications for Wales

21. The Fire Safety Act came into force in Wales in [October 2021](#). The new regulations passed under the FSO only apply in England. Building regulations and fire and rescue services are devolved responsibilities of the Welsh Assembly Government, and the main implications arising from the recommendations of the Hackitt Review and the government's response to it are on building regulations and fire safety in England. However, the Welsh government has announced that it will be making the changes recommended in the report to the regulatory system in Wales, and the LGA has been keeping in contact to ensure the WLGA is kept informed of the latest developments in England.

## Financial Implications

22. Although the LGA has set up the Joint Inspection Team, the cost of doing so is being met by DLUHC. The Joint Inspection Team has secured funding for the next two years which will see it expand significantly. In effect, it will triple in capacity by the end of this financial year.

## Equalities implications

23. The group of people affected by building safety issues will be broad and include a wide variety of potential equalities issues, with social landlords for example having responsibilities to consider the need for personal emergency evacuation plans for people who are unable to self-evacuate from high-rise residential buildings.

## **Next steps**

24. Officers to continue to support the sector's work to keep residents safe and reform the building safety system, as directed by members.





# Fire Services Management Committee

<b>Date:</b>	6 March 2023
<b>Title:</b>	NFCC Update
<b>Presented by:</b>	Mark Hardingham, NFCC Chair
<b>Contact:</b>	<a href="mailto:chair@nationalfirechiefs.org.uk">chair@nationalfirechiefs.org.uk</a>

## 1. Purpose

- 1.1 This report provides an update on key work within the National Fire Chiefs Council (NFCC).
- 1.2 Any questions or requests for further information can be sent to either NFCC Chair Mark Hardingham ([chair@nationalfirechiefs.org.uk](mailto:chair@nationalfirechiefs.org.uk)) or Chief Operating Officer Susannah Hancock ([susannah.hancock@nationalfirechiefs.org.uk](mailto:susannah.hancock@nationalfirechiefs.org.uk)).

## 2. General Update

### NFCC Interim Organisational Structure

- 2.1 NFCC have launched a new organisational structure which provides a more integrated model of working. The new structure will combine similar functions across NFCC into centralised teams to allow more collaborative and efficient working using business partner approaches. The new organisational structure involves recruitment across various teams and will continue to be refined until we reach our final target operating model later in 2023.

### HM Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) Reports

- 2.2 The recent HMICFRS State of Fire report highlighted NFCC's work on developing national policy, the Fit for the Future initiative on the future role of the FRS, the continued development of national Fire Standards, and improvements in the regulatory fire safety role of FRSs.
- 2.3 Analyses of areas for improvement identified within the HMICFRS report, such as Prevention and culture and inclusion, are being undertaken by the relevant NFCC teams and assistance is being offered to FRSs where appropriate. Alongside the LGA, NFCC are currently supporting London Fire Brigade (LFB) and Gloucestershire FRS around their improvement plans and as part of the ENGAGE process.

Joint Emergency Services Interoperability Programme (JESIP) Ministerial Board – MAI

- 2.4 The JESIP Ministerial Board has been re-established after not meeting for approximately 12 months. The Board meets in March and is co-chaired by Minister's Philp, Quince, and Tugendhat and attended by blue light and Local Resilience Forum (LRF) partners. NFCC and FRSs are represented by the NFCC Chair, NFCC Operational Committee Chair CFO John Roberts, and the NFCC lead for JESIP DCFO Peter Heath.
- 2.5 Alongside further work to improve and embed the JESIP principles, the Board will be the principal Ministerial route through which the Government seeks assurance on the progress of FRSs, blue light partners, and other bodies against the recommendations found in the Manchester Arena Inquiry reports.

Turkey – International Search and Rescue (UKISAR) Deployment

- 2.6 Teams from UK FRSs deployed to the Republic of Türkiye to assist with search and rescue operations following the devastating earthquakes. The 77-strong UKISAR team is made up of firefighters and staff from 14 FRSs. It is deployed through the Foreign and Commonwealth Office. They provided specialist technical support and expertise where it was most needed. A team of specialist search and rescue dogs was also deployed.
- 2.7 UKISAR have specialist search equipment, including seismic listening devices to detect and locate people, concrete cutting and breaking equipment, propping and shoring tools, and listening and heavy lifting equipment. UKISAR is on permanent standby to mobilise and assist when requested by disaster-affected countries. It always deploys as an official UK Government team once a request has been made for assistance.
- 2.8 The team is made up from fire services in Cheshire, Essex, Greater Manchester, Hampshire, Kent, Lancashire, Leicestershire, Lincolnshire, London, Mid and West Wales, Merseyside, Scotland, South Wales, and the West Midlands.

Business Continuity Planning

- 2.9 FRS have moved a significant amount of work in the last 9 months to ensure they were able to establish the best possible business continuity plans for industrial action and meet the expectations of the National Framework and Civil Contingencies Act 2004. This has involved working closely with NFCC, National Resilience, the Home Office, the MoD and LRFs. There has been a significant amount of learning through the process for all parties and this learning will be captured for future use if necessary.
- 2.10 Linked to these planning arrangements, the Government consultation on Minimum Service Levels in the FRS has been published and NFCC will be considering our response in advance of it closing in May 2023.

**3. Protection Update**Protection Uplift Grant

- 3.1 Utilisation of the Protection Uplift Grant continues to increase and a full spending analysis for the quarter is currently being undertaken. The Home Office has confirmed that all 43 FRSs in

England will receive the second half of the 2022/23 Protection Uplift Grant in late March 2023. Discussions are ongoing to confirm whether the grant will be renewed for 2023/24.

#### Fire Safety (England) Regulations (FSER)

- 3.2 The FSER, which place new requirements on responsible persons (RPs) of high-rise residential buildings (HRRBs), came into force on 23 January 2023. The Protection team is currently working to produce guidance for FRSs to accompany the FSER. The Protection team has also created a toolkit to support FRSs with their messaging and engagement with RPs surrounding the FSER. The team is working with FRSs and national housing providers to establish a standard format for fault reporting to local FRSs, to be finalised by October 2023.

#### Building Safety Regulator (BSR) Transition

- 3.3 The regional working model for work to be completed under the new BSR has been agreed by all nine FRS regions and work on management and administration functions, which will be provided centrally by LFB, is ongoing. The proposed calculation method for the re-charge model that will fund new BSR burdens has been accepted and is with Chief Fire Officers (CFOs) for formal sign-off.
- 3.4 Recruitment work for FRS roles under the BSR is ongoing. NFCC will host a series of workshops for FRS Protection and HR staff in March 2023 to share the findings of research into staff retention issues.

#### Policy Position Statements and Communications

- 3.5 In December 2022, the Protection team published a policy position statement on Modern Methods of Construction ([MMC](#)), calling for tighter rules around their testing, and another urging the Government to require that new HRRBs have more than one [staircase](#). The Protection Cost-of-Living Toolkit was launched to FRSs, RPs, and business owners in December 2022. This contains key messages and information on the fire risks linked to recent cost-of-living rises. NFCC have also provided FRSs with a communication pack for potential industrial action.

## **4. Prevention Update**

#### Fire Kills Advertising Campaign

- 4.1 NFCC has been awarded Fire Prevention grant funding to deliver the Fire Kills national advertising campaign, which ran 1–28 February 2023. The campaign promotes key fire Prevention messages and targets television and online audiences. Toolkits to help FRSs promote the campaign were jointly produced by NFCC and the Home Office.

#### Children and Young People (CYP) Project

- 4.2 The new UK Fire Cadet (UKFC) Framework which sets out the vision for UKFC for the next three years has been approved. The UKFC Operating Protocol covering relationships between NFCC, UKFC, and FRSs and the MoU between NFCC and the Fire Fighters Charity have both been agreed. An event to boost post-Covid relationships between FRSs, the Prince's Trust, and other key stakeholders will take place on 22 March 2023.

- 4.3 Fire safety intervention awareness training for FRS leaders is ready to be delivered. NFCC are working in partnership with the training provider CVQO to develop two courses for FRS staff who work with CYP. Following the tragic events in December, the Prevention team produced a factsheet and poster for public safety advice around frozen rivers and lakes, and regional workshops are being held in early 2023. A survey has been circulated to FRSs to provide feedback following the launch of the Early Intervention Framework.

#### Road, Water, and Home Safety Projects

- 4.4 The Project EDWARD action week took place in October and discussions are being held on the charitable status and future of BikerDown! NFCC have supported the RNLI Community Waterside Responder scheme to train businesses at waterside venues, and this scheme now exists in many FRSs. The BeWaterAware campaign begins on 24 April 2023.

#### Community Mental Health and Fire Risk Project

- 4.5 Nottingham Trent University (NTU) has finalised the mental health and fire risk research, which has 18 recommendations for the sector. The NFCC Community Mental Health Board will be taking forward these recommendations.

#### Safeguarding Project

- 4.6 The Safeguarding Regional Leads Forum commenced in October 2022. The Self-Assessment Framework is receiving feedback nationally, and there is ongoing partnership work within the care sector regarding hoarding, signs, symptoms, and Prevention messages. NFCC presented at the national NHS Learning Week in November 2022.

### **5. People Programme Update**

- 5.1 In response to reports on culture in FRSs, NFCC has accelerated work on culture and equality, diversity, and inclusion (EDI) to address immediate priorities and support the development of a People Culture and Leadership Workplan. There has been an enhanced level of communications to promote EDI and the Core Code of Ethics (CCoE). NFCC has hosted workshop sessions on the CCoE and Maturity Models with multiple FRSs.

#### Health and Wellbeing Project

- 5.2 This project is run in partnership with NTU and the Fire Fighters Charity. NTU was commissioned to deliver research on the health and wellbeing support being provided by FRSs to assist the development of a National Health and Wellbeing Strategy.
- 5.3 The project was due to close at the end of September 2022 but, due to delays, the full draft report was shared at the end of October 2022. The output report and key priorities document have been approved by key stakeholders and is now awaiting sign off from Council. The report will then be published by NTU for the sector.

#### Recruitment (Tranche 2)

- 5.4 The recruitment project has been developing a major procurement exercise for research support to be delivered in the next financial year, which will examine the National Firefighter Selection Tests. A procurement strategy is in place for a research team to evaluate and make

recommendations on these tests, which outlines the business case for this work, statement of requirement, roles, estimated timelines, and budgets.

- 5.5 A pre-tender supplier day was held in December 2022, where potential suppliers discussed desired research outputs, budgets, and timeframes. Exact costing will be available once the tender process completes by the end of March 2023, but the outputs budget may need to be split across the 2023/24 and 2024/25 financial years. A business case has been prepared and will go to the Service Delivery Change and Investment Board (SDCIB) in April for decision.

#### Embedding Equality, Diversity, and Inclusion

- 5.6 The annual EDI report is on schedule for publication by the end of March 2023. A governance health check of the People Programme included reviewing the structure of the EDI Board, and results were brought to the People Programme Board for consultation in January. The EDI Board will consider moving away from being wholly project focused to also managing and supporting products and providing EDI specialist advice to other projects and programmes.

#### On-Call Firefighters Project

- 5.7 A business case for an on-call firefighters project has been prepared and will be progressed through governance of the People, Culture and Leadership Coordinating Committee and onto the SDCIB for decision in March 2023. The proposed work includes statistics covering on-call staff numbers, performance and availability data, and a repository of contracts and work patterns across FRSs. The project proposes creating an NFCC-led online On-Call Hub that will include the existing on-call recruitment site and an on-call management toolkit with lessons learned, best practice, and case studies from FRSs.

### **6. Portfolio and Planning Update**

- 6.1 As part of NFCC's organisational restructure, the Portfolio Office has taken on the responsibility for planning and will coordinate and support the creation of an annual plan for 2023/24 across NFCC directorates and teams. An annual planning cycle will launch in August 2023 for the 2024/25 financial year.

#### Quality Assurance Project

- 6.2 This project launched on 16 January 2023, and the Portfolio Office will collaborate with consultants from i3works to create a Quality Assurance Framework to ensure quality and continuous improvement across NFCC products. One key stakeholder engagement session has taken place, with a further two scheduled for March. Feedback from these sessions will be used to further develop a gap analysis, which is in progress.
- 6.3 The Portfolio Office are undertaking health checks to understand the state of current projects and programmes. Business case writing and benefits realisation are key areas requiring additional focus, and workshops on these two areas are being planned.

### **7. Leadership Programme Update**

#### Direct Entry

- 7.1 The Fire Service College has been appointed as the training provider for the operational programme. The NFCC Direct Entry and Leadership Boards have agreed to commence the

recruitment process for Direct Entry recruits on 3 April 2023. Reed Recruitment have been engaged to deliver the work required in preparation for and during the recruitment process.

#### Supervisory Leadership Development Programme

- 7.2 Since September 2022, the ManagementDirect online learning portal has registered 335 licences from 39 FRSs. Feedback from learners on the programme has been positive, and ongoing support for SPoCs continues centrally with national workshops offered in January and February to build a network where best practices and issues can be shared and discussed. The project will close in April 2023.

#### Middle Leadership Project

- 7.3 A draft project business case has been approved in principle by the NFCC Middle Leadership Project Board, the Leadership Programme Board, and the SDCIB. Consultation with the fire sector closed on 22 February 2023, with 81 responses received. A full report will be submitted to the Project Board in March, with the results informing the business case.

#### Strategic CPD Masterclasses

- 7.4 There has been an excellent response to the masterclasses on Finance, Commercial and Procurement, Corporate Governance, and Political Acuity, with over 95% of FRSs attending at least one. An evaluation report on the masterclasses is due in late March 2023. Further masterclasses are planned, including on Environment and Sustainability.

#### Coaching and Mentoring Portal

- 7.5 The free Mentoring Refresher Training in January, delivered in partnership with Coaching Focus Ltd, doubled the number of mentors registering on the Coaching and Mentoring Portal, and more FRSs continue to register. There are 17 live relationships which will start the process of evaluating the portal. The project will close in April 2023.

#### Core Code of Ethics

- 7.6 A recent survey found that out of 41 responding FRSs, 37 have adopted the CCoE and 33 have revised their local policies, procedures, and corporate plans to reflect the CCoE. The 2022 HMICFRS assessment of the FRS was encouraged by progress made by many FRSs in implementing the CCoE and meeting recommendations. Work is now focused on FRSs embedding the CCoE with their staff. Partners will hold a workshop on the CCoE at the LGA Conference.

### **8. National Operational Learning (NOL) Update**

- 8.1 NOL saw a decrease in the rate of submissions in Q4 when compared to previous quarters and previous years, but cases are up overall year on year. Further engagement to drive NOL submissions will take place, as well as engagement on the organisational learning processes as they are established. The NOL User Group received 96 cases and processed 73 cases in 2022/23, with a further 17 cases to be reviewed at the March meeting.
- 8.2 The NOL team now produce quarterly learning newsletters to share submitted information. A revised Good Practice Guide to support the Operational Learning Standard was published in July, which has helped to embed learning cultures across FRSs.

- 8.3 The project to establish organisational learning in NFCC has begun and teams restructured to adapt the NOL model for use in other areas. Areas being considered to drive learning include historical learning, prevention of future death reports, fire investigation reports, and Protection and Prevention learning. The team have been processing initial cases as a proof of concept of the interim processes and will be providing a report on NOL and other areas in April.

## 9. Digital and Data Programme (DDP) Update

- 9.1 Work has taken place to define and implement the new Digital, Data, and Technology (DDaT) Committee and supporting structures. The first Committee meeting took place on 23 February.
- 9.2 NFCC's Digital and Data Strategy is being updated to align with the Fit for the Future Strategy and reflect current priorities. A workshop with DDaT Committee representatives will take place in March 2023 to determine priorities for a DDaT sector strategy. The initial draft is anticipated to be shared with Council in June 2023.

### National Fire Data Collection System (NFDCS)

- 9.3 NFDCS is a Home Office-led project to transform the existing Incident Recording System (IRS) into a more comprehensive, flexible, and scalable national fire data collection system. Following delays, the aim is for a supplier to be in place by May 2023 with a view to deliver an initial solution by summer 2024. The initial solution will prioritise the scope of the current IRS datasets with subsequent expansion into other areas, such as Prevention and Protection.
- 9.4 The DDP team supported research mapping incident data to understand what additional data FRSs collect above that which is captured by the IRS. The analysis was presented to the Home Office in February and will inform a series of dataset review workshops that the Home Office will run with FRSs in the coming months. These workshops will provide FRSs with an opportunity to advocate for additional incident datasets to be captured within the new system.

### Data Management Framework

- 9.5 Following publication of the Data Management Fire Standard, the DDP team has defined and commenced development of the underpinning guidance and tools for the new standard. Initial drafts are being prepared for peer review in March 2023. Final publication is anticipated to be in October 2023 following a full consultation over the summer.

### Digital, Technology, and Cyber

- 9.6 Work on the five-point framework for digital, technology, and cyber remains a key focus. The framework comprises: strategy; standards; governance and structure; cyber; and promote, engage, motivate, and collaborate. Recruitment to roles to provide national leadership in cyber and information assurance and digital, data, and technology will begin in Q4.
- 9.7 DDP research, funded by the Home Office, on the status of cyber security resilience across FRSs concluded in December 2022. This research will inform where money can be directed to provide support to improve cyber resilience in FRSs. The Home Office will build on DDP's research with detailed Cyber Assessment Framework assessments of each English FRS, which will inform how the next two years of funding are targeted.

