

# Fire Services Management Committee

## Agenda

Friday, 25 November 2016  
11.00 am

Rooms A&B, Ground Floor, Layden House,  
76-86 Turnmill Street, London, EC1M 5LG

**To:** Members of the Fire Services Management Committee  
**cc:** Named officers for briefing purposes

[www.local.gov.uk](http://www.local.gov.uk)

This meeting is



## Guidance notes for members and visitors

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#### **Why have the LGA's Headquarters moved?**

The LGA has temporarily relocated from Local Government House (LGH) in Smith Square to Layden House in Farringdon, effective from Monday 31 October 2016. This is to allow extensive refurbishment work to be carried out to LGH.

The refurbishment works will see the ground floor conference centre and all meeting rooms fully refurbished. Floors 1, 2 and 3 will be upgraded and released for commercial letting to enable the LGA to maximise the income from this building as part of its drive for financial sustainability. A new and larger Open Council will be located on the seventh floor. The refurbishment is expected to last for nine months and we expect to be back in LGH by September 2017.

We appreciate your understanding and flexibility during this time.

Fire Services Management Committee  
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There will be a meeting of the Fire Services Management Committee at **11.00 am on Friday, 25 November 2016** Rooms A&B, Ground Floor, Layden House, 76-86 Turnmill Street, London, EC1M 5LG.

A sandwich lunch will be available after the meeting.

**Attendance Sheet:**

Please ensure that you sign the attendance register, which will be available in the meeting room. It is the only record of your presence at the meeting.

**Political Group meetings:**

The group meetings will take place in advance of the meeting. Please contact your political group as outlined below for further details.

**Apologies:**

Please notify your political group office (see contact telephone numbers below) if you are unable to attend this meeting.

<b>Conservative:</b>	Group Office: 020 7664 3223	email: <a href="mailto:lgaconservatives@local.gov.uk">lgaconservatives@local.gov.uk</a>
<b>Labour:</b>	Group Office: 020 7664 3334	email: <a href="mailto:Labour.GroupLGA@local.gov.uk">Labour.GroupLGA@local.gov.uk</a>
<b>Independent:</b>	Group Office: 020 7664 3224	email: <a href="mailto:independent.grouplga@local.gov.uk">independent.grouplga@local.gov.uk</a>
<b>Liberal Democrat:</b>	Group Office: 020 7664 3235	email: <a href="mailto:libdem@local.gov.uk">libdem@local.gov.uk</a>

**Location:**

A map showing the location of Layden House is printed on the back cover.

**LGA Contact:**

Paul Goodchild  
0207 664 3005 / [paul.goodchild@local.gov.uk](mailto:paul.goodchild@local.gov.uk)

**Carers' Allowance**

As part of the LGA Members' Allowances Scheme a Carer's Allowance of up to £7.20 per hour is available to cover the cost of dependants (i.e. children, elderly people or people with disabilities) incurred as a result of attending this meeting.

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The twitter hashtag for this meeting is #lgassc

## Fire Services Management Committee – Membership 2016/2017

Councillor	Authority
<b>Conservative ( 6)</b>	
Cllr Rebecca Knox (Deputy Chair)	Dorset and Wiltshire Fire and Rescue Service
Cllr John Bell	Greater Manchester Fire and Rescue Authority
Cllr Nick Chard	Kent and Medway Fire and Rescue Authority
Cllr Mark Healey MBE	Devon and Somerset Fire and Rescue Authority
Cllr Peter Jackson	Northumberland Council
Cllr Simon Spencer	Derbyshire Fire and Rescue Authority
<b>Substitutes</b>	
Cllr Alistair Auty	Royal Berkshire Fire Authority
Cllr Adrian Hardman	Hereford and Worcester Fire and Rescue Authority
Cllr Colin Spence	Suffolk Fire Authority
<b>Labour ( 6)</b>	
Cllr David Acton (Deputy Chair)	Greater Manchester Fire and Rescue Authority
Ms Fiona Twycross	London Fire and Emergency Planning Authority (LFEPA)
Cllr Darrell Pulk	Nottinghamshire and City of Nottingham Fire and Rescue Authority
Cllr Michele Hodgson	County Durham and Darlington Fire & Rescue Authority
Cllr Thomas Wright	Tyne and Wear Fire and Rescue Authority
Cllr John Edwards	West Midlands Fire and Rescue Authority
<b>Substitutes</b>	
Cllr Les Byrom CBE	Merseyside Fire and Rescue Authority
<b>Independent ( 1)</b>	
Cllr Philip Howson (Vice-Chair)	East Sussex Fire Authority
<b>Liberal Democrat ( 1)</b>	
Cllr Jeremy Hilton (Chair)	Gloucestershire County Council
<b>Substitutes</b>	
Cllr Roger Price	Hampshire County Council

## Agenda

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### **Fire Services Management Committee**

Friday 25 November 2016

11.00 am

Rooms A&B, Ground Floor, Layden House, 76-86 Turnmill Street, London, EC1M 5LG

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**Date of Next Meeting:** Friday, 27 January 2017, 11.00 am, Rooms A&B, Ground Floor, Layden House, 76-86 Turnmill Street, London, EC1M 5LG



**Fire Services Management  
Committee**

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## **Fire Inspectorate**

### **Purpose**

For discussion and direction.

### **Summary**

Since the discussion at FSMC in July on the creation of a fire inspectorate the Home Office has asked Her Majesty's Inspectorate of Constabulary (HMIC) to scope out options for how fire inspection can be delivered. Her Majesty's Inspector of Constabulary, Zoë Billingham, will be attending FSMC to update members on HMIC's work. This paper summarises developments since July and the work that the LGA has been doing to consider the future role and shape of the LGA and Chief Fire Officers Association Operational Assessment and Fire Peer Challenge.

### **Recommendations**

Members are asked to:

1. Note the LGA's ongoing engagement with the Home Office around the design and creation of the fire inspectorate.
2. Comment on HMIC's preferred model of fire inspection to inform the LGA's work around this element of the fire reform agenda going forward; and
3. Note the work within the LGA led by the Fire Peer Challenge Working Group to consider the future role and shape of Operational Assessment and Fire Peer Challenge.

### **Actions**

Officers to take forward the Committee's comments and views in any further work on the creation of the fire inspection regime.

**Contact officer:** Charles Loft  
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## **Fire Inspectorate**

### **Background**

1. As members will recall from the discussions at the July meeting of FSMC the Police and Crime Bill makes provision for a fire inspectorate. The Home Office's aim is for the new inspectorate to go live from April 2017. In his speech to the Fire Sector Summit last month, the Minister said his 'working assumption is that a new inspectorate will be fully operational in April 2018, with 2017/18 used to plan, pilot and develop standards that future performance can be assessed against.'
2. When FSMC discussed this issue in July, it supported the idea of an inspection framework but raised concerns about the additional bureaucracy around an inspection regime. The feeling was that inspection should be proportionate to the budget and capacity of the Fire and Rescue Service. The point was also made that when the government removed the previous inspection regime it retained the financial savings and therefore any new inspection regime should not place the financial burden onto local government.
3. The Home Office is currently working up proposals and costings for what the inspectorate looks like, with the two key questions being who does the inspections and what do they inspect. They are talking to HMIC and the Scottish Fire Inspectorate about what is inspected.
4. The Home Office has asked HMIC to scope options for how they would deliver this new function. Another bidder is believed to be preparing proposals. HMIC submitted its proposals in mid-November. These were developed using an External Reference Group on which both Chief Fire Officers Association (CFOA) and FSMC were represented (although the proposals are the responsibility of HMIC alone). The group met twice. A decision on who will provide the new inspectorate is expected in January.

### **HMIC's External Reference Group**

5. Her Majesty's Inspector of Constabulary, Zoë Billingham, who chaired the External Reference Group will attend the FSMC to discuss HMIC's proposals. Two significant issues came out of the meetings of HMIC's External Reference Group:
  - 5.1 The risk that they impose a significant burden on Fire and Rescue Authorities (FRAs) and the Fire and Rescue Service; and
  - 5.2 HMIC's intention not to inspect FRAs themselves.
6. A key factor in the first of these is likely to be the timetable adopted for the frequency of inspections. HMICs preferred option is:
  - 6.1 An inspection development, design, piloting and consultation phase until October 2017.
  - 6.2 All FRSs receive a full Fire PEEL inspection over an 18 month period in tranches of 15 inspections every six months starting in October 2017.
  - 6.3 Individual FRS reports will be published in three batches at the end of each six month tranche together with a short national summary.



- 6.4 All 45 FRSs will receive full fire PEEL again in three tranches over 18 months of 15 inspections per 6 months (April 2019 – October 2020).
  - 6.5 From October 2020 full inspections will focus on inadequate FRAs and those requiring improvement (it is estimated this will require 15 inspections a year).
  - 6.6 A very small number of national thematic reviews will be held during years 1 and 2. These can be continued from year 3 onwards.
  - 6.7 Routine monitoring of FRS through a monitoring framework (to be developed) similar to the Crime and Policing Monitoring Group (where HMIC Inspectors can raise concerns that risks and issues are not being addressed) will support inspection.
- 7. There is concern in the sector that the capacity and resources required to manage and prepare for HMIC's preferred option for the inspection regime would be significant. In addition HMIC proposes to use peers as part of their inspection teams which will create another capacity issue for the sector.
  - 8. Members' views and comments are sought therefore on HMIC's preferred option for inspection to inform any further discussions with the Home Office about the way the fire inspection regime operates from April 2017.

#### **Peer Support and Operational Assessment (OpA)**

- 9. OpA and Fire Peer Challenge is a sector-led improvement programme, this is its strength. It was never designed to deliver assurance, but to support improvement. The LGA and CFOA are committed to ensuring that sector led improvement has a future and adds value to the introduction of inspection. This has been met by in-principle assurances from Home Office officials and by HMIC support for the idea.
- 10. The LGA and CFOA have established a joint cross party working group with CFOA to consider the future role and shape of Operational Assessment and Fire Peer Challenge.

#### **LGA & CFOA Fire Peer Challenge Working Group**

- 11. The first meeting of the LGA and CFOA Fire Peer Challenge Working Group was held on 31 October 2016. The councillors on the working group are Cllrs Hilton, Acton and Hammond (elected Chair). The group is supported by LGA and CFOA officers.
- 12. The terms of reference for the group are that in the context of the Home Office wider fire reform programme and in particular the development of an inspection regime, the working group will consider the future role and shape of the Operational Assessment and Fire Peer Challenge, including:
  - 12.1 To consider how the introduction of an independent inspection will affect OpA and Fire Peer Challenge.
  - 12.2 To identify options and proposals for any changes to the OpA and Fire Peer Challenge that will ensure there remains a strong set of tools for improvement within the sector.
  - 12.3 To discuss the strengths and areas for improvement of the current peer

- challenge process for the fire sector that would be beneficial within the changing formalised assurance environment.
- 12.4 To discuss the positioning of Operational Assessment in the context of sector led improvement and the LGA sector led improvement offer to ensure it is complimentary to the processes introduced by central government.
  - 12.5 To advise on the developments needed to ensure that the peer challenge offer continues to add value to the sector.
  - 12.6 To advise on the promotion and communication of any changes.
13. The working group agreed a timeline for the development of a refreshed OpA and Fire Peer Challenge offer, the subsequent consultation and communication with the sector and the reporting to CFOA and FSMC. It was agreed that a proposal for a refreshed offer would be shared at the LGA Fire Conference in March 2017 and piloted from April 2017.
14. The working group also discussed future options and agreed that the OpA & Fire Peer Challenge needed to hold to the principles of sector led improvement, be forward looking and improvement focussed, and be adaptable and flexible to meet the local needs of all English Fire and Rescue Authorities.
15. Officers have been tasked to work up options for discussion at the next working group meeting in December and for consultation with FSMC and the sector.

#### **CFOA and LGA View**

16. CFOA and the LGA believe that the strength of the OpA and Fire Peer Challenge offer lies in its ability to flex and address the different needs of the FRS sector. We are therefore not developing a single solution but rather we are looking to develop a flexible offer that can be utilised as and when appropriate.
17. We propose that the existing scoping meeting with Chief Fire Officers and FRA Chairmen is used to fully understand the needs of the FRS, dependant on where they are in terms of their improvement journey and inspection outcome.
18. We are also proposing that we work with HMIC (if they are the provider of inspection for the sector) and take notice of any improvement recommendations they provide.
19. We are cognisant that any sector led improvement offer to the sector needs to add value and not additional burden, so are monitoring the proposed inspection approach carefully both in terms of the focus and roll out.

#### **Next Steps**

20. Members are asked to:
- 20.1 Note the LGA's ongoing engagement with the Home Office around the design and creation of the fire inspectorate.
  - 20.2 Comment on HMIC's preferred model of fire inspection to inform the LGA's work around this element of the fire reform agenda going forward; and
  - 20.3 Note the work within the LGA led by the Fire Peer Challenge Working Group

to consider the future role and shape of Operational Assessment and Fire Peer Challenge.

**Implications for Wales**

21. There are no implications for Wales at this stage as the provisions in the Policing and Crime Bill relating to inspection will only apply in England.

**Financial Implications**

22. There are no immediate financial implications arising from the work set out in this report.





**Fire Services Management  
Committee**

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## **Fire Reform – Professional Standards Update**

### **Purpose**

For discussion.

### **Summary**

In the Home Secretary's Fire Reform speech in May 2016, the Rt. Hon. Theresa May MP committed to developing "a coherent and comprehensive set of professional standards, building on the work of the National Operational Guidance Programme".

At a meeting of the Chief Fire Officers Association's (CFOA) Fire and Rescue Service Council on 20 October 2016, the Chief Fire Officer for Hampshire and the Isle of Wight, Dave Curry, was commissioned to lead this work and CFOA have now set clear terms of reference. A working group has been established involving the Home Office's Fire Strategy and Reform Unit and the Chief Fire and Rescue Adviser, Fire and Rescue Sector Professionals and a range of partners including the Institute of Fire Engineering (IFE).

This report informs FSMC of the work taking place relating to the development a coherent and comprehensive set of professional standards for the Fire Sector and to test and further develop the working groups thinking.

### **Recommendations**

Members are asked to:

1. Note the commitment to develop 'professional standards' from the Home Secretary in the Fire Reform Programme; and
2. Provide views on the developments made by the working group to inform the future direction on the establishment of a professional standards body.

### **Action**

Officers to action as appropriate.

**Contact officer:**

Dave Curry

**Position:**

Chief Officer, Hampshire and the Isle of Wight Fire and Rescue Service

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## **Fire Reform – Professional Standards update**

### **Background**

1. In her speech of 24 May 2016, the then Home Secretary introduced her expectations for Fire Reform under the following headings: Efficiency & Collaboration; Accountability & Transparency and Workforce Reform.
2. Under Accountability & Transparency, Theresa May proposed the establishment of a rigorous and independent inspection regime for Fire and Rescue Services in England. She also made it clear that the Fire Sector itself would develop these proposals. This resulted in the formation of working groups to develop the proposals further; an 'Inspectorate' working group and an 'Independent Standards Body' working group, both mandated by the Chief Fire Officers Association (CFOA).
3. The development and implementation of a standards body compliments the planned introduction of an independent inspection regime for fire, the development of the LGA/CFOA Operational Assessment and Fire Peer Challenge process and CFOA's reform work to establish a National Fire Chiefs Council (NFCC) and Chair.

### **Standards Working Group**

4. The Standards working group is made up of CFOA and Home Office colleagues who have agreed to develop options for the establishment of an Independent Standards Body. This working group is keen to continue working with wider stakeholders including the Fire Commission (LGA), to test and further develop our thinking.
5. In order to achieve this, the working group have established links with the College of Policing (CoP), the FSMC Lead Members, the National Occupational Guidance (NOG) Programme, the Institute of Fire Engineering (IFE) and the FBU. The importance of involving the Devolved Administrations has been recognised and their views are being sought in the development of an Independent Standards Body. It is not anticipated that the standards body will have any influence on terms and conditions or the role of the National Joint Council.
6. There has not been an independent standards function for the fire and rescue service previously. However, there was a Central Fire Brigades Advisory Council which '*was empowered by the Fire Services Act 1947 to advise the Home Secretary on all matters relating to the fire service, except fire fighters' conditions of service*'. It is the current expectation that the Home Office will produce and consult on a new Fire and Rescue National Framework for England in Spring 2017. Within the Framework, Fire and Rescue Services and Authorities are expected to be required to take due regard of the standards created by the new body.
7. During reform of the Police, the College of Policing was developed from some of the functions previously carried out by the National Policing Improvement Agency, to provide a professional standards capability. It is the view of the Home Office, supported by the working group, that there is currently a gap in the landscape for Fire in relation to the similar development of professional standards. The Home Office have clearly indicated

that they wish to see an independent standards body created for the Fire sector to bridge this gap.

### **The Standards Body**

8. It is proposed that the Independent Standards Body will become the home for professional standards for Fire. It would create standards that individuals and Fire Services follow and would create a professional pathway for individuals, giving accreditation to Fire Sector professionals.
9. It is the current view that an Independent Standards Body would provide fire services with a source of professional standards across a range of areas to ensure the highest standards of public service, delivery, accountability and integrity. It is expected that the standards would be developed by a dedicated team and supported by experts from within the Fire and Rescue Services.
10. The working group are exploring various forms of standards models, all of which include how it could be staffed and funded, the governance of how standards would be signed off, where it would be located and what it would be called. As part of the development, the working group will consider whether the CoP, or parts thereof, can be replicated for fire. Development will include working with policing colleagues and the CoP as part of the scoping phase, as well as looking at professional standards models from other professions (e.g. medical profession).

### **Scope of the standards**

11. The following areas are being explored as possible themes that standards would cover. These themes are for consideration and at this point nothing has been confirmed. The list below is intended to ensure all areas are given consideration:
  - 11.1 **Individual standards** – career progression and pathways, leadership, management, individual operational assessments, Fire Professional Framework, code of ethics, complaints, recruitment, discipline, whistleblowing, fitness.
  - 11.2 **Organisational standards** – IRMP, assurance statements, governance statements, transparency, benchmarking/performance data, inclusion, diversity, data protection, fraud & corruption, financial probity.
  - 11.3 **Operational Guidance** – It is currently felt by the working group that Operational Guidance will fall outside the scope of the Standards Body. The current development of National Operational Guidance is not expected to change and will link to the Co-ordination Committees that are being established under the new NFCC.

### **Next steps**

12. The development of an Independent Standards Body was discussed at FRS Council on 20 October 2016 where a mandate was given to Dave Curry, Chief Officer of Hampshire and the Isle of Wight FRS, to continue to develop this work further.

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13. The working group's early thoughts have centred on a phased introduction of the standards over the next few years, working to the same timescales as the new arrangement being established for an Inspectorate.
14. Various governance models and resource arrangements for setting standards are being explored and a paper proposing outline options will be presented to the Home Office by December 2016. Current thinking is that whatever model for establishing the independent standards body is pursued an invitation would be extended to FSMC to nominate a representative to participate in the governance arrangements.

### **Implications for Wales**

15. The adoption of standards by Fire and Rescue Services is highly beneficial if Welsh colleagues are also able to benefit from their creation. The Working Group are ensuring that all Devolved Administrations are consulted throughout the development of the standards work and it is envisaged that Wales and other Devolved Administrations will be able to adopt some or all of the standards.

### **Financial Implications**

16. The establishment and maintenance of an independent standards body will have financial implications. Discussions are taking place to identify where funding could come from. The precise cost of the establishment and maintenance of the body is currently being explored, and may require central government funding to ensure such a body is viable.

### **Recommendations:**

17. Members are asked to:
  - 17.1 Note the commitment to 'professional standards' from the Home Secretary in the Fire Reform Programme.
  - 17.2 Provide views on the developments made by the working group to inform the future direction on the establishment of a professional standards body.





**Fire Services Management  
Committee**

25 November 2016

## **Fire Services Management Committee Update Paper**

### **Purpose of report**

For information.

### **Summary**

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

### **Recommendation**

Members to note the update.

### **Action**

Officers to progress as appropriate.

**Contact officer:** Lucy Ellender  
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**E-mail:** [lucy.ellender@local.gov.uk](mailto:lucy.ellender@local.gov.uk)

## **Fire Services Management Committee Update Paper**

### **Ministerial meeting**

1. On 31 October the FSMC lead members met with Brandon Lewis, Minister of State for Policing and the Fire Service.
2. The agenda covered a number of issues including Inspection and peer challenge; Equality and diversity; Procurement; Working with the Chief Fire Officers Association (CFOA); and Governance.
3. On inspection members outlined their support for inspection and welcomed the that the Home Office has recognised the role of Operational Assessment (OpA) & Fire Peer Challenge programme in sector-led improvement. Members agreed that the LGA's chief concern was to ensure that the inspection regime was proportionate and did not overburden FRAs.
4. Members reaffirmed their commitment to improve diversity in the firefighter workforce and outlined the work that the LGA is doing on the 21<sup>st</sup> Century firefighter and the work of the Inclusive Fire Service.
5. Lead Members discussed the engagement that the Fire Services Management Committee and Fire Commission had undertaken with Ann Millington on procurement. It was noted that the FSMC and Fire Commission had agreed to procurement as a priority for the year.
6. Work with CFOA is already underway and Lead Members have started to have new regular meetings with the CFOA and have agreed the key principles for the future of this work.
7. The meeting was positive and the Minister welcomed the constructive engagement he had had with the LGA. The Minister was clear that his main area of interest was workforce reform. His priority for the future was to increase the rate of reform in the fire service, and he was looking to the sector to assist him in driving the reform agenda.

### **Policing and Crime Bill**

8. The Policing and Crime Bill has now completed the committee stage in the House of Lords. The Bill will have its report stage on the 28 November. It is anticipated that the Bill will receive Royal Assent in January. This is slightly later than originally anticipated.

9. The LGA's briefings on the Bill can be found on our website:  
[http://www.local.gov.uk/web/guest/briefings-and-responses/-/journal\\_content/56/10180/7730394/ARTICLE](http://www.local.gov.uk/web/guest/briefings-and-responses/-/journal_content/56/10180/7730394/ARTICLE)

### **Sprinklers in new school buildings**

10. Following on from the discussion at the last FSMC meeting and the further discussion at Fire Commission, the LGA has written to Lord Nash, Parliamentary Under Secretary of State for Schools, to highlight our concerns about the changes to the new version of the Building Bulletin 100 regarding sprinklers in new schools. We highlighted the damage that fires in these buildings can do to students and families, and how cost effective they can be. We have asked that the Department reconsiders their decision on sprinklers and supports the provision of sprinklers in new schools.

### **Independent Assessment of the Business Case**

11. In August members of the LGA and the Home Office discussed the method for ensuring independent scrutiny of any business case submitted in support of a PCC assuming FRA responsibilities. Members discussed the importance of ensuring that there was a panel of experts who would look at the business case against the four key pillars of efficiency, effectiveness, economy and public safety, and a letter was sent to the Minister outlining Member's views.
12. The LGA has discussed these issues further at officer level with the Home Office. Home office officials feel the proposed approach of a fixed panel, put forward in the letter, is too inflexible. The government is considering whether a list of individuals could be agreed between the Home Office, LGA and APCC, from which the minister could then appoint one to conduct the scrutiny.

### **Fire/Health**

13. Cllr Hilton and Cllr Acton from the FSMC and Cllr Kemp from the Community Wellbeing Board attended the last Fire/Health Summit, which took place on the 19 October. There was representation from Public Health England, NHS England, CFA, the Home Office and Age UK
14. The summit looked at the progress of the programme. This included learning from PHE's winter health pilots in Gloucestershire, Staffordshire and Greater Manchester; the publication of "Working Together"; a draft evaluation framework for FRAs to use to assess the benefit of safe and well visits; data sharing and the parliamentary event the group is running with the APPG for Fire and Rescue Services in February 2017. Members of the FSMC will receive an invitation to the parliamentary event.
15. Further information and useful documents from the programme are available on the NHS's website: <https://www.england.nhs.uk/resources/resources-for-ccgs/out-frwrk/dom-2/fire-asset/>



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**LGA Fire Leadership Essentials Programme – 25-26 October**

16. The LGA ran its fire leadership essentials programme on the 25 – 26 October at Warwick Conference Centre. The programme had contributions from external speakers including fire and rescue authorities and the Home Office and covered a range of issues including collaboration, personal leadership style, influencing and media skills as well as providing an overview of councillors duties and responsibilities of members of FRAs and current strategic issues facing FRAs. Feedback from the event was positive.

## Note of last Fire Services Management Committee meeting

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<b>Title:</b>	Fire Services Management Committee
<b>Date:</b>	Friday 23 September 2016
<b>Venue:</b>	Smith Square 1&2, Ground Floor, Local Government House, Smith Square, London, SW1P 3HZ

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### Attendance

An attendance list is attached as **Appendix A** to this note

Item	Decisions and actions	Action
<b>1</b>	<b>Declarations of Interest</b>  The Chair opened the meeting and listed apologies.  It was noted that the Labour Group was missing a substitute member of the Committee.  The Chair thanked Cllr Kay Hammond for serving as Deputy Chairman of the Committee last year (as she had now stood down) and said he would write to her on behalf of the Committee.  There were no declarations of interest.  <b>Action</b> MSO to look into missing substitute on the Labour Group.	
<b>2</b>	<b>Membership, Terms of Reference and appointments to outside bodies</b>  Mark Norris, Principal Policy Adviser, introduced the item, asking members to note the Membership of the Board, the Terms of Reference and information on appointments to outside bodies. He advised members that an additional outside body had been included for the 2016/2017 cycle – Her Majesty’s Inspectorate of Constabulary (HMIC).  It was noted that the dates in appendix B needed to be amended to say 2016/2017.  Members were informed that all future meetings of the committee would be in Layden House in Farringdon, as the LGA would be moving to this building whilst Local Government House was refurbished.  The following appointments were made to outside bodies:  Cross Emergency Services Group: Cllr David Acton, Cllr Nick Chard	

National Occupational Committee: Cllr Michelle Hodgson

CFOA, RDS and Operational Training Working Group: Cllr Simon Spencer

Joint Emergency Services Interoperability Programme Board: Cllr Mark Healey

Emergency Services Mobile Communication Programme (ESMCP)  
Customer Group: Cllr Philip Howson

Fire Service College Engagement Forum: Cllr Mark Healey, Cllr John Edwards

Strategic Resilience Board: Cllr Les Byrom, Cllr Jeremy Hilton

Arson Prevention Forum: Cllr Fiona Twycross

CFOA Fire Futures Forum – Waste Management: Cllr Darrell Pulk

Her Majesty's Inspectorate of Constabulary (HMIC) External Reference Group (ERG): Cllr Rebecca Knox, Cllr Jeremy Hilton, Cllr David Acton

Members discussed whether the new Pensions Scheme Advisory Board (run by the Home Office) should be included as an outside body, and noted it was covered in the Workforce report later in the agenda.

It was agreed that in future the papers should also list the membership of the Scheme Advisory Board and that of the National Joint Council, and that FSMC should be notified of the appointments to both these bodies.

### **Decision**

The appointments to outside bodies were **agreed**, and a list of the membership of the Scheme Advisory Board and National Joint Council to be circulated to FSMC.

### **Action**

Membership lists of the Scheme Advisory Board and National Joint Council to be circulated to Members as agreed.

## **3 Priorities for 2016/17**

Mark Norris, Principal Policy Adviser, introduced the item. The paper looked in detail at what the effect of the EU Exit for Fire and Rescue Authorities would be, considering investment issues, changes to the law, the impact on community cohesion and economic and skills development. He advised members that each board/committee would be looking at the implications in their area.

He asked members if there were any concerns that needed to be fed into government discussions, and whether, based on the work priorities over the last year, anything needed to be added to work going forward.

In the discussion which followed, members made the following points:

- Work not covered in the report (such as RDS reforms and procurement) should be added. It was suggested that members should have input into a set of work priorities where progress could be measured.
- Business Rates Retention was discussed and concern over the future funding formula.
- Members felt that procurement could be included in the report as a priority issue. Fire Authorities could look at what could be done collectively on this to make savings.
- Co-responding trails and retained duty system should also be included in the report.
- Members suggested that when considering issues related to RDS the recent Kent report needed to be considered.
- Collaborative work and future opportunities for collaborative work should be included in FSMC's work.

#### **Decision**

The Committee **agreed** the work priorities, subject to the points made above.

#### **4 Commercial transformation, procurement and R&D**

The Chair introduced Ann Millington, CFOA Director (People and Organisational Development) and Chief Executive of Kent Fire and Rescue Service.

She advised members that CFOA were developing plans to improve procurement methods across the sector. In some areas of procurement considerable savings could be realised. The CFOA work was therefore looking at six procurement categories, with each area having a lead. CFOA would also be creating a virtual procurement team, which would then be able to negotiate on behalf of FRAs. This work would also link to the Research and Development Hub, as research and development currently had high process costs, and these could be reduced through the sector testing new equipment once rather than 45 times.

Members had an important role in acting as advocates for collaboration and better procurement, with the Home Office keen to see results in two to three years. The changed procurement process would allow individual FRAs to realign their resources. There also needed to be better communication with frontline firefighters on why improving procurement was important. The Home Office regarded progress on this issue as emblematic of the effectiveness of the service.

In the discussion which followed, members made the following points:

- Members supported the initiative and asked how many Fire Services were currently supporting it. Around 25-30 fire services were currently supporting this work.

- Members asked if the Fire Services College was still being considered as a single test point for new equipment. There were issues with paying a private sector body to provide this service, when it had its own commercial interests, and having the sector work on this would expand its commercial knowledge.
- Members asked what the impact of the publication of the costs paid by FRAs for a common basket of 25 items had been. Some had thought it unhelpful, but it also offered a useful opportunity to see what the sector was paying and how it could reduce costs, and work was underway to better understand the costs paid by FRAs. . if there were any procurement items in addition to those listed and were advised that a tool called Bravo would be open to all authorities to list procurement areas.
- It was suggested that an item should be placed on the agenda of Fire Commission and a session on procurement should be organised at the Fire Conference to highlight the potential savings in this area to others.

#### **Decision**

Members **agreed** that the LGA should support CFOA and promote the initiatives outlined in the report.

#### **Action**

Officers to look at putting this item on the agenda for Fire Commission and arranging a session on this initiative at the next Fire Conference.

### **5 Chief Fire Officers Association Reform Programme**

Charles Loft, Senior Adviser, introduced the report, updating members on the changes to CFOA's governance and operating procedures and asking members for a steer on the principals to be used to guide the discussions with CFOA going forward (set out in paragraph 11).

In the discussion which followed, members made the following points:

- Members asked whether services would be responsible for additional payments to CFOA as a result of the changes.
- It was suggested that a meeting between the committee's lead members and the CFOA presidential team and the chair of the National Fire Chiefs Council (once elected) should be set up as soon as possible, and future dates put in the diary. It was suggested that the Chair of CFOA should be invited to attend FSMC meetings.
- There was concern about point 11.3 and it was suggested that the word commission needed to be reviewed and replaced.

#### **Decision**

It was **agreed** that lead members of the committee would take the



discussion forward with CFOA.

**Actions**

1. A meeting between the CFOA presidential team and committee lead members to be set up.
2. The word 'commission' in point 11.3 to be reviewed.

**6 Workforce Report**

The Chair introduced the report, advising members that the Scheme Advisory Board budget had now been agreed by the Minister. The objective of this was to look at cost saving for Fire Authorities. He advised that the regulations to introduce a contributions holiday for employees would come into force on 30 September.

Gill Gittins, Principal Negotiating Officer, advised members that the Inclusive Fire Service Group would be going ahead. However, following advice from the QC, the Employment Tribunal Scheme would be delayed until January.

The following points were made:

- Members asked when the National Joint Council (NJC) would meet. Members were advised that the next meeting would be in February. Officers would circulate the name of Chair of the Council when the appointed was confirmed.
- It was agreed that all dates for NJC meetings and NJC representatives would be emailed to members.

**Decision**

The committee **noted** the issues set out in the paper.

**Action**

Members to be advised of the appointment of the Chair of the NJC, and dates of NJC meetings and NJC representatives would be circulated.

**7 Update paper**

The Chair introduced the item. The following points were made:

- It was suggested that Brandon Lewis MP, Minister of State for Policing and the Fire Service, should be invited to the next Fire Conference and it was discussed whether the Shadow Fire Minister should be asked to attend. Other suggestions for sessions included procurement, co-responding and RDS. It was agreed that members would send any comments/suggestion for the conference to Lucy Ellender (Adviser).
- Members asked for an update on the Police and Crime Commissioners Model Business Case. It was agreed that officers would chase this document.

- Members asked if a committee lead member could have input into the APACE FRS working group. It was agreed that Cllr Rebecca Knox would sit in on the phone conference for the group the following week.
- It was requested that lead members were invited when the Chair had ministerial discussions.
- It was suggested that a cross party letter expressing disappointment on the decision on sprinkler systems should be written to Heather Wheeler MP (who had responsibility on this issue).
- Members agreed that any Home Office response to the reduction in size of the Hampshire FRA should not limit the options of other FRAs.

**Decision**

It was **agreed** that officers would proceed with work in line with members' steers.

**Action**

Officers to chase the Police and Crime Commissioners Model Business Case.

**8 Outside Bodies - oral update from members (a maximum of 2 minutes each)**

Members of outside bodies updated the committee on meetings they had attended.

Cllr Simon Spencer advised members that the last meeting of CFOA, RDS and Operational Training Working Group had looked at recruitment and retention problems as well as the equalities agenda. A paper on the meeting would be circulated.

**Decision**

Members **noted** the update.

**9 Minutes of the previous meeting**

**Decision**

The committee **agreed** the notes of the last meeting as an accurate summary of the discussion.

**Appendix A -Attendance**

Position/Role	Councillor	Authority
Chairman	Cllr Jeremy Hilton	Gloucestershire County Council
Vice-Chairman		
Deputy-chairman	Cllr Rebecca Knox	Dorset and Wiltshire Fire and Rescue Service
	Cllr David Acton	Greater Manchester Fire and Rescue Authority
Members	Cllr John Bell	Greater Manchester Fire and Rescue Authority
	Cllr Nick Chard	Kent and Medway Fire and Rescue Authority
	Cllr Mark Healey MBE	Devon and Somerset Fire and Rescue Authority
	Cllr Peter Jackson	Northumberland Council
	Cllr Simon Spencer	Derbyshire Fire and Rescue Authority
	Cllr Thomas Wright	Tyne and Wear Fire and Rescue Authority
	Cllr John Edwards	West Midlands Fire and Rescue Authority
Apologies	Ms Fiona Twycross	London Fire and Emergency Planning Authority (LFEPA)
	Cllr Darrell Pulk	Nottinghamshire and City of Nottingham Fire and Rescue Authority
	Cllr Michele Hodgson	County Durham and Darlington Fire & Rescue Authority
	Cllr Philip Howson	East Sussex Fire Authority





**Fire Services Management  
Committee**

25 November 2016

**The Thomas Report – Conditions of Service for Fire and Rescue  
Staff in England**

**Purpose**

For discussion and direction.

**Summary**

The Thomas Report was published at the start of November. Adrian Thomas will be attending the Committee to introduce his report and its recommendations. This report covers key areas of his recommendations and steps the sector may wish to take to address them.

**Recommendations**

Members are asked to:

1. Note the publication of the Review;
2. Discuss and comment on the Review's recommendations to inform LGA work in response to the Review going forward; and
3. Agree that where possible the LGA should coordinate its response to the Review with other bodies and organisations in the sector as well as other partners.

**Actions**

Officers to note members' comments and views and take action accordingly.

**Contact officer:** Simon Pannell  
**Position:** Principal Adviser (Employment and Negotiations)  
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**Email:** [simon.pannell@local.gov.uk](mailto:simon.pannell@local.gov.uk)

## **The Thomas Report – Conditions of Service for Fire and Rescue Staff in England**

### **Background**

1. The Department of Communities and Local Government (DCLG) commissioned Adrian Thomas in the summer of 2014, at least partially in response to views expressed by Sir Ken Knight in his earlier '*Facing the Future*' Review. He had highlighted a number of areas in the fire service which he felt could be reformed, arguing that the conditions of service of firefighters could be an actual or perceived barrier to change although he also recognised that there could be political or management self-limitation at a local level.
2. In summary the objectives of the Thomas Review were to look at the conditions of service of chief fire officers and firefighters and the processes by which they are determined, in order to consider whether they present barriers to reform, improvement and efficiency. Technically his remit covered only England. He submitted his review to DCLG in February 2015 and it was published by the Home Office at the start of November 2016. The full review can be found [here](#). The executive summary and key findings are attached as **Appendix A** to this report.
3. Mr Thomas makes 45 recommendations covering the following themes:
  - 3.1 The working environment;
  - 3.2 Documented conditions of service;
  - 3.3 Industrial relations;
  - 3.4 Retained Duty System; and
  - 3.5 Management of the Fire and Rescue Service.
4. The bulk of the recommendations are aimed at the sector, rather than central government. It should be noted that one of his recommendations aimed at central government (the removal of the right to strike regarding blue light activities) has been rejected by the Home Office at this time. This report does not address each and every one of the recommendations, but looks at some of the issues arising from the five themes listed above.

### **Issues**

#### The working environment

5. This section includes recommendations relating to management of change, culture and communication. It also covers diversity and bullying and harassment issues within the service. To address these issues the Review proposes among a range of actions that the service develops an employee engagement survey which is linked to management performance objectives; training is provided on effective change management and employee engagement; the flow of information to frontline staff is improved; unconscious bias training is rolled out across the service; and there is an active register of firefighters with second jobs.

6. There is already work underway on a number of the proposals made by the Review. For example the National Joint Council-led Inclusive Fire Service (IFS) Group, involving a wide range of employer and employee stakeholders has been working over the last year to:
  - 6.1 evidence the current position on issues such as levels of female, Black and Minority Ethnic, and Lesbian Gay Bisexual and Transgender employees and behavioural and cultural issues and to seek the views of special interest groups. A copy of the report can be found [here](#).
  - 6.2 develop improvement strategies. The group has issued guidance in respect of use of social media and is currently developing guidance on the collection, recording and monitoring of data given the inconsistencies of FRA approaches identified in responses to its wide-ranging survey.
7. The group is now in the process of arranging to talk directly with such employees (focus groups and survey), Equality and Diversity Officers and employee representatives with interest in those areas and senior fire service managers (both through workshops). The purpose of the group is not to draft model policies but rather to develop practical strategies to secure improvements at local level relating to recruitment and promotion, as well as bullying and harassment issues.
8. To support the specific recommendation directed at the LGA and the Chief Fire Officers Association (CFOA) to publish a Memorandum of Understanding (MoU) about how people will be treated within the service, the LGA has written to stakeholders linked to the IFS Group and other special interest groups with the aim of developing the MoU over the next couple of months. This will be complementary to the work of the IFS group.
9. As these strands of work demonstrate responding to the recommendations in the Review will require the involvement of a range of bodies and groups across the service including the LGA, CFOA, employee representatives and special interest groups.

Documented conditions of service

10. Many of the recommendations in the section of the review on conditions of service relate to either slimming down national conditions of service, or in the case of senior management abolishing national provisions. For example, the Review suggests removing any reference to shift systems or role maps from the Grey Book. It is not clear from the Review where Mr Thomas sees the appropriate level for the determination of core contractual issues such as basic leave entitlement and occupational maternity and sick pay.
11. The existing national conditions are collective agreements and can of course be varied by agreement of both sides. In the absence of such agreement then a decision by either side to 'walk away' from such agreements has no effect on key terms and conditions which are incorporated into individual's employment contracts. All such provisions would remain in place until they could be changed at local level. Ultimately

an employer can seek to change terms without agreement, but this can have significant employee relations consequences.

- 12 Clearly it is too early for the national employers to have determined a position on the potential to reform the National Joint Council (NJC) framework and that position will be informed by the views of individual services. It is worth re-iterating that the NJC is UK-wide and the Review's remit covered England. However on the recommendations regarding the NJC, the Review indicated the recommendations were also addressed to other stakeholders.
- 13 The Review's recommendation for an employer/union/government review of the existing "Protocol for Good Industrial Relations", were written when the pensions dispute between the Fire Brigades Union (FBU) and DCLG was at its height, so its reference to government involvement should be seen in that light. This protocol relates to the effective management of industrial relations at local level and, of course, all such documents should be reviewed occasionally to ensure they remain relevant and this one has proven to be useful. However, it is an NJC document and as such any consideration including government would potentially need to involve central governments across the UK.
- 14 There is one recommendation in this section that does not specifically relate to conditions of service. It is that the sector in conjunction with central government creates a national communication programme highlighting the range of activities and skills beyond firefighting currently undertaken by firefighters. This may assist future recruitment programmes by making the public and potential applicants aware of the changing nature of the fire service.

#### Industrial relations

- 15 This section of the Review examines the role of the NJC. It recommends that the NJC should still determine basic pay, albeit with a suggestion for greater local variation on total pay, possibly with the NJC 'acting regionally'. It is not clear how Thomas envisages such an arrangement/structure would work, or what the advantages are. For example, it could mean clusters of services seeking to negotiate through regional joint bodies, possibly involving a core of NJC members, plus additional representation from within the cluster of services.
- 16 The removal of the right to strike is considered in this section of the report. As indicated earlier, the Home Office has said that at this time it does not plan to take forward the recommendation, although it may wish to take forward the alternative recommendation of seeking no-strike agreements.
- 17 In this section the Review also recommends the abolition of both the Technical Advisory Panel and Resolution Advisory Panel and going instead to ACAS when any external assistance is needed to resolve such local disputes. It is unclear what advantage this would deliver over existing arrangements.
- 18 The report also recommends that the Independent Chair of the NJC should instigate a review of the structure and representative make-up of the Council. It highlights that a number of stakeholders spoken to during the writing of the Review felt excluded from



it. There is no specific suggestion that the NJC be made larger to involve more people, and were that possibility explored a major consideration would be whether that would make the Council more cumbersome. In terms of the LGA's majority representation on the Employers' Side, this is determined through the political groups. Clearly the identification of representatives and how they interact with the wider sector is a matter for the LGA and would not need to be part of a wider review.

#### Retained Duty System (RDS)

- 19 The Review focuses in this section on issues related to recruiting and retaining RDS employees. A number of recommendations relate to the primary employment of retained firefighters. One proposal is that legislation is introduced to provide RDS employees similar employment protection in their 'primary' employment to that provided for military reservists and magistrates; a change that would have to be taken forward by central government. The Review also recommends that there should be a trial of the use of an annual bounty payment for primary employers of retained firefighters.
- 20 Another issue that could impact on the degree of support from primary employers would be the potential for RDS employees to be away from their primary employment for far greater periods of time if we reach a position in which Emergency Medical Responses and wider work (as part of the NJC's discussions on broadening the role of the firefighter) were to become a core part of the role, although clearly this impact could vary significantly across the country.
- 21 In order to support fire and rescue services recruit retained firefighters the Review calls for a national awareness programme for retained duty system personnel to be developed. Alongside this the report also calls for FRAs to provide an annual statement on the use of retained firefighters, justifying any decision not to use them on operational grounds, and in particular to report on the level of mixed crewing or co-working with wholetime personnel. These proposals could be considered by the RDS group on which FSMC is represented.

#### Management of the Fire and Rescue Service

- 22 The report suggests that Fire and Rescue Authorities (FRAs) should keep the number of members on the authority under review, taking into account the need to balance providing effective scrutiny with the burden that a large authority – and a number of FRA sub-committees – can place on Chief Fire Officers.
- 23 It also suggests that greater collaboration between fire and rescue services should be pursued, with FRAs coming together to work on the introduction of new technology, recruitment, succession planning and senior leader programmes. Where FRAs decide that such collaboration should be taken forward by further mergers, the Review suggests the Government provides financial assistance. It also points out that lack of collaboration between FRAs between '46 fire authorities [can] mean any change appears to be required to undergo evaluation, be proven and then implemented 46 times'.

- 24 A particular concern in the report, which results in a number of recommendations regarding recruitment to senior roles, seems to be that 'shrinking fire and rescue services are going to struggle to find the managers and leaders of the future from within their dwindling ranks'. The review therefore calls for changes to arrangements around competencies and a more national approach to leadership and fast-track management recruitment.

### **FSMC's and Fire Commission's response to the Review**

- 25 The sector's response to the Review's recommendations will have long term implications for the overall management of the Fire Service, in particular on the nature and scope of collective bargaining at both national, local (and potentially regional) levels. In governance terms any changes to NJC terms and conditions fall to the Employers' Side of the NJC, but as usual the views of FSMC and the Fire Commission would be sought as they have been consistently on significant changes.
- 26 However recognising that one of the concerns that the Review identified was that some stakeholders feel remote or excluded from the process, other mechanisms for seeking wider views can be considered. Again, Members are reminded within this context that the NJC is UK-wide and Thomas addressed recommendations on the NJC to all stakeholders.
- 27 It should also be noted that the Independent Chair of the NJC has asked to meet with the NJC Joint Secretaries. That meeting on 16 December will be used as an opportunity to seek her views on the recommendation regarding a review of how the NJC operates in terms of structure and representative make-up.
- 28 The LGA has already given a preliminary response to the Review's publication through a media release. This is reproduced at **Appendix B**. The FSMC Chair will also be writing to FRA chairs on the subject of the Review.
- 29 In order to inform the LGA's next steps it would be helpful to have Members' views on the Review as a whole, but especially on the questions set out below. These comments and views will be used to develop a work programme in response to the Review, with FSMC receiving further updates on this work at future meetings.
- 29.1 Are there areas which the FSMC feels it, rather than NJC, should lead on?
- 29.2 What messages if any should FSMC address to the sector?
- 29.3 Are there any quickly attainable objectives and would they be valuable to the service?
- 29.4 Are there recommendations which while not being quickly attainable would be of most benefit to the sector to take forward?
- 29.5 How can we best ensure that the views of FSMC and the Fire Commission can inform the decisions of LGA members on the Employers' Side of the NJC?

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- 29.6 If reframing the balance between nationally and locally determined terms and conditions in the current financial climate proves after full consideration to be attractive to FRAs, how can it be done in a way that makes a collective agreement on it possible?
- 30 As the Review's recommendations have implications for a range of bodies in the fire sector, and no single organisation can respond on its own, it is proposed that FSMC seeks to coordinate its work with a range of bodies and organisations in the sector, as well as partners. It is understood that CFOA is already looking at what the Review means for their work programme and is considering next steps, and it would make sense to ensure that FSMC's and CFOA's work are mutually complementary and supportive.

### **Next Steps**

- 31 Members are therefore asked to:
- 31.1 Note the publication of the Review;
  - 31.2 Discuss and comment on the Review's recommendations to inform LGA work in response to the Review going forward; and
  - 31.3 Agree that where possible the LGA should coordinate its response to the Review with other bodies and organisations in the sector as well as other partners.

### **Implications for Wales**

- 32 As indicated above while the remit of the report was England only, the NJC operates on a UK-wide basis. The Review specifically states that recommendation with regard to the NJC are aimed at all stakeholders.

### **Financial Implications**

- 33 The significant majority of Fire Service spending is on pay and others conditions of service. Therefore it is clear that any adjustments to these arrangements will have financial implications, even if there is no change to the overall financial envelope. Clearly some of the recommendations would have a direct cost, for example any bounty payment to primary employers of RDS firefighters.



## Appendix A

### The Thomas Report - Executive Summary and Key Findings

#### Executive Summary

Conditions of service underpin the employment of the workforce. As employment costs typically make up a significant (and usually the majority) of any organisation's resources and budget it is unsurprising that focus should fall on the effectiveness of the workforce in delivering the strategic intent. If change needs to happen it usually needs to happen quickly so that systems and processes can be improved and benefits realised.

Conditions of service also affect people directly. Most people end up living, organising their life and spending in alignment to their work and income. Any change to this can be felt not just by the worker but their family as well. As such there is sensitivity, and much legality, around how conditions of service are deployed and any desire to change them.

In this report I have followed conditions of service and the areas of the employment and operational relationships that they impact. I have come to conclusions, findings and recommendations that impact on:

- The working environment
- Documented conditions of service
- Industrial relations
- Duty systems
- Management of the fire and rescue service

These conclusions, findings and recommendations are contained within the commentary of the review and extracted below. First, however I have extracted what I believe should be the initial priorities. These are: -

I. There is much re-building to be done around **culture and trust**, including addressing the concerns around bullying and harassment. This also has an obvious relationship with equality and diversity. Everyone deserves a work place free from bullying where employment and progression is on merit and free from bias. The fire service needs inspirational leaders able to deliver a high performing, engaged workforce. Where I found these leaders during my fieldwork visits I also found positive industrial relations. Understanding and surfacing the differing levels of industrial relations culture and trust is vital to moving forward in these areas. A service wide engagement survey focused on culture, equality and trust should be conducted on an annual basis. Management performance objectives should be 'hard wired' into this survey. Whilst embedding changes in management culture may take time, I believe the implementation of employee engagement surveys and amendments to management objectives could be taken forward by each fire and rescue authority and implemented relatively quickly.

II. The **retained duty system** offers significant opportunity to align resources to risk at a significantly lower cost than maintaining full time cover at times of low level risk and activity. However the difficulties in recruiting retained duty system fire fighters were repeatedly communicated to me. In addition to supporting a national recruitment and communication programme Government should bring forward legislation that extends employment protection (as enjoyed by military reservists) to fire fighters engaged on retained duty systems and part-time contracts.

III. Conditions of service are currently documented in the Green, Grey and Gold books. My review makes no recommendation as to the Green Book. However, I find very little value in capturing conditions of service in the **Gold and Grey Books**. I found the Gold Book to be redundant, unread and unused in virtually every authority I visited or which responded to my questionnaire. I recommend that the Gold Book is discontinued and that the employers and representative bodies implement this recommendation as soon as is reasonably practicable. The Grey Book is held by fire fighters as a key foundation or anchor for their conditions of service, even though in most fire and rescue services there are local derivations away from the national provisions contained within it. Employers repeatedly pointed out to me either that the Grey Book was a barrier to alignment of conditions of service with local delivery or that they had managed to change locally the conditions of service despite the Grey Book. Either way it appears to me that the Grey Book should be slimmed down. Consideration should be given by the employers, in consultation with representative bodies, as to replacing the Grey Book with a contract of employment at the local level, supported by an employee handbook. Base Pay (see section on training) should remain national but all other conditions of service should have a more regional/local flavour and I recommend that the national joint council takes action to explore how such a system could operate in practical terms.

IV. The description of **role maps and duty systems** in the Grey Book creates inflexibility in the deployment of fire fighters in support of the local Integrated Risk Management Plan. Roles maps are too restrictive and duty systems within the Grey Book in many fires and rescue services do not reflect the changing activity from response to prevention. Both the list of role maps and the pre-determined duty systems should be removed from the Grey Book by the employers, in consultation with representative bodies.

### Key findings

These key findings are lifted from the end of each section and listed here for convenience and ease of reference. The evidence and context behind the recommendation is provided in the relevant section.

#### The working environment (section 4)

1. Culture and trust are at the centre of many of the changes required to create a high performing service aligned to the needs of the people it serves. A consistent employee engagement survey should be developed and deployed across the service (allowing inter authority comparisons) and 'hard wired' into management objectives.
2. Early engagement with employee representatives at the earliest opportunity should be a feature of all change programmes.
3. Fire and rescue services should deploy training in effective change management, leadership and employee engagement in addition to Industrial Relations.
4. Increased importance should be placed by fire and rescue services on employee communication - appropriate management training and processes (direct to employee) should be implemented.
5. Fire and rescue services should instigate audits of the flow of management information reaching the workforce with the aim of improving the flow of information to the frontline firefighter.
6. Management performance objectives should be hard wired to the results of an annual employee engagement and communication survey.
7. Unconscious bias training should be rolled out across the fire and rescue service.

8. The leadership of the Fire and Rescue Service (represented by the Local Government Association and Chief Fire Officers Association) and the employee representatives together with special interest groups representing woman and black and minority ethnic firefighters should publish a memorandum of understanding as to how people will be treated.

9. Research should be directed at how the cadet scheme could be utilised to widen the diversity of the service and how the interest in supporting the fire service can be maintained when the cadets leave the scheme (impacting both equality and potentially the retained duty system).

10. Each fire and rescue service should maintain an active register of firefighters with second jobs. A refusal or failure to declare a second job should be treated as a serious disciplinary matter.

11. Implement a single technological/equipment evaluation facility.

#### Documented conditions of service (section 5)

12. The fire and rescue services in conjunction with the Government should create a national communication programme highlighting the range of activities and skills beyond fighting fires currently undertaken by firefighters. The aim of this would be to raise public awareness that creating a flexible fire and rescue service aligned to prevention is key to increasing safety in the local community.

13. Slim down and modernise the Grey Book, removing duty systems and reference to role maps and national occupational standards and replace with contracts of employment.

14. Minimum night time shift hours should be removed from the Grey Book.

15. Disagreements regarding additional payments, collaborations or implementation of new technologies and working practices should be resolved locally without resort to the national advisory panels.

16. The national employers, government and employee representatives should, in support of establishing a changed culture (as detailed earlier), meet and agree a re-defined national joint protocol on industrial relations.

17. The ability to compulsorily move an individual from the flexible duty system should be introduced.

#### Industrial relations (section 6)

18. The National Joint Council should be retained for the purposes of national pay bargaining for basic pay whilst reforming itself to represent employers and employees on a more local basis for all other conditions of service including incremental pay for acquiring competences beyond 'safe to ride'.

19. The National Joint Council should consider operating regionally to reflect the requirements of the different fire authorities whilst retaining a national umbrella with respect to basic pay.

20. Remove Technical Advisory Panels and Resolution Advisory Panel and replace with a direct to ACAS approach. Fire and Rescue Authorities are undertaking a significant amount of local negotiation as they agree positions out with the Grey Book locally and this will not significantly increase workload or cost – in fact the Knight review suggested that local negotiations save money.

21. The Government should recognise the increasing view that the current right to withdraw labour (take strike action) is incompatible with the expectations that the public has of an emergency service. As such Government should bring forward appropriate legislation to remove the protection afforded under the Act to unions when their collective strike action, or action short of strike, impedes the fire and rescue service from making an emergency response. The right to strike being retained for non-emergency activities.

22. If the Government determines not to bring forward legislation to restrict the right to strike then Government should instigate consultation with a view to agreeing with employees impacted a no strike agreement in emergency situations. The right to strike being retained for non-emergency activities.

23. The chair of the National Joint Council should instigate an independent review of the structure and representative make-up of the National Joint Council to enable it to perform effectively at both a local and national level – noting that a number of contributors, from both the employers and the representatives, felt that they were excluded from the council.

#### Retained Duty systems (section 7)

24. Fire and Rescue Authorities should adopt duty systems and staffing which align fire fighter availability to the planned work load (e.g. community safety) whilst providing response cover appropriate to the Integrated Risk Management plan should be encouraged.

25. Fire and rescue authorities should be required to provide an annual statement on the use of retained firefighters. Any decision not to use or to cease to use retained firefighters should be communicated in this statement and underpinned with operational evidence provided by the fire and rescue service.

26. As part of the annual statement fire and rescue services should be required to provide an annual commentary on the number and use of retained firefighters. And in particular to report on the level of mixed crewing or co-working with wholetime personnel.

27. Legislation should be brought forward to provide employment protection to fire fighters employed on the Retained Duty System. This legislation is already in place for other groups (military reservists, magistrates and so on).

28. A national awareness programme for retained duty system personnel should be produced.

29. Trial and evaluate, in a limited number of fire and rescue services, the use of an annual bounty payment for employers of retained firefighters.

#### Management of the Fire and Rescue Service (section 8)

30. Fire authorities should keep the number and level of commitment of fire authority elected members under review. The right number may differ by authority but should be large enough to allow scrutiny without becoming burdensome on operational delivery.

31. Recruitment and selection academic standards should be immediately raised.

32. Fire and rescue services should create critical mass by collaborating in recruitment including lateral recruitment into 'fast track' management programmes.

33. Fire and rescue services should explore a collaborative approach to the creation of succession plans and senior leader programmes with more cross authority developmental moves.



34. Where collaboration could lead to more formal mergers, Government should find transformational funding to support the creation of larger fire and rescue services that offer critical mass in areas of technology introduction, recruitment, succession and development.
35. Fire and rescue services should maintain an up-to-date strategic workforce plan.
36. Fire and rescue services that cannot offer promotional opportunities away from the original place of work/watch then preparatory management training should be available as part of a strategic workforce development plan.
37. The expectation that all fire fighters attain the same, maximum, level of competency should be removed. The wide and increasing range of roles and activities undertaken by fire fighters calls for a more sophisticated alignment of capability with the activity required in support of the local Integrated Risk Management Plan than can be provided by the view that 'a fire fighter is a fire fighter'.
38. Training and pay should reflect a 'safe to ride' measure – basic core skills and core pay followed by competency based increments as required (which in the event of losing that competency means that the fire fighter retains their job albeit without that competency).
39. To create and maintain (in the face of decreasing numbers) a cadre of managers capable of becoming future fire and rescue service leaders, a standardised industry wide approach to leadership development should be adopted.
40. Fire and rescue services not using the Executive Leadership Programme should reconsider doing so.
41. A lateral, industry wide, recruitment scheme should be created. This will fast track managers through the experiential requirements and into senior roles.
42. The Gold Book (conditions of service for principal officers) should be removed along with that for Brigade Managers. With pay and conditions of service agreed locally subject to the introduction of a more sophisticated job evaluation programme that better reflects job size, role complexity and other duties in a way which allows inter authority comparison.
43. All fire and rescue services and fire authorities should review the accessibility of their pay policy statements.
44. The Chief Fire Officers Association should consider increasing the term of office for the role of president from 1 year to 2 or 3 years – to provide increased stability of leadership.
45. Finally all participants in the fire industry should adopt the principal of: - "Where change is **common sense** it should become **common practice**".



## **Appendix B**

### **LGA Response to Publication of Thomas Review**

#### **LGA media release - 3 November 2016**

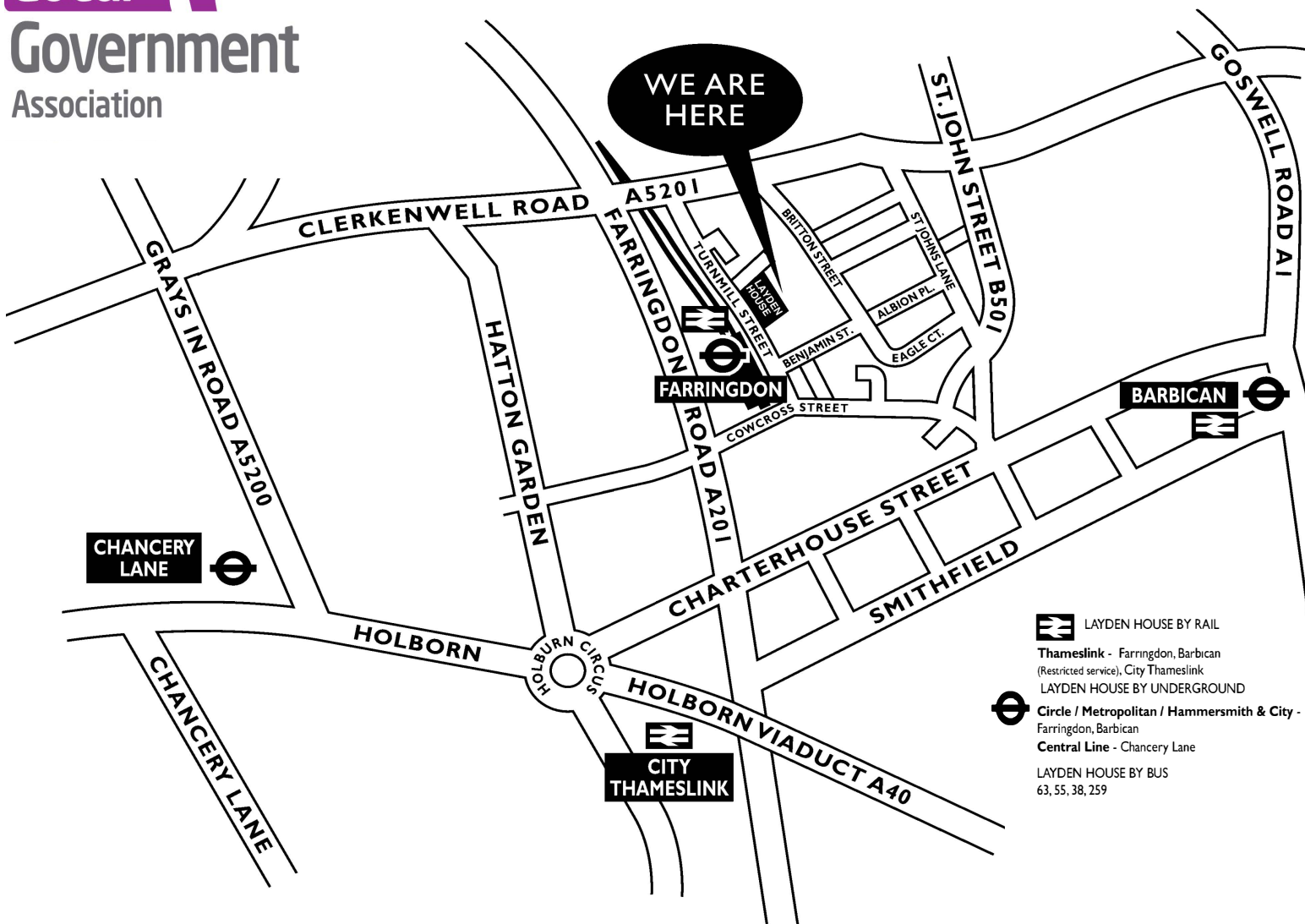
Responding to the publication of an independent review by Adrian Thomas of conditions of service for fire and rescue staff in England, Cllr Jeremy Hilton, Chair of the LGA's Fire Services Management Committee, said:

"The LGA welcomes the publication of this long-awaited report and commends Adrian Thomas on a comprehensive piece of work. He has made a large number of detailed recommendations that require – and deserve – detailed consideration, but we believe we can make quick progress in some areas.

"We have already established a framework of meetings with the Chief Fire Officers Association to take forward the fire reform agenda and we will be using these to identify recommendations that can be progressed without delay. We are already undertaking work with a wide range of stakeholders, through the Inclusive Fire Service Group, to increase the diversity of the fire service and to support the development of best practice on some of the cultural issues raised by Adrian Thomas.

"The LGA will shortly be writing to special interest groups representing women and black and minority ethnic firefighters to invite them to discuss a memorandum of understanding in accordance with the review's recommendations.

"Much is already underway to address the issues identified in the report and local government shares the Minister's determination to drive forward fire reform. We agree with Adrian Thomas that where change is common sense it should be common practice and we will work closely with the Government, chief officers and the workforce and unions to make that happen."



## Layden House

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*\*The Local Government Association will be based at Layden House whilst refurbishment takes place at their offices in Smith Square.*

## Public Transport

Layden House is served well by public transport. The nearest mainline station is **Farringdon** (Circle, Hammersmith & City and Metropolitan Lines. It also has Overground lines)

## Bus routes - Farringdon Station

63 - Kings Cross - Crystal Palace Parade (**Stop A/B**)  
55 - Oxford Circus - High Road Leyton (**Stop E/K**)  
243 - Redvers Road - Waterloo Bridge (**Stop E/K**)

## Cycling Facilities

The nearest Santander Cycle Hire racks are on Theobold's Road.  
For more information please go to [www.tfl.gov.uk](http://www.tfl.gov.uk)

## Car Parks

Smithfield Car Park - EC1A 9DY  
NCP Car Park London Saffron Hill - EC1N 8XA