

Fire Services Management Committee

Agenda

Friday, 11 December 2020
11.00 am

Online via Zoom

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

www.local.gov.uk

This meeting is



Fire Services Management Committee

11 December 2020

There will be a meeting of the Fire Services Management Committee at **11.00 am on Friday, 11 December 2020** online via Zoom

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.

Conservative:	Group Office: 020 7664 3223	email: lgaconservatives@local.gov.uk
Labour:	Group Office: 020 7664 3263	email: Labgp@local.gov.uk
Liberal Democrat:	Group Office: 020 7664 3235	email: libdem@local.gov.uk
Independent:	Group Office: 020 7664 3224	email: independent.grouplga@local.gov.uk

LGA Contact:

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The twitter hashtag for this meeting is #lgassc

Fire Services Management Committee – Membership 2020/2021

Councillor	Authority
Conservative (5)	
Cllr Nick Chard (Deputy Chair)	Kent and Medway Fire and Rescue Authority
Cllr Eric Carter	Shropshire and Wrekin Fire Authority
Cllr Mark Healey MBE	Devon and Somerset Fire and Rescue Authority
Mr Roger Hirst	Police, Fire and Crime Commissioner for Essex
Cllr Rebecca Knox	Dorset and Wiltshire Fire and Rescue Service
Substitutes	
Cllr David Cannon	Royal Berkshire Fire Authority
Cllr David Norman MBE	Gloucestershire County Council
Cllr Colin Spence	Suffolk County Council
Labour (5)	
Ms Fiona Twycross AM (Vice-Chair)	Greater London Authority
Cllr Nikki Hennessy	Lancashire Combined Fire Authority
Cllr Karen Kilgour	Newcastle upon Tyne City Council
Cllr Les Byrom CBE	Merseyside Fire and Rescue Authority
Cllr Greg Brackenridge	West Midlands Fire and Rescue Authority
Substitutes	
Cllr John Robinson JP	County Durham and Darlington Fire & Rescue Authority
Cllr Sian Timoney	Luton Borough Council
Cllr Jane Hugo	Blackpool Council
Liberal Democrat (2)	
Cllr Keith Aspden (Deputy Chair)	North Yorkshire Fire & Rescue Service
Cllr Carolyn Lambert	East Sussex Fire Authority
Substitutes	
Cllr Roger Price	Hampshire County Council
Independent (2)	
Cllr Ian Stephens (Chair)	Isle of Wight Council
Cllr Cleo Lake	Bristol City Council
Substitutes	
Cllr Frank Biederman	Devon and Somerset Fire and Rescue Authority

Agenda

Fire Services Management Committee

Friday 11 December 2020

11.00 am

Online via Zoom

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Date of Next Meeting: Friday, 5 March 2021, 11.00 am, Zoom

Note of last Fire Services Management Committee meeting

Title: Fire Services Management Committee
Date: Friday 16 October 2020
Venue: Via Zoom

Attendance

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

Item	Decisions and actions
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1 Welcome, Apologies and Declarations of Interest

The Chair welcomed members to the meeting.

Apologies were received from Commissioner Andy Roe.

There were no declarations of interest.

The Committee formally noted their congratulations to those in the sector who had been recognised in the Queen's recent birthday honours list.

2 Minutes of the previous meeting

The minutes of the previous meeting held on 19 June 2020 were **agreed**.

3 Membership, Terms of Reference and Outside Body Appointments 2020-21

The Chair invited members to comment on the contents of the report.

Cllr Healey expressed his concern that the On-Call Steering Group had not met in the last year. Roy Wilsher, NFCC Chair, confirmed that the Group had been disbanded and its work was being wrapped up in a wider programme being taken forward by the NFCC on working patterns. He reassured members that the LGA would be invited to take part in this and, confirmed that it was likely to start early in 2021.

Cllr Carter clarified that the Emergency Service Collaboration Working Group had met during 2019/20 but its structure was changing and he was still waiting to hear what the new format would look like.

Cllr Byrom asked for clarity on the FSMC meeting that was due to take place at the LGA Fire Conference. Mark Norris, Principal Adviser, confirmed that the Conference would now be taking place virtually and so

officers were proposing to switch the FSMC meeting to Friday 5 March at 11am.

Members agreed to reappoint Fiona Twycross AM as the Committee's Diversity & Inclusion Champion. Fiona thanked the Committee and acknowledged the support from other members, particularly Cllr Knox, who had stepped in at engagements when she wasn't available.

Decisions:

Members of the Fire Services Management Committee:

1. **agreed** the Terms of Reference;
2. formally **noted** the membership for 2020/21;
3. **noted** the future meeting dates for 2020/21;
4. **agreed** the Committee's nominations to outside bodies; and
5. **agreed** to reappoint Fiona Twycross as diversity and inclusion champion.

Actions:

- Officers to contact the Emergency Service Collaboration Working Group secretariat to find out more information.

4 The Person-Centred approach to the Home Fire Safety Visit

The Chair welcomed Rick Hylton - Deputy Chief Fire Officer, Essex County FRS and Ged Devereux – NFCC Strategic Health Lead, to the meeting and invited them to give their presentation.

Rick thanked members for the opportunity to speak to the Committee. He outlined the progress that had been made by FRS's and others in recent years in reducing the number of fires in the home. However, there was a growing understanding in the sector that in order to make further improvements, prevention work should include risk reduction measures developed around the wider needs of the individual, not just the physical structure of their home. He said that the Government had recognised that there needed to be greater consistency across the country in this regard and the current NFCC project was designed to address this.

Rick then spoke about the variation in the prevalence of risk factors across the country and explained that the Framework identified core data that needed to be collected to understand those risks. This work was closely allied to the NFCC's Community Risk Programme. He said that the NFCC was well placed to deliver the project through the Central Programme Office.

Ged said that the NFCC had engaged with a range of FRS stakeholders in a series of regional workshops to obtain their views on the programme. All FRSs that participated accepted the rationale for the person-centred approach and there was broad consensus that the fire service prevention pathway needed to be strengthened to put it on an equal footing with protection and response. He said that the new approach to Home Fire Safety Visits sought to amalgamate the best elements of the Home Fire

Risk Check and the Safe and Well Visit with the aim of reducing risk and changing behaviour.

Following the introduction, Members raised the following points:

- It would be important to work with council social care teams on the new approach, but concerns were raised about possible data protection issues.
- How can it be ensured that the new approach is widely taken up by FRSs? Rick said that there was a programme officer at the NFCC who was taking this forward with FRSs. In addition, HMICFRS were going to make this part of their inspection process so it was important that all services embraced it.
- Engagement with Registered Social Landlords was considered key to the success of the new approach.

The Chair thanked Rick and Ged for taking the time to update the Committee on their work.

Decisions

Members of the FSMC:

- **Noted** the progress that has been made with the development of the Person-Centred Framework and endorsed the new approach to Home Fire Safety Visits.
- **Supported** work and progress of the 20 next steps found at p. 20 of Appendix 1 of the report.

5 FSMC Priorities 2020-21

The Chair invited Lucy Ellender, Senior Adviser, to introduce the report.

Lucy said that following the input of Fire Commission at their meeting in September, the revised priorities for the coming municipal year were laid out in paragraphs 9 and 10 for members' comment. These would be used to develop a new work programme for the year.

Members raised the following points:

- Fire is one of the key stakeholders in flooding response situations and we need to recognise that these events will get more frequent with climate change.
- Members considered that there were such a large number of issues affecting the sector at the moment that it would be hard to fit them all into a work programme, and so there would need to be some kind of hierarchy to prioritise. It was also felt that some degree of flexibility should be retained in order to respond to changing circumstances, such as a severe Covid second wave.
- In the event of a prolonged economic recession due to Covid, concern was expressed about the fire safety implications of a potentially large number of semi-abandoned buildings.
- The priorities were considered to be quite reactive. Members suggested that for next year, a discussion forum should be set up with wider fire authority membership to determine more proactive priorities. Dependent on circumstances, this should ideally be an

in-person meeting, as a virtual meeting was considered to be too restrictive for this sort of event.

Decision

Members of FSMC **agreed** the priorities for the coming year set out in the report.

Action

Officers to plan a discussion forum in Spring 2021 to help set priorities for 2021-22.

6 Police & Crime Commissioner Review

The Chair invited Lucy Ellender, Senior Adviser, to introduce the report.

Lucy said that the overall LGA submission to the review was attached in the Appendix to the report and was written on behalf of the Safer & Stronger Communities Board and FSMC. She reiterated the LGA's position that there should be no mandatory transfers of governance either to PCCs or Mayors. Where there was no local agreement to a proposed transfer of governance, the contested business case should be looked at by a panel with a range of expertise.

Jonny Bugg, Head of Fire Strategy and Reform Unit - Home Office, thanked members for inputting into the review. He said that the evidence had now been collated and the next stage was to explore the emerging issues with the Home Secretary. This would be happening during October.

Members expressed their support for the LGA's response to the review and stressed the importance of the Home Office listening to the views of local areas.

Decision

Members of FSMC **noted** the report.

7 Spending Review

The Chair introduced the report and asked for members' views on the future options for use of the funding provided by FRAs to support the LGA's and NFCC's joint work on the Spending Review.

Members expressed their support for the work that had been done so far and, in particular, thanked Amy Webb for all her work on the final submission to the Home Office. It was considered important that the momentum of this work was maintained in what was a very uncertain funding environment and so members supported retaining the money as set out in option 7.2 of the report. Members were clear that it was important to build a strong business case and to understand and communicate what the public benefit would be.

Roy Wilsher, NFCC Chair, agreed that the submission had been a very

good piece of joint work and supported keeping the funding to enable an even stronger case to be built next time.

Jonny Bugg, Head of Fire Strategy and Reform Unit - Home Office, praised the joint submission and said that the Home Office was keen to protect the funding baseline and secure uplifts around specific new areas of pressure such as the Grenfell Inquiry and pensions. He said it was still not yet clear whether the Spending Review would be for one or three years but the outcome should be known by early November 2020.

Lucy Ellender thanked members for their steer and said that she would go back and have discussions with Amy Webb and John Buckley, NFCC finance lead, about potential further areas of work, and report back to FSMC.

Decision

Members of FSMC **agreed** option 7.2 set out in the report.

Action

Officers to bring an update to the FSMC meeting on 11 December 2020.

8 Marauding Attacks

The Chair invited Roy Wilsher, NFCC Chair, and Assistant Commissioner Jonathan Smith, London Fire Brigade, to introduce their update.

There followed a confidential discussion after which members agreed to note the update.

9 Workforce update

The Chair invited Gill Gittins, Senior Adviser – Workforce & Negotiations, and Clair Alcock, Senior Fire Pensions Adviser, to introduce the update.

Gill updated members on the following issues:

- The consultation on the Brigade Managers pay claim closed today and Gill urged members to complete it if they hadn't already done so.
- The consultation on the LGA and NFCC draft Core Code of Ethics was now open, closing on 2 November.
- The LGA, NFCC and National Employers Fit for the Future consultation was also now open until 19 November.

Clair said that the formal Treasury consultation on remedying age discrimination closed on 11 October. Following substantial stakeholder engagement and assessing the risks of both options put forward in the proposals, the Scheme Advisory Board and the Employers had come to the conclusion that the Deferred Choice Underpin would provide most mitigation to those risks, and was therefore their preferred option. Clair said that the final decision was now in the hands of the Treasury but a large piece of work next year would be around communicating any

changes to scheme members.

Clair then updated members on the Home Office Immediate Detriment guidance note. She said that as the note was not clear on FRA's legal powers, the LGA had requested legal advice on their behalf to inform a note which would be circulated to FRAs to assist their decision making going forward. Advice had also been sought on several technical areas of the note's application.

Following the introduction, members raised the following points:

- Tribute was paid to the work of the National Employers in relation to the negotiated pay settlement of 2% for grey book employees but concern was expressed about the difference between this figure and the Brigade Managers claim.
- In relation to the age discrimination cases, concern was expressed not only about the potential costs for FRAs but also about the availability of scheme administrators. Clair said that there was anecdotal evidence of providers dropping out of the market on the grounds that the scheme was becoming too complex to administer. She said that the Scheme Advisory Board would be looking into this potential risk in more detail.

Decision

Members of FSMC **noted** the update.

10 Building Safety update

The Chair invited members' comments on the Building Safety Update.

Fiona Twycross alerted members to a current fraud case involving EWS1 forms and urged them to be aware of this as a potential risk in their areas.

Decision

Members of FSMC **noted** the update.

11 National Fire Chiefs Council update

Decision

Members of FSMC noted the update without comment.

12 Fire Standards Board update

The Chair invited Cllr Nick Chard and Roy Wilsher to introduce the update.

Nick said that the Board was now working well after a relatively slow start. He said that they were finding the corporate areas more difficult to devise standards for than the operational areas.

Roy added that over the next year or so, new standards would start to be introduced on a regular basis.



Decision

Members of FSMC **noted** the update.

13 FSMC update

The Chair invited Rachael Aldridge, Adviser – Policy, to introduce the update.

Rachael informed members that the Annual Fire Conference would be going ahead as a virtual event next March as a result of the coronavirus restrictions. She asked for members input on possible plenary sessions and speakers and said that a proposal would be brought to Lead Members in November and then to the Committee on 11 December.

Rachael reported that the first of Andy Fry’s member development videos would be uploaded on the LGA website at the end of October. Members requested a link for this to be circulated to the Committee. This was agreed.

Finally, Rachael said that the latest meeting of the Diversity Champions Network had taken place the previous week and thanked Cllr Knox for stepping in to Chair the meeting.

Decision

Members of FSMC **noted** the update.

Action

Officers to circulate the member development link to the Committee.

Appendix A -Attendance

Position/Role	Councillor	Authority
Chair	Cllr Ian Stephens	Isle of Wight Council
Vice-Chair	Ms Fiona Twycross AM	Greater London Authority
Deputy-chairman	Cllr Nick Chard	Kent and Medway Fire and Rescue Authority
Deputy-chair	Cllr Keith Aspden	North Yorkshire Fire & Rescue Service
Members	Cllr Eric Carter	Shropshire and Telford Fire & Rescue Authority
	Cllr Mark Healey MBE	Devon and Somerset Fire and Rescue Authority
	Mr Roger Hirst	Police, Fire and Crime Commissioner for Essex
	Cllr Rebecca Knox	Dorset and Wiltshire Fire and Rescue Service
	Cllr Nikki Hennessy	Lancashire Fire & Rescue Authority
	Cllr Karen Kilgour	Tyne & Wear Fire & Rescue Authority
	Cllr Les Byrom CBE	Merseyside Fire and Rescue Authority
	Cllr Greg Brackenridge	West Midlands Fire & Rescue Authority



	Cllr Carolyn Lambert Cllr Cleo Lake	East Sussex Fire Authority Avon Fire & Rescue Authority
Apologies	Commissioner Andy Roe	London Fire Brigade
In Attendance	Jonny Bugg Roy Wilsher Assistant Commissioner Jonathan Smith Deputy CFO Rick Hylton Ged Devereux Stephen Adams Cllr Jane Hugo	Home Office NFCC London Fire Brigade Essex County FRS NFCC London Fire Brigade/NFCC Lancashire Fire & Rescue Authority

Equality and Diversity in the Fire and Rescue Sector

Purpose of report

For information.

Summary

The report outlines the work delivered to date and proposed next steps for the LGA's Fire Diversity and Inclusion Champions Network.

Recommendation

That members of the Committee note the report.

Actions

Officers to continue to provide updates to members.

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Equality and Diversity in the Fire and Rescue Sector

Background

1. Improving equality, diversity and inclusion in the fire and rescue sector forms a key priority of the LGA's [Fire Vision 2024](#). In recognition that achieving a truly diverse workforce will take long term commitment, innovation, and bold action to deliver change, various positive action approaches (within the bounds of the Equality Act 2010) were outlined and key targets included in the document, including:
 - 1.1. by 2024/5, 30 per cent of new firefighter recruits nationally should be female; this represents a step change for the fire and rescue service and will require a cultural transformation which we are determined to achieve
 - 1.2. in each fire and rescue service both frontline staff and staff as a whole should reflect the ethnic diversity of the community they serve
 - 1.3. the diversity of senior managers mirrors these developments
 - 1.4. the gender and ethnic balance in the workforce should not be eroded by poor retention (that is, those staff five years in will not be less diverse than the cohort was when recruited)
 - 1.5. staff at all levels and local communities have confidence in the political and operational leadership of their service.
2. In late 2019, the LGA established the [Fire Diversity and Inclusion Champions Network](#) (the Network) to bring together elected representatives who are responsible for diversity and inclusion issues in their fire and rescue authorities. The Network is chaired by Dr Fiona Twycross, Deputy Mayor for Fire and Resilience in London, and Vice-Chair and Diversity Champion for the FSMC.
3. As outlined in the [Terms of Reference](#), the Network was designed to develop skills to challenge their services to improve in this area. This includes hearing from experts about key equality and diversity issues for the fire sector, to identify barriers to greater diversity and inclusion in fire and rescue services, and to share best practice from across the country. The majority of FRAs have a nominated representative on the Network.

FRS sector responses

4. After the first cycle of independent inspections in 2019/20, reports by Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) highlighted that while there is good work under way in most services to increase workforce diversity, there remains significant issues associated with culture, diversity and inclusion in the fire and rescue sector.

5. On the National Employers side, the Fire National Joint Council (NJC) have established the Inclusive Fire Service Group (the IFSG) to lead this work. The IFSG includes employer and employee representation from the NJC and representation from the National Fire Chiefs Council, the Fire Officers Association and the Fire and Rescue Services Association. In 2017/2018, the IFSG produced a series of [improvement strategies](#) and are currently finalising a report into the outcomes of embedding this work.

What the Network has delivered

6. In 2020, the Network has convened four times, including two in-person conferences before the COVID-19 pandemic led to meetings being held virtually.
 - 6.1. In January, the Network held a full-day conference in London. Sessions were held with Keeley Foster, Deputy Assistant Commissioner, London Fire Brigade, about the barriers to greater diversity and inclusion in the fire sector. The Network also discussed options for the group's forward plan and key activities, including: creating the Network as a forum for networking; capturing and sharing best practice through regular meetings; and providing the opportunity for experts to showcase best practice from their services and from other public sector services (such as police and ambulance services).
 - 6.2. In March, the Network convened for a short meeting as part of the 2020 Fire Conference. The focus of this session was to finalise its Terms of Reference, and workshoping future topics.
 - 6.3. In July, the Network held its first virtual meeting, which focused on the theme of positive action. The session was led by guest speakers, Jagtar Sing, National Adviser for the Asian Fire Service Association, and Nicola Green, Legal Director at Capsticks Solicitors.
 - 6.4. In October, the Network discussed the benefits of staff networks. Members heard presentations from a panel of speakers, including: Anna James, Watch Manager, and Zoe Baker-Powell, PMO Manager (Service Transformation Team) from Avon Fire and Rescue Service, to discuss their staff engagement network; and Serena Simon, Programme Director (Church St Regeneration) at Westminster City Council, to discuss the Council's BAME Network.
7. The [video recordings and transcripts](#) for the July and October sessions are now available on the Champions Network webpage, as will those for all future sessions.

Future work

8. The Network was due to convene again in November 2020, with the theme for this session planned to be 'Racial Inequality'. During planning for this session, officers determined that in order to do the topic justice and give it the time it needs, it should be delivered over several sessions instead of just one.



9. As a starting point, the Network will meet on 22 January 2021, and again on 5 February, to discuss issues related to 'Racial Inequality'. This includes:
 - 9.1. In January, an introductory session to the fundamental concepts related to racial inequality, and a presentation from Ann Millington, Chief Executive, Kent Fire and Rescue Service, on Equality of Access to Services for Black and Minority Ethnic Communities.
 - 9.2. In February, the Network will hear a presentation from Wayne Brown, Deputy Chief Fire Officer and Phil Loach, Chief Fire Officer, West Midlands Fire and Rescue Service regarding the work they have led with their workforce throughout 2020 in response to the Black Lives Matter movement in the United Kingdom, as well as broader diversity and inclusion work in their local area.
10. To best prepare for these sessions, the LGA will be procuring an experienced and specialist facilitator to assist in the planning process and guide the group activities and discussions. It is intended that they will also support officers to collate some helpful resources and e-learning modules for members to complete before the sessions, so that members can familiarise themselves with key concepts in advance. These can also be made available more widely for the sector.
11. These two sessions will inform further work on this topic, as well as developing a forward plan for the Network in 2021.
12. Subject to approval by the FSMC, there will be a plenary session on diversity and inclusion at next year's Fire Conference in early March 2021.

Financial Implications

13. All work will be carried out using existing LGA resources.

Next steps

14. Officers will take forward any decisions as directed and proceed with conference planning.



LGA Annual Fire Conference 2021

Purpose of report

For decision.

Summary

This report outlines to Members the proposed schedule for the Annual Fire Conference 2021, on 1-4 March 2021.

Recommendation

That members approve the proposed schedule and related activity for the Annual Fire Conference 2021.

Actions

Officers to incorporate members' views in the work to prepare for the Annual Fire Conference, in March 2021.

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LGA Annual Fire Conference 2021

Background

1. The LGA Annual Fire Conference is held each year in early March. In January 2020, Fire Safety Management Committee members agreed that the 2021 conference would take place from 1-3 March at the Hilton in Gateshead. Due to COVID-19, physical conference activity has now been cancelled for the foreseeable future, due to the public health risk posed by gathering in large numbers. It is not possible to predict whether in-person conference events will resume by March 2021, given Government guidance and local area restrictions are subject to change.
2. The LGA Annual Fire Conference 2021 is to be conducted as a virtual conference. It will replicate the delivery model used during the LGA Annual Conference 2020. This includes plenary sessions and interactive meetings held on different days, with members and non-members registered individually for each session and attendance via Zoom.

Proposed format and schedule

3. LGA officers have progressed the planning process to determine the format, structure and dates of plenary sessions. At the October 2020 FSMC meeting, members were invited to provide feedback on the proposed plenary topics, including: Ministerial address; building safety; finance and the Comprehensive Spending Review; diversity and inclusion; Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICRFS) and the second State of Fire Report; Governance and Police, Fire and Crime Commissioners (PFCCs); COVID-19 – key learnings; and climate change. In November 2020, FSMC Lead Members provided more detailed feedback on the proposed plenary sessions, and the format and structure in which conference activity will be delivered.
4. Based on the feedback received and factoring in the various limitations of delivering a virtual conference, officers propose to deliver Fire Conference activity in the following schedule: four plenary sessions and two interactive meeting sessions across four days, from 1-4 March 2021. The FSMC will then meet as scheduled on 5 March 2021. The proposed topics and schedule of these sessions is outlined in **Table 1**.
5. Fire Conference sessions will be delivered in the following format:
 - 5.1. *Plenary sessions* – delivered in a Webinar format, each session will be 1.5 hour in duration. A panel of no more than three speakers will give a 45-minute presentation on the given topic, and a designated Chair will subsequently facilitate a panel discussion. Attendees will have the opportunity to submit questions to the Chair via the chat function only.



5.2. *Interactive sessions* – delivered in an interactive meeting format, each session will be two hours in duration. Nominated speakers will deliver a (maximum) 30-minute presentation on the given topic, and a designated Chair will then facilitate a question and answer session with the panel. Subject to the speakers and Chair, this may include going to breakout rooms. Attendees will have the opportunity to submit questions to the Chair via the chat function or use the ‘hand-up’ function to pose questions directly.

Table 1: Proposed schedule for the LGA Fire Conference 2021

	Mon, 1 Mar	Tues, 2 Mar	Wed, 3 Mar	Thurs, 4 Mar	Fri, 5 Mar
AM	<i>Plenary:</i> Fire Minister	<i>Plenary:</i> Diversity and Inclusion	<i>Plenary:</i> Building Safety	<i>Plenary:</i> Prevention and Climate Change	FSMC Meeting (agenda and papers to be circulated late February 2021)
	Focus – TBD (subject to engagement with Minister’s Office and Home Office colleagues)	Focus – TBD (refer FSMC Paper on Diversity and Inclusion)	Focus – Fire and Rescue Services’ role under new Building Safety legislation.	Focus - TBD	
PM	<i>Interactive meeting:</i> HMICFRS		<i>Interactive meeting:</i> Building Safety		
	Focus – TBD (subject to engagement with HMICFRS)		Focus – Enforcement under the new powers in the Fire Safety Bill.		

6. As the 2021 Fire Conference will be a virtual offering, the LGA will not be preparing a Conference Publication next year. In previous years, a Conference Publication was distributed within the delegate packs at the Conference. Papers for the plenary and

interactive sessions, and any other resources at request of guest speakers, will be circulated in late February 2021.

7. For those topics suggested by Members that do not appear on the proposed conference schedule, officers propose to offer alternative learning opportunities:
 - 7.1. *Finance and the comprehensive spending review* - Given recent decisions to postpone the three-year spending review to allow government to focus on responding to the second wave of the COVID-19 pandemic, officers are exploring alternative options to provide information on this topic. This would be made available on the LGA's website in the lead-up to the Fire Conference. Please refer to the LGA's [On-the-Day Briefing](#), developed on 25 November 2020 in response to the outcome of the [Spending Review 2020](#).
 - 7.2. *Governance* - The LGA has commissioned Andy Fry, ex-Chief Fire Officer and former HM Inspector of Fire Services in Wales, to deliver a series of instructive videos covering various topics associated with the governance role of Fire and Rescue Authority (FRA) Members. These online training and development resources aim to ensure Members are supported to deliver their governance responsibilities. The first webinar, [The Role of Fire and Rescue Authority Members](#), is now available on the LGA website. The remaining three webinars will be released throughout December 2020 and early 2021. We will also be hosting an interactive webinar on governance during 2021 which will cover this topic in depth.
8. Due to the Fire Conference being delivered virtually, there are additional changes to how the conference is being delivered, including:
 - 8.1. *Fees* – For Members of the LGA, or for government officials, there will be no cost to attend. Non-members will be charged £99 plus VAT per session, subject to a package deal being offered once the conference is advertised publicly.
 - 8.2. *Sponsor exhibitions* – there will be no virtual exhibitions provided. Officers are exploring other digital options for sponsors to showcase their exhibitions and will report back to Lead Members in early February 2021.
 - 8.3. *Annual dinner function* – typically held on the first night of the conference, the LGA will not host the annual dinner due to the government restrictions on social distancing and other required safety precautions.

Financial Implications

9. All work will be carried out using existing LGA resources.

Next steps

10. Members are asked to agree the proposed Fire Conference schedule and format.
11. Officers will take forward any decisions as directed and proceed with conference planning.



Building Safety Bill

Purpose of report

For discussion.

Summary

This report updates FSMC members on the LGA's work around the Building Safety Bill since its last meeting. Peter Baker from the Health and Safety Executive (HSE) will be attending the meeting for this item to outline how the HSE sees the future relationship of the new Building Safety Regulator and Fire and Rescue Authorities.

Recommendation

That members note and comment on the LGA's work in relation to the Building Safety Bill.

Actions

Officers to incorporate members' views in the LGA's ongoing building safety related work.

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Position:	Senior Adviser
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Building Safety Bill

Background

1. The Building Safety Bill establishes a building safety regulator within the HSE to:
 - 1.1. Implement the new, more stringent, regulatory regime for higher-risk buildings (defined as residential buildings over 18m).
 - 1.2. Oversee the safety and performance of all buildings.
 - 1.3. Assist and encourage competence among the built environment industry, and registered building inspectors.
2. The implementation of the new regime will see the HSE, councils and fire services form a new, close relationship as council building control services and fire services deliver the regime for higher-risk buildings (environmental health services may also be involved). It leaves the HSE and local regulators to work out the practical details, but places all three under a duty to cooperate and gives the HSE the power to direct councils and fire services. The latter power is to be used only in exceptional circumstances and the Bill provides safeguards to prevent it becoming a default option.
3. In practice the regime for higher-risk buildings is expected to involve multi-disciplinary teams, not dissimilar to the Joint Inspection Team which the LGA currently hosts.
4. Details of how the new building safety regime will work, and the role of Fire and Rescue Authorities in it alongside the building safety regulator, are set out in **Annex A**.
5. The first stage of the new regime is expected to be the introduction of legislation next spring to amend the Town and Country Planning Act 1990 to make the building safety regulator a statutory consultee in planning applications for buildings in scope, requiring the provision of a fire statement and engaging developers at an early stage in the process.
6. The LGA's evidence to the Housing, Communities and Local Government Committee's pre-legislative scrutiny of the Bill argued that, subject to the necessary secondary legislation being passed and sufficient funds provided - the Bill provides the strong regulatory system needed to deliver an effective system of building safety. Nevertheless, the LGA has expressed the following concerns:
 - 6.1. The difficulty of funding building safety measures without bankrupting leaseholders.
 - 6.2. The conflict between the new building safety system and the Government's planning white paper.
 - 6.3. The scope of the Bill, the speed at which its scope can be expanded and the constraints on its expansion.

- 6.4. How the charging provisions in the Bill will work and set-up costs for the Building Safety Regulator.
 - 6.5. The alignment of this Bill with the Fire Safety Bill.
 - 6.6. The adequacy of the product safety provisions.
 - 6.7. The limited removal of competition in building control.
7. Lord Porter gave [evidence](#) to the Committee on behalf of the LGA on 21 September.
 8. The Committee's [recommendations](#) reflect the LGA's concerns to a large extent. The Committee called for the Government to:
 - 8.1. ensure costs are not passed on to leaseholders.
 - 8.2. ensure Gateway One is not undermined by expansion of permitted development.
 - 8.3. indicate its intention to review the scope and set a timetable for doing so and to consider the vulnerability of residents in the review.
 - 8.4. publish with the Bill the details of the charging regime that the regulator will operate to fund its regulatory functions, where cost recovery is practical, and commit unequivocally to ringfenced central funding to cover the cost of functions for which cost recovery will not be possible.
 - 8.5. publish statutory guidance alongside the Bill outlining how it expects accountable persons and responsible persons to co-operate in practice. In the long term, the Committee recommends that the Government review the operation of the two regimes with a view to rationalising and simplifying the legislation.
 - 8.6. publish with the Bill its proposals for improving the product testing regime and recommended that the Government provide for the publication of test failures and re-run tests and for the establishment of an independent and unified system of third-party certification in order to introduce greater transparency and rigour into the regulation of construction products.
 - 8.7. remove dutyholder choice entirely from the building control system and replace it by a system of independent appointment.
 9. At the FSMC meeting members will receive a presentation from Peter Baker of the HSE on the HSE's work to establish the Building Safety Regulator (BSR). It is suggested that the main areas of interest for FSMC members might be:
 - 9.1. The expected timescale of implementation.
 - 9.2. What are the demands on Fire and Rescue Authorities (FRAs) likely to be under the new regime?
 - 9.3. What can FRAs do now to prepare for and support implementation?
 - 9.4. How will BSR priorities affect the IRMP process?
 - 9.5. The Bill allows for the BSR to charge dutyholders and FRSs to recoup costs from the BSR – will this work?
 - 9.6. Who is liable for FRS work for the BSR - the BSR or the FRA?

9.7. How do we re-equip FRSs to perform a protection role for high rise residential buildings?

10. Many of these questions will not yet have answers as the implementation process is only at an early stage.

Implications for Wales

11. 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

12. The work arising from this report will continue to be delivered within the planned staffing budget. A key objective in the LGA's work going forward will be to ensure that Fire and Rescue Authorities and councils are able to recover their costs from the regulatory work they do with the BSR.

Next steps

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

Annex A

Examples of the FRA/FRS role in the new regime from the [Explanatory Notes to the Bill](#)

1. Clause 13 Local authorities and fire and rescue authorities: provision of assistance etc to regulator; and Clause 14 Provision of assistance etc: supplementary
 - 1.1. When the Building Safety Regulator acts as the building control authority for higher-risk buildings, the Building Safety Regulator can use these provisions to put in place a “multi-disciplinary team” including a fire safety expert from the relevant Fire and Rescue Service and a building control specialist from the relevant local authority. Before taking key regulatory decisions such as agreeing that construction can start after reviewing full plans at Gateway Two, the Building Safety Regulator would be able to take expert advice from the Fire and Rescue Authority and local authority.
 - 1.2. Under its general powers (notably new section 11A Health and Safety at Work etc Act 1974), the Building Safety Regulator could also secure expertise from the private sector (where appropriate) to support the work of the multi-disciplinary team.
 - 1.3. The power to direct would be used in exceptional circumstances. Local authorities and Fire and Rescue Authorities will be under duties to cooperate with the Building Safety Regulator (and it with them) under Schedule 3 in respect of the Building Safety Regulator’s building functions for higher-risk buildings and any relevant function of the authorities.
 - 1.4. It is expected that the Building Safety Regulator will work cooperatively with Fire and Rescue Authorities and local authorities to secure support from them. If the local authority or Fire and Rescue Authority in the area where the higher-risk building is located is unable to provide support, the Building Safety Regulator could seek support from other Fire and Rescue Authorities and local authorities whose capability is less stretched, or from the private sector.
 - 1.5. If there were a consistent problem with a Fire and Rescue Authority or local authority not being able to provide support (e.g. an unwillingness to employ any staff with the requisite competence), the Building Safety Regulator might consider that direction was necessary to secure its ability to effectively regulate higher-risk buildings in that area.
2. Fire and Rescue Authorities and the Building Safety Regulator (p53)
 - 2.1. The Fire and Rescue Authority identifies a breach of the Regulatory Reform (Fire Safety Order) 2005, which indicates the potential for a similar breach in the new regulatory regime in relation to occupation of a higher-risk building. Relying on the duty to cooperate and the power to share information, the Fire and Rescue Authority shares information about the issue with the Building Safety Regulator, and the two organisations would work together to ensure appropriate action is taken to deal with the breach and mitigate any risk to safety, using whichever organisation’s expertise and powers are best suited to resolving this issue.
3. Information sharing re construction products (p166)

- 3.1. If, for example, a Fire and Rescue Authority in England has information about the contribution to the spread of fire of a particular construction product, the Fire and Rescue Authority will be able to share that information with the relevant regulator, who would then be in a position to investigate and take any appropriate enforcement action.

Business plan 2019-22 - 2020 review and update

Purpose of report

For information.

Summary

In October 2019, following a series of consultations and discussions, the LGA Board approved a new 3-year [business](#) plan, built around the United Nations sustainable development goals and comprising:

- six policy priorities with supporting targets
- a Supporting Councils priority with associated improvement targets and
- our internal/operational plan

Whilst the six policy priorities agreed at the time continue to reflect the sector's priorities, LGA Board resolved at their September meeting to add one additional priority – "*Narrowing inequalities and protecting communities*" – to reflect events over the past 8 months and the range of actions arising from them.

The business plan has now been revised and updated to include the additional priority and is attached at **Appendix 1**. It will be published as an interactive PDF with the design as in the current plan.

Recommendation

That the Fire Services Management Committee note the 2020/21 update of the 3-year business plan as the basis for work programmes over the coming months.

Actions

The updated plan will be published on the LGA website

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LGA business plan 2019-2022

2020 update

Introduction

2020 introduction to LGA Business Plan 2019-2022

Every day councils make a difference, delivering essential services that improve the lives of millions. The COVID-19 pandemic has demonstrated the value of local leadership like never before, by providing much-needed support to people, businesses and communities that have protected lives and livelihoods.

We know that residents trust their councillors, as democratically elected leaders, to make the right decisions for them and their families, now and in the future. The Local Government Association's (LGA's) polling shows that [73 per cent of residents trust their local council](#) to make decisions about how services are provided in their local area.

These services assist vulnerable people, support the homeless into safe accommodation, deliver new homes, give children and young people with the best start in life, providing dignified care for vulnerable people, help local businesses, and combat climate change. Just a few of the everyday examples of councils supporting our nation where they need it most.

As we look forward, there is an important opportunity to address the inequalities the pandemic has exposed and that have remained entrenched for too long, to connect with people's identities and sense of community, and to rebuild the economy so that it benefits all of our residents.

It is therefore vital that we support councils to ensure they are equipped to meet the challenges we face today, are empowered to innovate and create services that are tailored to their localities, and are resilient to navigate what the future may bring.

This updated business plan sets out how the LGA will continue to support and be an advocate for councils. Our priorities have been reviewed and reshaped this year, to recognise the uncertainties facing local government and us as your membership body. We recognise that we will need to remain flexible, shifting our focus as the need arises.

Through our [#CouncilsCan](#) campaign we will make the case for a new settlement for English local government that gives councils and councillors the powers, freedoms, certainty and sustainable funding to transform our communities for the better.

Promoting the value of local government and supporting councils in their roles as community leaders remains our central mission. Alongside the challenges that a global pandemic brings, we

are moving into a critical period for local public services. This could include a three-year Spending Review, greater devolution of powers to local areas, significant planning reforms and the opportunity to make the case for a long-term settlement for social care. We will continue to be flexible, promoting councils' priorities on emerging issues such as new measures to coincide with the end of the EU transition period and on proposed changes to areas that are delivered locally, such as public health.

Our lobbying work will always centre around the things you tell us are important to you, as we work with government and Parliament to ensure that councils' ambitions for our communities are reflected in national decision-making. Through our sector-led improvement work, we have further developed our offer to provide councils with the support to assist the challenges of COVID-19 and its consequences while working closely with the Government on priority issues. We will continue to offer a helping hand to councils as they improve, innovate and seek to demonstrate their resilience now and into the future.

This business plan sets out the priorities that councillors and officers have told us you want us to focus on. It will be continually reviewed and tested out with our membership to ensure we are always providing the best possible support to councils.

Councillor James Jamieson
Chairman

Mark Lloyd
Chief Executive

Working for councils

The LGA is the national membership body for local authorities. Our core membership is made up of English councils and Welsh councils through the Welsh LGA.

We are politically-led and cross-party and we work on behalf of councils to give local government a strong, credible voice with national government.

We aim to influence and set the political agenda on the issues that matter to councils so they can deliver local solutions to national problems. We fight local government’s corner, supporting councils through challenging times and focusing our efforts where we can have real impact.

We also provide membership services to other organisations through our associate scheme, including fire and rescue authorities, national parks authorities, town councils, police & crime commissioners and elected mayors of combined authorities.

Our vision for local government

Our vision for local government is one of a vibrant local democracy, where powers from Westminster are devolved to local areas, and citizens have a meaningful vote and real reason to participate in civic and community life.

A return to economic growth offers prosperity to every place, with well-targeted and planned investment in infrastructure, training and housing that leads to jobs and a supply of affordable homes.

Public services focus on preventing problems as well as picking up the pieces, delivering positive outcomes for people of all ages in an environmentally sustainable way. Joined up services are built around people and their needs, enhancing the lives of individuals, families and communities and continuing to make local areas better places to live now and for future generations.

Our purpose and priorities

Our work on behalf of local government falls under two overarching themes

National voice of local government – we campaign to influence the political agenda and secure funding and powers on behalf of councils and we promote and defend the reputation of the sector

Supporting councils - we support councils continuously to improve and innovate through our programme of practical peer-based support underpinned by strong local leadership, through our support for collective legal actions and through our service delivery partnerships.

Our business – underpinning our work on behalf of councils is an efficient, cost effective and forward-thinking business; we are politically led, committed to equalities and diversity and we aim to operate in an environmentally and financially sustainable way.

Our three-year rolling business plan sets out our key priorities and commitments and demonstrates how our work will contribute to the delivery of the UN’s Sustainable Development Goals (SDGs).

The national voice of local government

We lobby and campaign to influence the political agenda and secure funding and powers on behalf of councils and we promote and defend the reputation of the sector

Over the next 12 months we will focus on the seven areas that councils tell us matter most to them:

Funding for local government

Fair and sustainable funding enables councils to plan and deliver essential public services beyond the short term, to raise more funds locally and to promote greater collective working across local public services.

Adult social care, health and wellbeing

Sustainable funding and better integration with health services enable councils to continue to support people to live safe, healthy, active, independent lives and to promote wellbeing and resilience for all ages.

Narrowing inequalities and protecting communities

Councils lead and work with diverse communities and partners to address inequalities and build safe, cohesive and resilient communities.

Places to live and work

Councils lead the way in driving inclusive and sustainable economic recovery, building the homes that people need and creating places where they want to live.

Children, education and schools

Councils have the powers and resources they need to bring partners together to deliver inclusive and high-quality education, help children and young people to fulfil their potential and offer lifelong learning opportunities for all.

Strong local democracy

A refocus on local democratic leadership, and a shift in power post-Brexit from Whitehall to local communities, leads to greater diversity of elected representatives, high standards of conduct and strong, flexible local governance.

Sustainability and climate action

Councils take the lead in driving urgent actions in their local areas to combat climate change and its impacts and to deliver zero net carbon by 2030.

17 Goals to Transform Our World

The Sustainable Development Goals are a call for action by all countries – poor, rich and middle-income – to promote prosperity while protecting the planet.

They recognize that ending poverty must go hand-in-hand with strategies that build economic growth and address a range of social needs including education, health, social protection, and job opportunities, while tackling climate change and environmental protection.



SUSTAINABLE DEVELOPMENT GOALS

Funding for local government

Fair and sustainable funding enables councils to plan and deliver essential public services beyond the short term, to raise more funds locally and to promote greater collective working across local public services.

CAMPAIGN - #CouncilsCan

With the right funding and powers, councils can continue to lead their local areas, improve residents' lives, reduce demand for public services and save money for the taxpayer.

The benefits to the country of investing in local government are clear and understood – we will:

- continue to highlight the pressures on all services and press for funding that reflects current and future demand, particularly for housing, homelessness, adult social care and children's services
- lobby Central Government to fully meet all costs and income losses arising from COVID-19 in 2020/21 and beyond
- continue to emphasise and evidence the impact, value and efficiency of local government services
- work with central and local government to identify a wider range of suitable and sustainable funding sources for council services in the future
- work with local and central government on a distribution mechanism for local government funding that supports long-term planning, is evidence-based, simpler and more transparent with appropriate transition mechanisms.

People have a meaningful local voice on a wide range of tax and spending decisions – we will:

- press for freedoms that lead to greater local financial autonomy with a view to achieving local control over both council tax and business rates
- lobby for improvements to business rates to help tackle business rates avoidance and develop proposals to improve the system, including valuation and the appeals process
- press for legislation to allow councils to raise more funds locally including new local taxes and set fees and changes which fully recover costs.

Councils are able to access a range of sources of finance to encourage investment and create jobs, supported by an appropriate financial framework – we will:

- further develop policy on capital financing and investing and contribute to national reviews in these areas so that they support and enable prudent investment and financial management
- contribute to reviews of the accounting and financial regulatory framework for councils to ensure it is appropriate, not over restrictive and balanced with local freedom and accountability
- support the United Kingdom Municipal Bonds Agency to deliver cheaper debt financing to councils, through the sale of bonds in the capital markets.

Fair and affordable pay awards enable councils to recruit and retain good staff – we will:

- convene the employer side of the collective bargaining arrangements to agree equitable and affordable pay awards for more than two million local authority and related employees, including fire and rescue authorities.
- provide evidence to the schoolteachers' pay review body and Low Pay Commission in relation to the National Living Wage.

Adult social care, health and wellbeing

Sustainable funding and better integration with health services enable councils to continue to support people to live safe, healthy, active, independent lives and to promote wellbeing and resilience for all ages.

SDG 3 – Good health and wellbeing

Ensure healthy lives and promote wellbeing for all at all ages

CAMPAIGN - The lives we want to lead

We want to build a society where everyone is supported to live a healthy, fulfilled and independent life, staying at home and contributing to family and community life for as long as possible - but escalating funding pressures and increasing demand are threatening that ambition. Our campaign calls for sustainable long-term funding that gives people the care and support they need now and in the future.

Councils secure sufficient resources to deliver effective, integrated social care services – we will:

- continue to lobby for the short, medium and long-term financial sustainability of adult social care and support, arguing that all options, including national taxation, should be considered
- work with government to agree a sustainable, long term funding deal for public health.
- press for an independent review of adult social care pay and full funding for subsequent changes.

Councils lead the debate on the future vision for health and social care – we will:

- promote a clear vision of councils' role in planning and delivering integrated health and care; continue to promote health and wellbeing boards as leaders of health and care and support councils and their partners to develop and deliver place-based person-centred support.
- continue to press for a long-term policy framework for the Better Care Fund (BCF), with lighter touch reporting and greater emphasis on local targets
- continue to lobby for councils and councillors to have a key role in sustainability and transformation partnerships, integrated care systems and wider NHS planning arrangements.

Councils support older people, disabled people and people in vulnerable circumstances – we will:

- support councils to tackle the challenges and exploit the opportunities of a population with increasingly complex needs, including improving dementia and mental health services, carers' support and support for those with autism and/or learning difficulties
- continue to support councils to deliver the Armed Forces Community Covenant.

Councils work actively with the NHS to build health and care services around the needs of local populations – we will:

- work with NHSEI and other national partners to ensure that councils and health and wellbeing boards, are meaningfully engaged in developing integrated care systems and their implementation plans
- work with national partners to increase the understanding of, and commitment to, planning and delivery at place level and the leadership role of councils
- support councils to work with NHS and other partners to ensure that implementation plans build on existing priorities to improve health and wellbeing and are subject to democratic oversight and scrutiny
- work with the NHS to manage the pandemic, learning the lessons and promoting local accountability and closer working through the NHS bill and wider work.

Councils have a central role in promoting health and wellbeing locally – we will:

- work to strengthen the position of councils as public health leaders.
- continue to make the case for long-term financial sustainability of public health services and support councils to understand the importance of preventative approaches.
- work with the NHS and partners to develop a system-wide approach to public health workforce planning and address urgent staffing issues in children's public health.
- lobby for long-term sustainable funding for leisure, culture and park services which play an important part in people's physical health and mental wellbeing and tackling health inequalities.

Narrowing inequalities and protecting communities

Councils lead and work with diverse communities and partners to address inequalities and build safe, cohesive and resilient communities.

SDG 10 – Reduced inequalities
Reduce inequalities within and among countries
SDG 11 – Sustainable cities and communities
Make cities and human settlements inclusive, safe, resilient and sustainable

Councils lead and work with diverse communities and partners to address inequalities and build cohesive and resilient communities – we will:

- review and strengthen the LGA’s work on reducing inequalities, promoting equality through our policy messages and lobbying and our improvement and leadership support to councils.
- promote and support councils in developing the diversity of their candidates, elected members and senior leadership
- underline the need for a strong commitment to tackling health inequalities and ensure that local government concerns and priorities resulting from the impact of COVID-19 on their communities are heard by government
- support councils as they address the inequalities exposed by the COVID-19 pandemic, with particular regard to those from ethnic groups most affected by the virus and to children and young people whose development and futures will be affected by the containment measures.

Councils lead the way in shaping communities where people feel safe – we will:

- lead the debate on councils’ role in building safer and resilient communities and support them to reduce serious violence, domestic abuse, female genital mutilation and anti-social behaviour
- represent councils’ interests in the UK’s developing modern slavery policies, as we work collaboratively with partners to tackle this
- contribute to the independent review of Prevent and the counter-extremism strategy, ensuring that councils are supported to build community cohesion, promote integration, tackle extremism and deliver the Prevent duty.
- lobby for the resources, powers and data councils need to manage local outbreaks of COVID-19, including shielding the clinically vulnerable, and support them in their test, trace and outbreak management response through a sector-led improvement support programme.

Councils continue to play a leading role in the design and delivery of blue light and other services that help protect local communities – we will:

- work with the HSE and government to establish an effective, professional and fully funded system for regulating building safety
- lobby for sustainable funding for fire and rescue authorities and support them to become more inclusive and representative of their communities and to strengthen their leadership and governance.
- support the fire and rescue sector’s response to Phase 1 of the Grenfell Inquiry and strengthen their ability to take forward the fire reform agenda and the findings from Her Majesty’s Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS)
- support police and crime panels and share best practice
- work with councils to review and share learning from the COVID-19, to help strengthen community resilience and future emergency responses.

Children, education and schools

Councils have the powers and resources they need to bring partners together to deliver inclusive and high quality education, help children and young people to fulfil their potential and offer lifelong learning opportunities for all.

SDG 3 – Quality education

Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all

SDG 10 – Reduced inequalities

Reduce inequalities within and among countries

CAMPAIGN - Bright Futures: children’s social care and mental health services

Helping children and young people to fulfil their potential is the ambition of all councils, but services that support them to do so are under increasing pressure. Our campaign calls for the services that change children’s lives to be properly funded so that all children can have the bright futures they deserve.

Councils lead the way in driving up educational standards – we will:

- set out a clear vision for councils’ role in promoting high educational standards, with the resources, powers and flexibilities to give every child access to a place at a good local school
- lobby for a stronger role for councils in investing in schools - ensuring new schools are high quality, fit for and value for money- and a lead role in decisions about new free schools
- press for a stronger council role in ensuring admissions are fair for all pupils across the school system.

Schools have the funding they need to deliver the best education for all pupils – we will:

- lobby to ensure the national funding formula for schools retains an element of local flexibility to allow councils and schools to reflect local needs and priorities
- highlight the growing pressures on the high needs budget and lobby government to provide councils with sufficient funding and flexibility to meet rising demand and eliminate High Needs deficits
- lobby for flexibility in use of the apprenticeship levy and work with partners to increase take up of quality apprenticeships in schools.

Councils have the flexibility and resources to deliver services that meet the needs of children and young people – we will:

- encourage councils and the Government to put children at the heart of policy making
- continue to paint a positive vision for local children’s services, calling for adequate funding for services, that change children’s lives through our Bright Futures campaign,
- support councils to take a preventative and place-based approach to children and young people’s health, including early years, childhood obesity and support for children's mental health
- work in partnership to improve life chances for disadvantaged households, particularly those with young children, making the case for early intervention and improved integration of services for families.

Councils protect children’s wellbeing and keep them safe – we will:

- support councils to protect children and young people from harm and improve outcomes for all children, in particular children in care and care leavers
- work with government and councils to support child refugees and unaccompanied asylum seekers safe, pressing for improved funding to better cover costs, including for those leaving care
- support councils to tackle the challenges of child criminal exploitation and county lines issues.

Places to live and work

Councils lead the way in driving inclusive and sustainable recovery, building the homes that people need and creating places where they want to live.

SDG1 – No poverty
End poverty in all its forms everywhere
SDG 8 – Decent work and economic growth
Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all
SDG 9 – Build resilient infrastructure, promote inclusive and sustainable industrialisation and foster innovation

Councils drive the increase in housing supply the nation needs – we will:

- continue to press for additional powers for councils to increase housing supply, promote both affordable and carbon-free homes and make more effective use of surplus public sector land
- support consortia of councils to access significant housing development funds through the creation of new partnership models
- press for powers for councils to ensure the provision of homes integrated with health and care that positively support us to age well
- lobby for a well-resourced and locally responsive planning system, funded by locally set fees with the tools to ensure developers build quality homes that meet local need.

Councils have access to funding to create communities where people want to live – we will:

- continue to press for additional infrastructure funding, including a review of the rules governing developer contributions
- support councils to work with partners to maximise the value of local and national infrastructure investment, including in road, rail, broadband, culture, heritage and recreation
- work to secure the £5 billion of regeneration investment guaranteed to local economies from EU structural funds to 2020 and lobby for alternative UK sources after we leave the EU.

Councils continue to drive higher safety standards across the housing sector – we will:

- lobby for resources and tools to enable councils to shape a good quality private rented sector that meets the needs of their local communities
- work with government and councils to identify high-risk, high-rise residential buildings and lobby for support for councils to make changes and take urgent remedial action
- respond to government consultations, including on the new building safety regulatory framework.

Councils lead the way in ending homelessness through prevention – we will:

- lobby for the resources to enable councils to manage the housing impacts of welfare reform and achieve the ambitions of the Homeless Reduction Act and Rough Sleeping strategy
- make the case for adaptations to welfare reform and for the powers and funding that councils need to meet local needs
- with the Chief Executives' and Home Office group on asylum dispersal, inform the development, delivery and funding of support for asylum seekers and refugees and share good practice.

Councils support strong communities through risk-based business-friendly regulatory services – we will:

- press for powers and resources where councils take on additional legal liabilities such as building regulations post-Grenfell and proposed new air quality requirements
- support councils to demonstrate the value of regulatory services and lobby for sustainable funding
- lobby government to bring forward taxi licensing legislation as soon as possible
- press for greater flexibility in the licensing system, including the localisation of licensing fees.

Councils are key partners in delivering the government's national economic strategy – we will:

- support city regions and non-metropolitan areas to deliver effective local economic strategies
- advocate for a voice for councils in the development of a new English land management policy, and for communities to be involved in deciding how their local natural assets are managed
- support local innovation to deliver a better digital infrastructure and continue to press for a regulatory framework that will deliver the best deal for customers
- continue to press for strong local government representation on Local Enterprise Partnerships and improved oversight and scrutiny of them
- support councils to maximise the impact of their cultural, sporting and heritage assets to drive growth in their local visitor economy.

Councils match education, training and skills with business needs – we will:

- continue to press for powers, funding and lead responsibility for councils to integrate and commission back to work, skills, apprenticeships and welfare support under the *Work Local* model.
- campaign for people of all ages to be supported to participate in quality skills development and training and lifelong learning with independent careers advice and guidance
- promote good employment practice that helps young people and adults secure, sustain and progress in work, including Apprenticeships.

Strong local democracy

A refocus on local democratic leadership and a shift in power to local communities post Brexit leads to greater diversity of elected representatives, high standards of conduct and strong, flexible local governance.

SDG 16 – Peace, justice and strong institutions

Promote peaceful and inclusive societies for sustainable development, provide justice for all and build effective, accountable and inclusive institutions

Councils as leaders of good conduct in public and political discourse and debate – we will:

- clearly articulate the standards expected for anyone engaging in public and political discourse and debate and what is needed to achieve those standards, underlining that intimidation and abuse of those in public office is unacceptable
- review the member model code of conduct and support our member councils in addressing intimidation and abuse of those in public office
- support to councils to explore ways of engaging with their local community and voluntary sector in local service delivery, enhancing places and local decision making.

Elected members and officers are empowered to tackle incidents of public intimidation – we will:

- explore the practicalities and support the adoption of an informal ‘duty of care’ for councillors
- seek to better understand the scale and impact of the intimidation and abuse our membership is experiencing and promote a new offence for intimidation against a person in public office
- engage with police forces and associated agencies to ensure the impact and seriousness of the public intimidation of local councillors and employees is understood and acted upon.

EU exit and constitutional reform – we will:

- interact with Whitehall on all EU Exit negotiations, articulating councils’ needs and concerns and taking advantage of the opportunity to entrench local government within our new constitutional settlement
- continue to support councils to prepare and deliver a successful transition for EU Exit, with a robust evidence base setting out the risks and opportunities across the country
- press for quick and decisive responses and for all Government communications to councils to be focused, clear, and direct
- ensure that repatriated laws and regulations are not centralised in Whitehall, working on a revised legal framework for those services currently based on EU laws such as air pollution, energy, waste and procurement and redefining regional aid and state-aid rules.

Continued devolution of powers and funding to local areas drive strong and responsive local democracy and greater engagement with communities – we will:

- refresh the case to demonstrate to government how devolution leads to more inclusive and sustainable growth, better public services and improved outcomes for residents
- work with government, business and others to give communities in England and Wales greater responsibility to make decisions on the issues of importance to them.

Sustainability and climate action

Councils take the lead in driving urgent actions in their local areas to combat the negative impacts of climate change and to deliver zero net carbon by 2030.

SDG 13 – Climate action

Take urgent action to combat climate change and its impacts

Councils have the powers and resources they need to lead the way in combatting the effects of climate change – we will:

- lobby for a joint taskforce with relevant Whitehall departments including Department for Business, Energy & Industrial Strategy (BEIS), Ministry of Housing, Communities and Local Government (MHCLG) and Defra to consider the most appropriate actions, funding, coordination and collaboration
- press government for the funding and policy changes needed to deliver zero net carbon by 2030
- work with government to address the need for greater energy efficiency in the built environment and how this can be achieved through planning practice and changes to Building Regulations
- work with government, as it implements the Waste and Resources Strategy to identify ways to reduce waste and levels of unrecyclable waste and the investment priorities for waste disposal and processing of recyclates.

Councils lead the way in researching and developing alternative transport options – we will:

- establish the resources and regulatory changes needed to support a move to electric vehicles, including provision of charging points on new housing developments and electrification of council and council-contracted vehicle fleets
- identify the incentives and investment required to support a shift towards public transport and walking and cycling, as part of the solution to reducing carbon emissions.

Councils work with partners and stakeholders to implement short, medium and long term strategies to reduce carbon emissions in their areas – we will:

- develop guidance and share best practice, including identifying the top 10 actions councils can take to address carbon emissions in their areas, recognising that one-size does not fit all
- drawing on international experience, develop an evidence base and framework to understand the main carbon sources and the impact of councils' activity
- identify the opportunities of a shift to a low carbon economy as a basis for immediate and effective action
- ensure that the LGA as the membership body for local authorities is modelling best practice in the way it conducts its own business.

Supporting Councils

We support councils continuously to improve and innovate through a programme of practical peer-based support underpinned by strong local leadership and through our service delivery partnerships.

The LGA's sector led improvement programme continues to provide a responsive and flexible offer and remains in a strong position to respond and adapt to councils' needs as circumstances evolve, particularly in the context of COVID-19.

We work closely with councils to understand their future support needs with a view to developing a longer-term offer. Our offer will continue to adapt as the opportunities and challenges facing councils change within the current context

Our core offer is funded by MHCLG grant and has been rapidly refocused to support councils in their response to COVID-19 as well as identifying longer term support needs. We also receive funding from the Department of Health and Social Care for our Care and Health Improvement Programme, whilst our children's improvement programme is funded by the Department for Education (DfE).

We have developed a new offer linked to climate change and the challenges and opportunities of moving to a zero-carbon economy.

We also receive funding from other government departments for specific sector-led improvement activities, including:

- One Public Estate – funded by Cabinet Office and MHCLG
- Cultural services and sport – in partnership with Arts Council England and Sport England
- Planning Advisory Services – funded by MHCLG
- Return to Work programme – funded by the Government Equalities Office
- Cyber security – funded by the Cabinet Office.

Our commitments will continue to be updated to ensure they match councils needs across the period of this business plan.

Challenge and support from peers – we will:

- maintain an overview of councils' performance to drive improvement, manage the risk of significant underperformance, provide support for councils facing the greatest financial challenges (particularly in the light of COVID-19) and minimise government intervention
- create dedicated programmes in response, including Recovery and Renewal panels, among other forms of remote support in response to COVID-19.
- deliver peer challenges to all councils who request them, including corporate, service specific, financial and place-based. The format will be continually reviewed in light of COVID-19.
- provide member peer support for councils under a change of political control, including new e-learning opportunities, mentoring and advice
- support councils to resolve issues between political and managerial leadership
- support councils in engaging with their communities in light of COVID-19
- provide free council and public access to transparent performance information through LG Inform and LG Inform VFM, with additional charged access for councils to small area data reports and improvement tools through LG Inform Plus
- support councils to develop scrutiny skills and expertise through the Centre for Governance and Scrutiny.

Strong and resilient political and officer leadership – we will:

- support many hundreds of councillors through our leadership programmes both remotely and through onsite learning. Will continue to review the suite of programmes to ensure councillors and officers have the skills they need to respond to the challenges of COVID-19.
- support councillors with the potential to progress in their political careers through our Next Generation programme
- support the leadership development of chief executives, managers and rising talent in councils, in partnership with SOLACE
- help councils, political groups and national parties to attract new talent into civic life through our Be a Councillor programme
- recruit high calibre graduates to the National Graduate Development Programme, working with councils to secure challenging placements
- help councils to address inequalities, gender pay gap, ethnicity gap and support the roll out Disability Confident
- maintain national negotiating machinery on pay and workforce issues
- provide specialist advice and support for the Local Government Pension Scheme
- deliver comprehensive practical support to help councils provide apprenticeships and maximise their levy investment
- support councils to transform their workforces and modernise the way they are managed
- support councils to promote wellbeing, diversity and inclusion in the workplace through information, guidance and bespoke support and work with them to address issues around gender pay gap, representation and recruitment challenges
- attract qualified staff in hard-to-recruit areas back to local government through the Return to Work programme, including social workers, town planners and IT staff.

Councils supporting growth – we will:

- provide practical support to help councils deliver economic growth in their areas in a COVID-19 context, become more efficient and improve outcomes for communities
- in line with the revised national procurement strategy, deliver a support programme to help councils improve their procurement arrangements
- capture and share intelligence about major suppliers to reduce the risk from suppliers getting into financial difficulty in the current uncertain economic circumstances
- support councils to develop a more commercial approach to their activities within the COVID-19 context, through a series of courses, events and sharing good practice
- provide expert financial support, expertise and advice to councils to address specific issues, particularly in relation to COVID-19
- equip more councils with the skills and confidence to use design and behavioural insights to improve public services and respond to COVID-19
- support councils to exploit the opportunities of digital tools and solutions to enable local residents and businesses to access council services online
- with councils, sector representative bodies, MHCLG, Cabinet Office and the National Cyber Security Centre, highlight the importance of cyber security and cyber resilience to protect data and systems
- share best practice of councils who are finding new and effective ways of working to secure outcomes for their communities
- with Local Partnerships, support councils to make savings by providing commercial advice and support on matters of legal and contractual complexity.

Strong communities with excellent public services – we will:

- through practical bespoke support, help councils deal with the housing, planning and homelessness challenges through the Housing Advisers programme and other sector-wide projects

- provide peer focused support to the Next Steps Accommodation Programme to support interim accommodation for vulnerable people.
- offer a mixture of generic and bespoke support for combined authorities, elected mayors and those areas in the process of developing their devolution arrangements
- support councils to counter extremism and contribute to a multi-agency approach to preventing and tackling serious violence
- strengthen fire and rescue authorities' ability to take forward the fire reform agenda by strengthening their strategic leadership
- support councils to prepare and deliver a successful transition for EU exit
- support councils to embed strengthened approaches to civil resilience and mutual aid through working with MHCLG team to develop training, guidance and other materials for councils

Improving health and care service – we will:

- co-produce with ADASS the sector led improvement programme for care and health
- support social care and health integration and the transforming care programme for people with learning disabilities and/or autism
- support councils to use technology to improve joint working between councils and health partners to enable people to live independently
- help councils develop innovative, efficient and sustainable approaches in care and health services
- work with partners to support councils to develop and improve local services and offer a programme of leadership development
- develop and deliver a support offer to help councils and their partners embed the Making Safeguarding Personal (MSP) approach
- support councils and their partners to identify and manage sustainability and delivery risks
- work with partners to develop a new suicide prevention sector-led improvement offer
- work with partners and DfE to deliver a sector-led approach to improving children's services.

Improving children's services – we will:

- provide nationally accredited and quality assured courses for practitioners and associates engaging in peer review, challenge or diagnostic activity
- run Leadership Essentials courses for members with lead responsibility for children's services
- publish a series of 'must know' packs for councils, including on corporate parenting
- develop and/or broker a flexible offer of diagnostic or peer review tools either bespoke to individual authorities, as part of a regional offer or commissioned by the DfE for authorities in intervention
- offer mentoring support for councillors with lead responsibility for children's services.

Combating climate change – we will:

- bring together local authorities, universities and other stakeholders to address climate challenges at the local level
- incorporate climate change issues into core leadership programmes for councillors and officers
- develop a package of communications support including how to engage with local activist groups
- help councils build capacity to effectively respond to climate change challenges, including support around leadership, behaviour change and collaboration
- support long term action-planning and setting strategic objectives, including through webinars and bespoke projects

Our Business

We are committed to providing the best and most cost-effective services to councils and councillors across England and Wales. We are politically led, committed to equalities and diversity and we aim to operate in an environmentally and financially sustainable way.

The national membership body for local government – we will:

- develop maintain membership levels amongst local authorities in England and Wales by continuing to offer membership benefits that meet the sector's changing needs and expectations
- launch a new online membership resource, setting out the benefits of membership with councils and councillors
- offer a range of flexible options for councils to participate actively in our work including through an extensive programme of virtual and hybrid events and meetings
- seek to attract organisations with an interest in local government into our associate scheme.

A politically-led organisation – we will:

- reflect the overall ambitions of the UN Sustainable Development Goals, and the motion passed by the 2019 General Assembly, in the way that we work and ensure that our own organisation reflects best practice
- ensure our member governance arrangements continue to reflect and respond to current priorities and the expectations of our membership
- offer political support to individual councillors and council administrations through our political group offices
- ensure that combined authorities, authorities with devolution deals and elected mayors are appropriately represented on our governance arrangements.

Using communications to persuade and influence and support councils – we will:

- deliver first class communications that are highly valued and respected by local government and our stakeholders, to influence the issues that matter to councils, their residents and their communities
- through our communications improvement work, support councils and help to raise the standard of public sector communications.

Financially sustainable – we will:

- continue to develop existing and new income generation opportunities in order to diversify our sources of funding and ensure the long-term financial sustainability of the organisation
- complete the refurbishment of Layden House in Farringdon to increase its capital value and maximise our income from commercial letting of here and 18 Smith Square.
- review options to maximise income from 18 Smith Square in the light of COVID-19 restrictions and the risks, constraints and potential new opportunities that presents.
- invest responsibly and seek to ensure that our contractors, joint ventures and pension funds have in place investment policies that further our objectives
- continue to progress the transfer of pensions from Camden to Merseyside scheme.

Efficient business management – we will:

- continue to streamline our company structures to deliver a solid and tax-efficient base from which to run our business, including the transfer of 18 Smith Square and Layden House to the LGA and the winding up of LGMB and LGA Properties.
- enter into a new ICT contract with Brent Council/Shared Services and with them, continue to develop our ICT to support improved efficiency and our new culture of flexible working.

- equip our 18 Smith Square meeting rooms with the technology to support a culture of flexible working for both employees and members.
- ensure that the suite of policies and procedures that underpin our business are comprehensive, clearly understood, updated regularly and reflect best practice.

Supportive people management – we will:

- continue to roll out the leadership development programme for our current and aspiring managers as part of our wider commitment to develop our employees, including virtual and hybrid options to allow everyone to participate
- deliver our employee health and wellbeing strategy
- monitor staff wellbeing and feedback through our regular “temperature check” surveys and put in place support and policies that reflect our new more flexible working practices
- embed equality, diversity and inclusion into our core values, our policies and our practices.

Collective legal action – we will:

- support groups of councils to mount collective legal actions or fight actions against them where we believe that they have a strong case, commissioning expert legal advice and sources of funding where appropriate
- prepare New Burdens submissions on behalf of the sector where new legislation or regulations result in additional duties or costs to councils.
- provide legal advice on strategic issues with sector wide implications, including commissioning expert legal advice where appropriate.

Committed to a sustainable future – we will

- keep our policies and practices under review to ensure that they reflect the ambitions of the UN Sustainable Development Goals and contribute to combatting the adverse effects of climate change
- encourage sustainable travel practices through our expenses policy, our flexible working practices and our continued participation in national sustainable travel initiatives including the Cycle to Work scheme
- minimise the environmental impact of our two central London buildings and the way that we use and manage those buildings, including ensuring that our facilities management and catering contractors have environmentally sustainable policies and practices.

Our service delivery partnerships

Local Partnerships

Local Partnerships is a joint venture between the LGA and HM Treasury, formed in 2009 to help the public sector deliver local services and infrastructure. It offers support to local authorities in the following areas:

- developing and reviewing strategic business cases and business plans
- service transformation and change
- modelling and legal frameworks for alternative service delivery models
- options appraisal and assurance of chosen approaches or options
- forming effective partnerships (inter-agency brokerage)
- sourcing and commissioning, contract negotiation and management
- economic development and planning
- delivering infrastructure.

GeoPlace

GeoPlace is a joint venture between the LGA and Ordnance Survey, formed in 2010 in response to a government call to bring together existing creators and suppliers of addressing data to one central place and to build a single, definitive address database. It works in close collaboration with local authorities to:

- cleanse and validate the address and streets data produced by councils
- create and maintain national “gazeteers” - registers of address and streets data
- provide support and training to councils ensure that they are able to produce high quality, and timely data in the most cost-effective way.

Public Sector Audit Appointments (PSAA)

PSAA is an independent company limited by guarantee incorporated by the LGA in August 2014. The Secretary of State for MHCLG has specified PSAA as an appointing person under the provisions of the Local Audit and Accountability Act 2014. PSAA appoints an auditor to relevant local government bodies that opt into its national scheme and sets a scale of fees for the work which auditors undertake.

Local Government Mutual Limited and Local Government Mutual Management Services Limited

The Mutual is a shared ownership company between the LGA and a number of local authorities. Membership is only open to councils in membership of the LGA. The Mutual provides:

- indemnity to local authorities in England and Wales as a cost-effective alternative to the traditional insurance market, including cover for all classes of business
- risk management services to its member local authorities.

LGMMSL is a joint venture between the LGA and Regis Mutual Management that provides services to the Local Government Mutual.

United Kingdom Municipal Bonds Agency (UKMBA)

The LGA is a major shareholder in the local government-owned UKMBA, which delivers cheaper debt financing to councils, through the sale of bonds in the capital markets. We support and provide client side services to the Agency, as it works through its managed service provider to aggregate borrowing requirements and issue bonds.

Minimising the impacts of climate change

The LGA is committed to minimising the environmental impacts of its activities, reducing pollution and CO2 emissions and contributing to a healthy future for all. These are some of the ways that we deliver on that commitment.

Flexible working

Our flexible working policy allows staff to balance working from home with time spent in the office, subject to the needs of the business. This means less journeys to work and a better work-life balance for our staff and their families. It has also enabled us to reduce by a third the amount of office space that we occupy.

Our ICT is designed to support flexible working, enabling staff to log into their LGA accounts from home on the days when they are not in the office or from trains when they are on the move.

Travel

Our expenses policy encourages staff to use public transport wherever practicable to help reduce the impact of the LGA's business travel arrangements on the environment. The Members' Scheme of

Allowance stresses that wherever possible, councillors are expected to travel by public transport when on LGA business.

Meetings

All meeting rooms at 18 Smith Square have access to video conferencing facilities. This enables members and staff to join and participate in meetings remotely, reducing the need for lengthy journeys to Westminster.

18 Smith Square

Secure cycle facilities and showers are provided in the basement of 18 Smith Square for those who prefer to cycle or run to work.

All lights in the building are energy efficient LEDs, with motion sensors that ensure they are switched off when not needed. Windows on the south and west of the building which are not part of the conservation area are double glazed to reduce energy loss. Recycling bins are provided on every floor.

Procurement

The LGA has a robust procurement policy and process, which underpins the importance of all our contractors being able to demonstrate a commitment to sustainability and combatting climate change. Our procurement documentation states

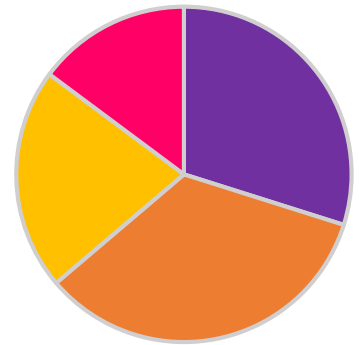
“In adhering to our commitments, the contractor should have systems in place to account for and minimise environmental impacts in all areas of contract delivery”.

Our budget 2020/21

Funding sources and forecast expenditure (Budget) (£'000)

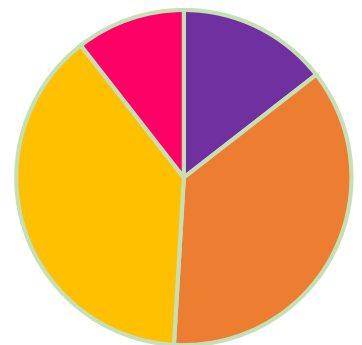
¹Income LG Group 2020/21

- CLG, £19,200 (29.9%)
- Other grants and contracts, £21,799 (33.9%)
- Other income, £13,751 (21.4%)
- Subscriptions, £9,525 (14.8%)



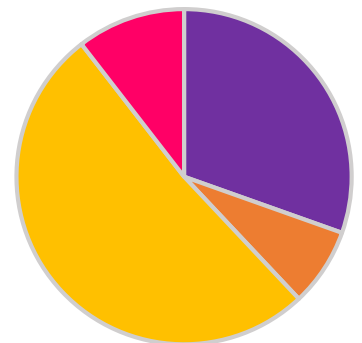
Other income LG Group 2020/21

- Dividends, royalties and interest, £1,992 (14.5%)
- Rental Income and external room hire, £5,014 (36.5%)
- Services, consultancy and other subscriptions, £5,296 (38.5%)
- Conferences, events and sponsors, £1,450 (10.5%)



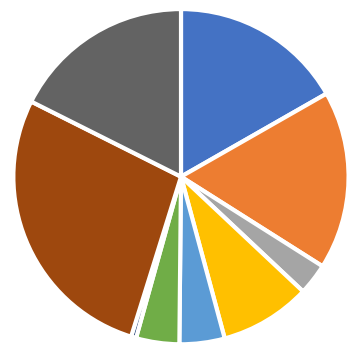
Grant and contract income (including CLG) LG Group 2020/21

- Adult social care, health and wellbeing, £12,477 (30.4%)
- Children, education and schools £3,099 (7.6%)
- Supporting councils, £21,126 (51.5%)
- Places to live and work, £4,297 (10.5%)



Expenditure LG Group by business plan theme 2020/21

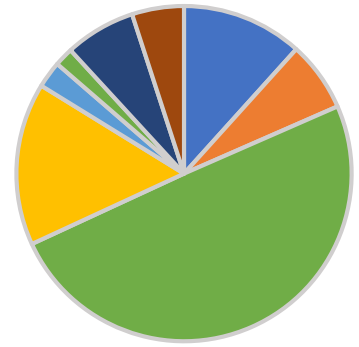
- Funding for local government, £10,652 (16.7%)
- Adult social care, health and wellbeing, £10,961 (17.2%)
- Narrowing inequalities and protecting communities £1,927 (3.0%)
- Places to live and work, £5,591 (8.8%)
- Children, education and schools, £2,773 (4.4%)
- Strong local democracy, £2,652 (4.2%)
- Sustainability and climate action, £311 (0.5%)
- Supporting councils, £17,546 (27.6%)
- Internal & property costs, £11,195 (17.6%)



¹ Design team to amend pie charts

Expenditure LG Group by service group 2020/21

- Business support, £7,434 (11.7%)
- Communications, £4,291 (6.7%)
- Governance and project support, £31,595 (49.7%)
- Finance and policy, £9,976 (15.7%)
- Member services, £1,629 (2.6%)
- Political groups, £1,157 (1.8%)
- Property costs, £4,337 (6.8%)
- Workforce, £3,187 (5.0%)



Our governance

From April From April 2019, the LGA’s responsibilities, assets and liabilities transferred from the previous unincorporated Association to a new company, whose Board of Directors – the LGA Board – is elected annually by the General Assembly. The General Assembly comprises representatives of every council in full membership of the LGA, or in corporate membership through the Welsh LGA. Further information on the company and the way it operates can be found in our Articles of Association and our Governance Framework.

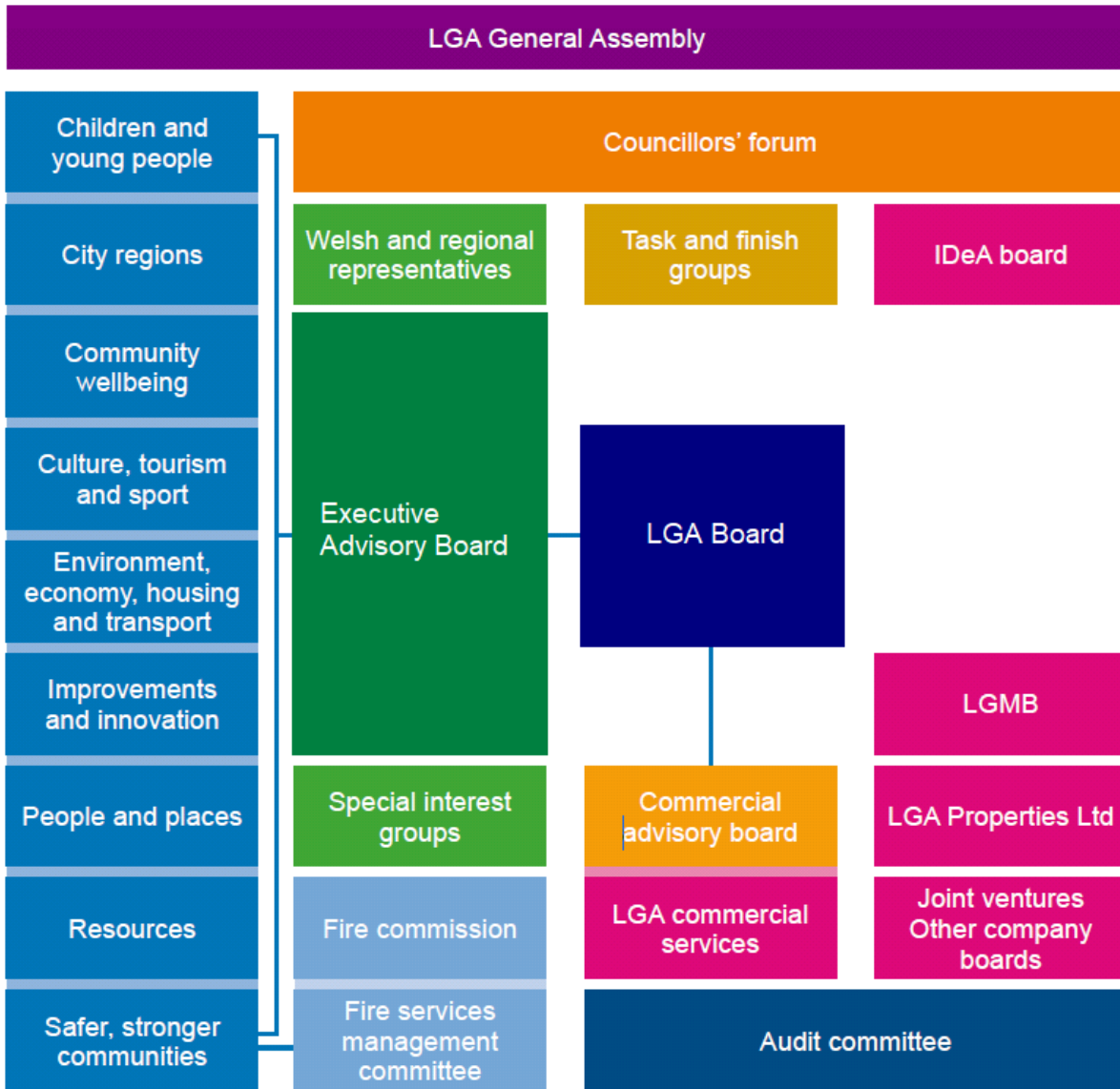
The LGA Board is supported by nine policy boards who together are responsible for developing our policies and campaigns, and for overseeing our extensive programme of sector-led improvement services, across every area of local government activity. The Fire Commission and Fire Services Management Board look after the interests of fire and rescue authorities,

The LGA Board and the chairs of the policy boards meet every six weeks as the Executive Advisory Board and are joined by representatives from Wales and the eight English regions and from three of our special interest groups – the County Councils’ Network, District Councils’ Network and Special Interest Group of Municipal Authorities.

The two property boards – LGA (Properties) Ltd and LGMB – are currently responsible for 18 Smith Square, our Westminster HQ, and Layden House, our investment property in Farringdon. However these are in the process of being transferred to the LGA company after which the two property boards will be wound up.

The Commercial Advisory Board is responsible for overseeing the LGA’s income-generating activities to make us financially sustainable now and in the future. That will include overseeing the management and operation of 18 Smith Square and Layden House and reporting back to the LGA Board.

The LGA's governance arrangements



Our major contracts

Catering – Bartlett Mitchell

Bartlett Mitchell (BM) provide all catering services at 18 Smith Square.

BM have been named Sustainable Caterer of the Year for three years in succession. Their policy is to source ingredients locally, regionally and seasonally from farmers who produce food to high environmental standards, reducing the impact of climate change and helping to protect the landscape and our farming heritage. BM use high-welfare meat, poultry, eggs, cheese, and dairy produce and sustainable seafood.

Overseas produce is sourced from ethical suppliers, including coffee from the Soppexcca co-op in Nicaragua which supports women farmers in the region. BM use the 'Free Wheeling' initiative to reduce the number of deliveries to their kitchens.

Total Facilities Management – Bouygues

Bouygues environmental policy recognises that the company's activities and services have the potential to impact on the environment. The policy sets out Bouygues' commitment to minimising the environmental impact of its operations in every way it can and is supported by 'live' environmental improvement plans at all levels.

The company is triple certificated to ISO9001, ISO14001 and OHSAS18001 and the environmental management standard ISO 14001 is fully integrated into its everyday activities.

Bouygues' Facilities Management business was the first in the UK to achieve Energy Management Standard ISO50001. They are currently focusing on reducing carbon impact, minimising waste, diverting waste from landfill and reducing energy.

Pensions – Merseyside Pension Fund and Camden Pension Fund

The LGA's main pension provider, Merseyside Pension Fund, has a policy of responsible investment. The policy has three components: exercise of voting rights; engagement with companies on environmental, social and governance issues & collaboration with like-minded investors. The Fund is active in the work of the Local Authority Pension Fund Forum whose work covers a range of corporate governance and corporate social responsibility issues, and the Institutional Investors Group on Climate Change.

Some employees belong to the Camden Pension Fund, who like all pensions funds, are bound by the law relating to Socially Responsible Investment (SRI) policy. The Fund believes that 'robust' engagement with companies is a better approach than placing restrictions on particular types of investment. It also believes that companies conforming to high ethical and social standards will produce shareholder returns that are at least comparable to those produced by other companies.



Building Safety update

Purpose of report

For discussion.

Summary

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

Recommendation

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

Actions

Officers to incorporate members' views in the LGA's ongoing building safety related work.

Contact officer: Charles Loft
Position: Senior Adviser
Phone no: 020 7665 3874
Email: Charles.loft@local.gov.uk

Building Safety update

Remediation

Progress

1. [MHCLG statistics](#) show that the pace of Aluminium Composite Material (ACM) remediation continues to be slow – 257 buildings (56 per cent of all identified buildings) had had their ACM removed by the end of October. At the end of April 2019 remediation was complete in 22 per cent of buildings, now it is 44 per cent. Of the 202 buildings that had completed work by the end of last month, 22 finished in September and 13 in October. This is an improvement on recent months, reflecting both the increased pressure from the Minister and the resumption of work that had stopped as a result of Covid.
2. Of the 155 social sector residential blocks with ACM, 90 have completed work, 61 have begun work and 4 have yet to begin. In the private sector 53 have completed, 83 have begun and 75 have yet to begin. In addition, 42 student blocks have completed with 8 underway and 4 yet to begin.
3. A recent [Sunday Times](#) article suggested work would take 150 years at the current rate and estimated that ‘about 700,000 people are still living in blocks of flats taller than 18m wrapped in dangerous materials’.

Joint Inspection Team (JIT)

4. As members will recall the LGA is hosting the Joint Inspection Team to support councils to use their enforcement powers under the Housing Act and the Housing Health and Safety Rating System. The LGA is discussing the future of the JIT with MHCLG with a view to the possible expansion of both its size and remit (to cover buildings with non-ACM cladding).
5. The team is currently inspecting roughly two buildings a month.

Public Accounts Committee

6. The Government has [responded](#) to the Public Accounts Committee [report](#) on the progress of remediation at the end of September, agreeing to all its recommendations except the recommendation that it publish its impact assessment of the safety risks and financial impacts on private leaseholders and social landlords (it extended the timelines for some others).
7. The recommendations were for MHCLG so are only indirectly relevant to Fire and Rescue Authorities. The most relevant in that respect are:

- 7.1. To be working with the new Building Safety Regulator within 6 months to begin vigorous enforcement action against any building owners whose remediation projects are not on track to complete by the end of 2021. The Government aims to do so by Spring 2021 and we anticipate that it expects some of this enforcement to take place under the Fire Safety Order; and
- 7.2. Within the next three months, assess the capacity of specialist fire safety skills within the sector and set out what the impact is on delivery of its timetables for the removal and replacement of unsafe cladding. It should include in this assessment options to tackle the skills shortage so that this does not become a barrier to remediation work continuing at pace (the Government agreed to do this in December 2020 – it is worth noting that the Home Office needs to do this as part of its preparation for the Fire Safety Bill's commencement).

Data collection on external wall systems, Mortgage and insurance issues

8. In July 2019 councils were asked by MHCLG to collect data on the external wall systems on all high-rise residential buildings in England. Although the exercise is not yet complete, it has reached a stage where [estimates of the number of buildings with little or minimal](#) cladding have been published.
9. These estimates were drawn up to show proportions of housing stock that does not need an EWS1 form. This form is currently being required by mortgage lenders to demonstrate that the cladding system on a block is safe. It was [originally intended](#) only to apply over 18m but has now spread to lower buildings. The government has [announced](#) it is not required for buildings that have no cladding and the implication of the manner in which these statistics have been presented is that the Government does not deem it to be required on buildings under 18m that have less than 20 per cent cladding.
10. The essential problem with the EWS1 form is the shortage of surveyors who are both competent to make judgements about external wall systems and can obtain professional indemnity insurance to do so.
11. The Government has [announced](#) nearly £700,000 of new funding to increase the number of fire risk assessors. This is most welcome, but will obviously take a very long time to deliver a solution.
12. In addition to mortgage issues, some buildings have seen insurance costs increase by as much as 800 per cent in a year, with a reluctance among companies to be the sole provider of insurance to any individual building.
13. The government issued [supplementary advice](#) to the Expert Panel's [Consolidated Advice note](#) of January 2020.

Fire Protection Board

14. The Building Risk Review programme overseen by the Board, remains on track to ensure all residential buildings over 18m have been assessed or inspected by the end of 2021.
15. The LGA is seeking clarity over the extent to which the funding from MHCLG and the Home Office during 2020-21 to provide a protection uplift, implement Grenfell Tower Inquiry findings and support the FPB's work, will continue into 2021-22.

Reform

Building Safety Bill

16. The Building Safety Bill is the subject of a separate paper.

Fire Safety Bill

17. The Fire Safety Bill has now passed from the Lords back to the Commons.
18. The Lords inserted a Government amendment offered in concession to the LGA's concerns about the implementation of the Bill. This promises statutory guidance to accompany commencement which, if followed, protects duty-holders from enforcement action.
19. As far as our long-held concerns about the impact of the Bill given the shortage of fire risk assessors are concerned, the next stage is the framing of this guidance. The Home Office will be chairing a group including the LGA, NFCC and Fire Sector Federation to oversee the production of the guidance and the risk-assessment tool it depends on.
20. The guidance will be aimed at the fire service, building owners and risk-assessors.
21. Devising the tool is a task that requires technical expertise but is entirely doable. The difficult part is how to ensure that across the building stock as a whole, the highest priority buildings get assessed first. This would be true even if the following were known (which they are not):
 - 21.1. The number of buildings likely to fall into different categories of risk
 - 21.2. The number of assessors available to undertake the work
 - 21.3. Whether insurers will be more willing to provide PII in future.
22. In the circumstances the best we can do is probably:
 - 22.1. to use deadlines to set expectations;

- 22.2. to ensure the guidance can be amended quickly if things go awry;
- 22.3. to encourage Government to improve the information it has in relation to the variable above. In this context it is worth bearing in mind that MHCLG has promised to get back to the Public Accounts Committee in December in relation to its recommendation that the Government 'assess the capacity of specialist fire safety skills within the sector and set out what the impact is on delivery of its timetables for the removal and replacement of unsafe cladding. It should include in this assessment options to tackle the skills shortage so that this does not become a barrier to remediation work continuing at pace'.
23. The Lords also inserted three other amendments. We expect these amendments to be opposed by the Government which should mean that they are overturned in the Commons and the Bill returns to the Lords. As a result, the Bill may not receive Royal Assent until January (or possibly later) and commencement has slipped back as a result. It can be expected two months after Royal Assent.
24. The estimated commencement date has slipped from February to March as a result.
25. Work will be necessary to ensure that enforcement activities under the Bill are aligned with those undertaken by councils under the Housing Act. Discussions on how best to achieve this are likely to take place in the new year.

Letter to Minister

26. The lead members of the Fire Services Management Committee wrote to Lord Greenhalgh, the Minister for Fire and Building Safety, to ask that officials discuss with the LGA measures to ensure that extension of Permitted Development Rights does not undermine fire safety. We have yet to receive a reply.

Implications for Wales

- 26 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

- 27 Although the LGA has set up the Joint Inspection Team, the cost of doing so is being met by MHCLG. Other work arising from this report will continue to be delivered within the planned staffing budget, which includes an additional fixed term post in the safer communities team to support the LGA's building safety work.



Next steps

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



Workforce Report

Purpose of Report

To update the FSMC on matters in relation to fire service industrial relations and pension matters.

Summary

This briefly describes the main industrial relations and pension issues at present.

Recommendation:

Members are asked to note the issues set out in the paper.

Action

Officers are asked to note member comments

Contact officer:	Gill Gittins (industrial relations)	Clair Alcock (pensions)
Position:	Senior Adviser (Workforce and Negotiations)	Senior Fire Pensions Adviser
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PENSIONS

Age Discrimination Remedy

1. The [formal HMT consultation](#) on remedying age discrimination opened on 16 July 2020 and closed on 11 October 2020.
2. A response was submitted by [LGA on behalf of employers of Firefighters and Teachers](#), and by the [Scheme Advisory Board \(England\)](#).
3. A policy decision by HMT on whether the option taken forward will be Immediate Choice or Deferred Choice Underpin (DCU), is expected to be announced early to mid-January 2021. It is hoped that HMT will also set out in this response expectations for implementation of remedy.
4. Both the SAB and the Employers response indicated a preference for DCU, this approach was also the preferred option of the devolved Firefighter Scheme Advisory Boards in [Wales](#) and [Scotland](#). Northern Ireland have been working to a different timetable as set out by the Department of Finance NI, however they are expected to also identify a preference for DCU. This is in common with many other public sector pension schemes, as this is considered the option that provides most mitigation to the risks that have been identified.
5. Nevertheless regardless of the approach taken, implementation of the remedy is going to be a significant challenge, and while the timetable or HMTs expectations have yet to be established, the consultation points towards remedy being in place by April 2022.
6. Software providers have already confirmed a lead in time of at least 18 months from draft regulations will be necessary for the software to be in place, which means that administrators will almost certainly be without software.
7. More immediately there will be a requirement to communicate the effects of the remedy and reforms to the workforce to prevent myths and misunderstanding leading to individuals leaving or retiring earlier than they would otherwise have done. LGA officers on the bluelight pension team are members on the HMT led remedy technical and project management groups and will be co-ordinating central communication resources throughout 2021.
8. It is expected the challenge of implementation and communication will be felt more keenly by the locally administered schemes of Fire and Police, as each FRA will be individually responsible for managing implementation with their stakeholders.
9. For that reason we are establishing a senior stakeholder group of FRA scheme manager representatives in order to have oversight of the implementation plans and progress. The focus of this group is on implementation and effect of the new arrangements.
10. **As such we ask FSMC to nominate an elected member to sit on this steering group, along with representatives from NFCC and senior fire officer leads in HR and Finance.**

Immediate Detriment Guidance

11. Following the 2018 Court of Appeal judgment in Sargeant an interim order was made by the Employment Tribunal on **18 December 2019** which stated that claimants would be treated as satisfying the age criteria regardless of their actual age, thereby providing protection to those members to be treated as members of FPS 1992, as long as they met the other criteria, which was to have been in the scheme at 31 March 2012 and 31 March 2015.

Pending the final determination of the issues of remedy, all existing Claimants who, by reason of their age would not satisfy paragraphs 12(2)(c), 12(3)(c), 13(e) or 14(e) of Schedule 2 to the 2014 English Regulations or the 2015 Welsh Regulations from 31st March 2015 are entitled to be treated as satisfying those paragraphs from that date.

12. The SAB requested guidance on dealing with immediate events as per their [paper submitted to Home Office in March 2020](#).
13. On 21 August 2020, at the request of the Fire Brigades Union the Home Office issued a [note](#) directly to Fire and Rescue Authorities (FRAs) via the finance leads headed “McCloud / Sargeant ruling – Guidance on treatment of ‘Immediate Detriment’ cases” for both the Firefighters’ and Police Pension Schemes.
14. The note says that the guidance is informal guidance only and does not confirm on what basis FRAs may rely on the note for the purpose of making pension payments.
15. It is understood that the legal position that underpins the application of the note is Section 61 of the Equality Act. That power is currently being contested in the courts under the FRA defence to age discrimination (as paragraph 52 below). A legal note has been issued to all nominated contacts on the position of implementing the guidance for both claimants and non-claimants.
16. The LGA published an [immediate detriment information note for FRAs](#) which gave further clarification of the technical issues yet to be commented on by Home Office or HMT and the issues that would need to be decided by FRAs in their decision making on making any immediate detriment payments.
17. Decision making is likely to be on a case by case basis and a [matrix](#) was included to help FRAs identify whether they have all the information necessary to make a payment.

Complexity and challenge

18. As discussed below, the legal conversations on the Matthews case continue, however this is expected to lead to a second options exercise for retained Firefighters employed prior to July 2000. The first exercise was very challenging on FRA officers, and a second exercise is expected to be just as challenging.
19. Timescales and expectations are as yet unknown; however, this will be likely to coincide in some way on the age discrimination remedy.

20. The challenge is felt more keenly in some part due to the framework in which the Firefighters scheme operates. Each Fire and Rescue Authority (FRA) is considered the scheme manager for the purposes of the Firefighters' Pension Scheme Regulations 2014 and is responsible for the local operation and management of the scheme, this includes appointing an administrator to undertake the administration.
21. Administrators do not and cannot make decisions on behalf of the FRA, the responsibility for decisions remain the responsibility of the FRA.
22. There are currently 18 administrators operating in the English pensions market, however this is gradually dropping down as more FPS administrators have decided to leave the marketplace due to the rising complexity of the FPS. It is understood that when FRAs are approaching other administrators there is limited interest in taking on further business for the Firefighters' scheme.
23. Further details of this complexity are detailed in the [paper to the SAB on pension administration market and complexity](#), and we are discussing options on the administration market with the sector to see how this can be improved.

Coronavirus

24. Members will be aware that any COVID related impacts on the operation of the pension scheme have been updated on the [COVID-19 and the FPS](#) tab of the website.
25. HMT have confirmed that the temporary relaxation of the tax rules in place until 1 November 2020, to prevent tax charges occurring for FPS 1992 members who retire before 55 and subsequently are re-employed, have now expired.
26. Those who have returned to support the government's response to COVID-19 before 1 November will however not lose their protected pension age if they continue working after that date. This pension age is protected irrespective of whether they move jobs or employers.
27. However any person being re-employed after 1 November 2020 will face losing their protected pension age if they do not comply with the re-employment conditions as set out in [rule 7F](#) of the Finance Act 2004.

Scheme Advisory Board Levy 2020-2021

28. The SAB budget for 2020-21 has received ministerial approval and we can now start the invoicing process.
29. The total levy for the 2020-21 year will be £8.29 per firefighter, which is calculated at £6.20 for the SAB and £2.09 for employers.
30. A letter has been sent out to FRAs advising them of this and how it is calculated.

KEY CURRENT WIDER WORKFORCE ISSUES

Pay 2020

31. Since the last FSMC meeting, the employers' side of the NJC for Brigade Managers made a 2.0% pay offer for 2020 in response to the 2.75% claim from the Fire Leaders Association (the employee representative body on that group). In reaching its position members took into account a number of factors including views expressed by Chairs/Portfolio holders arising from a consultation process. The offer was accepted.

Pay 2021

32. The Government recently announced, as part of the Spending Review, its approach to pay in 2021 for public sector employees for whom it has responsibility.

“In order to ensure fairness between the public and private sectors and protect public sector jobs and investment in services as Covid-19 continues to impact the public finances, the government will temporarily pause headline pay awards for some workforces. Pay rises for over 1 million NHS workers and the lowest paid* will continue despite the challenging economic context.”

* earning less than £24,000 who will receive a minimum £250 increase

33. The announcement does not have direct effect on fire and rescue service employees that fall within the scope of the NJC for Local Authority Fire and Rescue Services (Grey Book), NJC for Brigade Managers (Gold Book) and NJC for Local Government Services (Green Book) all of whom have their own national collective bargaining arrangements in respect of pay awards. Therefore, while a factor in pay considerations, it should not be assumed that the same approach will automatically apply.

Inclusive Fire Service Group

34. The Inclusive Fire Service Group (IFSG) is an NJC for Local Authority Fire and Rescue Services led group. Its membership however is wider and includes the National Employers, NFCC, FBU, FOA and the FRSA. It is unique in that it comprises national employer and employee representation, senior management and trade unions. It considers matters such as equality, diversity, inclusion and cultural issues including bullying and harassment in the fire service with the aim of securing improvement.
35. Having undertaken a detailed assessment of the positions in the fire service it issued a number of improvement strategies, which were widely welcomed with virtually all services indicating their support and providing, as requested, timescales within which they expected to see improvement. The IFSG resolved to monitor and measure use of the improvement strategies at a point when they should be embedded into each service.
36. A full report of the outcomes will be issued shortly.

LGA and NFCC Core Code of Ethics

37. The HMICFRS State of Fire & Rescue report 2019 recommended that by December 2020, the Local Government Association and the National Fire Chiefs Council, should produce a Code of Ethics for fire and rescue services, which should be adopted by every service in England.
38. In initial feedback to HMICFRS, both the National Fire Chiefs Council (NFCC) and the Local Government Association (following discussion with members) indicated the potentially inadvertent difficulty in imposing a single prescriptive code, with no local flexibility, upon FRAs and FRSs. There should also be recognition that most services have an established ethical framework, and where these are well embedded, the culture has improved, compared with FRSs that had not embedded such frameworks.
39. Accordingly, joint work to respond to the recommendation has focused on a Core Code of Ethics (Core Code), which reflects best practice principles and has been designed to underpin the way we serve our communities, carry out our role and work together. It is intended to become the common foundation across all services in England. However, to recognise the differing positions within FRSs currently, as well as differing governance arrangements, it has been written as a Core Code. This means that whilst all the principles within the Core Code should be adopted and embedded within each FRS, it also has the flexibility to add to (but not detract from) those principles at local level. This will help local FRAs/FRSs to reflect their local values, behaviours, and governance arrangement. Examples include where:
 - an FRS is part of a county council and is likely to still have obligations placed upon it to evidence it also complies with the council's code.
 - an FRS has a well-developed local ethical framework and/or related policies, which should be reviewed against the Core Code.
40. A joint [consultation](#) on the Core Code recently closed. It was open to all interested parties, though within FRAs/FRSs it targeted Chairs, CFO/CEs and HR Directors / Strategic Leads. Outcomes from the consultation indicate a high level of support for the approach taken (86%). Work is underway to take on board comments and suggestions for further improvement.
41. Given the level of interest, including from other interested parties such as the Home Office and Fire Standards Board, we would like to continue to build upon that engagement to ensure we have the best possible code going forward and to support the need to then embed it at local level. With that in mind, the LGA and the NFCC have asked HMICFRS to extend the recommendation deadline to the end of March '21 to allow time for that further detailed engagement, which will also support the development of accompanying guidance.

Fit for the Future

42. Members will recall receiving updates on the development of an agreed improvement narrative, Fit for the Future, which includes improvement objectives that will give a national sense of direction to the future of Fire and Rescue Services in England.
43. Initially the NFCC and the National Employers (England) worked in partnership to develop the narrative and objectives based on analysis of the evidence available from a wide variety of sources, including the recommendations of the Grenfell Tower Inquiry (GTI) and the outcomes of inspection by Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS). Following discussion within the FSMC it was resolved that the LGA would be directly included, supporting the Fit for the Future approach and becoming the third partner in this work.
44. All three partners were content to move to wider consultation on the Fit for the Future document. That consultation recently closed, and work is currently underway to analyse the responses in general and to also consider responses specifically and additionally sought around the potential impact of the COVID pandemic moving forward.
45. The process of developing Fit for the Future will not stop at this early engagement exercise. We will also be considering how further involvement and engagement can take place. Accordingly, there will be further opportunities for views to be expressed.

Pension Scheme Transitional Protection Arrangements Discrimination Cases

46. These cases concern the issue of whether the transitional protections in the 2015 Fire Pension Scheme (FPS), which provide protections based on age allowing older members to remain in their former final salary scheme, are age discriminatory (other claims were made but it is the age discrimination claim which is the primary one).
47. As they were named as respondents in the case, Fire and Rescue Authorities (FRAs) had to submit a defence to the legal challenge. This defence continues to be managed collectively on behalf of the FRAs by the LGA under the auspices of the National Employers and decisions have been taken by a central steering group which is comprised of a number of legal and HR advisers from varying types of fire and rescue services across the UK, the Advisory Forum legal adviser, employers' secretariat, and from the LGA its Corporate Legal Adviser and a Senior Employment Law Adviser.
48. The Court of Appeal found that the transitional protections unlawfully discriminated on age and the case has now returned to the Employment Tribunal for it to determine remedy. Members will be aware that in common with its approach to a request from Government, the Supreme Court rejected the fire authorities' application to appeal.
49. A case management preliminary hearing on remedy was held on 18 December 2019. An interim Order was agreed by all parties and the detail is contained in circular [EMP/8/19](#). The Order does not bind the parties beyond the limited interim period before the final declaration.

50. Paragraph 2 of the Order in effect provides that pending the final determination of all of the remedy issues, those that brought claims in England and Wales (the claimants) are entitled to be treated as if they remained in the in 1992 FPS.
51. The Order anticipated that the final determination on the remedy issue in regards to membership of the 1992 FPS should be resolved in 2020, although that is expected to be affected by what the outcome is on the FRA's Schedule 22 appeal (see paragraph 52 below). It should be noted that even when we have a final determination on that issue it may be some time before this part of the remedy can be put into effect for all claimants. Furthermore, there may be other issues relating to remedies to be resolved, for example in regards to claims for injury to feelings. It should also be noted that the Order does not cover those who did not bring claims (non-claimants). However, discussions are taking place on how to provide a remedy for those non-claimants as appropriate.
52. In addition, the FRAs still have the live and separate appeal in relation to their potential defence under Schedule 22 (which is that the FRAs had no choice but to follow the Government's legislation) which again was fully considered with the Steering Committee and legal representatives. The appeal is listed for hearing at the Employment Appeal Tribunal (EAT) on 16 December 2020, although it is anticipated the EAT's decision will not be available until several months later.
53. Since the outset, the position of FRAs that any costs arising from these cases should be met by governments has been made clear. Work continues with legal representatives on appropriate approaches to reinforce that position. Most recently, a formal letter has been sent to government on behalf of FRAs. The same action has been taken in respect of Wales, Scotland and Northern Ireland as the National Employers is a UK-wide body. Substantive responses are awaited and therefore reminder letters have been sent.

Defence of other categories of claims

54. Another related category of employment tribunal claims has been issued by the Fire Brigades Union against fire and rescue authorities on behalf of firefighters. In short, the claims relate to members of the 2006 Scheme who were not transferred to the 2015 Scheme (and never will be), which they claim would have provided them with better benefits.
55. We approached FRAs to seek their views on whether they would like the LGA, along with the Steering Committee to coordinate the defence of the new claims on their behalf, as we have done for the original claims. This would be on a cost-sharing basis, based on headcount, as they are for the original claims. The overwhelming majority of respondents were in favour and defences have now been submitted on behalf of the FRAs who have to date received claims.

56. Furthermore, another related category of employment tribunal cases has emerged. These have been issued by Slater and Gordon solicitors against fire and rescue authorities on behalf of firefighters. Slater and Gordon is working with the Fire Officers Association. In short, the claims are of the same type as the main claims brought by the FBU on behalf of their members in that they allege that the transfer of younger firefighters to the 2015 pension scheme amounts to age discrimination. We anticipate the claims have been brought in order to protect these particular claimants' position in relation to any injury to feelings award.
57. We again asked FRAs if they would like the LGA, along with the Steering Committee made up of representatives from fire authorities, to coordinate the defence of these new claims on their behalf, as we have done for the original claims. The overwhelming majority of respondents were in favour and we are therefore taking this forward and submitting defences. Once submitted the claims have been stayed pending developments in the original proceedings.

Matthews & others v Kent & Medway Towns Fire Authority & others

58. This case relates to application of the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 to retained duty system employees. Those Regulations were brought into force to implement the EU Part-time Workers Directive.
59. Members may recall that following a protracted legal process up to and including the House of Lords judgment, settlement agreements were reached in respect of terms and conditions in 2015 with both the RFU (now FRSA) and the FBU in regard to the many thousands of Employment Tribunal cases relating to potential discrimination under those Regulations. The LGA acted for FRAs through the auspices of the National Employers on the basis of a cost-sharing arrangement with FRAs similar to the arrangements in place for the legal cases already referred to in this report.
60. Defence of the pensions aspect of the case was led by central government. The House of Lords judgment allowed those who were serving during the period 1 July 2000 (the date the Regulations came into force) to the date on which they elected to join the 2006 Scheme, to have special provisions which generally reflect the rules of the Firefighters' Pension Scheme 1992 ("FPS 1992"). An options exercise took place to provide for those who qualified for membership of the modified Scheme, to elect to join by no later than 30 September 2015.
61. More recently, work has again had to take place on the pensions aspect of this case. This is because of a European Court of Justice judgment involving part-time judges (O'Brien), which in effect held that remedy could extend back before the Part-time Worker Regulations were implemented in July 2000. This also impacts on the fire service as the impact of the judgment and its interpretation of part-time workers' rights applies across all employers.
62. Consequently, together with legal representatives, discussions are continuing with the government's legal department and legal representatives for the FBU and FRSA. As you

would expect, we have also raised the concern that this will be unbudgeted expenditure for FRAs, should central government not provide them with the necessary funding.

Coronavirus

63. Members will also be aware that both sides of the National Joint Council and the NFCC developed a series of [tripartite statements](#) on additional areas of work that firefighters can undertake to alleviate pressure on ambulances services and other partners during the COVID-19 pandemic. A verbal update on the agreement will be provided at the meeting.

Implications for Wales

64. Each of the wider workforce matters in this report have the same implications for Wales as for England and we are working with WLGA, Welsh FRAs and FRSs as appropriate. The exception in this report is the Core Code of Ethics, which applies in England only. The WLGA is one of the four employer stakeholder bodies on the NJC for Local Authority Fire and Rescue Services. However, in the context of the National Employers, it is recognised that Fit for the Future applies to England only.
65. The HMT consultation on age discrimination applies across all the devolved Fire and Rescue Authorities, however separate responses will be made. References in this report to the age discrimination consultation response are in relation to English FRAs only, Wales has its own advisory board who [responded](#) separately to the government consultation on reform.
66. The immediate detriment matters raised are the same in Wales where the matter of Section 61 of the Equality Act also applies. Welsh Government are dealing with immediate detriment cases arising from the guidance.



Date:	11 December 2020
Title:	NFCC activity update
Presented by:	Nick Collins
For:	Information

1 Summary

1.1 This report provides a summary of key NFCC activity since September 2020.

2 Key NFCC activity

- 2.1 Since the last meeting of the Fire Service Management Committee there have been two meetings of the Council. The agenda and reports for the meetings are published on the NFCC website and available publicly. Both Council meetings have been held virtually over Microsoft Teams and the attendance has been very high.
<https://www.nationalfirechiefs.org.uk/Meetings>
- 2.2 Updates of the NFCC portfolio of work are available through the latest Council reports. Within the Council pack the Committee will note the current work to develop a three year plan for the NFCC which details how the Council is delivering on its strategic commitments and the financial resources required. The plan forms part of a larger project of a broader business planning framework for the NFCC and this project is also developing the risk management framework for the NFCC.
- 2.3 Weekly calls with Chief Fire Officers were reintroduced at the end of September in order to ensure Chiefs are receiving the most up to date information and encourage further two way engagement. Feedback on the value of these calls has been very positive.
- 2.4 In partnership with London Fire Brigade the recruitment to the position of the Head of Central Programme Office is progressing with a second interview of one candidate scheduled for Monday 23 November 2020. This will be a key appointment for the NFCC and the successful candidate will be overseeing the implementation of recommendations of the reviews that have taken place over the last six months.
- 2.5 The Covid-19 response continues to demonstrate one of the NFCC's major strengths; the ability to work with all fire services and put consistent ways of working in place. The fire and rescue service still has a great deal to offer to support our communities in the fight against

the pandemic which is far from over. As we move to support mass testing and mass vaccination the fire service effort should needs to be supported by all parts of the sector.

- 2.6 The NFCC Chair continues to chair the Protection Board with the Building Risk Review (BRR) Programme of high rise residential buildings over 18m in England continuing to be a main focus. FRSs have been continuing to provide returns to the NFCC Protection Policy and Reform Unit (PPRU) on a monthly basis, and FRSs are now over 100 buildings ahead of the national trajectory compiled from local delivery plans provided in August 2020.
- 2.7 The NFCC made a response to the Fire Safety Order consultation and remains engaged with Government partners to keep up to date with the Government's reform programme progress.
- 2.8 On Monday 14 September NFCC submitted its response to the Select Committee Call for Evidence on the Draft Building Safety Bill. We held a comprehensive consultation process and offer our sincere thanks to all who took part in the many workshops and engagement sessions to enable us to fully reflect the views of the FRS in our response. NFCC's full response can be viewed [here](#). On 14 September, the NFCC Chair took part in an oral evidence session to further discuss our response and reiterate our call for further clarity on the overlapping pieces of legislation. A link to view the session can be found [here](#).
- 2.9 The NFCC Chair continues to attend three significant Ministerial led reform groups. The Ministerial Advisory Group (MAG) on FRS reform, linked to the review of Police and Crime Commissioners, the Chair sits on the PCC review advisory board, the draft recommendations have been discussed and are now with the Home Secretary. The final board is the Fire and Building Safety Reform Board that also includes Sir Tom Winsor, Dame Judith Hackitt and Sarah Albon, CEO of the Health & Safety Executive. This board continues to discuss the Building Safety Regulator and associated building safety improvements and also links to the MAG and PCC review.
- 2.10 On 1 October 2020, following extensive consultation, the NFCC-led stakeholder group launched the updated Simultaneous Evacuation Guidance. The NFCC team continue to offer support and advice to FRSs to ensure that the guidance is understood and receive requests for assistance from leaseholders with concerns about measures in place on their buildings.
- 2.11 There has been ongoing and widespread discussion on the valuation of residential flats when linked to the remediation of unsafe cladding systems and wider fire safety issues. There has been some confusion over the link of the MHCLG Consolidated Advice Note (CAN) which is meant for life safety and the External Wall System form (EWS1) which is meant for valuation purposes. The confusion has led to zero valuations on some property and difficulty in gaining building insurance. The Chair is engaged through his role on the independent expert panel that advises government on building safety.
- 2.12 The NFCC responded to the Assaults on Emergency Workers consultation was pleased to see the confirmation that the Government will legislate to double the maximum penalty for assaulting an emergency worker as a result of responses to the consultation. The NFCC has launched a campaign to support the use of body worn cameras on firefighters and condemning those that attack emergency workers. The NFCC has also produced a video to support the campaign.
- 2.13 The Chair and NFCC have engaged in two important reviews of the response to the Covid pandemic, the HMICFRS review of the FRS response and a virtual inspection of each FRS

in England. NFCC-led learning through the NFCC Covid committee will soon provide a report on learning from the first wave and summer months. The Chair and Covid Committee Chair, Phil Garrigan, continue to meet with Home Office officials three times a week and the English Minister once a week.

- 2.14 The Chair was pleased to represent all UK civilian services when laying a wreath at the cenotaph on Remembrance Sunday.
- 2.15 Members will recall receiving updates on the development of an agreed improvement narrative, Fit for the Future, which includes improvement objectives that will give a national sense of direction to the future of Fire and Rescue Services in England.
- 2.16 Initially the NFCC and the National Employers (England) worked in partnership to develop the narrative and objectives based on analysis of the evidence available from a wide variety of sources, including the recommendations of the Grenfell Tower Inquiry (GTI) and the outcomes of inspection by Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS). Following discussion within the FSMC it was resolved that the LGA would be directly included, supporting the Fit for the Future approach, and becoming the third partner in this work.
- 2.17 All three partners were content to move to wider consultation on the Fit for the Future document. That consultation recently closed, and work is currently underway to analyse the responses in general and to also consider responses specifically sought around the potential impact of the COVID pandemic moving forward.
- 2.18 The process of developing Fit for the Future will not stop at this early engagement exercise. We will also be considering how further involvement and engagement can take place. Accordingly, there will be further opportunities for views to be expressed.

Title of Paper	Fire Standards Progress Report
Decision or Information	For information
Title and Date of Meeting	LGA Fire Services Management Committee 11 December 2020
Attachments	None

Summary

This paper provides members of the Fire Services Management Committee with a summary of the progress on Fire Standards since the last report in September 2020.

Work has been progressing with the Phase One Delivery Plan and a number of consultations have been completed or are in progress. The table below shows the publication dates for the first phase of Fire Standards.

Fire Standard	NFCC Lead	Due to be published
Emergency Response Driving (the pilot Fire Standard)	ACO Paul Stewart (NFCC Operations Committee)	February 2021
Operational Response: <ul style="list-style-type: none"> Operational Preparedness Operational Competence Operational Learning 	CFO Chris Lowther (NFCC Operations Committee)	February 2021
Code of Ethics	CFO Becci Bryant (NFCC People Programme – Leadership Project)	March 2021
Community Risk Management Planning	CFO Phil Loach (NFCC Community Risk Programme)	March 2021
Fire Protection	CFO Gavin Tomlinson (NFCC Protection and Business Safety Committee)	May 2021
Prevention	CFO Neil Odin (NFCC Prevention Committee)	May 2021
Leadership #1 – (well-led and managed service)	Coordinated through the NFCC CPO	May 2021
Data requirements and management (subject to agreement on scope)	CFO Lee Howells NFCC Digital and Data Programme	July 2021

Recommendation

Members are asked to note the contents of this report for information.

Background Information

The Fire Standards Board continues to meet regularly to review the progress made on Fire Standards. Membership of the Board includes the NFCC, employers (both the LGA and the APCC) and the Home Office. The LGA representative on the Board is Cllr Nick Chard.

The Fire Standards Board would welcome and appreciate the support of fire authority chairs and members in ensuring their services engage in the Fire Standards consultations as they are published and support activities to achieve those Fire Standards through implementation once approved.

Progress to Date

A summary of progress of the Fire Standards included in Phase One is below:

Four Fire Standards (as listed below) are being presented to the Board in December for sign-off, with expected publication by February 2021:

- **Emergency Response Driver Training**
- **Operational Response**
 - Operational Competence
 - Operational Preparedness
 - Operational Learning

Progress on the remaining Fire Standards in this delivery phase is summarised below:

Code of Ethics

- This Fire Standards and the underpinning Core Code are designed to support building more positive working cultures within fire and rescue services. This is in response to the findings of the HMICFRS State of Fire 2020 Report.
- The consultation on the **Code of Ethics Fire Standard** closed in November.
- The Core Code of Ethics (Core Code), which the Fire Standard will direct services towards, was developed in partnership between the LGA and the NFCC. The consultation on the Core Code was run in at the same time as the Fire Standard.
- Feedback from the consultation on the Core Code has resulted in a requirement for further revisions to be completed, which in turn has led to a slight delay in the Board being able to approve the Fire Standard.
- It is anticipated that this Fire Standards and the accompanying Core Code will be ready for publication by March 2021

Community Risk Management Planning Fire Standard

- The consultation on this Fire Standard is in progress and due to close on 7 December 2020.
- Analysis will be completed by January with the aim of this Fire Standard being published by March 2021.

Fire Protection Fire Standard

- Initial scoping and planning works have completed and a draft Fire Standard defining what a good Fire Protection function looks like is in development.
- The draft is being prepared for peer review which will start in December 2020 and continue into January 2021.
- Consultation on the Fire Standard is due to take place starting in February 2021
- It is anticipated that this Fire Standard will be ready for publication by May 2021.

Prevention Fire Standard

- Initial scoping and planning works have initiated and a draft Fire Standard defining what a good Prevention function looks like is in development.
- Peer review on the Fire Standard will start in December 2020 and continue into January 2021.
- Consultation on the Fire Standard is due to take place starting in February 2021
- It is anticipated that this Fire Standard will be ready for publication by May 2021.

Data Requirements and Management

- Work to start initial scoping on this Fire Standard will begin in January 2020.
- Subject to scoping and consultation it is expected to be published by July 2021.

Leadership

- Following early scoping work and conclusions from this, the requirements of the Leadership Fire Standards have been re-defined.
- The Board intent is to establish Fire Standards that bring clarity about the role of leaders of fire and rescue services both for the general public, the employees of the services, as well as for all other stakeholders.
- Two initial Leadership Fire Standards have been commissioned by the Fire Standards Board which include:
 1. **Well-Led Organisation** – to encapsulate what leadership of a well-led and managed fire and rescue service looks like
 2. **Developing and promoting good leadership** – to encapsulate what is required to develop and promote good leadership at all levels within the fire and rescue service
- Both Fire Standards will reference the core responsibilities and required behaviours of leaders linking to the NFCC Leadership Framework already in place.
- Further work underway through the NFCC People Programme on Selection and Recruitment, including fitness standards and Promotion and Succession Planning are now being considered as part of the Developing and promoting good leadership Fire Standard, instead of as individual Fire Standards as originally considered.

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- Work on the scoping of the Well-Led Service Leadership Fire Standard has commenced and it is envisaged that this Fire Standard will be published by May 2021 (subject to scoping and consultation)
- Key stakeholders to help inform this development work are being collated, this will include input from fire and rescue service governing bodies
- The NFCC CPO will be coordinating this work.

Once approved, Fire Standards will be shared on the [Fire Standards Board website](#).



Fire Services Management Committee Update paper

Purpose of report

For information.

Summary

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

Recommendation

That members of the Committee note the report.

Actions

Officers to continue to provide updates to members.

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Fire Services Management Committee Update paper

Spending Review 2020

1. On 25 November 2020, Chancellor of the Exchequer, Rishi Sunak MP announced the outcome of the [Spending Review 2020](#) (SR). As outlined in the LGA's [On-the-Day Briefing](#), the SR provides some certainty for councils next year, but the long-term outlook remains unclear. The potential increase of 4.5 per cent in council core spending power will support vital local services; though this assumes that council tax bills will rise by 5 per cent next year, placing a significant burden on households at a time of economic uncertainty.
2. FSMC Lead Members were briefed by Home Office officials on 3 December on what the settlement will mean for fire and rescue services. This follows on from the joint work the LGA (completed by Amy Webb earlier in the year) has been doing with the National Fire Chiefs Council (NFCC) and Home Office, to make the case for further funding to answer the cost pressures felt by the sector due to risk and demand. The briefing confirmed that Fire and Rescue Authorities will receive a flat real grant settlement, alongside the flexibility to increase the precept by 2 per cent. Like councils, Fire and Rescue Authorities will also be compensated for 75 per cent of irrecoverable losses from council tax and business rate income. Home Office officials were also able to confirm Authorities will receive the funding they have previously been given to cover the pensions costs arising from remedying court judgments, such as age discrimination.
3. Alongside the SR, the Office for Budget Responsibility (OBR) released its [Economic and Fiscal Outlook \(EFO\)](#) in November 2020, which highlighted the significant effects that COVID-19 has had on the UK economy. The OBR's analysis suggests that spending on unprotected public services such as police, fire and local government is likely to be broadly flat in real per capita terms in 2022-23.

Emergency Services Mobile Communications Programme (ESMCP)

4. The ESMCP (the Programme) will deliver the next generation of mission critical communications for emergency services and the Programme is run by the Home Office on behalf of the emergency services, Scotland and Wales. In October 2020, there was a change in governance and leadership of the Programme; the Senior Responsible Owner, Stephen Webb, stepped down after nearly 10 years in the role and the Programme now comes within the purview of the Crime Police and Fire Group within the Home Office. This change in reporting is aimed at better aligning stakeholders and Government in preparation for transition phase.
5. On behalf of the National Fire Chiefs Council (NFCC), CFO Darryl Keen from Hertfordshire FRS, as the NFCC's Operational Communications lead, wrote to the Home Office in October, outlining the sector's concerns with the latest draft iteration of the ESMCP full business case (FBC) (see **Appendix A**). Following further assessment and scrutiny of this latest draft of the FBC, it has been decided that further, more detailed

revisions are required ahead of an anticipated sign off in late Spring 2021. Key areas for further work and refinement in the FBC include:

- 5.1. better assessment and incorporation of costs for users;
 - 5.2. further planning, reflecting a revised technical delivery plan and anticipated deployment timescales for the emergency services;
 - 5.3. a better alignment of where finance, risk and benefit sit between users and Government.
6. The present, and interim, FBC indicates that transition onto the new Emergency Services Network (ESN) should be complete by mid-2025, with contingency a little way beyond that. Following discussion with LGA officers, it is intended that a more detailed paper and update on ESMCP and the FBC, will be brought to the FSMC meeting in March 2021.
 7. Following concerns being raised about the cost and affordability of ESN at local level, a tool is being prepared with which Fire and Rescue Authorities and Fire and Rescue Services can estimate ESN costs over the 15-year life of ESMCP. It is envisaged that this tool will be available in the new year.
 8. Progress in implementing aspects of the ESN continues, with three Fire and Rescue Services currently using early ESN products in limited and low risk scenarios; County Durham and Darlington FRS, Dorset and Wiltshire FRS and Merseyside FRS. Feedback has been positive, and a good number of other Services are working through the implementation of early ESN, mostly data, products.

Fire Member Development Offer

9. Earlier this year, the LGA commissioned Andy Fry, ex-Chief Fire Officer and former HM Inspector of Fire Services in Wales, to deliver a series of instructive videos covering various topics associated with the governance role of Fire and Rescue Authority (FRA) members. The first video, [‘The Role of Fire and Rescue Authority Members’](#), is now available on the LGA website.
10. The webinar series aims to provide an introduction to governance issues for those who are new to FRAs, as well as the support the development of existing members. This work will also cover wider governance issues including governance during times of crisis, which is informed by recent experiences of FRAs responding to COVID-19, as well as scrutiny and the relationship between the political and professional leadership of the sector.

Fit for the Future

11. Throughout October and November 2020, the LGA has worked in partnership with the NFCC and the National Employers to review feedback on the proposed Fit for the Future improvement objectives, received from stakeholders across the Fire and Rescue sector. We received a wide range of feedback and the participation in this initial engagement

exercise will help to shape our next steps. Officers will continue to engage with the sector as we further develop the document.

Consultation – Domestic Smoke and Carbon Monoxide Alarms

12. On 17 November 2020, the Ministry of Housing, Communities and Local Government published its [consultation on proposals to extend the Smoke and Carbon Monoxide Alarm \(England\) Regulations 2015](#) (the Regulations). Closing on 11 January 2021, the consultation seeks views on:
- 12.1. Amending the Regulations to require social landlords to ensure at least one smoke alarm is installed on each storey of the premises on which there is a room used wholly or partly as living accommodation.
 - 12.2. Amending the statutory guidance (Approved Document J) supporting Part J of the Building Regulations to require that carbon monoxide alarms are fitted alongside the installation of fixed combustion appliances of any fuel type (excluding gas cookers).
 - 12.3. Amending the Smoke and Carbon Monoxide Alarm (England) Regulations 2015 to require private and social landlords to install a carbon monoxide alarm in any room used as living accommodation where a fixed combustion appliance is used (excluding gas cookers).
13. These proposals relate to England only. This consultation follows on from the government's [social housing green paper](#) (published August 2018), the [social housing white paper](#) (published November 2020) and the [review of carbon monoxide alarm requirements](#) that concluded in January 2019.

Outside bodies update

14. Fire Standard Board (FSB): The FSB last convened on 12 October and was attended by Cllr Nick Chard. A range of topics were discussed, including: the signing of a Memorandum of Understanding between FSB and HMICFRS; and progress updates on the development of new Fire Standards, including the Leadership Fire Standard. The FSB will next meet on 9 December 2020.
15. Strategic Resilience Board (SRB): Cllr Cleo Lake and Cllr Les Byrom attended the SRB on 13 October 2020. A range of topics were discussed, including local responses to the COVID-19 pandemic and preparing for the UK to leave the EU on 1 January 2021.
16. HM Inspectorate for Constabulary and Fire *and Rescue Service (HMICFRS)*:
- HMICFRS External Reference Group (ERG): The ERG last met on 19 October 2020, where a summary of early findings from the HMICFRS COVID-19 inspections was provided. The next meeting is scheduled for 16 December 2020.
 - HMICFRS COVID-19 Inspection meeting: Cllr Ian Stephens and LGA officers, Mark Norris and Charles Loft, met with Zoe Billingham on 9 November and 20 November, to



provide feedback on behalf of the LGA on HMICFRS COVID-19 inspections. A range of topics were discussed including the tripartite agreements, the role of the LGA and National Employers and the support the LGA gave to local government during the pandemic.

Appendix A



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Chiefs Council

The professional voice of the
UK Fire & Rescue Service

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Stephen Webb, ESMCP SRO

By email

20th October 2020

Dear Stephen,

Feed back on the latest draft of the Emergency Services Mobile Communications Programme Full Business Case (FBC)

Thank you very much for the opportunity to provide feedback on the latest draft of the Emergency Services Mobile Communications Programme (ESMCP) Full Business Case (FBC), Version No. 0.08d dated 18/09/20.

Please accept my apologies that the National Fire Chiefs Council (NFCC) weren't able to meet the deadline of 16th October for a return, however with Senior Users only having sight of the output of the Motorola Prime re-planning on Friday 16 October, and associated communications not yet issued, time has been needed to assess this new information and its implications for the FBC.

In considering feeding back, it is recognised that providing an FBC for a complex technical endeavour such as ESMCP will always be a challenge, especially with so many moving pieces and a wide number of stakeholders and user communities, often with competing demands.

We are aware that a further revision to the FBC will be undertaken and an updated draft presented as part of the pack for the Major Projects Review Group (MPRG) towards the end of October. Therefore, please note that these comments are in respect to version 0.08d, dated 18th September 2020, and not any subsequent iteration.

The view of the National Fire Chiefs Council (NFCC) reflects that the ESMCP FBC has 3 main purposes:

- To provide an objective overview, analysis and detail that informs debate and decision making on the future viability and direction of the Programme
- To provide detailed financial information and assumptions that will form part of any bids into the impending and future Spending Review (SR) processes
- To provide detail of costs, including assumptions, such that these can be incorporated into User Organisations (Fire Authority) medium- and longer-term financial planning.

Appendix A

The NFCC recognises that previously sign off for the FBC for English Fire and Rescue has been undertaken by our overseeing Government Department, Home Office as funding sponsor body (FSB), we expect this to continue. NFCC assists with key inputs into these decisions by providing assurance of the FBC in terms of its:

- Technical viability
- Operational viability
- Overall deliverability

However Fire and Rescue Services and their overseeing Fire Authorities will want high levels of assurance on the financial elements, in particular the non-core costs which will directly affect them. A significant part of the need for this assurance is a growing concern that ESN will cost Fire and Rescue Authorities more at local level than they currently pay for Firelink (Airwave).

As currently presented the Draft FBC presents 4 options for the future of ESMCP

- Option 1: Stop ESN and continue with Airwave indefinitely (Do Minimum)
- Option 2: stopping ESN, extending Airwave and starting a new Programme to replace it from April 2022.
- Option 3a: incremental delivery of ESN, with a risk based, expected Airwave Shut Down date of June 2025. The base case of Airwave shut down for this option is November 2024.
- Option 3b: incremental delivery of ESN, with a risk based expected Airwave Shut Down date of February 2024. The base case of Airwave shut down for this option is June 2023 - this being the *Programme* preferred option.

Given the limited information within the draft FBC options 1 and 2 appear to offer little long-term benefit to the FRS user community. Technologically, options 3a and 3b appear to be in step with the NFCC's view that ESN offers the best strategic fit for the future of emergency services communications in providing mission critical voice and mobile broadband communications through a 4G / LTE capability. It further supports and complements other forthcoming technologies in the emergency services communications arena, such as the next generation of the 999 / 112 system.

However without the detailed plans, assumptions and other information that sit behind options 3a and 3b, the NFCC is not able to offer a firm view or any assurance around either option. At the start of the FBC revision process in the summer of 2020, the NFCC believed that the technical delivery components of plan 3a were already under considerable pressure in terms of meeting relevant milestones. In the main these concerns have centred around historic issues with supplier performance, in particular Motorola, combined with limited commercial leverage to address these issues. Consequently, we believe there was, and remains, over optimism with the base case dates, even factoring in the proposed contingency at P50 and P90 these do not provide sufficient assurance that ESN could be successfully and safely delivered within the cost and time envelope.

Users have very recently been made aware that the Prime replanning exercise undertaken by the Programme and suppliers has identified that Prime gate 5 has been further delayed by almost 6 months. Based upon the very limited evidence currently available the NFCC believes that this will add a further 6 months to the base case for option 3a but we do not have the factual evidence from the Programme to confirm or refute this. This further emphasises the importance of urgent work to develop a realistic and evidenced plan, including a realistic contingency, to underpin option 3a such that the NFCC can be assured it is deliverable within predicted timeframes. It is recognised that the

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assurance, approval and governance processes for the FBC are already in train, and whilst the NFCC recognises the need for this to continue, the details now emerging from the Prime replanning cannot be ignored.

The NFCC has committed to work with Programme to assist in the viability assessment of option 3b, however concerns around the technical delivery of ESN highlighted for option 3a are equally applicable. Economically, option 3b appears attractive and, in tandem with the Programme, providing it is safe to do so, the NFCC would wish to see all Emergency Services transitioned onto ESN at the earliest possible moment for the greater benefit of all. However, the challenges to attain this accelerated transition will be considerable and the risks associated must be fully considered as part of any viability assessment exercise, including the risk that accelerating the transition may cost more in the long run. However, the need for transition to be safe and not to impose additional operational risk on user organisations and frontline staff must be a high priority.

Throughout the FBC option 3b is referred to as the preferred option. Whilst theoretically there are obvious benefits to it there has not, in the NFCC's view, been the conclusive joint work to assess its feasibility and so at this stage we feel it is premature to term it as the preferred option.

The economic case references areas of uncertainty and risk including the future operating model (FOM). The NFCC remains somewhat unsighted as to the proposals for any FOM, but we have clear ideas of what we require, and we consider that the success of ESN in life is heavily dependent upon the FOM. This lack of clarity impinges into areas within the finance case including, the cost of the FOM, its remit, how the funding for it will be recouped and flow, how any ESN core charges will be funded etc. From an NFCC perspective this is considered a priority area to be addressed.

The resilience of ESN is also a key concern of the NFCC, especially given that the high levels of resilience afforded by the current Airwave network were mostly as a result of investment through the Firelink contract. There is a clear expectation from Fire and Rescue Services that ESN will be sufficiently secure and resilient to meet foreseeable needs and circumstances. The different technologies underpinning Airwave and ESN lead to different opportunities and approaches, and it is recognised and that providing resilience won't necessarily take the same form for both systems. The NFCC understands the conundrum facing Government regarding the affordability of ESN resilience, and that investment to attain the highest levels of resilience may on balance be considered cost prohibitive. However, Fire and Rescue Services require suitable levels of resilience to enable them to discharge their statutory duties under the most demanding of circumstances, including, but not limited to widespread and sustained power outages. These situations will undoubtedly elicit a high level of expectation on the Emergency Services from the public and accordingly invoke the full spectrum of responses outlined in arrangements by Local Resilience Fora. Ultimately, the NFCC recognises that this is a decision for Government, however in making the determination Government must consider how much of the intrinsic risk it absorbs itself, and how much it will attempt to see transferred to user Organisations. In considering where the residual risk may lie, Fire Authorities and Fire and Rescue Services will wish to see this laid out in definitive terms – in summary it will be the expectation of Chief Fire Officers that ESN is at least as resilient as Airwave and some of the current proposals will not meet that requirement.

Loosely linked to resilience is the matter of Critical Operational Locations (COLs), these are of some concern to Fire and Rescue Services. The NFCC firmly believes that ESN coverage at least as good as Airwave is a necessity for FRS to consider transitioning onto ESN. FRS do not currently utilise menu coverage to provide any coverage uplift for Airwave, as contracted Airwave core coverage is adequate for our needs. Consequently, the NFCC has a clear view that 'coverage is core' and to be delivered purely through core funding. This is not how it is portrayed within the FBC where aspects

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are considered as non-core. We support the work currently ongoing around COLs to more precisely identify the scale of the issue along with potential remedies, and therefore recognise that the figures relating to COLs within the FBC only represent Programme estimates at this stage. It is however essential that this work provide a more accurate assessment of COLs to better inform the FBC going forward. Given the difference of opinion regarding the funding of COLs, we would welcome further dialogue.

Within the commercial case, the proposal to extend the Motorola contract surfaces concerns from the Fire and Rescue Stakeholders. In particular, it appears to reward Motorola when their performance to date, in view of FRS, has far from met expectations. These concerns are compounded by their position of being the current incumbent supplier for Airwave, a situation that is leading to cynicism over commercial motives given the profitability of Airwave. In the NFCC's view the extensions appear to weaken the Authority's contractual leverage over Motorola rather than strengthening it, and in doing so disincentivising punctual delivery of ESN.

The commercial case also outlines options for the future strategy and delivery models for ESN. All of these will require analysis and consideration once further information is provided. The NFCC would wish to assist the Programme by being part of this exercise, perhaps as an integral component of work on the Future Operating Model.

Previously the NFCC has advised that it has found significant disparities in some of the non-core costs within the finance case following a zero-based exercise by the Fire and Rescue Service. Whilst some work has now commenced to examine this, it has not progressed significantly for it to be reflected in a revised finance case. Some of these concerns appear to align with the views of other user communities. It must also be noted that the baseline for each of the user communities in comparing 'like for like' is different, however in many areas they have been considered identical and many assumptions appear to be founded upon incorrect that is not applicable to the Fire and Rescue Service.

It is not clear how some of the in-life costs, e.g. core costs will be recouped, and where any apportionment may lie. Within the FBC it references an annual core cost of circa £6M for English Fire and Rescue Services, but without apparent inclusion in broader non-core costs. It will be essential for the FBC to progress through Fire governance for this absolute clarity to be provided. There has been commitment from ESMCP Finance to provide a suitable tool such that costs can be modelled and predicted at local level both for medium term financial planning, and also to assess the financial implications in more granular detail of ESN for Fire Authorities. The previously expressed concern for FRSs and their overseeing Fire Authorities, is that in life ESN will cost more at local level than the Firelink [Airwave] system. The provision of this tool may go some way to provide necessary assurance for the sector, and consequently will need to be a precursor for any progress of the FBC through FRS / NFCC governance.

The management case alludes to effective and collaborative arrangements between the Programme and users such that they build trust and confidence in delivering ESN, and in the main this is recognised as being the case. Unfortunately, the report following the recent PAR review has not been shared with users in either a full or redacted format, users have been briefed on just 3 recommendations at headline level. Given the implications for assurance of the FBC, the NFCC believe that this should be provided to Senior Users in its unredacted form such that any relevant findings and recommendations feed through NFCC governance as the FBC is being considered.

A number of Fire Authorities have expressed their desire to provide feedback on the FBC, and discussions are ongoing with the Local Government Association on a collective view. We understand that a revised draft of the FBC is expected for 23rd October ahead of MPRG it is

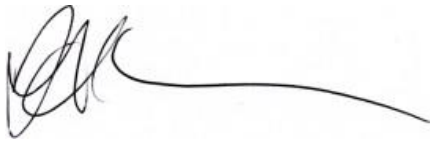
Appendix A

imperative that this is provided to NFCC representatives and shared with internal stakeholders without delay such that it can be provided to maximise the consultation window and provide the greatest opportunity to fit within Fire Authority governance cycles.

Given the information contained within the letter, the NFCC does not yet feel sufficiently informed to be in a position to assure the FBC on grounds of technical and operational viability, nor its overall deliverability. We hoped that a future draft of the FBC and its supporting documentation will be able to provide the information necessary to attain suitable levels of assurance.

As previously stated, the NFCC firmly believes that ESMCP is the right strategic direction for Emergency Services communications and will continue to work with the Programme to ensure it is delivered for the greatest benefit for all.

Yours sincerely,



Darryl Keen

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NFCC Strategic Lead for Operational Communications

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Copies to: Roy Wilsher, Chair of NFCC

