

Fire Services Management Committee

Agenda

Monday, 14 March 2022
4.00 pm

Hilton Hotel, Newcastle-Gateshead and
online via Teams

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

14 March 2022

There will be a meeting of the Fire Services Management Committee at **4.00 pm on Monday, 14 March 2022** at the Hilton Hotel Newcastle-Gateshead.

Political Group meetings and pre-meetings for Lead Members:

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@lga.gov.uk
Independent:	Group Office: 020 7664 3224	email: independent.grouplga@local.gov.uk
Liberal Democrat:	Group Office: 020 7664 3235	email: libdem@local.gov.uk

Attendance:

Your attendance, whether it be in person or virtual, will be noted by the clerk at the meeting.

LGA Contact:

Jonathan Bryant

Jonathan.Bryant@local.gov.uk - 07464652746

Carers' Allowance

As part of the LGA Members' Allowances Scheme a Carer's Allowance of £9.00 per hour or £10.55 if receiving London living wage is available to cover the cost of dependants (i.e. children, elderly people or people with disabilities) incurred as a result of attending this meeting.

Social Media

The LGA is committed to using social media in a co-ordinated and sensible way, as part of a strategic approach to communications, to help enhance the reputation of local government, improvement engagement with different elements of the community and drive efficiency. Please feel free to use social media during this meeting. **However, you are requested not to use social media during any confidential items.**

Fire Services Management Committee – Membership 2021/22

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 & Somerset Fire & Rescue Authority
Mr Roger Hirst	Police, Fire and Crime Commissioner for Essex
Cllr Rebecca Knox	Dorset and Wiltshire Fire and Rescue Service
Substitutes	
Cllr Andy Crump	Wawickshire County Council
Cllr David Norman MBE	Gloucestershire County Council
Labour (5)	
Dr Fiona Twycross (Vice-Chair)	Greater London Authority
Cllr Nikki Hennessy	Lancashire Combined Fire Authority
Cllr Greg Brackenridge	West Midlands Fire and Rescue Authority
Cllr Carl Johnson	Tyne & Wear Fire & Rescue Authority
Cllr Leigh Redman	Devon & Somerset Fire & Rescue Authority
Substitutes	
Cllr Sian Goding	Bedfordshire Fire & Rescue Authority
Cllr Jane Hugo	Lancashire Combined Fire Authority
Cllr Les Byrom CBE	Merseyside Fire & Rescue Authority
Liberal Democrat (2)	
Cllr Keith Aspden (Deputy Chair)	North Yorkshire Fire & Rescue Service
Cllr Jeremy Hilton	Gloucestershire County Council
Substitutes	
Cllr Roger Price	Hampshire & Isle of Wight Fire & Rescue Authority
Cllr Carolyn Lambert	East Sussex Fire Authority
Independent (2)	
Cllr Ian Stephens (Chair)	Isle of Wight Council
Cllr Frank Biederman	Devon & Somerset Fire & Rescue Authority
Substitutes	
Cllr Luke Frost	Cleveland Fire & Rescue Authority
Cllr Nigel Smith	North Wales Fire & Rescue Authority

Agenda

Fire Services Management Committee

Monday 14 March 2022

4.00 pm

Hybrid meeting

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Date of Next Meeting: Friday, 20 May 2022, 11.00 am, 18 Smith Square, London, or online via Teams



Note of last Fire Services Management Committee meeting (Confidential)

Title: Fire Services Management Committee
Date: Friday 10 December 2021
Venue: Online via Teams

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
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The Chair welcomed members to the meeting.

He paid tribute to former CFO of Warwickshire, Kieran Amos, who had sadly passed away recently after a short illness.

Apologies were received from Fiona Twycross, Cllr Greg Brackenridge, Cllr Nigel Smith and Jonny Bugg (Stephen Polly deputising).

There were no declarations of interest.

2	Minutes of the previous meeting held on 15 October 2021
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The minutes of the meeting held on 15 October 2021 were agreed as an accurate record.

3	Climate Change
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The Chair invited Lucy Ellender (Senior Adviser) to introduce the report.

Lucy briefly highlighted the main areas of the LGA's current work on climate change, including sector support and lobbying priorities, and spoke about the opportunities for further joint working.

Lucy introduced CFO Ben Brook, the NFCC joint lead on Environment, Sustainability and Climate Change, to talk about the work being carried out by NFCC in this area.

Ben said that climate change was one of the biggest challenges facing the sector over the coming years, both in terms of adapting ways of working and in responding to an increasing number of extreme weather-related incidents.

Ben said that the NFCC was in the early stages of putting together a toolkit for FRSs to help them adapt. Eight task and finish groups had been set up to look at various aspects of the challenge: (i) Overarching vision with a 2030 horizon; (ii) Literature review to understand the scale of risk; (iii) Assessing the quality of existing datasets; (iv) Developing a stakeholder map; (v) Analysis and tools to measure impacts and successes; (vi) Assessing the benefits of producing a toolkit vs. a full strategy; (vii) Conducting a gap analysis; (viii) Pulling it all together.

Ben stressed that the project was still in the very early stages but the NFCC was keen for FSMC to be involved as a key partner.

Members' comments and questions:

- Members were very supportive of the NFCC's work in this area and felt that it would provide a much clearer picture of what FRSs needed to be doing.
- The issue of river catchment flooding was raised and, in particular, how this crossed the borders with Wales and Scotland in some FRAs. It would therefore be important to involve the devolved administrations in this work in order to produce a joined-up response.
- Would the LGA be updating its publication on climate change that was produced for the 2020 Fire Conference? Lucy said that officers would be refreshing the publication in due course with new case studies.
- Would the NFCC be looking at European countries for examples of best practice? Ben said that the literature review work would pick up broader international learning.

The Chair thanked Ben for his presentation.

Decision:

Fire Services Management Committee **noted** the report and **endorsed** the work of the LGA and NFCC on climate change.

4 LGA Fire Conference 2022

The Chair invited Rachael Aldridge (Policy Adviser) to introduce the report.

Rachael confirmed the arrangements for the Fire Conference in Gateshead on 15 and 16 March and said that the website was now open for registration. She ran through the proposed programme and added that Sir Tom Winsor had already confirmed attendance as a keynote speaker. The Minister, Lord Greenhalgh, had been invited but not yet confirmed attendance. It was confirmed that the overarching theme of the conference would be 'delivering transformation in the fire and rescue sector'. All conference resources will be provided in digital format for sustainability reasons.

The Chair added that the FSMC meeting would take place on 14 March at 4pm at the conference centre and he urged members to attend this in person, subject to government guidance and covid situation at the time.

Members' comments and questions:

- Members asked what the fall-back position was if the Minister was unable to attend. Rachael said that there were several options and officers would come back to Lead Members if that eventuality arose. Stephen Polly agreed to chase the Minister's office as a matter of urgency.

- Would there be enough flexibility in the programme to have discussions on the Fire Reform White Paper if this were to be published before the conference? The Chair said that Lead Members would ensure that this would be possible.
- Could the ESMCP be included somewhere in the programme as this was now becoming a pressing issue for FRAs? Rachael confirmed that options for how this could be included within the existing proposed programme will be explored.

Decision:

Subject to the above comments, Fire Service Management Committee **approved** the proposed theme and programme for the Annual LGA Fire Conference and Exhibition 2022.

5 LGA Business Plan

The Chair invited Mark Norris (Principal Policy Adviser) to introduce the report.

Mark said that the updated Plan was being brought to members for information only as it had been formally adopted by the LGA Board in September 2021. The work of FSMC was covered at a broad level on page 29 of the Plan.

Members' comments and questions:

- The pie chart of the LGA's expenditure showed that the organisation's spend on sustainability and climate accounted for just 0.5% of overall expenditure. This seemed to be low given the priority now given to these areas of work. Was there a danger that people might think that the LGA wasn't taking this issue as seriously as it should be? Mark said that this figure probably didn't accurately reflect the amount of policy work currently being done by Boards across the LGA and agreed with members that this breadth of work should probably be presented more clearly in the Plan. He added that this figure on spend was likely to increase significantly in the coming years. He agreed to feed members' comments back to senior officers.

Decision:

Fire Services Management Committee **noted** the 2020/21 update of the 3-year business plan as the broad basis for its work programme over the coming months.

Actions:

Officers to feedback members' comments on the Plan to LGA senior officers. **Mark Norris.**

6 Building Safety update

The Chair invited Mark Norris to introduce the update.

Mark highlighted the following points from the report:

- Remediation of dangerous high-rise buildings continues, but at a slow pace.
- The LGA was providing support for FRAs and councils as outlined in para. 11
- Implementation of the Fire Safety Act and the Grenfell Tower Inquiry Phase 1 report recommendations had been delayed and was now unlikely to happen in April 2022 as previously stated by the Home Office.

- The new Secretary of State at DLUHC, Michael Gove, was reviewing various aspects of the Government's building safety policy and the signals were that there could be a shift, especially around costs to leaseholders. This may result in some amendments being brought forward by the Government to the Building Safety Bill when it returns at the Report stage.

Members' comments and questions:

- Concern was expressed about unfunded burdens being placed on FRAs and councils arising from the Building Safety Bill. Mark said that the LGA was lobbying strongly on this issue with the NFCC, and in particular, around the supply of skilled personnel to carry out the additional work.
- It was suggested that the training currently offered to housing portfolio holders would also be beneficial for FRA members. Could this offer be extended to them? Mark said that content was being added to the Leadership Essentials courses on building safety but he would speak to Charles Loft to see whether anything further could be offered to FRA members.

Decision:

Fire Services Management Committee **noted** the update.

7 Workforce update

The Chair invited Gill Gittins (Senior Adviser, Workforce & Negotiations) and Claire Hey (Senior Fire Pensions Adviser) to introduce the update.

Gill and Claire stated they had nothing to add to the report but were happy to take members' questions.

Members' comments and questions:

- An update on the immediate detriment withdrawal of Home Office guidance issue was requested. Gill reported that as set out in the Workforce report HM Treasury had issued a note setting out their assessment of the advisability of processing immediate detriment cases before new legislation to enact the McCloud remedy is put in place. The Home Office had withdrawn its guidance on processing immediate detriment cases and made a statement about potential funding of such cases. Gill said this did not entirely alter the position with regards funding as there had never been a guarantee that costs arising from the Sargeant judgment in general would be covered by government. The LGA would therefore continue on behalf of all FRAs to seek funding for all the costs arising out of the Sargeant claims, under New Burdens or otherwise. Officers were working with specialist QCs on the implications of the recent HMT note and would be providing information to FRAs as soon as possible.
- Two members felt that FSMC had not been fully engaged or consulted when the Framework and Memorandum of Understanding (MoU) with the FBU had been drawn up, and that it had therefore come as a surprise. Gill explained that development of the MoU and Framework had been entered into as sought by UK-wide FRAs to identify a mutually agreeable settlement of the High Court cases already actioned by the FBU involving London and Nottinghamshire and because they did not wish to be subject to High Court claims as well (as intended by the FBU), mindful of the cost and also that affected firefighters had already been awaiting action since the judgment in 2018. It was a legal negotiation and not an

FSMC policy matter. The Framework then provided all FRAs with a route to avoid/settle such legal action if an FRA wished to do so. FSMC had been informed of this work in previous reports as had the person nominated by each service to receive information (given confidentiality and risk to legal privilege issues). It had been developed in conjunction with legal representatives and specialists, and in light of the direction of travel of the PSPJO Bill, discussion with government on its intentions. It had been approved by the Steering Committee specifically set up with the agreement of FRAs to handle such matters. It was recognised that risk could only ever be minimised, not removed completely and guidance issued to FRAs alongside the Framework had covered this. Work was now being undertaken with legal and pension specialists to consider this latest government position and a note would be issued to FRAs as soon as possible. Gill said that workforce and pension team officers would be happy to discuss further with the two members concerned outside of the meeting, which offer they accepted.

Decision:

FSMC **noted** the update.

8 National Fire Chiefs Council update

The Chair invited Justin Johnston (NFCC Vice-Chair) to introduce the update.

Justin highlighted the recent signing of the Royal Foundation Mental Health at Work Commitment by the NFCC and suggested that individual FRAs may also want to consider doing likewise.

Members' comments and questions:

- Why hadn't the NFCC's potentially controversial consultation on the 'firefighter role' been included in the update? Justin agreed that this was an important piece of work and there would be a wider strategic discussion on it once the results of the consultation had been examined.

Decision:

Fire Services Management Committee **noted** the update.

9 Fire Standards Board update

The Chair invited Cllr Nick Chard to introduce the update.

Cllr Chard highlighted the upcoming Peer Review of three new leadership standards, due to commence in December, and stressed the importance of members engaging in the process. Consultation was scheduled to commence in January 2022 depending on feedback received during the peer review phase.

Decision:



Fire Services Management Committee **noted** the update.

10 **FSMC update**

The Chair invited Rachael Aldridge to introduce the update.

Rachael reported that, since the paper had been circulated, next steps on the Fit for the Future process had been agreed. Officers are aiming to have the consultation analysis report agreed by 7 February, following which, technical workshops would be held. The aim was to have an updated Fit for the Future document drafted by early March.

Cllr Chard reported that he had attended a JESIP meeting earlier in the week and they continued to do good work in improving collaboration between the emergency services. He would report back more fully at the next FSMC meeting.

Decision:

Fire Services Management Committee **noted** the update.

11 **State of Fire & Rescue Report**

The Chair invited Laura Gibb and Alexandra Blohm from HMICFRS to give their presentation.

Laura reported that the State of Fire & Rescue 2021 report would be published on 15 December along with 12 out of the 13 service inspection reports (Warwickshire's report was being delayed out of respect for the former CFO Kieran Amos who had sadly passed away). In general, most of the services that received 'cause for concern' at the previous inspection had taken meaningful steps to address these. However, there were still too many services that had not adequately tackled areas identified for improvement. 11 out of the 13 services had causes for concern identified in the current inspection. This compared to 10 in the whole of the first round of inspections.

Laura and Alexandra then briefly ran through the report's findings under each of the 3 pillars:

1) Effectiveness:

- The collection and sharing of risk information was not generally being given high enough priority
- Prevention activity was not effective enough – in 9 out of the 13 services. This was partly due to Covid diverting resources, but not entirely.
- Protection work had improved considerably, in part due to Home Office funding. Most services had increased the number of fire safety inspectors.
- Most services had excellent procedures in place to respond to fires and other major incidents.

2) Efficiency:

- 50% of services not appropriately matching resource allocation to risks.
- Most services could do more to make sure the workforce remained productive.
- Most services had realistic assumptions in place around budgets and future scenario planning.

3) People:

- Significant improvement in the promotion of values and culture in services.
- Most services prioritising staff wellbeing and health and safety but some gaps in processes and procedures identified.
- Most services showed good intentions around promoting EDI but concrete improvements were still not always evident.
- Workforce still a long way from being representative of the communities served.
- Not enough progress being made on planning for future leaders.

Members' comments and questions:

- Were there any examples of services that continued to do good prevention work during the pandemic? Laura said that there were examples which would be highlighted in the report. HMICFRS were talking with the LGA about doing some sector led improvement work in this area.
- What was the common thread for those services failing on risk? Laura said that they were all failing to carry out practical action to address commitments made in IRMPs. This would be expanded upon in the report.
- In the people pillar, was EDI split into its component parts for inspection purposes? Laura confirmed that they were each looked at individually.
- Was the judging criteria the same as in the first round of inspections? If so, and given the high number of causes for concern identified, people would conclude that the sector had gone backwards over the last year. Members felt that this didn't reflect the reality on the ground. Laura confirmed that the inspection criteria were by and large the same as in round 1. She added that some services had made really good improvements over the period and this was not necessarily reflected in the grade movement. Members felt that this context should be made very clear in the report otherwise it could be open to misinterpretation.
- Members sought further clarity from HMICFRS on the operational independence recommendation and what they envisaged it meaning in practice for services. In particular, members felt that it was important that the right mechanisms were put in place to attract high quality leaders into the sector if operational independence were to become a reality. Laura agreed that more needed to be done to get a strong pipeline of potential leaders entering the sector. She agreed with the suggestion of setting up a meeting between HMICFRS, the Home Office, the NFCC and the LGA in the new year to explore the issues in more detail.
- Would there be a forum to give members an opportunity to feed into and discuss the report in more detail? Laura said that a Chiefs and Chairs event would take place in the new year and suggested that a workshop for FSMC or Fire Commission could be held.
- Cllr Knox stated that the External Review Group was a very valuable forum for members to discuss issues raised by the inspections and expressed concern that its existence was being reviewed. Laura reassured members that there was no proposal to disband it or reduce member input, rather the number of operational staff attending was being reviewed.

Decision:

Fire Services Management Committee **noted** the presentation.

Actions:

- Set up meeting with HMICFRS, Home Office, NFCC and LGA on operational independence.
- HMICFRS and LGA to explore possibility of putting on a workshop for members in the new year on the report's findings. **Lucy Ellender and Alexandra Blohm.**

Appendix A -Attendance

Position/Role	Councillor	Authority
Chair	Cllr Ian Stephens	Isle of Wight Council
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 Wrekin 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 Combined Fire Authority
	Cllr Carl Johnson	Tyne & Wear Fire & Rescue Authority
	Cllr Leigh Redman	Devon & Somerset Fire & Rescue Authority
	Cllr Les Byrom (as sub)	Merseyside Fire & Rescue Authority
	Cllr Jeremy Hilton	Gloucestershire County Council
	Cllr Frank Biederman	Devon and Somerset Fire and Rescue Authority
Apologies	Dr Fiona Twycross	Greater London Authority
	Cllr Greg Brackenridge	West Midlands Fire and Rescue Authority
	Cllr Nigel Smith	North Wales Fire & Rescue Authority
	Mark Hardingham	NFCC Chair
In attendance	Cllr Roger Price	Hampshire & Isle of Wight Fire & Rescue Authority
	Cllr Linda Vijeh	Devon & Somerset Fire & Rescue Authority
	Cllr Luke Frost	Cleveland Fire & Rescue Authority
	Cllr John Briggs	Humberside Fire & Rescue Authority
	CFO Justin Johnston	NFCC
	Deputy CFO Phil Shillito	Humberside Fire & Rescue Service
	Stephen Polly	Home Office
LGA Officers	Mark Norris	Principal Policy Adviser
	Lucy Ellender	Senior Adviser
	Gill Gittins	Senior Adviser (Workforce & Negotiations)
	Claire Hey	Senior Fire Pensions Adviser
	Rachael Aldridge	Policy Adviser
	Emily McGuinness	Programme Manager – Local Government Support



Jonathan Bryant

Member Services Officer



Productivity and Efficiency

Purpose of report

For information.

Summary

The Fire Efficiency and Productivity Forum was initiated in response to the Fire and Rescue Services Spending Review Submission 2021 and brings together representatives from across the fire sector to work towards common goals of improving understanding of efficiency and productivity in the fire sector in England and supporting and monitoring the implementation of improvements.

This report outlines the work underway on behalf of the National Fire Chiefs Council (NFCC).

Is this report confidential? Yes No

Recommendations

Members are asked to consider the work already underway and how the FSMC may be able to contribute towards furthering this work.

Actions

LGA and National Fire Chiefs Council to work together to take forward emerging opportunities.

Contact officer: Phil Shillito
Position: Deputy CFO Humberside FRS
Email: pshillito@humbersidefire.gov.uk

Productivity and Efficiency

Background

1. In August 2021 the Local Government Association (LGA) and National Fire Chiefs Council (NFCC) produced and submitted a joint submission on behalf of Fire and Rescue Authorities and Fire and Rescue Services to inform the 2021 Spending Review.
2. The submission, to the Minister of State for Building Safety, Fire and Communities was a collaborative effort and presented a coherent and realistic proposal for sustainable funding of the fire and rescue sector over the spending review period covering four main areas. The work outlined in this paper is related to the commitment contained within the submission to improve productivity and efficiency.
3. In September 2021 the Home Office (HO) chaired the first Productivity and Efficiency Forum. Colleagues from NFCC, HMICFRS and Home Office joined with the LGA to discuss and set out the work of the forum. This was reported back to the committee in October 2021.

Issues

4. At the meeting 6 January 2022 the Forum agreed the Terms of Reference (ToR) and workplan for the group, this is included at **Appendix A**.
5. The Forum is seeking to support greater efficiency and productivity in the fire and rescue sector in England by:
 - 5.1. improving the evidence base on efficiency and productivity improvements and monitoring future progress in achieving the 3 per cent productivity and 2 per cent efficiency target committed through SR21
 - 5.2. assessing the success of efficiency and productivity initiatives, including identifying what works and the barriers that exist
 - 5.3. proposing solutions and enablers to overcome any barriers
 - 5.4. sharing, or encourage sharing of, information on efficiency and productivity improvement work leading to improved estimates to inform future Spending Reviews.
6. A key output from the Forum will be improving the narrative on efficiency and productivity savings to inform future Spending Reviews, as well as providing numerical estimates for the scale of productivity and efficiency improvements.
7. The NFCC is directly involved in two areas of work:

- 7.1. Collation and review of current NFCC/LGA projects related to efficiency and productivity.
- 7.2. A data review. Forum to consider and agree what further data data/evidence is required to measure efficiency and productivity.
8. The NFCC has taken a number of steps to progress this work, identifying an Efficiency and Productivity lead (Phil Shillito), providing project support, subsequent initiation of a working group and collecting information from across the sector.
9. Following discussion with several services, a workshop was held 23 February 2022 bringing stakeholders from across the sector together to generate a common understanding of the spending review commitments, share learning and good practice, and agree how existing data and evidence can be used to track progress against the commitments. LGA officers attended.
10. The outputs from the workshop are being developed into a report to take back to the forum for consideration.

Implications for Wales

11. There are no implications for Wales.

Financial Implications

12. There are no further financial implications at this stage

Next steps

13. Members are asked to consider the work already underway and how the FSMC may be able to contribute towards furthering this work, beyond the LGA's membership of the Forum.

OFFICIAL



FIRE EFFICIENCY & PRODUCTIVITY FORUM (FEPF)

Terms of Reference

Purpose

1. The Fire Efficiency and Productivity Forum brings together representatives from across the fire sector to work towards common goals of improving understanding of efficiency and productivity in the fire sector in England and supporting and monitoring the implementation of improvements.
2. The overarching aim of the Forum is to influence decision-making by providing robust, evidence-based assessments of the implementation of efficiencies and productivity improvements, and the scope and opportunities for future efficiency gains and productivity improvements in the fire sector in England.

Objectives of the Forum

3. To support greater efficiency and productivity in the fire and rescue sector in England by:
 - a. improving the evidence base on efficiencies and productivity improvements implemented by the sector since 2016, and future progress in achieving the 3% productivity target committed through SR21
 - b. assessing the success of efficiency and productivity initiatives, including identifying what works and the barriers that exist
 - c. proposing solutions and enablers to overcome any barriers
 - d. sharing, or encourage sharing of, information on efficiency and productivity improvement work leading production of a robust narrative and efficiency savings/productivity improvement estimates to inform future Spending Reviews, including considering efficiency and productivity improvements in previous years as well as forward looking plans for efficiency and productivity activities

Efficiency and Productivity

Efficiency and **Productivity** consider the relationship between service outputs and outcomes, and the resources (inputs) required to produce them. For the purpose of this piece of work, we will be using the following definitions:

Outputs: Measurable activities produced by services such as incidents attended, the reduction of risk in our communities, protection activity and prevention activity (that either the HO or services collect). Further work could be undertaken to ensure that more outputs are collected and measured, and that the links between these outputs and outcomes are better understood.

Outcomes: Direct impacts on public safety resulting from outputs (such as damage from fires, fire-related fatalities/injuries). Fire incidents may be classed as an outcome as well as an output.

Inputs: Quantity of resources used, measured in time and/or cost.

We consider that a service would become more **efficient** if it reduced the quantity of inputs required to produce a given level of outputs or achieve a level of outcomes. Practically, this may involve reducing the amount of activity undertaken which is not related to outputs or proven to have positive outcomes, or delivering the same volume of outputs and outcomes with a reduced level of inputs. For example, being able to achieve the same amount of HFSCs with fewer staff or at reduced cost or reducing the spend on assets and staff in line with risk (for example by assessing shift patterns). It is important that quality is not reduced when seeking efficiencies, so applying quality metrics to outputs could be considered.

We consider that a service would be more **productive** if it were to increase outputs and improve outcomes, given the same level of inputs. This would likely involve doing more measurable activities, better utilising staff time when they are not responding to incidents and investigating whether alternative systems and processes could support staff to provide greater outputs. One of the HO-led projects in the workplan will look at ways to improve this definition and create metrics on productivity.

MEMBERSHIP AND FUNCTIONING OF THE FORUM

Nature of the Forum	The nature of the Forum is one that requests and assesses evidence on efficiencies and productivity, puts forward support and challenge across the sector and makes recommendations for change.
Authority of the Forum	The Forum has no powers to mandate cooperation from the sector and will instead operate by relationship building and the pursuit of mutual benefit. In addition, the Forum is not directed by anyone. It is facilitated by the Home Office but is a collective endeavour.
Governance links	The Forum may make recommendations to other governance bodies as appropriate but does not have the power to mandate action. The forum will align

	with the Police Efficiency & Productivity Board in order to share learning and best practise.	
Members	Director, Public Safety Group, Home Office (Chair) NFCC Chair NFCC Productivity and Efficiency Lead NFCC Finance Deputy Chair LGA Chair of the Fire Services Management Committee (FSMC) LGA Vice Chair of FSMC LGA Deputy-Chair of FSMC LGA Deputy-Chair of FSMC Police, Fire & Crime Commissioner Representative HMICFRS FRS Efficiency Lead LGA official APCC official HO Head of Unit, Police, Fire and CJS HO Head of Unit, Fire Strategy and Reform HO Head of Fire Funding HO Head of Fire & Rescue Analysis and Insight HO Efficiency & Productivity Work Stream Lead	Rachel Atkinson Mark Hardingham Phil Shillito Mark Hemming Cllr Ian Stephens Fiona Twycross Cllr Nick Chard Cllr Keith Aspden Roger Hirst Sarah Mackie Mark Norris Eddie Smithwick Charlotte Bryant Jonny Bugg Emma Lawrence Anna Richardson Harsha Thaker
Meetings	The Forum will meet quarterly, although it has the flexibility to convene ad hoc meetings, and cancel and postpone meetings as required by business needs. The Secretariat will be provided by the Home Office. The secretariat will make the necessary arrangements for each meeting such as setting the agenda and provision of papers etc.	
Meeting agendas	The agenda will include updates on the agreed programme of work, and will also routinely include, but not be limited to, the following items: <ul style="list-style-type: none"> • updates on actions previously agreed • items requested/reports by forum members • reporting from/to other governance boards • specific efficiency and productivity projects or topics including e.g. invited representatives from local fire and rescue services to discuss specific case studies • amendments to work programme • preparation of narrative and efficiency and productivity estimates for Spending Reviews. 	
Reporting	As the Forum is not a decision maker there will be no formal minutes taken. But the secretariat will produce a record of key discussion points and actions from each meeting.	

<p>Outputs</p>	<p>A key output from the Forum will be improving the narrative on efficiency and productivity savings to inform future Spending Reviews, as well as providing numerical estimates for the scale of productivity and efficiency improvements. This work will likely include looking at both past efficiency gains, and potential areas for further gains.</p> <p>Other outputs are likely to develop out of the work programme and these might include: case studies of efficiency and productivity improvement activity; recommendations of invest to save opportunities; tools/reporting templates to support the monitoring and verification of progress in delivering efficiency and productivity gains.</p>
<p>Terms of Reference</p>	<p>These Terms of Reference will be subject to review on an annual basis. If they could be additionally considered by exception if required by a member.</p>

Efficiencies and Productivity Workplan

This workplan identifies the initially proposed areas of work that could be undertaken, which should be further discussed by members of the forum.

Activity	NFCC lead	Inputs	Output	Outcome	Date
<p>NFCC Lead</p>					
<p>Collation and review of current NFCC/LGA projects related to efficiency and productivity.</p>	<p>Phil Shillito</p>	<p>NFCC FRS</p>	<p>Summary of current work across the sector to feed into the forum. Forum workplan may need to evolve to reflect this work.</p>	<p>Clear measurement of how much efficiency and productivity achieved or on target to achieve x%</p>	<p>January 2022</p>
<p>Data review. Forum to consider and agree what further data/evidence is required to measure efficiency and productivity.</p>	<p>Efficiency & Productivity Working Group</p>		<p>Paper to the forum</p>	<p>Identification of data gaps and how to address those</p>	<p>2022 TBC</p>

Agenda Item 3

Mapping of collaboration work		NFCC (HO support)	Matrix setting out collaboration activities across FRSs. Includes estates sharing, wider non-operational services co-responding, assisting other public sector bodies.	Example of % efficiencies and productivity achieved due to collaborative activities	2022 TBC
HO Lead					
Define and measure productivity and efficiency in fire and rescue services and identify data/evidence gaps which would improve these.		HO	Intention to commission an external organisation to produce a report of publication standard.	Clear definition of efficiencies and productivity that would be become the basis for how to measure changes going forward.	March 2022
Consider the benefit of analysis of existing, centrally held data, including the IRS, Home Fire Risk Checks and Fire Safety Audits).		HO	Scoping work to establish whether analysis of existing data would add to the evidence on productivity and efficiency – this could include; the length of time individuals spend doing different activities (and the number of them) based on IRS and other national data. and the utilisation of different stations.		2022 TBC
Joint Lead					
Review of other reports currently available including; (1) existing	Justin Johnson	NFCC FRS	Forum to consider the reports and take a view on (1)	Best practice that could be applied	January 22 (TBC)

Agenda Item 3

<p>crewing/shift arrangements (NFCC work led by Justin Johnson); (2) the report by Dan Stephens about productivity in FRSs in Wales; (3) HMICFRS' State of Fire & Rescue 21 and tranche 1 service reports.</p>		<p>HO</p>	<p>what do they tell us about efficiency and productivity of different crewing arrangements/shift patters and (2) do we think the report on Welsh FRS has applicability in England and is there value in replicating the exercise?</p>	<p>across England FRS</p>	
<p>Commercial/Procurement An understanding of savings delivered by the procurement hub (FRS) and a basket of good exercise to assess prices for commonly purchase items.</p>		<p>NFCC HO</p>	<p>NFCC procurement hub – progress to date and future plans. Basket of goods exercise</p>	<p>How services are procuring goods and services – comparison of savings made to date</p>	<p>2022 TBC</p>
<p>FRS activity review – review of wholetime/RDS and green book outputs.</p>		<p>NFCC FRS HO</p>	<p>An understanding of activities undertaken by WT, RDS and green book staff.</p>	<p>Clarity on how FF spend their time and how to increase productivity</p>	<p>2022TBC</p>
<p>Data review. Forum to consider and agree what further data data/evidence is required to measure efficiency and productivity</p>	<p>Efficiency & Productivity Working Group</p>	<p>NFCC HO</p>	<p>Paper to the forum</p>	<p>Identification of data gaps and how to address those</p>	<p>2022 TBC</p>

Building Safety Bill and Improvement update

Purpose of report

For discussion.

Summary

This report updates Fire and Rescue Authority Members on the Building Safety Bill and the work for Fire and Rescue Services (FRSs) that flows from its introduction.

Recommendation

That Members note the updates in this paper and comment on the implications for FRS implementation.

Action

Chief Fire Officers to incorporate members' views into the ongoing preparation by FRSs for the building safety regulator work.

Contact

Gavin Tomlinson - Chief Fire Officer (CFO), Derbyshire Fire and Rescue Service

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Building Safety Bill and Improvement update

Background

1. The Building Safety Bill was published in draft form on 20 July 2020 and was subjected to [pre-legislative scrutiny by the Housing, Communities and Local Government Select Committee](#).
2. A new version of the [Bill](#) was formally introduced on 5 July 2021. Published alongside this was a [transition plan](#) (see also the annex) and a [response](#) to the select committee report. The Bill had its second reading on 21 July 2021, and entered Committee Stage on 9 September 2021.
3. The Bill establishes a Building Safety Regulator (BSR) within the Health and Safety Executive (HSE) to:
 - 3.1. implement the new, more stringent, regulatory regime for higher-risk buildings (defined as residential buildings over 18m and – following LGA and National Fire Chiefs Council (NFCC) representation – care homes and hospitals over 18m at the design and construction stage).
 - 3.2. oversee the safety and performance of all buildings.
 - 3.3. assist and encourage competence among the built environment industry, and registered building inspectors.
4. The BSR will rely on FRSS, council building control services and environmental health teams to deliver the regime for higher-risk buildings, which is expected to involve Multi-Disciplinary Teams (MDT).
5. The details of how the regime may operate in practice are being worked on through the Joint Regulators Group (JRG) chaired by the HSE, and involving the Department of Levelling Up, Housing and Communities (DLUHC) and the Home Office. Members include Local Authority Building Control (LABC), the LGA, and the NFCC.
6. While the JRG has been involved in policy design trials, members are becoming increasingly concerned about the lack of sufficient programme management and join up between the advice of JRG members and senior decision makers. The LGA and NFCC have raised the need for the Government and HSE to increase their engagement with councils and fire and rescue authorities, hence the reason for this report.

Key features of the Bill

7. The Bill places the HSE and local regulators 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.
8. New buildings will have to pass through three regulatory Gateways in relation to safety – at the planning stage, at the final design stage (before construction can begin) and immediately before occupation when construction is complete.
9. In occupation, buildings will need to be registered with the BSR and will require a Safety Case. The Accountable Person (AP, essentially the owner or managing agent) will need to maintain a Golden Thread (detailed information) of information about the building.

10. The AP will have a duty to listen to residents who raise building safety concerns – and if residents feel ignored, they can raise issues with the BSR.
11. Leaseholders will have to pay a Building Safety Charge (BSC) that covers the costs of operating the new regime. The Government has said that the new BSC will not be able to be used to pass on costs to leaseholders for remediation works. However, these will still be chargeable under existing leasehold arrangements, which vary according to leases, but generally allow APs to pass costs on to leaseholders.
12. The first stage of the new regime [Planning Gateway One](#) began in August 2021, which requires those planning to build buildings in scope of the new regime to produce a fire statement to ensure applicants have considered fire safety issues as they relate to land use planning matters (e.g. layout and access).

Concerns with the Bill

13. The NFCC is generally supportive of the Bill, and recognises the urgent need for it to be passed in order to prevent further unsafe buildings from continuing to be constructed. However NFCC has [submitted](#) written evidence expressing concern that the scope of the Bill could be wider, the speed at which its scope can be expanded, and the constraints on its expansion. They have argued that height is not an effective determinant of risk and that care homes under 18m should be included in the new regime.
14. The NFCC has also expressed concern about:
 - 14.1. The removal of competition in building control does not go far enough; the ability for a client to choose their own regulator should be removed for the whole of the built environment.
 - 14.2. The watering down of provisions in relation to the refurbishment of buildings, and possible watering down of the gateways provisions.
 - 14.3. The conflict between the new building safety system and the Government's planning white paper.
 - 14.4. The adequacy of the product safety provisions.
15. The Bill impacts councils and FRAs as regulators and councils as housing providers. The main issues for local regulators arising from the Bill are:
 - 15.1. The shortage of expertise both inside the fire and rescue service and in private industry, including but not confined to the shortage of fire engineers;
 - 15.2. The funding for training and capacity increase ahead of implementation;
 - 15.3. The operation of the recharging scheme that allows councils and FRAs to reclaim cost of new burdens BSR work from the HSE;
 - 15.4. The interaction of the new Bill and other relevant legislation – the Housing Act, the Fire Safety Order/Fire Safety Act.
 - 15.5. The balance of democratic accountability for local services and the duty to cooperate with the HSE.
16. The impact of the Bill also interfaces with the impact of the Fire Safety Act (FSA) and associated changes to the Fire Safety Order (FSO), for example:

- 16.1. The FSA will require building owners to review fire risk assessments on many residential buildings (a prioritisation tool will allow owners to divide stock between properties that require immediate action, action in the medium term and those that need not alter their cycle of updating risk-assessments).
- 16.2. Regulations will be introduced later this year relating to premises information boxes; fire door checks and lift checks.
- 16.3. Further announcements are expected from the Home Office on personal emergency evacuation plans (PEEPs).

Funding and the operating model

17. The key concern is the balance between the demands to be placed on local regulators and the funding available:
 - 17.1. The HSE does not appear to be clear about the extent to which it will rely on local building control and FRS to deliver its inspection and enforcement functions, and the operating model has not been shared with local regulators.
 - 17.2. Both NFCC and LABC have been warned to expect much lower spending review settlements than would be required to deliver the functions expected of them.
 - 17.2.1. This could see local regulators diverted away from existing work in order to meet their duties under the Building Safety Bill. However, there will be a number of buildings not included in the new regime that represent an even higher degree of risk locally. If the HSE employees its own fire engineers and building control surveyors, or contracts private companies to deliver its functions, this may have a damaging effect on local services. Both FRSs and local building control need to retain the expertise required to deliver the new functions, and importantly to continue to deliver existing functions.
 - 17.3. Once cost recovery mechanisms are in place, it is assumed that 70 per cent of the cost will be recovered in the first two years, increasing towards 90 per cent by the third year of cost recovery. However, secondary legislation is required in order to establish cost recovery powers. This may take an additional year (or longer) to be put in place following Royal Assent. Therefore, cost recovery may not reach 90 per cent until 2026-27 at the earliest, and is never expected to cover more than 90 per cent.
 - 17.4. On behalf of English FRSs, NFCC have asked for just over £40m over three years to reach around £20m pa which is estimated to be the cost to FRS of the new regime when fully operational from 2024-5. Its estimates have been agreed by the Home Office, but the bid comes under DLUHC's budget and it has been told to expect no more than £7.5m per annum for start-up costs over the three year SR period (about half of what it needs).
 - 17.5. The law is framed in such a way as to oblige regulators to deal with new buildings therefore it will be work on existing buildings which is likely to be cut. The funding on offer implies there is a risk that:
 - 17.5.1. The HSE needs to stretch the Safety Case work they are planning to complete in 5 years, to over a decade, or;

17.5.2. The HSE may place a greater reliance on local FRSs to implement a higher level of inspections under the FSO than may otherwise be programmed into Risk Based Inspection Programmes (RBIPs).

Protection staffing

18. Capacity and capability in FRS protection teams has long been a challenge with most facing challenges to resourcing in order to deliver their current FSO obligations.
19. A protection uplift grant from the Home Office has been in place since the last Spending Review to improve this position and provide a better baseline from which to build additional capacity. Going forwards, FRS' will need to balance out the demands of both regulatory regimes and it is essential therefore that we ensure they are appropriately resourced to do so.
20. NFCC's modelling on the impact of the new regime suggests that on average across England, FRSs need to increase their numbers of competent fire safety staff by more than 30 per cent.
21. NFCC continue to make representation for continuation of the Protection Uplift grant, but it is not yet known if this will continue. In preparing bids for increased protection funding, NFCC face significant challenge back from central government about the division and balance of protection funding decisions which are made locally. This is particularly the case when the Home Office compares local protection funding decisions to budgets which are allocated for operational response functions. This is also likely to become an increasing area of priority for HMICFRS.

Risks

22. In 2011 the Department for Communities and Local Government (DCLG) published [new burdens doctrine – guidance for government departments](#). Under this doctrine, the Cabinet agreed that to ensure the pressure on council tax is kept down, the net additional cost of all new burdens placed on local authorities (including fire and rescue authorities) by central Government must be assessed and *fully and properly funded*.
23. The doctrine defines a new burden as *any policy or initiative which increases the cost of providing local authority services*. This includes duties, powers, or any other changes which may place an expectation on an FRA. In the context of the Bill this responsibility falls to DLUHC.
24. Section 13 of the Bill contains provisions that would enable the BSR to direct a FRS to "do anything specified in the direction". The Bill provides powers for an FRS to do anything for the purpose of facilitating the exercise of *relevant functions*.
25. Should the BSR 'direct' a FRS to take action that goes beyond the commitments of its IRMP without fully funding the cost of doing so, FRAs may need to choose between a number of statutory duties, without having the funding to support them all.
26. They may therefore need to consider their priorities and select which statutory duties will be met, and those which will not. Therefore, in weighing-up the risks, they choose to put aside the direction issued by the SoS under the BSA.
27. This may involve diverting protection resources provided by the FRA to meet requirements in an IRMP/RBIP (e.g. audit of high-risk premises that is not in-scope of the



BSR) across to undertake activities required by the BSR. This would result in a pre-planned audit of a high-risk premises not being carried out as planned by the FRS, in accordance with its RBIP.

- 28. Alternatively, this may involve diverting operational resources (e.g. closing a fire station) to free-up the finances needed to support the work directed by the BSR, again in conflict with requirements in the IRMP. This could result in failure to provide the level of operational cover prescribed in an IRMP, and possibly a failure to achieve an appropriate attendance time, with subsequent loss of life.
- 29. Before a direction may be given by the SoS, the Bill as drafted requires the BSR to first make a written request of the FRA, and requires the BSR to have regard to any written representation received from the FRA in response. Where an FRA considers that a proposed directive is likely to have an adverse effect on the FRA's IRMP, such as in situations similar to those examples outlined above, it would be reasonable to expect that the BSR would not proceed to ask the SoS to issue a directive.

Opportunity cost estimates

Estimated Higher Risk Premises (e.g. Hospitals, Care Homes) that go uninspected if resources are diverted to meet the BSB – England						
Year	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
Safety Case impact	3,150	3,150	3,150	3,150	3,150	3,150
Gateway 2 Impact	948	980	1013	1046	1069	1103
Total	4,098	4,130	4,163	4,196	4,219	4,253

- 30. The table above provides NFCC's estimates for England of the risks and opportunity costs if existing resources were diverted away from RBIP activity in order to undertake BSR work. This shows the numbers of buildings that will go uninspected as a result. Analysis undertaken in November 2019 demonstrated that similar levels of resourcing are needed to inspect high rise residential buildings (HRRBs) as are needed for other, higher risk buildings (which includes buildings such as Hospitals and Care Homes).
- 31. While new build hospitals and care homes over a certain height will be included within the construction elements of the new regime, ones that are already built and in use or occupation, will not form part of the new regime. This means FRSs will be expected to continue inspecting these as part of existing RBIPs.
- 32. The levels of competency required to undertake work in higher risk premises, are similar to those needed for the new regime. Pressures for skilled personnel are exacerbated by demand in the private sector, particularly for individuals with the competence to assess external wall systems, and those who will have the required skills in the future needed by Building Control Bodies, the HSE, and companies in the private sector specialising in design, architecture, construction and fire safety. It can take between three to five years to train fire safety personnel, depending on what types of role they are undertaking.
- 33. If the BSR directs specialist staff towards HRRBs, the remaining pool of officers available for other work are likely to be competent only to the level required for lower risk premises. This will create a gap of people to inspect buildings which present an even higher risk than HRRBs.

34. If new burdens funding is not found for FRSs to deliver the BSB then up to 4,098 higher risk premises may go uninspected in year one, increasing to 4,253 by year six.
35. Such a departure from RBIP activity will present legal risks to FRA's, if they deviate from delivery plans which have already been consulted on.

Timescale

36. The Building Safety Bill is expected to receive Royal Assent in Spring – summer 2022 with commencement of the new regime under the Building Safety Regulator 12-18 months following (earliest April 2023).
37. The report of [phase two](#) of the Grenfell Tower Inquiry is expected in 2022, which is also expected to contain recommendations for FRS.

Implementing the Bill

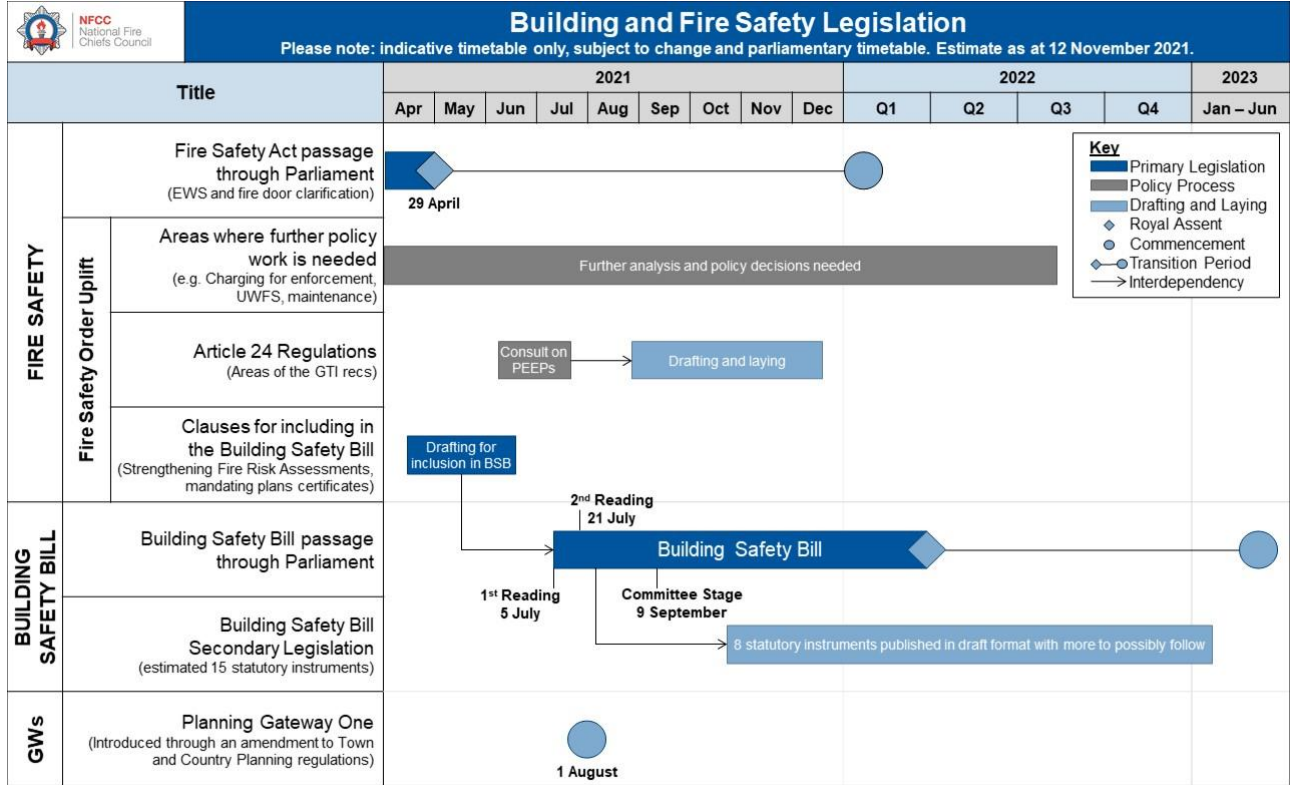
38. The Bill will require MDTs working to the Building Safety Regulator (BSR, sitting within HSE) to approve new multi-occupied residential buildings over 18m at planning stage, design stage (before construction can begin) and construction stage (before occupation can take place). Numbers of estimated new builds, based on known data, are likely to range from 400 – 800p.a. It is also assumed there will be around 600 major refurbishments on average (over ten years).
39. The Bill will also require the Building Safety Regulator to approve safety cases for all existing multi-occupied residential buildings over 18m (12,500 or so). It is estimated that as existing regulators of fire safety in occupied buildings, that the majority of the new burden for Safety Cases will fall to FRSs.
40. The HSE intends to deliver the approval of Safety Cases in five tranches, one tranche per year starting in 2024-5.
41. The safety case approach focuses on Accountable Persons and whether the regulator has confidence in them, rather than on the buildings they manage. Instead of a checklist approach the HSE wants a culture change.

Next steps

42. NFCC continues to work via the JRG and other forums to support the HSE in the effective development of a target operating model towards which FRSs can begin making more detailed plans.
43. In the meantime, Derbyshire FRS will work with the NFCC to help identify additional resource requirements to inform recruitment, development and training of additional fire safety inspecting officers and fire safety engineers.
44. FRA training: The LGA offer a building safety session on the Fire Leadership Essentials course. There was a session on building safety at the fire conference this year. In planning next year's conference, the Fire Services Management Committee will consider the opportunity to raise FRA awareness of the Fire Safety Act and Building Safety Bill.
45. Derbyshire FRS will continue to support the Authority's work to keep residents safe and reform the buildings safety system.



Annex 1 – Estimated Legislative Timetable



Based on current known estimates. A range of areas are subject to further consultation, analysis, and policy decisions. Timing of legislation is subject to the Parliamentary timetable and may change.



Annex 2 – Glossary of terms

<p>Building Safety Bill (BSB)</p>	<p>Bill currently going through Parliament, which builds on the outcomes of the <i>Independent Review of Building Regulations and Fire Safety</i> that the Government commissioned following the Grenfell Tower Fire.</p> <p>Building Safety Bill: important documents GOV.UK</p> <p>Factsheets related to the Building Safety Bill on GOV.UK</p>
<p>Building Safety Charge (BSC)</p>	<p>The Building Safety Bill establishes new legal duties for landlords and building owners. There will be a cost associated with some of these duties, which can be passed to leaseholders through a new Building Safety Charge.</p> <p>Building Safety Charge Factsheet for landlords and building owners GOV.UK</p> <p>Building Safety Charge Factsheet for leaseholders GOV.UK</p>
<p>Building Safety Regulator (BSR)</p>	<p>A new regulator, proposed by the BSB, which will be run by the Health and Safety Executive (HSE)</p> <p>Building Safety Regulator Factsheet GOV.UK</p>
<p>The Fire Safety Act (FSA)</p>	<p>Passed in 2021, yet to commence, the Fire Safety Act clarifies that the FSO applies to:</p> <ul style="list-style-type: none"> • the building’s structure and external walls (including windows, balconies, cladding, insulation and fixings) and any common parts • all doors between domestic premises and common parts such as flat entrance doors (or any other relevant door) <p>Fire Safety Act information GOV.UK</p>
<p>Fire Safety Order (FSO)</p>	<p>The Regulatory Reform (Fire Safety) Order 2005</p>
<p>Gateways</p>	<p>The name for the proposed new regime for more stringent control of new buildings during design and build phase.</p> <p>Building control regime for higher risk-buildings (Gateways 2 and 3) Factsheet GOV.UK</p>



<p>Golden Thread</p>	<p>Proposed requirement as part of the new regulatory regime to create and maintain a golden thread of information. The golden thread is both:</p> <ul style="list-style-type: none"> • the information about a building that allows someone to understand a building and keep it safe, and • the information management to ensure the information is accurate, easily understandable, can be accessed by those who need it and is up to date <p>Golden Thread Factsheet GOV.UK</p>
<p>High Rise Residential Buildings (HRRBs)</p>	<p>For the purposes of the BSB, residential buildings that are at least 18 metres in height or have at least 7 storeys and have at least two residential units.</p>
<p>Higher Risk Buildings (HRBs) / Buildings in Scope</p>	<p>Initially the new regime will only apply to residential buildings that are at least 18 metres in height or have at least 7 storeys and have at least two residential units. It also applies to care homes and hospitals meeting the same height threshold during design and construction.</p> <p>Buildings included in the new more stringent regulatory regime Factsheet GOV.UK</p>
<p>Integrated Risk Management Plans (IRMP)</p>	<p>Under section 4.6 of the Fire and Rescue National Framework for England, each FRA must produce an Integrated Risk Management Plan (IRMP) – now commonly referred to as a Community Risk Management Plan (CRMP).</p> <ul style="list-style-type: none"> • These plans will include a management strategy and a risk-based inspection programme (RBIP) for enforcing the Fire Safety Order <p>These plans must also:</p> <ul style="list-style-type: none"> • Provide an up-to-date risk analysis of all foreseeable risks • Demonstrate how prevention, protection and response activities will be used to prevent fires and other incidents, and mitigate the effects of incidents that occur in a way that makes best use of available resources • Outline required service delivery outcomes including the allocation of resources for the mitigation of risks • Cover at least a 3-year time span • Consult with the community, its workforce, Rep bodies and other stakeholders on the proposed content of the plan • Be easily accessible and publicly available



Local Authority Building Control (LABC)	Organisation representing all local authority building control teams in England and Wales.
Risk Based Inspection Programme (RBIP)	A management strategy for enforcing the Fire Safety Order which prioritises resources based on risk. FRAs are required by the Home Office to <i>“target their fire safety, prevention and protection resources on: those individuals or households who are at greatest risk from fire in the home; those most likely to engage in arson or deliberate fire setting; and on those non-domestic premises where the life safety risk is greatest. Consideration could also be given to non-domestic premises which are at risk from fire in order to mitigate loss to economic wellbeing.”</i>
Safety Case	The Building Safety Bill introduces new requirements for building owners to assess and manage building safety risks in buildings within scope. Safety Case Factsheet GOV.UK



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Sent via email

Monday 7th February 2022

Re: A Joint Message from the NFCC Chair and HSE Chief Inspector of Buildings

Dear Chief Fire Officer/Chief Executive,

Further to our recent presentation at the September National Fire Chief's Council meeting, we wanted to jointly write to you to provide an update on work to develop the new building safety regulatory regime and the role of Fire and Rescue Services (FRS) within that. In this letter we set out some of our early thinking on how the regime may operate in practice and the implications this will have for FRSs, and to also outline our proposed next steps.

As you are all aware, the Building Safety Regulator (BSR) is being set up within HSE to deliver a new regulatory regime for high rise residential buildings (HRRBs - defined in the Bill as buildings that are 18 metres or over or 7 or more storeys in height with two or more residential units). The regime is currently planned to commence from April 2023 and will operate in England. The new design and construction requirements will also apply to hospitals and care homes.

Under the Building Safety Bill, the BSR will deliver the building control function for new-build HRRBs as they undergo construction and for those under refurbishment, as well as being the regulator for HRRBs once they are occupied, including all existing HRRBs. A new 'gateway' consultation process has been introduced for buildings at the planning stage, and further gateway approvals will apply as buildings undergo design and construction. A new registration and certification regime will be introduced for buildings once they are occupied and for existing buildings, with periodic assurance activity by regulators based on an assessment of duty holders' safety case and management of building risk. These new

processes will ensure there is more stringent, ongoing scrutiny applied to these buildings throughout their entire lifetime.

The Bill will enable the BSR to use a Multi-Disciplinary Team (MDT) model to deliver its new HRRB regulatory functions. MDTs will be made up of HSE/BSR staff together with local regulators including Building Control and FRS. They will also be augmented by other disciplines, such as LA Environmental Health and Housing Officers and other technical specialists, as necessary.

The new regime will be delivered in partnership, bringing together the skills, knowledge, and experience of HSE, FRS and building control. MDTs will be organised to deliver the new functions with maximum efficiency, considering capacity issues and the need for stable work programmes and workforce planning, alongside capability to assess building safety risks. HSE is working with its regulator partners to develop the BSR's operating model for delivery of this work and the NFCC are considering options for consultation with Fire & Rescue Authorities (FRA) and FRS on how FRS support for MDTs might best be provided and reflects the distribution of HRRBs across England.

The Building Safety Bill is currently passing through Parliament and does not provide all of the detail on how the gateways and safety case regime will operate in practice. However, based on the supporting notes and high-level assumptions that underpin the Bill, NFCC initial estimate is that around 250 additional FRS protection staff will need to be recruited and trained to meet this demand.

Work over the coming months on the outline of the MDT operating model and the phased introduction of the BSR functions will help to refine this further. This will also inform DLUHC's development of the secondary legislation during 2022 that is needed to implement the new regulatory framework.

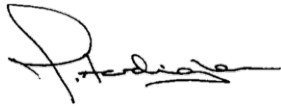
Once the regime is up and running, FRA will be reimbursed by the BSR for FRS contribution to the MDTs and the HRRB regime through a cost recovery mechanism. But clearly an extensive, upfront programme of recruitment and training will be required to build the required FRS capability in time to deliver this additional role, along with exploring how existing capability can be reprioritised and deployed in the meantime. A funding bid was submitted by DLUHC under SR21 for this purpose.

NEXT STEPS

While we await the outcome of the funding bid, there is some work we need to do at pace, in particular start considering and planning the recruitment and training programme. We want to work with you on the design of an FRS delivery model to support the MDT process. This cannot be done in isolation and should be taken forward as part of the current and additionally funded work to enhance FRS capability to meet existing recruitment and retention challenges and implement the new Fire Safety Act enhancements.

We have started the process of engagement to consider the options and best way we may do that and want to make sure that you, FRS protection teams, LGA and others are kept fully updated on developments going forwards. We will bring this back to future Council meetings so that you have an opportunity to ask us both any questions that you may have.

Yours sincerely,



Mark Hardingham
NFCC Chair



Peter Baker
Chief Inspector of Buildings

Document is Restricted

Building Safety update

Purpose of report

For discussion.

Summary

This report aims to update members on the LGA's building safety-related work since the committee's 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: Francis Saukila
Position: NGDP Trainee Adviser (Building Safety Policy)
Phone no: 020 7665 3874
Email: Francis.saukila@local.gov.uk

Building Safety update

Background

1. Since the committee's last meeting, the LGA has continued to work with the Department of Levelling Up, Housing and Communities (DLUHC) and the Home Office to support building safety reform and the remediation of dangerous buildings.
2. The most significant development has been a statement in Parliament by the Secretary of State for Levelling Up, Michael Gove MP, setting out the government's new approach to building safety with plans to protect leaseholders and make developers and companies pay to fix the cladding crisis.
3. The Building Safety Bill is currently at the committee stage in the House of Lords, and the Fire Safety Act is yet to commence.

Remediation

Progress

4. Progress continues to be made in carrying out remediation of all identified high-rise residential and publicly owned buildings in England with combinations of aluminium composite material (ACM) cladding and insulation found not meeting the building regulation standards.
5. [Statistics](#) published by the Department for Levelling Up, Housing and Communities show that as of January 2022, 93% of all identified high-rise residential and publicly owned buildings in England had either completed or started remediation work to remove and replace unsafe Aluminium Composite Material (ACM) cladding.
6. The Department for Levelling Up, Housing and Communities has also launched [a new online service](#) to help leaseholders track the remediation of their property.
7. Under the Leaseholder and Resident Service, those living in tower blocks will have access to updates on the status of their building's application to the government's Building Safety Fund.
8. It is hoped the service will speed up the process of removing unsafe non-ACM cladding from the highest risk buildings, force building owners to be more transparent, and expose those who have failed to take action to make their buildings safe.

Future Policy

9. The Building Safety Regulator will not be in a position to drive remediation until 2024 at the very earliest. In the meantime, DLUHC is developing a strategic approach to remediations as the LGA has called for. As part of this process, a remediation partners group which has met on an ad hoc basis for a couple of years, has been formalised,

bringing together the LGA, National Fire Chiefs Council and the Home Office under a DLUHC chair. The purpose of the group is to drive the pace at which the residential building stock is remediated by building owners in response to emerging issues following the Grenfell Tower Fire, through effective local regulatory activity. It does this by:

- Identifying barriers to remediation that are relevant to regulators and their remedies.
- Identifying barriers to effective regulation and their remedies.
- Identifying and promoting ways in which regulators can support effective remediation, including through joint working.
- Identifying and promoting ways in which DLUHC (and government more widely) and other meeting members can support regulators' performance.
- Building positive relationships.

10 The Board will:

- Consider and action activity to progress remediation, mitigate risks and ensure owners' actions are proportionate.
- Identify any areas/regions or buildings that may require further support. Consider actions to progress remediation.
- Discuss policy issues across regions.
- Share information among members.
- Receive relevant, available, data on remediation and interim measures.
- Consider relevant data: remediation progress/fund progress/interim measures.
- Report to The Partnership Board.
- Inform the Fire Protection Board of the Meeting's discussions.

11 Although the detail has yet to be fully worked out, the direction of travel is to assist councils and fire services to coordinate their efforts and to support remediation through inspection and enforcement.

12 To support councils and fire services in this work the LGA is engaged on a number of activities previously reported to the Board:

- a. Hosting a document - [Principles for effective regulation of Fire Safety in purpose-built blocks of flats](#) - drawn up by sector experts led by the LGA and NFCC, to assist council private sector housing enforcement and the fire service to work together to inspect and enforce in relation to dangerous cladding. The text was completed in December last year and the document is in the process of being uploaded onto the LGA website
- b. Commissioning six case studies of joint working. These have been commissioned and at least three will be published by the end of March.
- c. Holding two webinars on joint enforcement in March.
- d. Discussing the funding of the Joint Inspection Team next year with DLUHC with a view to significantly expanding it. This is overseen by the JIT Programme Board. The JIT will continue at a minimum of the same size and activity level in

2022-3 as it has done this year. Discussions are underway over a possible expansion.

- e. Liaising with DLUHC who are planning to write to councils setting out priorities shortly.

Fire Protection Board

- 13 The Fire Protection Board (FPB) was established in 2019 with a task of overseeing the Building Risk Review (BRR). The BRR fulfilled a ministerial commitment to have the fire service inspect or assure every residential building over 18m by the end of 2021. It was always recognised that this was a challenging task, especially in London – and one made more complicated by the inaccurate data available on building locations and numbers.
- 14 Nevertheless, the fire service completed the task on time, which is a considerable achievement, making an important contribution to resident safety and collecting a significant amount data, which will inform the work referred to above. The LGA has worked closely with the National Fire Chiefs Council, the Home Office and DLUHC to support this work through the FPB.
- 15 The BRR work has demonstrated the need for a data system to bring together the information on buildings over 18m in a way that supports effective enforcement. LGA and NFCC have made the case to DLUHC for this resource to be developed as a priority and the response has been positive. A report will be going to the Fire Protection Board later this month
- 16 The success of the BRR has raised questions about whether there should be a follow up exercise aimed at medium rise (11-18m) blocks. However, there are believed to be at least six times as many of these. It is therefore unlikely that the same approach will be taken, and initial work is being undertaken to try and establish an effective method of sampling to estimate the size of the problem and prioritising buildings.
- 17 The report of the Building Risk Review should be published in shortly.

Challenges

- 18 Although the direction of travel is one previously called for by the LGA, there are some potential shortcomings
- 19 The Government has not announced support for leaseholders over the cost of non-cladding remediation. This can be reduced by proportionate remediation, but not eliminated. The Government appears to think it can rely on extending the Defective Premises Act to allow leaseholder to sue developers, but LGA officers do not expect this to work.
- 20 The Fire Safety Act has still not commenced. The Act implicitly requires Responsible Persons to know what their cladding system is made of. Regulations that are to be made under it will require them to tell the FRS. The Act ensures FRSs can take enforcement action in relation to cladding. The delay in its commencement will hamper enforcement.

- 20.1 Despite LGA representations, PAS 9980 which replaces the Consolidated Advice Note as advice for building owners, contains the following:

Prior to the amendment of the Fire Safety Order [19] by the Fire Safety Act 2021 [20], it was considered necessary to use the powers under the Housing Act 2004 (as amended) [25] to enforce requirements for remediation of hazardous cladding by use of the housing health and safety rating system (HHSRS). It is anticipated that, following the introduction of the Fire Safety Act 2021 [20], it might now be more appropriate to use the powers granted by the Fire Safety Order [19] for this purpose. Accordingly, in this PAS, the focus is on conformity to the Fire Safety Order [19], and the underlying principles of the Order, rather than the alternative approach adopted under the Housing Act 2004 (as amended).

- 21 This appears to be wrong in law and could undermine enforcement using the Housing Act. The Group Chair has written to the Minister and we await a response.

Reforms

Building Safety Bill leaseholder costs

- 22 New measures that will force industry to pay to [remove cladding and protect leaseholders](#) from high costs were unveiled by the Secretary of State for Levelling-Up as part of proposed amendments to the Building Safety Bill.
- 23 Under the plans, developers and manufacturers would be blocked from the housing market by being refused planning permission and building control sign-off if they did not help fix cladding safety issues.
- 24 New powers would also allow cladding companies to be sued and subject to fines for defective products, and protections for leaseholders would be extended to cover other fire safety defects.
- 25 The proposed measures align with the LGA's fundamental asks: that the construction industry, developers, and manufacturers should pay for the cladding crisis. However, the details of the measures – in particular – the precise definition of developer, have implications for social housing. The LGA is assisting DLUHC in identifying the implications of policy options and is lobbying to protect the housing revenue account and to avoid social housing tenants being required to pay for to solve the building safety crisis.

Levelling Up Select Committee

- 26 The Secretary of State for Levelling Up appeared in front of the Levelling Up Select Committee. This is part of the Committee's Inquiry on building safety remediation and funding. It looked at the announcements previously made by the Secretary of State about forcing industry to pay to remove cladding and protect leaseholders from high costs.

- Told MPs the taxpayer may have to pay more to make buildings safe as it was proving difficult to get companies who made combustible materials to pay to fix the building safety crisis.
- Promised to limit leaseholders' bills for non-cladding costs to a maximum of £15,000 in London and £10,000 elsewhere. Contributions to things like waking watch would be set against the cap.
- The withdrawal of the Consolidated Advice Note would eliminate EWS forms overnight. It was estimated 5% of properties would require External Wall System (EWS) forms. The Government was looking at other ways to provide lenders with assurances about fire safety.

Building Safety Bill House of Lords

- 27 The Building Safety Bill is currently in the House of Lords at the [report stage](#). The report stage gives all members of the Lords a further opportunity to examine and make amendments to a Bill.
- 28 The LGA has four core asks around the Building Safety Bill at present. These are addressed in order of priority below.
- a. We ask that the Government distinguish developers and local authorities to ensure Housing Revenue Accounts (HRAs) are not forced to choose between remediation and essential services.
 - b. We ask that the construction industry, as well as developers and manufacturers, should pay for the crisis.
 - c. It is essential to expand the scope of the Bill so that the more stringent building safety framework applies not just to buildings over 18 metres but also to those under 18 metres where those buildings are multiple occupancy dwellings.
 - d. Councils must be funded to deliver the Building Safety Regulator (BSR). The current BSR structure means enforcement and inspection activity will, in practice, be conducted to a large degree by councils and fire and rescue services. The LGA remains concerned at the prospect that the Government is not providing sufficient funding to allow the fire service to expand its capacity to the extent required to deliver the Building Safety Regulator's functions adequately. This is the subject of another paper.
- 29 The LGA'S complete submission to the House of Lords at the committee stage can be found [here](#).
- 30 The LGA has tried to push through two amendments to the Building Safety Bill:
- a. An amendment to Clause 57 ensures that the planned Levy does not apply to social housing. The Levy is designed to cover the cost of government support for the remediation of unsafe cladding. This support is provided to leaseholders in buildings with unsafe cladding systems,

either through the building safety fund or through a system of low-cost loans for buildings under 18m. For the most part, this support is not available to social landlords. Except for buildings with ACM cladding, social landlords have been denied access to these funds. For councils, these remediation costs, therefore, fall on the Housing Revenue Account and must be recouped either through rent increases or by diverting funds away from improvements to council housing or the provision of new council housing. If the Levy is imposed on councils, it will increase the cost of building or refurbishing social housing or increase rents. Yet, the benefits to funds will not be available to the tenants who would otherwise have benefitted from lower rents or better housing.

- b. The Building Safety Bill fails to apply the gateway system to buildings under 18 metres. This will create a two-tier system where buildings under 18 metres will face less rigorous safety regulations than those over 18 metres. However, height is a crude determinant of risk. Therefore, we have called for an amendment requiring buildings under 18 metres to pass through Gateway 2 and Gateway 3 (The Bill does not cover gateway One). We also seek to ensure that the local authority is the building control authority for the Gateway system under 18 metres, to remove developer choice. By eliminating the right of developers to pick their own regulator for buildings over 18 metres, the Government has acknowledged the damaging impact this has had on safety. Local authority building control will deliver most of the Building Safety Regulator's building control services in relation to buildings over 18m; our amendment provides the same reassurance to those living in lower buildings without overburdening the new regulator.

- 31 The LGA hopes to promote a further amendment protecting social housing tenants from the costs of remediation.

House Of Commons Oral Evidence by Cllr Rachel Blake on behalf of the LGA

- 32 Cllr Rachel Blake gave [oral evidence](#) in the Commons at Levelling Up, Housing and Communities Committee (Building Safety: Remediation and Funding) on behalf of the LGA.
- 33 The committee was looking at the Secretary of State's statement on [10 January](#) about potential new ways of raising money and which buildings might be affected.
- 34 Several concerns were raised on behalf of councils.
 - a. The first is about fire safety costs that do not come under cladding. These costs are equally burdensome and are related to cladding remediation works in some cases; therefore, should be added to any remediation cost funding formulas.

- b. The second is that leaseholders are not the only victims of the construction industry's failure to build safe homes. Government should also seek ways to cover the costs of social landlords because failure to do so is exposing housing revenue accounts.

The LGA also sent in written evidence to the committee.

Fire safety act

- 35 The Fire Safety Act is still yet to commerce.

Grenfell Fire Inquiry

- 36 The Inquiry into the Grenfell Tower fire is still ongoing. The Inquiry was created to examine the circumstances leading up to and surrounding the fire at Grenfell Tower on the night of 14 June 2017. The Inquiry is currently hearing evidence on the role of the central government in establishing the legislative regime and formulating guidance on how to comply with it. Officers continue to follow events at the Inquiry.

Implications for Wales

- 37 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

- 38 Although the LGA has set up the Joint Inspection Team, the cost of doing so is being met by DLUHC. 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 community's team to support the LGA's building safety work.

Next steps

- 39 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 report 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

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PENSIONS

Age Discrimination Remedy – Home Office consultation

1. On 8 November 2021, the Home Office launched a consultation on the amendments to the pension scheme regulations to deliver the first set of changes to remove the transitional protections from the FPS 2015: [Amendments to the firefighters' pension schemes in England 2022 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/amendments-to-the-firefighters-pension-schemes-in-england-2022)
2. This includes how the Home Office will ensure that all members of the Firefighters' Pension Schemes who continue in service will be members of the reformed scheme from 1 April 2022. This means closing the legacy schemes to future accrual from 31 March 2022, so that all members are treated equally for future service. This involves moving any remaining legacy scheme members - i.e. those who had received full transitional protections - into the reformed scheme from 1 April 2022.
3. These changes enact the policy announced in February of this year and are consequential to the provisions in the [Public Service Pensions & Judicial Offices Bill](#) (PSPJO Bill) currently before Parliament. The Bill is expected to receive Royal Assent this week.
4. On 2 January 2022, the [LGA submitted its response to the consultation on the prospective changes](#).
5. The consultation response is due to be published on 8 March 2022, and we expect the amending regulations to be laid shortly afterwards.

Legal cases related to pension matters

6. Members are aware of the range of legal cases brought against FRAs (supported by the FBU) that fall broadly under the category of the McCloud/Sargeant litigation. As they were named as respondents in the cases, Fire and Rescue Authorities (FRAs) had to submit defences. The defences continue 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 national employers' Advisory Forum legal adviser, national employers' secretariat, and from the LGA its Corporate Legal Adviser and a Senior Employment Law Adviser.
7. The details of each category have been covered in previous reports. Therefore, each category is covered in short below, together with the current positions:
 - (a) McCloud/Sargeant – this is the main category and concerns 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).

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 (a request to appeal was rejected by the Supreme Court).

Current position - an interim [Order](#) on remedy was agreed by all parties. It does not bind the parties beyond the limited interim period before the final declaration. 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 1992 FPS. While the Order anticipated that the final determination on the remedy issue in regard to membership of the 1992 FPS would be resolved in 2020, the main remedy hearing is now listed to take place on 13 – 28 October 2022. Pending that remedy hearing an Order in substantively the same form as the interim Order remains in place.

- (b) Another related category of employment tribunal claims has been issued by the FBU against fire and rescue authorities on behalf of firefighters. 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.

Current position – Working together with Bevan Brittan, the solicitors acting for FRAs, we coordinated the defence of those claims on behalf of FRAs.

- (c) More recently the FBU issued another batch of employment tribunal claims for its members who had not brought claims before. Those claims are broadly of the same type of claims that have been brought previously

Current position – Working together with Bevan Brittan, we are coordinating the defence of those claims on behalf of FRAs.

- (d) Claims 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. 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.

Current position – Working together with Bevan Brittan, we co-ordinated the submission of defences and the cases are currently stayed.

- (e) *Matthews & others v Kent & Medway Towns Fire Authority & others* - 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. 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. The LGA acted for FRAs through the auspices of the National Employers.

Defence of the pensions aspect of the case was led by 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"). A time-limited options exercise took place between 2014 and 2015 to allow eligible individuals to join the FPS. While the benefits awarded to special members largely mirrored the benefits under the FPS 1992, the FPS 2006 was amended as the FPS 1992 was closed.

Current position - 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. FRAs are aware that this will necessitate a second options exercise.

Negotiations on the scope and mechanics of the settlement are we hope now reaching the final stages and we will provide a further update in due course. Regulations will be drafted by the Home Office and consulted on following the conclusion of the legal discussions.

8. Legal costs in relation to the above cases are currently shared between FRAs. 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, and a formal letter was sent to UK governments on behalf of FRAs. Discussions have taken place between the Home Office and LGA officers as representatives of the FRAs to discuss the costs issues.

Immediate Detriment Framework

9. Members will be aware of the Memorandum of Understanding and Immediate Detriment Framework agreed with the FBU on 8 October 2021. Guidance was also developed and released to FRAs at the same time.
10. The following month, the Home Office withdrew its informal and non-statutory guidance on processing certain kinds of immediate detriment case ahead of legislation, with immediate effect. The guidance was originally issued on 21 August 2020 and updated on 10 June 2021.
11. The Home Office stated that, although the decision remains for scheme managers to make, it does not advise schemes to process any immediate detriment cases before legislation is in place, given in its view the risk and uncertainty of correcting benefits before the PSPJO Bill, scheme regulations and relevant tax legislation come into force.

12. The LGA and FBU Memorandum of Understanding and Framework were developed in light of the direction of travel of the PSPJO Bill and discussion with government on its intentions. However, this more recent government action is a cause of concern to FRAs who are considering adopting or who have adopted the Framework. Consideration of the government's statements has taken place with legal advisers and Members will appreciate the varying specialist natures of the aspects and the complexity of the issues at hand. Further guidance has been issued to FRAs accordingly.
13. Also of concern is the Home Office's latest position on funding for immediate detriment, which stated that any costs falling outside of the pension account would not be reimbursed. There has never been a guarantee that costs arising from the Sargeant age discrimination legal judgment would be covered by government and therefore its latest action has not changed that. However, the FRAs position has long been that the government must fund all the costs of remedy. The LGA will accordingly continue to seek funding for all the costs arising out of the Sargeant age discrimination pensions claims, whether under New Burdens or otherwise.
14. The LGA is continuing to press the government for further clarification/advice, and we are aware that similar issues are now arising across the other public service schemes. Discussions are also being maintained with the FBU. We will provide a more substantive update as soon as it is possible to do so.

DWP consultation on pensions dashboards

15. On 31 January 2022, the Department for Work and Pensions (DWP) published a [consultation on draft Pensions Dashboards Regulations](#). The consultation closes on 13 March 2022.
16. The purpose of this consultation is to seek views on a range of policy questions relating to the creation of pensions dashboards. An indicative draft of the Regulations is included to show how DWP envisage the policy would be turned into law.
17. Pensions dashboards will allow individuals to see information about all their pensions, including the State Pension, in one place. These draft regulations set the requirements to be met to deliver this and will place a legal duty on pension providers to provide information to the dashboards. The consultation proposes a staging deadline of the end of April 2024 for public service pension schemes, including the FPS. This means that FPS administrators will need to be able to connect to the digital architecture by this date and be ready to provide individuals' data to them via the dashboards.
18. We will be responding to the consultation on behalf of the LGA. Our response will express concern about FPS administrators' ability to meet the staging deadline given the other pressures they face and the data that will be available at that time.
19. We expect the McCloud remedy regulations to come into force from 1 October 2023. FPS administrators will already be under huge pressure at this time, implementing the retrospective part of remedy.
20. We anticipate that the second options exercise for special members of FPS 2006 (Matthews) may be underway by then too, adding further resource pressure on FRAs and

their administrators. We have significant concern that the information available in April 2024 will not reflect both the legacy and reformed scheme benefits that a member could choose from at retirement. This is because the first set of annual benefit statements that will include remedy benefits will not be issued until August 2024. Providing members will incorrect or incomplete information could undermine the credibility of the dashboard and decrease member engagement.

21. For these reasons, our response will state that we are doubtful that a staging deadline of April 2024 is achievable. We will also stress the impact of any costs of connecting to the dashboard on the financial viability of the FRAs.

Scheme Advisory Board (SAB)

SAB response to Home Office consultation

22. As reported, the Home Office has recently consulted on amendments to the pension scheme regulations to deliver the first set of changes to remove the transitional protections from the FPS 2015.
23. On 2 January 2022, the [SAB submitted its response to the consultation on the prospective changes](#).

FPS Remedy 2015 – Your questions answered

24. Following the Scheme Advisory Board (SAB) meeting of 30 September 2021 an action was taken to commission a suite of illustrative member scenarios to provide members with a better understanding of the implications of the McCloud/ Sargeant remedy on their benefits. This is to include a selection of members personas across the schemes, with benefits illustrated at a range of key retirement milestones.
25. Barnett Waddingham was appointed to deliver this work following a successful procurement exercise and as part of the project, proposed a warm-up communication to answer some key concerns or recurring questions that members have about the changes that are due to take place on 1 April 2022 and beyond.
26. We are pleased to present the [FPS 2015 Remedy 'fact checker'](#) which has been in collaboration with the SAB, the Board secretariat, and the Scheme Management & Administration committee. We hope that this document will alleviate some concerns and answer some unknown questions for the FPS membership.
27. This document is intended to be circulated as widely as possible. We have asked FRSs to distribute this within your authorities using your normal communication channels, including uploading to any internal or external member-facing websites as appropriate. The document text has been added as a new page to the [FPS Member 2015 Remedy section](#), with the PDF available as a download.

28. The illustrative scenarios are currently being finalised and will be provided in early March.

FRA remedy self-assessment survey research report

29. The SAB published the [outcomes of the FRA remedy self-assessment survey](#) in December 2022.
30. A [summary of the results and next steps](#) were presented to FRAs and their administrators at the FPS 'coffee morning' session on 9 November 2021, ahead of the full report being published.

Changes to LGA Pensions Personnel

31. We were delighted to welcome Claire Johnson to the team from 24 January 2022.
32. Claire has 12 years' public service pension experience, in the LGPS and Firefighters' Pension Schemes. Claire commenced Local Government employment in 2010 at West Yorkshire Pension Fund, before moving to West Yorkshire Fire and Rescue Service in 2016 where she has undertaken the role of Pensions Manager.
33. Claire's role at the LGA is to provide support to FRAs and FPS practitioners. In addition, Claire will lead the development of national FPS communications.
34. Interviews for the new role of Firefighters' Pensions Adviser – Governance are taking place in week commencing 7 March 2022.

KEY CURRENT WIDER WORKFORCE ISSUES

Pay

NJC for Local Government Services (Green Book)

35. Support staff in fire and rescue services tend to be employed on NJC for Local Government Services terms and conditions (Green Book). Its scope is England, Wales and Northern Ireland. Employee representatives on that NJC are Unison, Unite and GMB. Agreement has recently been reached within that NJC on the pay award effective from 1 April 2021.
36. The settlement provides:
 - An increase of 1.75%
 - Recommencement of the review of Term-Time Only working arrangements, which was paused at the outbreak of the pandemic.
 - Agreement to enter into discussions on homeworking policies, mental health support and maternity etc leave.
37. The usual settlement date within this group is 1 April. A pay claim in respect of 2022 is awaited.

NJC for Local Authority Fire and Rescue Services

38. The scope of this UK-wide NJC is uniformed employees (other than those in Brigade Management roles) The usual settlement date for this (Grey Book) group is 1 July. While early discussions have commenced, we would not expect to receive a claim at this point in time.

NJC for Brigade Managers of Local Authority Fire and Rescue Services

39. The scope of this UK-wide NJC is senior uniformed managers at Chief, Deputy Chief and Assistant Chief Officer levels. The usual settlement date for this (Gold Book) group is 1 January. A pay claim has not yet been received.
40. An annual pay levels survey usually informs pay discussion within this group. Due to the resource pressures within services caused by the Covid pandemic, the NJC did not run a survey last year. However, as things return to normal, we will shortly be issuing the next survey.

LGA, NFCC and APCC Core Code of Ethics

41. The [Core Code of Ethics](#) has been promoted and welcomed across the groups the partnership bodies represent - NFCC, LGA and APCC - since its publication last year. The Core Code and its accompanying guidance was welcomed by the Home Office, as well as by HMICFRS and the Fire Standards Board. A supporting Fire Standard was also launched at that time).
42. FRAs are expected to champion the Core Code and include as part of the scrutiny role its implementation and improvements sought and delivered, Senior managers in each service are expected to ensure that as a first step a gap analysis is undertaken to ensure the principles are at the heart of day-to-day activity and reflected in all policies and procedures. Thereafter to embed the Core Code so that the improvements sought can be delivered.
43. During November 2021, the partnership bodies undertook several well attended workshops with fire and rescue services to complement initial awareness activities and to understand early implementation.
44. From feedback gathered during these workshops, services demonstrated awareness of the Core Code, with most already initiating gap analysis exercises. Additionally, the partnership bodies understand that services are in the process of adapting their local, associated policies to ensure the Core Code is taken into account. Services have considered how best to work with their employees in implementing the Core Code and we understand some services are already at this stage.
45. Looking forward, the partnership bodies will undertake a further “temperature check” with all services. Further workshops will be delivered, this time focussing upon progressing implementation and subsequently delivering the desired outcomes. This will include

sharing of good practices. Discussion will also continue with HMICFRS to understand their approach to inspection of the Core Code.

46. The partnership bodies will continue to raise the profile of the Core Code (including at this year's LGA Fire Conference), and the importance for governance bodies in delivering effective scrutiny in this area.

Fit for the Future

47. 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.
48. Fit for the Future is a partnership piece of work involving the LGA, NFCC and the National Employers (England) who developed the narrative and objectives based on analysis of the evidence available from a wide variety of sources including the outcomes of inspection by Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS).
49. A progress report is covered elsewhere on today's agenda, which includes feedback from the recent engagement sessions with FRA Chairs, Chief Fire Officers and other senior officers.

Inclusive Fire Service Group

50. 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.
51. 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.
52. The monitoring process also captured a range of views comparing original and current perceptions and included a survey of all FRSs; independently run focus groups involving BAME, LGBTQI and female employees and workshops with FRS Equality & Diversity Officers/leads and local trade union representatives. A [full report](#) of the outcomes was issued. (Completion of the analysis to inform the report had been delayed due to resources being diverted to Covid-19 matters.)
53. The IFSG will now consider next steps and discussion is continuing with HMICFRS in respect of England on how best the work of the IFSG can interact with and inform the work of HMICFRS.

Conciliation

54. The National Joint Council for Local Authority Fire and Rescue Services provides a confidential conciliation service when it is proving difficult for industrial relations discussions at local level to reach agreement on one or more proposed changes to terms and conditions. When jointly requested by the parties at local level, the NJC's Joint Secretariat will work with them to endeavour to facilitate a mutually acceptable agreement. Two such conciliations have recently been undertaken and with successful outcomes.

Implications for Wales

55. 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 exceptions in this report are the Core Code of Ethics and Fit for the Future, which apply in England only. The WLGA is one of the four employer stakeholder bodies on the NJC for Local Authority Fire and Rescue Services.
56. The immediate detriment matters raised are the same in Wales where the matter of Section 61 of the Equality Act also applies. Given the work to agree a Framework took place under the auspices of the National Employers, it is also available to Welsh FRAs.



Fire Services Management Committee

Date:	Monday 14 March 2022
Title:	NFCC Update
Presented by:	Mark Hardingham, NFCC Chair
Contact:	chair@nationalfirechiefs.org.uk

1. Purpose

- 1.1 This report provides an update on key work within the National Fire Chiefs Council (NFCC).

2. General Update

Home Affairs Select Committee

- 2.1 NFCC Chair Mark Hardingham attended the Home Affairs Select Committee on 2 March alongside Sir Tom Winsor and Roy Wilsher from HMICFRS. The committee questioned the panel on the State of the Fire and Rescue Service covering a broad range of subjects including the Future of the FRS, Prevention and Causes of Fire, On-Call duty system, Response to the pandemic, Funding and Resilience, White Paper and Reform, Industrial Relations, MTA, Governance, Equality, Diversity and Inclusion, Organisational Culture.
- 2.2 The committee hearing is available here <https://parliamentlive.tv/event/index/a401f4ba-1df0-4646-95cc-dcf8b38cb9eb>

Joint Emergency Services Interoperability Principles (JESIP) Ministerial Board

- 2.3 JESIP is the foundation for all emergency service joint working and is designed to ensure that the multi-agency response is co-ordinated and effective. Recent inquiries into the Manchester Arena bombing and the Grenfell Tower fire have uncovered a range of learning points about how well JESIP is embedded within the emergency services.
- 2.4 The newly established Joint Emergency Services Interoperability Principles (JESIP) Ministerial Oversight Board is a cross-government and emergency services board, responsible for supporting the multi-agency approach to the embedding of JESIP in the emergency services. It brings together the whole emergency service community, with Ministers from the Home Office and Department for Health and Social Care, with the aim of improving how JESIP is embedded and applied during major incidents.

2.5 In recognition of the multi-agency nature of JESIP, the board will be chaired on a rotating basis by the Minister for Security and Borders, Minister for Building Safety and Fire, and Minister of State for Health.

2.6 The NFCC, together with LGA and APCC are represented at the Board.

NFCC Academic Collaboration Evaluation and Research Group - ACER

2.7 Research findings are one of the key drivers for change for all organisations. Every year academics from all over the world publish substantial research related to the fire and rescue service. Additionally, research carried out in other sectors, such as the automotive or building industries, may have equal importance or relevance to UK fire and rescue services.

2.8 In addition, many individuals in the FRS undertake research as part of their continued professional development and further education but the extent to which their research findings are shared and acted upon is limited.

2.9 We have no established and formal route through which research can be gathered, reviewed and analysed to bring it into context for the NFCC or the services. This results in the sector being unaware or having limited access to research which could have implications for, or support the work of, both the NFCC and the services. It also limits our ability to keep up with current evidence-based thinking, act on learning research may highlight, or identify emerging trends.

2.10 In addition, we are not maximising the opportunities available to commission and fund research nor are we coordinating research requests. This may mean we are duplicating research requests, that we are not necessarily prioritising the right research and we may be missing out on opportunities to gain funding and support for research from academia itself or sources outside of the sector.

2.11 To remedy this situation the NFCC have agreed to establish the ACER Group. Many in the academic world are keen to improve this situation and currently there is support for this group from them. Expressions of interest from academics will be sought to chair this group and then, alongside Vice Chair CFO Justin Johnston, the group will invite further academics to join the group alongside NFCC colleagues. The group will be established later this year.

Grenfell Tower Inquiry Recommendations

2.12 NFCC have recently collated updates from every FRS on their progress against the current recommendations from the Grenfell Tower Inquiry. A covering summary report is being drafted which will be presented to the next Grenfell Tower Recommendations Board chaired by the Fire Minister. The survey findings will inform the next Quarterly thematic update on progress against the Grenfell Tower Inquiry Phase 1 recommendations published by the Home Office.

FireKills Campaign – Lets Prevent It

2.13 NFCC and the Home Office have been working in partnership to plan the media advertising for the Fire Kills campaign for England in 2021/22. National advertising began on 21 February and will run for three weeks until 13 March, across TV, radio and social media in England.

- 2.14 The project team was put together in early January and coordinated by NFCC’s Prevention Committee chair, CFO Neil Odin. The team worked to ensure all agreements across the Home Office and creative agencies were in place and commissioned a media planning and buying agency to secure suitable channels for the campaign’s target audiences.
- 2.15 NFCC has a long standing and close partnership with the Fire Kills campaign and were delighted to step in and support Home Office with the delivery of the national advertising.
- 2.16 FRS teams have been asked to schedule social media using the assets and **#FireKills** to support national advertising in reaching local communities. Supporting toolkits can be found here: <https://www.nationalfirechiefs.org.uk/Campaigns>



3. Portfolio Update

People Programme

- 3.1 The People Programme is progressing well and has been scoping the work for 2022/23 with stakeholders including the NFCC HR Forum, Home Office and HMICFRS. The key focus in addition to completing live projects, is to embed the existing products of the programme using Maturity Models as a primary tool, with a further focus on EDI and leadership development.

Project	Update
Leadership	<p><u>Coaching and Mentoring</u></p> <p>As part of the joint procurement exercise along with the Supervisory Leadership Development Programme the contract has been awarded to Coaching Focus who have existing experience providing services to the FRS.</p> <p>The team is building the list of FRS that have coaches or mentors they wish to include on the portal and a pilot group who will test the portal for functionality. Once the portal development is complete it will be submitted for approval by the project and programme board and should be launched in April/May.</p>

	<p><u>Talent Management Framework</u></p> <p>The consultation on the framework completed in December and the team is now reviewing responses and finalising the content. This will be submitted for technical editing, final design and then approval by the project and programme board and should be launched in April/May.</p>
Supervisory Leadership Development	<p>The project recently awarded the contracts for both the portal and the training programme development to Chartered Management Institute. The team will now focus on developing the training programme based on the feedback from the consultation conducted last year and then piloting the programme with FRS.</p>
Direct Entry	<p>NFCC Council has agreed the option to be delivered by the project will be a model direct entry programme funded by individual FRS, with central recruitment and delivery support and coordination from NFCC.</p> <p>The project is now working with a group of early adopters to refine the requirements of both the recruitment process and the training programme. The procurement of a recruitment consultant is underway with the contract being awarded by the end of March.</p>
Equality, Diversity and Inclusion	<p>The development of guidance for the EDI hub continues at pace with consultations for Equality of Access, People with Dementia and Emerging Migrant Communities and toolkits on Gender Diversity, Neurodiversity and EDI Data having recently completed. The full suite of documents will be ready for sign-off, publication and launch in the next quarter.</p> <p>A calendar of EDI notable dates of both NFCC events and national awareness dates will be published shortly. The continuing programme of Lunch and Learns is being planned with a recent session focussing on the Holocaust Memorial Day which was supported by a video created for the day filmed with South Yorkshire FRS.</p> <p>The project has been collating EDI research from across the sector and internationally and will be publishing this in a broader NFCC Research Hub along with a literature review identifying the key findings and also gaps where future research may wish to focus.</p>
Recruitment	<p>The development of content for the recruitment hub is now well underway with the consultation beginning in February using ukfrs.com to ensure user functionality can also be tested as part of the consultation.</p>

Working Patterns	The products of this project are now in the process of being approved for publication, the full toolkit consisting of Working Patterns Case Studies, Case Studies Implementation Toolkit and Research Paper – Challenges in Maintaining On-Call Working Patterns will be launched in the next quarter.
Review of National Occupational Standards	The functional analysis that was previously commissioned by Steering Group has now commenced using the consultant Red Quadrant who intend to complete the work by early April. A survey looking at the current use of National Occupational Standards will support this work and is due out in February.
Evidence Base for Health and Wellbeing	<p>The project has commissioned a piece of research with Nottingham Trent University that will meet the majority of the project deliverables and clarify what the requirements would be for nationally coordinated health & wellbeing support.</p> <p>The project is also collaborating with AFSA on a piece of research specifically relating to suicide prevention that will also provide evidence to support the development of national support.</p> <p>Following on for the Mental Health at Work Symposium supported by HRH Prince William, the project is also maximising the impact of the commitment and related support, working with the Royal Foundation to signpost support and guidance and look for further opportunities</p>

Digital and Data Programme

3.2 The current data priorities for the programme are set out below.

Project	Update
Strategy: Aligning data strategy and developing a national fire data collection system	<p>A review of the current NFCC Digital and Data strategy is underway to ensure alignment with NFCC Fit for the Future strategy and Home Office and HMICFRS data strategies. It is anticipated that the review will produce separate but complementary strategies for both Data and Digital.</p> <p>NFCC engagement has included participation in the NFCC Fit for the Future review workshops as well as engagement with key individuals and workstreams such as the Community Risk Programme and NFCC Data Portal.</p> <p>Extensive engagement with Home Office and HMICFRS representatives has taken place including NFCC hosting strategic stakeholder workshops in December 2021 and January 2022.</p> <p>The programme has secured an initial six-month full-time secondment for the National Data Lead to drive forward the data</p>

	<p>priorities within the programme. This role will also inform and lead the data analytics capability.</p>
National Data Standards	<p>The draft Data Governance and Management Fire Standard was shared for peer review in January 2022, with a wider consultation due to follow later in February 2022</p>
Data Collection	<p>There is agreement between NFCC, Home Office and HMICFRS of the merits of collaborating to deliver a National Fire Data Collection System (NFDCS) that will act as the prime repository for all national fire data sets, readily accessible by key stakeholders to plug their analytics capability into.</p> <p>The two strategic stakeholder workshops referenced above have so far secured agreement on the scope of the system, who will lead and resource the project and an outline timetable for the delivery of the first element. To support this, the DDP has agreed to lead a project to map the current fire data landscape to baseline and inform requirements for such a system.</p>
Data Analytics	<p>The Digital and Data Programme has secured the resources to fund a fulltime NFCC Data Lead and have recruited a secondee into the role for an initial 6 months. The focus of the analytics capability will be to address key NFCC transformation priorities, including gaining access to the third-party national datasets required to inform the new community risk methodology, and evaluating the effectiveness of Fire Standard implementation.</p> <p>As the analytics capability scales it will seek to address wider data and analytics requirements and further establish and embed the designed operational processes to ensure value is being delivered.</p> <p>The ambition for the capability will be to provide national collation, transformation and presentation of key data sets; capturing, prioritising and modelling business use cases from the UK FRS; control and governance to the use of data analytics across the service, and centralisation of relationship management with key central government stakeholders and other organisations.</p>
Engage, Promote, Motivate, Collaborate	<p>Following a successful recruitment campaign, the programme now has a cadre of circa 17 volunteers from the existing fire sector analysts community who are willing to support the NFCC Data Lead in progressing the work of the programme.</p> <p>Planning is well underway for a 'Future of Fire Data' conference to take place in Spring 2022. This will be an opportunity to share developments in the programme and those of its strategic partners, explore the art of the possible, build networks and communities, and to hear from others both within and external to the FRS about innovations in data and analytics.</p>

Community Risk Programme

3.3 The CRP now has five projects in flight; an update on developments is provided below:

Project	Update
<p>Definition of Risk (DoR)</p>	<p>The Project delivered the draft Developing a National Risk Methodology Proof of Concept for Domestic Dwelling Fires in October 2021. The report was approved by the CRP Board and progressed to consultation in November 2021. 37 FRSs responded to the consultation with 34 FRSs stating they would adopt the methodology. Following consultation, minor amends were made to the report to enhance useability, no changes were made to the methodology. The report was subsequently presented to NFCC Steering Group in January 2022, where it received support to progress to publication.</p> <p>Work is now underway to develop risk assessment methodologies for other hazardous events where there is evidence to show there is value in doing so</p>
<p>Community Risk Management Planning (CRMP) Guidance</p>	<p>The guidance project has four pieces of approved guidance that are being loaded to the website: Data and Business Intelligence, Defining Scope, Public Consultation and Stakeholder Engagement, and Equality / Person Impact Assessments.</p>
<p>Economic and Social Value of the UK FRS (ESV)</p>	<p>The final project report was delivered in early January 2022 and approved with minor corrections by the ESV board. Once these minor corrections have been completed and then in turn approved by the ESV board their project will begin the consultation phase.</p> <p>The precise nature of the consultation phase is currently being discussed and formulated. NTU have agreed to continue to support further iterations of the project, in terms of updating formula, providing explanations during the dissemination phase and potential collaboration in future phases.</p> <p>A review of the old “family groups” for use in statistical dissemination has been approved by NFCC Steering Group and is currently being initiated.</p> <p>A procurement process for the next stage of the project, namely the commission of software for individual services to calculate value is live and will be concluded in March.</p>
<p>Competencies for Risk Managers</p>	<p>In December 2021, Exact Consulting were recruited to deliver two Competency Frameworks that will be reviewed by the Project Board in Q4 and shared with the Programme Board for sign-off. They are currently in the initial stage of the consultancy and have been meeting with NFCC stakeholders to define the scope of the frameworks.</p>

Evaluation of FRS Interventions	The project infrastructure is now being developed and an initial Project Board has been recruited. The project team met in February to start scoping project outputs and deliverables.
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Prevention Programme

3.4 The last Prevention Programme board meeting was held on 10 December 2021. A quarterly newsletter has been launched which covers the work of the Prevention Programme, Prevention Committee and the NFCC National Campaigns. An edition was produced in November 2021. This has received positive feedback from Fire and Rescue Services and wider stakeholders

Project	Update
Safeguarding Fire Standard	<p>The Safeguarding workstream is now part of the Prevention Programme as the work is now broader than CYP. It has been agreed to fund part of this work by the programme and a business case has been submitted to the Home Office in relation to legislation change.</p> <p>An over-arching Safeguarding Fire Standard has been finalised and approved by the Fire Standards Board. The programme is engaged with the development of a promotional tool for the new safeguarding fire standard which will be launched with the standard.</p>
Person-Centred Approach Project	<p>A series of regional workshops have been hosted to support the development of the Person-Centred Framework (PCF). All FRS attended a face-to-face regional workshop. An action plan has been set up to take forward the outcomes of the workshops.</p> <p>The PCF project is focussing on data collection, evaluation, building a competency framework and launching a learning tool with key information about a person-centred approach (and safer behaviours) to the sector.</p> <p>An Evaluation Sharing Session was hosted by the programme with 18 Fire and Rescue Services attending. A further session is being held in March 2022.</p> <p>The Prevention Programme is working in partnership with the Home Office to deliver and evaluate the National Fire Kills campaign and extend the work of Staywise.</p> <p>Work has progressed to establish a project group with representatives from the NFCC, Fire and Rescue Services and NHS colleagues on research evidence on the links between mental health, fire ignitions, fire risks, injuries and deaths. This work is being supported by an academic partner and the NFCC Mental Health Board</p>

4. NFCC Protection Policy and Reform Unit (PPRU) Update

- 4.1 This section provides a high-level overview of key pieces of work currently being undertaken by the PPRU.

Protection Uplift Grant

- 4.2 During December the PPRU held Protection Uplift review meetings with all 43 English FRS, to review progress and capture any changes to spending plans, understand any challenges and barriers to spending, and to provide Home Office with assurance that FRS are continuing to spend and have robust plans in place for the balance of their grant funding.
- 4.3 Data was submitted to the Home Office after these review meetings, and it is expected that payment of the second 50% of the 2021/22 Protection Uplift Grant will be made to English FRS in February.
- 4.4 In January all English FRSs completed their Q3 Protection Uplift returns. Analysis and quality assurance of the data is still ongoing, but initial figures suggest approximately £2.9m was spent by services during Q3 2021 – the largest quarterly return to date, suggesting that the PPRU review meetings, engagement, communications and sharing of good practice is having a positive effect on spending.
- 4.5 PPRU are entering into partnership with West Midlands Fire Service to develop the Tymly online portal for capture of Protection Uplift returns moving forward. This will simplify and automate more of the process for FRS and provide a greater level of data analysis for PPRU and Government.
- 4.6 The Minister for Building Safety and Fire intends to write to Chief Fire Officers and ask for their ‘top 3 best practices’ in regard to protection uplift. PPRU have requested input into this letter.

Building Safety Programme

- 4.7 As part of the quarterly Protection Uplift returns PPRU are now collating from each FRS the details of all residential buildings in Interim Measures, on behalf of the Department for Levelling Up, Housing and Communities.
- 4.8 In January the PPRU wrote to the Minister for Building Safety and Fire outlining our position on the provision of Personal Emergency Evacuation Plans (PEEPs). A copy of this letter was also shared with Heads of Protection and Chief Fire Officers/Chief Executives.
- 4.9 A review of the Simultaneous Evacuation Guidance (SEG) began in Q3. Workshops have been held with stakeholders and to date over 400 comments have been received. These are being reviewed with a view to publishing revised guidance in Q1 2022.
- 4.10 The newly established Guidance Technical Group (GTG), chaired by PPRU, has completed consultations with FRS on the Home Office series of Short Guides, with the comments and recommendations now returned to Government to write revised versions ahead of commencement of the Fire Safety Act.
- 4.11 A review of the Purpose-Built Blocks of Flat (PBBF) guide is due to commence shortly.

Building Risk Review (BRR) Programme

- 4.12 The Ministerial commitment to assess all high-rise residential buildings by the 31 December 2021 was met.
- 4.13 A final report including thematic summary for the new Building Safety Regulator and overall review of the BRR programme for Government partners is underway.
- 4.14 Following the Secretary of State announcement on the 4 January that effectively set out revised priorities for the Government Building Safety Programme, and the aspiration to bring forward an additional £4bn of building safety funding from developers, the PPRU have been engaged with government partners on options to assess fire safety issues in medium rise residential buildings (MRRBs). Communications and consultation with FRS on the outcomes of this will begin in the next few weeks.

Service Delivery

- 4.15 The Virtual Learning Environment for Fire Safety regulators has seen an increase in the number of registered accounts, completed courses, and CPD hours logged over the quarter October – December. PPRU continue to drive engagement with the platform, targeting those with the lowest activity, and gather feedback from users to improve functionality.
- 4.16 During Q3, two National Protection Learning Notes and supporting animations were produced on Care Home Staffing and Evacuation, and Collaborative Reporting of Safer Structures (CROSS); an interactive e-learn on Smoke Control in blocks of flats; and a preliminary guidance note on Higher Risk Occupancies.
- 4.17 The Competency Framework for Fire Safety Regulators is now out for consultation with a closing date of 4th March for comments, prior to the review commencing. The comment resolution and review is expected to take between 6-12 months.
- 4.18 Thanks to funding secured through the Regulators Pioneer Fund, West Sussex Fire & Rescue in partnership with the PPRU are producing an interactive Fire Safety Awareness tool for responsible persons (RPs). This will be hosted on the NFCC website.

Title of Paper	Fire Standards Progress Report
Decision or Information	For information
Title and Date of Meeting	LGA Fire Services Management Committee 14 th March 2022
Attachments	None

Summary

This paper provides members of the LGA Fire Services Management Committee (FSMC) with a summary of the progress on the professional Fire Standards. The Fire Standards Board last met formerly on 8th December.

Recommendations

Members are asked to:

- note the contents of this report for information;
- provide ongoing support to officers in enabling and empowering them to engage in the development and implementation of the Fire Standards both in production and when published; and
- encourage the monitoring of the benefits of the Fire Standards in their services.

Current Status

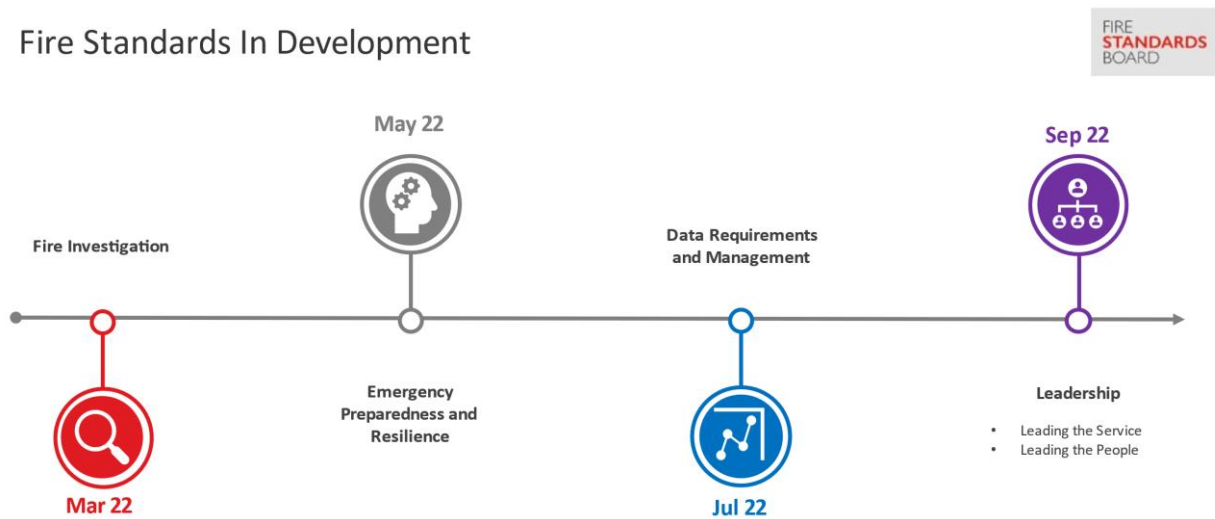
There are now nine published Fire Standards which are available on the [Fire Standards Board](#) (FSB) website and shown in the timeline figure below. The latest standard launched was Safeguarding in January.

Published Fire Standards



A second phase of Fire Standards development is underway, shown on the timeline diagram below, followed by a summary of the current status by standard:

Fire Standards In Development



Development Update

Fire Investigation

- Consultation on this standard completed in December 2021.
- Analysis of results has taken place and minor amendments made to the version presented to Board in December which was signed-off to commence QA.
- QA was completed and the Board has since approved the Fire Standard for publication.
- Expected publication by the end of March 2022.

Emergency Preparedness and Resilience

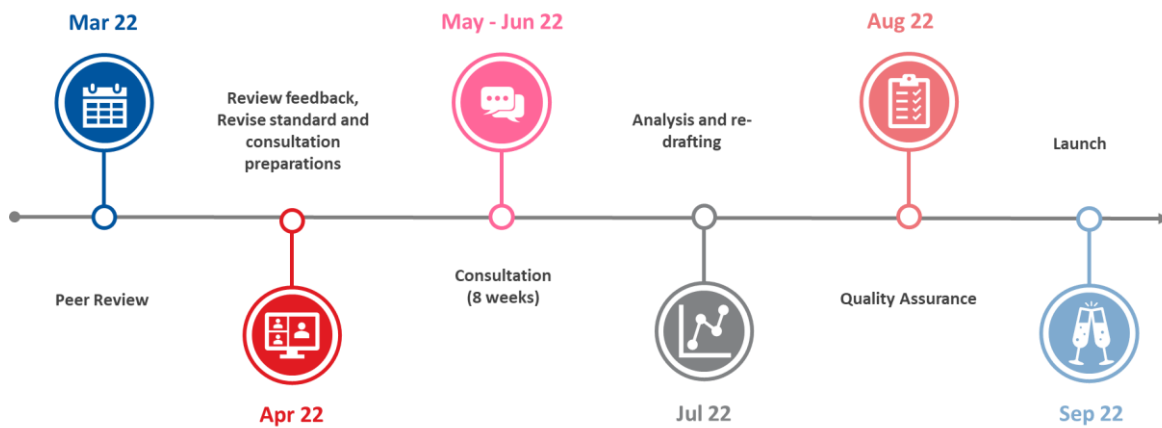
- A draft standard was produced in October and a peer review on the draft standard took place in November.
- Following peer review the change of name from *Emergency Planning* to *Emergency Preparedness* was agreed. The rationale for this was that planning was one element of emergency preparedness.
- Consultation on this standard completed in February 2022.
- Expected publication by May 2022.

Data Requirements and Management

- An early draft standard has been produced and peer review has been completed.
- Consultation is scheduled to commence in March 2022.
- Expected publication by July 2022.

Leadership Fire Standards

- Development work started initially based on three Fire Standards. Following feedback in January 2022, these Fire Standards have evolved again and been consolidated into two Fire Standards.
- The Two Fire Standards will cover the following;
 - **Service Leadership** (formerly “well-led” organisation) – setting out what an organisation that is well-led would look like and expectations of operational leaders and their behaviours
 - **Service Management** – setting out what an organisation who looks after and supports its people and workforce looks like
- Following the progress report provided to the FSB at its December 2021 meeting, both the LGA and APCC have been provided the opportunity to comment on the standards in their early stage of development.
- It has been acknowledged that given the nature, breadth and importance of these Fire Standards, more time has been allowed for both peer review and consultation and a new timeline has been developed which is shown below:



- For background, the original scope of the Leadership and People Fire Standards is shown in the figure below:

Enabling Activities - Leadership and Workforce Fire Standards

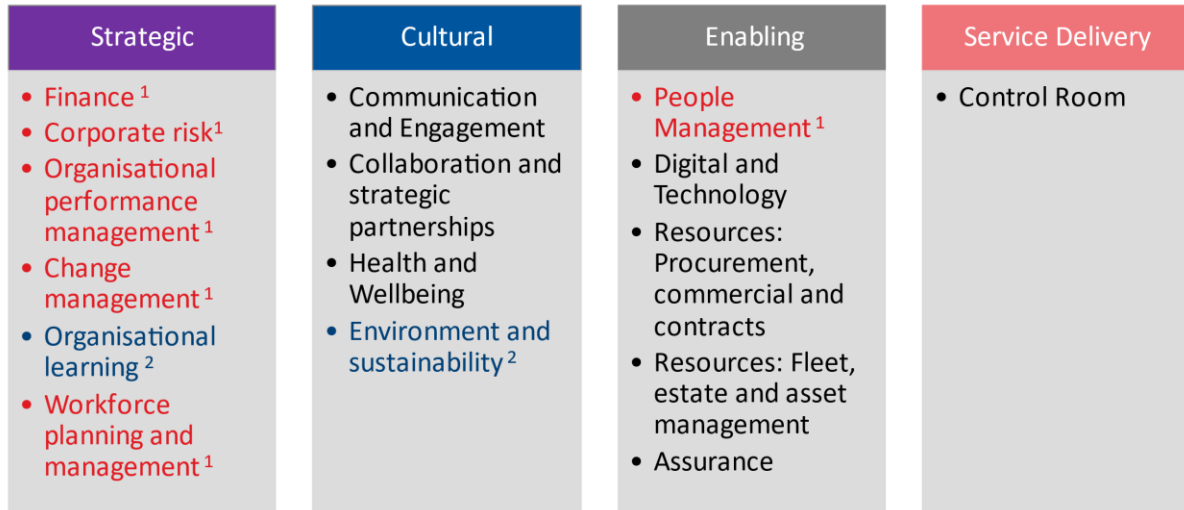


Leadership and People Fire Standards			People Programme Projects / Outputs which support
Service Leadership	Developing Leaders	Service Management	
<ul style="list-style-type: none"> • Corporate Planning • Finance • Risk • Performance Management • Change Management • Organisational Learning • Workforce planning • Business continuity • Link - Emergency planning and Resilience • Environment and sustainability • Health & Wellbeing • Employee & industrial relations 	<ul style="list-style-type: none"> • Management & leadership development • Executive • Middle Management • Supervisory • Talent management • Career pathways and Succession planning (Leadership and Management) • Individual Performance Management • Appraisals / 360 	<ul style="list-style-type: none"> • Recruitment & selection • Induction & support • Competencies & fitness • Skills acquisition & maintenance • Contracts, pensions & pay • Learning & development (i.e. apprenticeships) • Career pathways and Succession planning (non leadership and specialisms) • Individual Performance Management • Disciplines & grievances • Appraisals • Technical Assessments • Leave arrangements • Retirement support • Secondment / career breaks 	<ul style="list-style-type: none"> • Working patterns • Recruitment • Health and Wellbeing • Competence (in Review of NOS) • Leadership Programmes <ul style="list-style-type: none"> • ELP • Supervisory • Middle Management • EDI <p>Developing Leaders</p> <ul style="list-style-type: none"> • Direct entry • Coaching and mentoring • Leadership Framework • Leadership and Management Core Learning pathway • Coaching and Mentoring • Talent management toolkit • Maturity Models
<p>Linked Fire Standards</p> <p>CRMP Safeguarding Code of Ethics Developing Leaders Service Management</p>	<p>Linked Fire Standards</p> <p>CRMP Safeguarding Code of Ethics Service Leadership Service Management</p>	<p>Linked Fire Standards</p> <p>CRMP Safeguarding Code of Ethics Operational Competence Service Leadership Developing Leaders</p>	

Remaining Areas for Consideration

The figure below shows the remaining areas for consideration for possible Fire Standards.

Areas remaining for consideration for Fire Standards



1 - Fire Standards for leadership and people
 2 - Cross cutting themes not stand alone Fire Standards

It will not necessarily follow that a single Fire Standard will be developed for each activity listed above, but these are the areas of activity that remain outstanding. Discovery work and research in each area will help clarify and confirm what standards may be developed in a third phase. Proposals will be made to the FSB in April 2022.

It is anticipated that the full suite of standards will total approximately 20.

The FSB has a defined periodic review process in place following publication of a Fire Standard but can initiate an exceptional review should the need arise.

Implementation support

The FSB, through the NFCC Fire Standards and Implementation Teams, will be continuing to support services as they work to achieve the Fire Standards. Implementation tools are provided with all published Fire Standards.

Impact and Benefits Realisation

The FSB are keen to understand the impact of the Fire Standards now that the first standards have been published. As part of both the development process and the consultation on each Fire Standard we ask services about potential impacts.

The FSB will be undertaking engagement activity with services during the summer 2022 to help better understand impacts and review progress to date.

Background notes for information

The Fire Standards Board (FSB) is responsible for the identification, organisation, development and maintenance of professional standards for fire and rescue services in England. Led by an independent Chair and Vice Chair, 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 FSB continues to meet regularly to review the progress made on Fire Standards development. Its next meeting is scheduled for 4 April 2022.

Given the various stages of development required and the time needed for engagement with services in the early stages as well as through formal consultation, development work and publications are staggered. This is primarily done to align capacity and resources in a considered way, but also to pace the rate at which standards are released to services.

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

Services should now be aware of the requirements being placed upon them through these Fire Standards. Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMCFRS) will be referencing the standards in their inspection arrangements and therefore services should be prepared to evidence their progress towards achieving them.

The Fire Standards Board would welcome and appreciate the support of fire authority chairs and members in:

1. ensuring their services are enabled to engage in Fire Standards by releasing their subject matter experts to support development work and peer review through the NFCC where appropriate and feasible.
2. respond to the Fire Standards consultations as they are published; and,
3. support activities to achieve those Fire Standards through implementation once approved and published.

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.

Contact officer: Lucy Ellender
Position: Senior Adviser
Phone no: 07917 833058
Email: Lucy.Ellender@local.gov.uk

Fire Services Management Committee Update Paper

Fit for the Future workshops

1. The LGA, NFCC and National Employers (England) held three workshops in February to input into the reshaping of Fit for the Future, following the strategic workshops we held in November. The workshops were themed, with one on service delivery, another on people and culture and a final one on national support tools. A further report on the next steps on Fit for the Future is available in Item 5.

Police and Crime Commissioner Review – Written Ministerial Statement

2. On 7 March the Home Secretary released a [Written Statement on Part 2 of the \[Police and Crime Commissioner Review\]](#). The Written Statement included a number of announcements around the role of PCCs, including cementing their role in offender management, improving the way PCCs work with partners to fight crime and support victims, improving PCCs access to criminal justice data as well as looking at the complaints process and activities around improving public confidence in policing.
3. They also made announcements regarding the role of Police and Crime Panels and their role as “critical friends”, improving the recruitment and retention of independent members, as well as looking at whether a regional model could improve the professionalism, quality and consistency of the support provided to panels.
4. The Government has also now confirmed that a consultation on giving PCCs a wider functional power of competence found broad support for the move to give them parity with Fire and Rescue Authorities. They will also be consulting on changes to the Policing Protocol Order. The Policing Protocol Order sets out the roles and responsibilities of bodies and organisations involved in policing, such as PCCs themselves, Police and Crime Panels and Chief Constables.

HMICFRS Inspections

5. The findings of the [HMICFRS inspection of Warwickshire Fire & Rescue Service](#) were published on 12 January 2022. The publication of this report had been postponed due to the sad death of Warwickshire’s former CFO, Kieran Amos, in November 2021. All reports from the first tranche of HMICFRS inspections have now been published.

Outside bodies update

6. [HMICFRS External Reference Group \(ERG\)](#): The ERG met on 10 January 2022 to discuss the recent publication of State of Fire and the inspectorate’s findings as well as ongoing monitoring for causes of concern.

- 7 The Strategic Resilience Board met on 25 January discussing industrial action and national resilience issues.

Latest Fire Statistics

- 8 In the year ending September 2021:
 - 537,039 incidents were attended by FRSs, this was virtually no change compared with the previous year (539,418), a two per cent decrease compared with five years ago (549,637) and a 14 per cent decrease compared with ten years ago (623,107).
 - of all incidents attended by FRSs, fires accounted for 27 per cent, fire false alarms 41 per cent and non-fire incidents 32 per cent, compared with fires accounting for 36 per cent, fire false alarms 42 per cent and non-fire incidents 23 per cent ten years ago.

