

Note of last Fire Services Management Committee meeting

Title: Fire Services Management Committee
Date: Friday 20 May 2022
Venue: Hybrid Meeting - 18 Smith Square and Online

Attendance

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

Item Decisions and actions

1 Welcome, Apologies and Declarations of Interest

The Chair welcomed members to the meeting.

Apologies were received from Mark Hardingham, NFCC Chair. CFO Phil Garrigan deputised.

There were no declarations of interest.

2 Fire Reform White Paper

The Chair invited Jonny Bugg (JB), Head of Home Office Fire Strategy and Reform Unit, and Stuart Harwood, Home Office Head of Governance, to give a presentation on the White Paper.

JB set out the Government's case for the reforms proposed in the White Paper, with Covid 19, HMICFRS inspection reports and the Grenfell Tower and Manchester Arena disasters all highlighting the need for change in how FRSs are run. JB briefly ran through some of the proposals in the White Paper under 3 headings:

- 1) Professionalism
 - Establishing an independent College of Fire & Rescue
 - Introducing minimum entry requirements and development schemes
 - A mandatory 21st Century leadership programme
- 2) People
 - Carrying out a review of the pay structure
 - Defining the role of a firefighter
 - Unlocking talent and diversity
 - Developing a firefighter's oath
- 3) Governance
 - Transferring FRA functions to a single elected (ideally directly-elected) individual

- Introducing operational independence for CFOs
- Separating strategic Fire and Rescue Plans from operational Independent Risk Management Plans.

JB stressed that the Home Office was keen to work closely with local areas, particularly around governance reform, to try and come up with solutions that were acceptable to all parties. He encouraged members to respond to the consultation which would be running until 26 July. Regional roadshows would also be organised.

Lucy Ellender (LE), LGA Senior Adviser, expanded upon the proposed governance changes and their implications for FRAs and highlighted the table in the White Paper on potential demarcation of responsibilities between the political (executive) leader and the Chief Fire Officer (CFO). LE explained that the White Paper poses the question of whether, apart from combined authority mayors and PCCs, there is anyone else who fire governance could be transferred to that would fit the Government's vision. The LGA had done some preliminary work on what could be possible within the current framework of Combined Fire Authorities (CFAs) and had sought legal advice. This would be brought to the Fire Commission on 10 June for further discussion.

The Chair urged any members/FRAs submitting responses to the consultation to copy in Lucy at the LGA so these could be taken into account in the LGA's own response.

Members' comments and questions:

- Members agreed that it would be helpful for the LGA to share its work on alternative governance options at the Fire Commission.
- Members welcomed the decision by the Minister not to include mandation of governance transfer to PCCs and/or Mayors in the White Paper but queried whether CFAs would be forced to adopt a new model. There was evidence from HMICFRS that CFAs were working well in many areas and so abolishing them was considered unnecessary. PCCs still had very little public recognition and turnout in PCC elections remained very low and so the value of transferring fire governance to them was a moot point. The link with the Levelling Up White Paper and its proposed expansion of the Mayoral model of local government was also discussed in relation to fire governance. Reservations were expressed about how the proposals would achieve the Government's stated aim of simplifying governance of fire. In response to these points, JB stressed that this was a consultation process and the Home Office wanted a dialogue with local areas about what would work best within the parameters set in the White Paper. The original plans for mandation would have simplified governance significantly but the Government had listened to people's concerns. The Levelling Up White Paper would clearly impact on fire governance and would need to be taken into account in the final proposals.
- The importance of having effective scrutiny of executive functions was emphasised. The example of Gloucestershire County Council, where an executive Cabinet Member is scrutinised by a committee of elected members, was cited as a strong governance model. With a single, directly-elected individual there was a danger of

personality clashes with the CFO and no effective mechanism for holding them to account. JB recognised that effective scrutiny was happening in some areas and that the Government didn't want to lose this expertise.

- It was considered important that Government make it clear that operational independence could not mean that CFOs would be able to instruct their employees to carry out any task they saw fit. Employment law and terms and conditions would still need to be followed, unless secondary legislation was introduced to specifically change this. JB agreed but stated that it was important that CFOs had the flexibility to respond to fast-changing situations.
- The White Paper relates to English FRAs only yet contains a proposal to review the UK-wide National Joint Council (NJC). How would this work in practice? JB confirmed that they would be working with colleagues in the devolved administrations to resolve this.
- On minimum entry requirements, members felt it was important not to lose the ability of firefighters to join, with minimal qualification, and work their way up to the top. JB agreed that social mobility was important and confirmed that graduate entry was not being considered.
- Support was expressed for the proposed College of Fire & Rescue but it was stressed that lessons should be learned from the experience of setting up a College of Policing.
- Members queried why it was deemed necessary to introduce a firefighters' oath. JB said that the oath was about serving the community first and foremost and would be similar to that currently sworn by the Police.
- How would the consultation work in the south-west in terms of dealing fairly with the issue of lack of co-terminus boundaries. JB said that they would be working closely with members in the south-west to try and come up with a workable solution.
- It was suggested that there was an equally good case for having an individual with direct responsibility for ambulance services, given the problems they have been experiencing for a number of years.

Decision:

Fire Services Management Committee **noted** the presentation and **agreed** that the comments made by members be incorporated into the LGA's response to the White Paper consultation.

3 LGA/NFCC Sector-Led Improvement offer

The Chair invited Emily McGuinness (EM) from the LGA Improvement Team, to introduce the update.

EM informed members that the LGA wanted to develop a sector-led improvement offer for FRAs and she was currently consulting members about what this should entail. She had received positive feedback at the Annual Fire Conference in Gateshead and had subsequently had constructive meetings with Simon Davis at the NFCC. EM stressed that there was currently no funding for delivering an SLI offer and so it would require Home Office funding in order to progress. Phil Garrigan, NFCC

vice-Chair, welcomed the joint working with the LGA on this and stated that peer review and sharing best practice were crucial tools in bringing all services up to standard.

EM agreed to forward a presentation on to FSMC members which contained more information about the proposal.

Members' comments and questions:

- It was suggested that the sector was not generally good at sharing best practice and so this needed to be a key feature of the new offer. EM said that sharing best practice is an inherent part of the LGA's improvement work and so this would be reflected in the fire offer.
- Would both officers and members be involved in the improvement offer? EM said that this would depend on what aspect of the service was being looked at – e.g. governance would heavily involve members. EM agreed to circulate a couple of examples of previous peer review reports to give members an idea about what a new offer could look like.

Decision:

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

Actions:

EM to forward presentation and previous peer review reports to FSMC members.

4 Building Safety update

The Chair invited Charles Loft (CL), Senior Adviser, to introduce the update.

CL highlighted two developments on the remediation front since the previous meeting:

- 1) LGA was working with the Department for Levelling Up, Housing & Communities (DLUHC) on identifying 'missing' buildings – buildings with interim measures in place where no application had been made to the Building Safety Fund.
- 2) NFCC was carrying out a Medium Rise Risk Review - initially a desk-based review of buildings 11-18m with interim measures. Potentially 6-9,000 buildings will need remediation.

CL reported that the Building Safety Bill had now received Royal Assent. It was still not clear exactly how this would work in practice as the Government hadn't as yet made the required funding available. The Fire Safety Act had also now commenced – Fire Risk Assessments would need to be reviewed using the new prioritisation tool. The majority of the Grenfell Inquiry phase 1 recommendations due to be implemented in January 2023.

Members' comments and questions:

- Clarification was sought on the implications of the Building Safety and Fire Safety Acts not aligning properly. CL explained that there was a danger that landlords would have to do a Fire Risk

Assessment under the Fire Safety Act but which wouldn't necessarily meet all the requirements of the Building Safety Act. In his view, this had not been adequately thought through.

- Members queried whether the Joint Inspection Team was adequately resourced to carry out the work required. CL reported that it had recently received enough funding to triple the number of inspectors, which should enable activity to be ramped up.
- Now that the two Acts had been passed, what should the LGA be concentrating its lobbying on? Mark Norris, LGA Principal Policy Adviser, said that there would be a significant amount of secondary legislation coming forward under the Building Safety Act giving more detail on how the new regime would work in practice, and the LGA would no doubt need to lobby on some of this.

Decision:

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

5 National Fire Chiefs Council update

The Chair invited Phil Garrigan (PG), NFCC vice-Chair, to introduce the update.

PG highlighted the following points from the report:

- The recent deployments and logistical support to the fire service in Ukraine.
- The newly-appointed Chief Operating Officer, Susannah Hancock, who will be starting work on 4 July.

Decision:

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

6 Fire Standards Board update

The Chair invited Cllr Nick Chard and Phil Garrigan to introduce the update. Cllr Chard indicated that they were happy to take questions on the report.

Decision:

Fire Services Management Committee **noted** the update without discussion.

7 FSMC update

The Chair invited Lucy Ellender (LE), Senior Adviser, to introduce the update.

LE highlighted the current HMICFRS consultation on their criteria for the 3rd round of FRS inspections and asked members to get in touch if they had any views. Due to the short deadline (6 June), a response would be agreed through the Lead Members.

Members' comments and questions:

- It was suggested that an additional meeting be held in the Autumn to do some broad horizon scanning of key issues affecting FRAs, such as senior staff retention and pensions. PG said that the NFCC had done some work around CFO turnover which he was happy to share. Members agreed that pensions was a key issue that needed to be resolved and any guidance that the LGA could provide FRAs with would be welcome. It was agreed to put this on the agenda of the next Lead Member meeting for further discussion.
- A request was made for the LGA to look into how many of its member authorities had stopped paying travel expenses for members wanting to attend meetings in person now that hybrid options were provided. It was felt that members should not be discouraged from attending in person in this way.

Decision:

Fire Services Management Committee **noted** the update and **agreed** that Lead Members should look into holding a horizon scanning meeting later in the year.

Action:

Lead Members to sign off response to HMICFRS consultation.

8 Workforce update

Gill Gittins (GG), Senior Adviser (Workforce & Negotiations) and Claire Hey (CH), Senior Fire Pensions Adviser, provided members with a confidential update on workforce and pensions matters.

Decision:

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

9 Building Safety - Personal Emergency Evacuation Plans

Charles Loft, Senior Adviser, provided members with a confidential update on the latest situation with Personal Emergency Evacuation Plans and set out the LGA's proposed response to the latest Government consultation.

Decision:

Fire Services Management Committee **noted** the update and **endorsed** the proposed response to the Home Office consultation.

10 Fit for the Future

The Chair invited Lucy Ellender and Gill Gittins to introduce the update.

LE reminded members that at the previous FSMC meeting they had agreed that the document should be split into two – a high-level strategic narrative and a more detailed research document. The document before members today for agreement was the strategic document. This was structured under 3 themes - Service Delivery; Leadership, People and Culture; and National Infrastructure and Support. Under each of these

themes were a number of improvement objectives and what FRA/FRSs at local level and the partners at national level would do to achieve these. As well as the FSMC, the document would go to the NFCC and the National Employers (England) for agreement.

Members' comments and questions:

- Clarification was sought on the ambitions set out under theme 2, in particular how they related to potential changes to terms and conditions for employees. GG confirmed that these were broad ambitions and that if Fit for the Future was agreed, a process would need to begin to identify and negotiate any specific changes through the usual mechanisms. It could not mean CFOs would be able to unilaterally change employment contracts.

Decision:

Fire Services Management Committee:

- **Approved** the final draft of Fit for the Future
- **Agreed** that the now approved Fit for the Future document could be published (which will be both as a document and online web content)
- **Agreed** that communication of Fit for the Future by the partnership to the wider service and sector can begin.
- **Agreed** that the partnership will continue to support implementation, keep the evidence base up to date and propose amendments to Fit for the Future if needed.

11 Minutes of the previous meeting held on 14 March 2022

Decision:

The minutes of the meeting held on 14 March 2022 were **agreed** as an accurate record.

Appendix A -Attendance

Position/Role	Councillor	Authority
Chair	Cllr Ian Stephens	Isle of Wight Council
Vice-Chair	Dr Fiona Twycross	Greater London Authority
Deputy-Chairman	Cllr Nick Chard	Kent and Medway Fire and Rescue Authority
Deputy-Chair	Cllr Keith Aspden	North Yorkshire Fire & Rescue Service
Members	Cllr Eric Carter	Shropshire and 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 Greg Brackenridge	West Midlands Fire & Rescue Authority
	Cllr Carl Johnson	Tyne & Wear Fire & Rescue Authority
	Cllr Leigh Redman	Devon & Somerset Fire & Rescue Authority

	Cllr Jeremy Hilton Cllr Frank Biederman	Gloucestershire County Council Devon and Somerset Fire and Rescue Authority
Apologies	Mark Hardingham	NFCC Chair
In attendance	Cllr Roger Price Cllr Les Byrom Cllr Jane Hugo Cllr Carolyn Lambert Cllr John Briggs CFO Phil Garrigan Jonny Bugg Stuart Harwood	Hampshire & Isle of Wight Fire & Rescue Authority Merseyside Fire & Rescue Authority Lancashire Combined Fire Authority East Sussex Fire Authority Humberside Fire & Rescue Authority Merseyside Fire & Rescue Service Home Office (for item 2) Home Office (for item 2)
LGA Officers	Mark Norris Lucy Ellender Gill Gittins Claire Hey Charles Loft Jordanne McKenzie- Blythe Emily McGuinness Jonathan Bryant	Principal Policy Adviser Senior Adviser Senior Adviser (Workforce & Negotiations) Senior Fire Pensions Adviser Senior Adviser Programme Support Officer Programme Manager – Local Government Support Member Services Officer