



Fire Services Management Committee

Agenda

Friday, 7 July 2023
11.00 am

Hybrid Meeting - Beecham Room, 18 Smith
Square and Online via Teams

There will be a meeting of the Fire Services Management Committee at **11.00 am on Friday, 7 July 2023** Hybrid Meeting - 18 Smith Square and Online.

LGA Hybrid Meetings

All of our meetings are available to join in person at [18 Smith Square](#) or remotely via videoconference as part of our hybrid approach. We will ask you to confirm in advance if you will be joining each meeting in person or remotely so we can plan accordingly, if you wish to attend the meeting in person, please also remember to confirm whether you have any dietary/accessibility requirements. 18 Smith Square is a Covid-19 secure venue and measures are in place to keep you safe when you attend a meeting or visit the building in person.

[Please see guidance for Members and Visitors to 18 Smith Square here](#)

Catering and Refreshments:

If the meeting is scheduled to take place at lunchtime, a sandwich lunch will be available.

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.group@lga.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.

Fire Services Management Committee – Membership

[Click here for accessible information on membership](#)

Councillor	Authority
Conservative	
Cllr Rebecca Knox (Deputy Chair)	Dorset & Wiltshire Fire & Rescue Authority
Cllr Mark Healey MBE	Somerset County Council
Mr Roger Hirst	Police, Fire and Crime Commissioner for Essex
Cllr Nick Chard	Kent & Medway Fire & Rescue Authority
Substitutes	
Cllr Matt Dormer	Worcestershire County Council
Cllr David Norman MBE	Gloucestershire County Council
Cllr Andy Crump	Wawickshire County Council
Labour	
Cllr Greg Brackenridge (Deputy Chair)	West Midlands Fire & Rescue Authority
Dr Fiona Twycross	Greater London Authority
Cllr Nikki Hennessy	Lancashire Combined Fire Authority
Cllr Carl Johnson	Tyne & Wear Fire & Rescue Authority
Cllr Jane Hugo	Lancashire Combined Fire Authority
Substitutes	
Cllr Darren O'Donovan	West Yorkshire Fire & Rescue Authority
Cllr Les Byrom CBE	Merseyside Fire & Rescue Authority
Liberal Democrat	
Cllr Jeremy Hilton (Vice-Chair)	Gloucestershire County Council
Cllr Roger Price	Hampshire & Isle of Wight Fire & Rescue Authority
Substitutes	
Independent (2)	
Cllr Frank Biederman (Chair)	Devon & Somerset Fire & Rescue Authority
Cllr John Shuttleworth	Co. Durham and Darlington Fire Authority
Substitutes	
Cllr Nigel Smith	North Wales Fire & Rescue Authority

Agenda

Fire Services Management Committee

Friday, 7 July 2023

11.00 am

Hybrid Meeting - Beecham Room, 18 Smith Square and Online via Teams

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4. Spending Review and finance update	
CFO Ben Ansell and Mark Hemming (NFCC) and Emma Lawrence (Home Office) to attend	
5. Efficiency and Productivity - report to follow	
CFO Phil Shillito, Humberside FRS and Emma Lawrence, Home Office to attend	
6. End of Year Review and priorities for 2023/24	9 - 16
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CONFIDENTIAL ITEM

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13. **Fire Reform White Paper response**

Report to follow...

Date of Next Meeting: Friday, 6 October 2023, 11.00 am, Hybrid Meeting - 18
Smith Square and Online

Minutes of last Fire Services Management Committee meeting

Fire Services Management Committee

Friday, 19 May 2023

Hybrid Meeting - 18 Smith Square and Online

Attendance

An attendance list is attached as [Appendix A](#)

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 thanked former councillors Keith Aspden, Eric Carter and Luke Frost for their contributions to FSMC and wished them well for the future.

Apologies were received from Fiona Twycross (substitute Cllr Les Byrom)

There were no declarations of interest.

2	Minutes of the previous meeting - 6 March 2023
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The minutes of the meeting held on 6 March 2023 were agreed as an accurate record. There were no matters arising.

3	On call firefighters
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The Chair invited Steve Healey (SH), Deputy CFO of Lancashire FRS, to address the Committee.

SH gave a presentation on the work of the National Fire Chiefs Council (NFCC) in respect of on call firefighters. He emphasised the vital importance of on-call staff to English FRSs and highlighted the problems of recruitment and retention that the NFCC's project was looking to address. A project business case was being developed including a data-driven analysis to demonstrate the value of on-call firefighters. SH called for the support of FRA members in addressing the challenges and highlighted some of the variations in on-call contracts that had already been developed locally to try and tackle problems with recruitment and retention. However, he stressed that the problems went deeper than just pay and conditions, and the NFCC, with partners, hoped to address this as part of the project.

Members' comments and questions:

- The work of the former on-call group that the LGA took part in with the NFCC was referenced. Cllr Mark Healey, who was a member of this group, called for LGA involvement in any new joint working arrangements. SH confirmed that the work of the previous on-call group would not be lost moving forward. A new strategic board would be set up which would involve key partners. SH invited Cllr Healey to attend the strategic/practitioner forum that would be taking place on 6 June. Gill Gittins (Senior Adviser, Workforce and Negotiations) added that the NJC for LAFRS had just commenced a joint working group on the retained duty system which would also be looking at the issue more widely than pay and conditions. SH agreed that data from the NFCC project would be shared with the NJC joint working group to facilitate its work.
- It was suggested that there was an opportunity to recruit more on-call firefighters from the growing pool of people working from home. SH agreed and added that fire stations could also be opened up as alternative workplaces.
- Many FRs had good local recruitment campaigns but a national effort to raise the profile of on-call opportunities was also needed.
- The importance of regular training for on-call staff was emphasised, not least in respect of EDI. SH agreed that this was vital and suggested that the narrative around firefighting needed to change. Regular training was considered vital for on-call staff and this should be tailored to individual needs.
- Were tax incentives to encourage on-call recruitment and retention being explored? SH said that previous proposals had been vetoed by the Treasury but a new business case needed to be put forward, particularly around incentivising employers to release staff. An 'on call covenant', similar to the 'armed forces covenant' could also be looked at for recognising employers.
- It was suggested that the contractual system for on-call staff needed to have more flexibility in order to help retain staff. For example, minimum hours stipulations were not helpful. SH said that there was currently significant local flexibility in terms of grey book contracts and local arrangements but this issue would be looked at more closely by the NJC working group.

Decision:

FSMC **noted** the presentation

Action:

Further update to be scheduled for Fire Commission on 9 June or FSMC on 7 July.

4 Wildfires and Climate Change update

The Chair invited Rebecca Johnson (RJ), Policy Adviser, to introduce the report.

RJ updated members on the work undertaken since the presentation

given by CFO Paul Hedley, NFCC wildfires lead, at the FSMC meeting in December 2022. This included recent trends in wildfires and problems with data collection. Current options open to local authorities in addressing the causes of wildfires were discussed, including the possibilities for restricting the use of disposable barbeques and associated problems with enforcement. The Government position was that there currently wasn't enough evidence to support a ban on the sale of barbeques, sky lanterns and helium balloons but they were open to discussions with local authorities on additional measures to mitigate risks. RJ ran through current awareness raising campaigns and the opportunities for the LGA to influence these. Adaptation and mitigation measures were highlighted, including tensions between current land management trends and fire risk. Finally, RJ asked for members' views on the proposed one-day evidence gathering session and highlighted that the Climate Emergency Handbook for FRA members was currently being updated.

Members' comments and questions:

- Members agreed that the tension between nature conservation and fire risk needed to be explored in more detail.
- It was suggested that the UK100 group of councils should be involved in the evidence gathering session.
- The difficulty in pinning down specific causes of wildfires was discussed. It was suggested that a principle of general community responsibility should be promoted, possibly as part of the forthcoming White Paper, with FRAs playing a key role in their localities.
- In relation to paragraph 14, a member queried whether it was the intention to recruit suitably qualified fire investigators? RJ agreed to look into this with the NFCC and report back. The importance of having a specific category of wildfire for recording purposes, rather than just 'secondary fire', was also raised
- With the start of the wildfire season imminent, the timing of the release of the revised handbook was queried. RJ replied that this would be issued before the July/August hot weather season.
- It was suggested that the evidence gathering session look at how national messaging could be more effective – e.g. through alerts on news/weather bulletins, or through mobile phone messaging. RJ said that alerts did appear on the Met Office website but these did not currently have a wide audience.
- The cost to FRAs of specialist equipment, training etc. to deal with wildfires and flooding was raised as a significant issue not currently recognised in funding settlements.

Decisions:

FSMC **agreed** the next steps outlined in paragraph 56 of the report.

Actions:

- RJ to investigate issue of qualified fire investigators and report back to Committee
- Officers to recruit a suitable range (political and geographical) of members to take part in the evidence gathering session (Cllrs Hugo, Price and Brackenridge offered their services at the

meeting).

5 **Emergency Service Mobile Communications Programme (ESMCP) update**

The Chair invited Ian Taylor (IT), Senior User and Business Change Lead, NFCC, and Simon Parr (SP), Senior Responsible Owner, Home Office, to introduce the update.

SP updated members on developments with ESMCP since the previous report to FSMC in December 2022. The Competition and Markets Authority (CMA) had published its final report into the Airwave Motorola contract on 13 April and the conclusions and recommendations were not materially different to those reported to FSMC in December 2022 (see minutes of 9 December FSMC for further detail). In particular, the CMA will impose a cost cap to limit the price that Motorola can charge to a level that would apply in a well-functioning, competitive market. The implications of this for FRAs are not yet fully understood and so, as previously advised, FRAs may be best placed not to anticipate any Airwave savings within the current financial year. Re-procurement of lot 2, to replace the Motorola ESN contract, should formally commence in the next few weeks with 4 suppliers showing early interest. Negotiations were progressing well with EE over an extension of their contract for lot 3, which expires at the end of 2024. Given the historic and ongoing problems experienced with the project, full switchover from Airwave to ESN was not now expected for some time, and much later than originally anticipated.

Members' comments and questions:

- Given the critical importance of this issue for FRAs, both operationally and financially, it was suggested that a regular update be brought to every FSMC meeting.
- It was suggested that the data part of the project, which currently worked well, be rolled out straight away, and that the push to voice part, which the fire service is not dependent on, be taken forward as a separate project, perhaps with a lower and less costly specification. SP stated that he hoped to be able to roll out the data part to FRSs by 2025.

Decisions:

FSMC **noted** the content of the report and agreed to wait until the new FSMC membership was determined in July/August to consider the appointment of 2 members to the ESMCP Fire Customer Group.

6 **Culture in the Fire & Rescue Service**

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

LE highlighted the HMICFRS spotlight report on culture and values in the fire and rescue service and, in particular, the recommendations from this that impacted directly on the LGA. The LGA's next steps actions list had

been updated to reflect the comments of members at the FSMC meeting on 6 March. LE then invited Mark Hardingham (MH) and Rob MacDougall (RM) to introduce the NFCC's draft Culture action plan.

MH stressed the importance of adopting a multi-stakeholder approach to addressing the challenges facing the sector. The NFCC recognised that lots of good work had already taken place around diversity and inclusion and, in particular, they were keen to build on the previous work of the Inclusive Fire Service Group. Recent events had demonstrated that much more work needed to be undertaken to transform the working culture in FRSs, and the draft Action Plan was the start of that process.

RM explained the process behind the drafting of the Action Plan and highlighted 2 key workstreams that emerge from it: (i) the creation of a Culture Dashboard Performance Methodology to provide services with a cultural performance benchmarking and monitoring tool; and (ii) the creation of a Challenging Behaviour Toolkit containing information, guidance and best practice. RM then ran through the timeline for the development of, and consultation on, the Action Plan, culminating in its expected publication in July 2023. A governance structure is being put in place to ensure that the Action Plan is delivered and that progress is communicated effectively.

Members' comments and questions:

- Clarity was sought from members on how the Action Plan, and response to the HMICFRS recommendation 13, addressed issues of employment law when employers wanted to take disciplinary action against unacceptable behaviour (and what the role of the FBU should be in this process). RM said that there was a medium-term action in the Plan around exploring options for investigations and hearings. The NFCC were keen for all the representative bodies to be involved in this process and the Inclusive Fire Service Group was a good forum to facilitate it. MH added that the Fire Standards Board would be looking at whether another fire standard would be required in order to achieve some consistency in dealing with disciplinary matters. Existing tools such as the Core Code of Ethics could be used to benchmark behaviour and to recalibrate the level of tolerance of various behaviours.
- The diversity of the group that drew up the Action Plan was queried. RM said that the NFCC were aware that this was an issue for them as an organisation, but conscious efforts had been made to ensure that as diverse a range of delegates as possible took part in the NFCC's Culture Conference, out of which much of the Plan emerged. In addition, an external advisory board had been established by the NFCC to provide robust challenge where needed.
- More information was requested on the Direct Entry programme and how this could improve diversity in the workforce. MH said that 7 FRSs had joined the scheme as early adopters and the level of interest had so far been good, with a diverse range of candidates coming forward. MH offered to bring a further update on the scheme to a future FSMC meeting.
- Members asked whether the NFCC had had sight of the

disciplinary case examples that FRSs had been asked to provide to HMICFRS to inform their work. MH said that he would pick up the findings of the exercise from HMICFRS when they had processed the information as it was not appropriate for confidential personal information to be passed to him directly.

The Chair concluded by encouraging members to sign up to attend the LGA's one-day culture conference on 27 June.

Decision:

FSMC welcomed the NFCC's draft Action Plan and agreed the revised next steps set out in paragraph 37 of the report.

Action:

Schedule an update on the Direct Entry programme for a future FSMC

7 **Building Safety update**

The Chair invited Mark Norris (MN), Principal Policy Adviser, to introduce the update.

MN indicated that he was happy for the update to be taken as read but added that there were likely to be some further developments with regard to the Building Safety Regulator which he would update members on at either the Fire Commission in June or FSMC in July.

Decision:

FSMC **noted** the update.

8 **Workforce and Pensions update**

The Chair invited Gill Gittins (GG) (Senior Adviser, Workforce and Negotiations) and Elena Johnson (EJ) (Acting Senior Adviser, Pensions) to introduce the update.

GG indicated that she was happy for the report to be taken as read and to take any questions as required.

Members' comments and questions:

- An update was requested on the 'new role' work as part of the recent pay settlement. GG said that as indicated in the National Employers offer letter which had resolved the pay dispute, an initial update would be brought to the employer' and joint meetings of the NJC on 6 June. Members would recall that work on broadening the role has been suspended following funding issues. Discussions were taking place about how to take this potentially similar work forward now. The Retained Duty System and Pay Progression joint working groups had held initial meetings and considered approaches to their work going forward, which would be taken to the NJC meeting on 6 June for agreement. Background work was already underway to gather evidence to support the groups.

Discussions were in hand at joint secretariat level on the best approach to take to the Control Staff pay differential issue.

- Further information was requested on progress with the gold book negotiations. GG said that a response was still awaited from the Fire Leaders Association (FLA) to the last employers' offer. Cllr Nick Chard, Chair of the Employer's Side, NJC for Brigade Managers, added that the employers had been proactively trying to resolve the issue and had recently held a joint lead members meeting with the FLA to that end.

Decision:

FSMC **noted** the update.

9 National Fire Chiefs Council update

The Chair invited MH to introduce the update.

MH indicated that he was happy for the update to be taken as read and to answer any questions as required.

Decision

FSMC **noted** the update.

10 Fire Standards Board update

The Chair invited Cllr Nick Chard, the LGA's representative on the Fire Standards Board, to introduce the update.

Cllr Chard indicated that he was happy for the update to be taken as read and was happy to take any questions as required.

Decision:

FSMC agreed to:

- 1) note the contents of the report for information;
- 2) 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
- 3) encourage the monitoring of the benefits of the Fire Standards in their services.

11 FSMC update

The Chair invited RJ to introduce the update.

RJ indicated that she was happy for the update to be taken as read and to answer any questions as required.

Members' comments and questions:

- Cllr Byrom reported that it had been agreed in Parliament with cross-party support that the fire service would be added to the



regulations requiring enhanced DBS checks to be undertaken on staff.

Decision

FSMC **noted** the update.

Appendix A -Attendance

Position/Role	Councillor	Authority
Chair	Cllr Frank Biederman	Devon & Somerset Fire & Rescue Authority
Vice-Chair	Cllr Jeremy Hilton	Gloucestershire County Council
Deputy-Chair	Cllr Greg Brackenridge	City of Wolverhampton Council
Deputy-Chair	Cllr Rebecca Knox	Dorset & Wiltshire Fire & Rescue Authority
Members	Cllr Dave Norman	Gloucestershire County Council
	Cllr Mark Healey MBE	Somerset County Council
	Mr Roger Hirst	Police, Fire and Crime Commissioner for Essex
	Cllr Nick Chard	Kent & Medway Fire & Rescue Authority
	Cllr Nikki Hennessy	Lancashire Combined Fire Authority
	Cllr Jane Hugo	Blackpool Council
	Cllr Roger Price	Hampshire & Isle of Wight Fire & Rescue Authority
	Cllr John Shuttleworth	Co. Durham and Darlington Fire Authority
	Cllr Les Byrom (sub)	Merseyside Fire & Rescue Authority
Apologies	Dr Fiona Twycross	Greater London Authority
In Attendance	Cllr Matt Dormer	Hereford & Worcester Fire & Rescue Authority
	Mark Hardingham	NFCC
	Rob MacDougall	NFCC
	Steve Healey	NFCC
	Ian Taylor	NFCC/Home Office
	Simon Parr	Home Office
	Jonny Bugg	Home Office
	Susannah Hancock	NFCC
	Steven Adams	NFCC
	LGA Officers	Mark Norris
Lucy Ellender		Senior Adviser
Rebecca Johnson		Adviser
Naomi Cooke		Head of Workforce
Sarah Ward		Principal Adviser, Workforce
Gill Gittins		Senior Adviser (Workforce and Negotiations)
Elena Johnson		Acting Senior Adviser (Pensions)
Jonathan Bryant		Member Services Officer
Joseph Sloyan		Graduate Trainee – Building Safety

End of year report

Purpose of Report

For information.

Is this report confidential? No

Summary

The paper provides an overview of the work of Fire Services Management Committee over the last year and provides members with an early opportunity to discuss the Committee's priorities for the next year.

LGA Plan Theme: **Championing climate change and local environments**

Recommendation(s)

Members are asked to note the work of the FSMC over the last year and discuss proposals for next year's priorities.

Based on members discussions officers will draft priorities and a workplan for discussion at the September Fire Commission and October FSMC.

Contact details

Contact officer: Lucy Ellender

Position: Senior Advisor

Phone no: 07917 833058

Email: lucy.ellender@local.gov.uk

End of Year Report

Background

Priorities for 2022-2023

1. At the September 2022 FSMC meeting members agreed five overarching priorities for the year:
 - People
 - Professionalism
 - Governance
 - Climate Change
 - Sector led improvement
2. This paper provides an overview of the achievements delivered against these themes and seeks an initial steer from the Board on its priorities for 2023/24.
3. Feedback from members on their priorities for next year will subsequently be developed into a full paper for consideration at the first meeting of the 2023/24 Board cycle in September.
4. As discussed at the meeting in September, the priorities have remained flexible and adaptable to new issues arising, such as the issues coming out of His Majesty's Inspectorate of Constabulary and Fire and Rescue Services' (HMICFRS) spotlight report that were added to our work around people.

Summary of key issues and work

People

5. Ensuring that the service has an inclusive and diverse culture has been a long-standing priority of the FSMC. This work has primarily taken place through the Diversity and Inclusion Champions Network and the Equalities Advocate for the Committee. In March 2023 HMICFRS published their spotlight report on culture and values within the service. The LGA provided a [media response to the HMICFRS spotlight report](#). As a result of this a wider piece of work was agreed at the FSMC to respond to the issues highlighted in the report and to support our continue work on this issue.

6. The LGA's Annual Fire Conference took place on 7th – 8th March in Nottingham with over 150 delegates in attendance. The theme for the Conference was 'Building Resilience for the Future of the Fire Service'. Chris Philp MP delivered the keynote address, updating on the Government's Fire reform programme and Andy Cooke, HM Chief Inspector of Constabulary and Chief Fire & Rescue Services talked about key findings in the latest round of inspections. Workshops covered the core code of ethics, sector-led improvement, research Shropshire FRS has done on 'on call' and Personal Emergency Evacuation Plans (PEEPs), with plenary sessions focussing on people, efficiency, and effectiveness.
7. In June 2023 we held an additional conference on culture in the fire and rescue service, jointly with workforce colleagues. We had presentations from the inspectorate, the Fire Brigades Union, Unison, the Asian Fire Service Association, the Police Service of Northern Ireland, Kent FRS, Lancashire FRS, Dorset and Wiltshire FRA, West Midlands FRA and Derbyshire FRA as well as hearing from media and employment law specialists.
8. The feedback from the culture conference will help to inform what other pieces of training we will look to develop for members around issues on culture, diversity and inclusion.
9. We also held two EDI Champions network meetings in November 2022 and April 2023. In November the session focused on exploring how scrutiny can be used as a tool to drive improvement in EDI. The session was chaired by Baroness Twycross, Deputy Mayor for Fire & Resilience in London and led by Andy Fry (Vale Consulting Solutions), a governance expert. The April meeting, chaired by Cllr Jane Hugo, was well attended with speakers including HMICFRS who updated on their spotlight review and both Gloucestershire and Lancashire Fire and Rescue Services who shared experiences around driving change in culture and EDI.
10. We have continued to support members in their governance role through the Fire Leadership Essentials Programme. The programme has continued to be a success this year, with two programmes run in November 2022 and March 2023. We had sessions on equality, diversity and inclusion, governance, leadership, building safety, climate change and being a leading member. The Home Office and HMICFRS both also spoke at the events. Feedback from both events was very positive.

Professionalism

11. Work under the professionalism strand has been wide ranging, incorporating building safety, inspections, finance and standards.
12. An on-going strand of work this year has been about the establishment of the new building safety regime under the Building Safety Regulator (BSR). The LGA responded to a number of associated consultations, including around personal emergency evacuation plans, the in-occupation regime for high-rise residential buildings under the Building Safety Act, the fees and charges under the same Act (including those that Fire and Rescue Services (FRSs) can charge), and the building control regime associated with the Act.
13. Key objectives have been to provide FRSs with the clarity they need about their regulatory role as part of the BSR's multi-disciplinary teams, and that they have the funding needed for their new role with no additional unfunded work being created for services. We have also raised concerns about the definition of a building in regulations implementing the Building Safety Act and how these work in the context of a mixed-use building, which will require coordination between the relevant Fire and Rescue Service and the Building Safety Regulator.
14. The LGA also responded to the Department of Levelling Up, Housing and Communities (DLUHC) consultation on changes to Approved Document B. Our response supported some long standing FSMC objectives, in particular around the provision of automatic fire suppression systems in all new care homes, and maintaining the provisions related to the use of combustible material in external wall systems.
15. The LGA has continued to host the Joint Inspection Team (JIT) to support councils in taking enforcement action under the Housing Act 2004. To date the team has inspected over 70 buildings, and is working alongside local Fire and Rescue Services as part of each inspection. Discussions have started with the DLUHC on the funding for the team beyond March 2024.
16. We held a number of building safety related webinars over the last year on the Building Safety Act regime and the updates to the Fire Safety Order.
17. We have supported members in their building safety role through the Building Safety Leadership Essentials Programme. The programme was successful this year, with two sessions being held in Warwick, in October 2022 and February

2023. We had sessions on Large Panel Systems Buildings, good governance, Ronan Point, the post-Grenfell regulatory regime and good resident engagement. The first event went well despite a drop in attendance due to a COVID spike. The February event, however, had a very strong turnout and responses to both programmes were incredibly positive.

18. FSMC also considered the recommendations from the Manchester Arena Inquiry reports. Many of these focused on improving interoperability of the emergency services, and work is already underway to strengthen JESIP, and further embed its models and principles in all three emergency services. The government has reinstated meetings of the JESIP joint ministerial oversight board on which the LGA and NFCC are represented, with an immediate focus on assurance and joint exercising.
19. This year we worked successfully with the NFCC to ensure that the sector was able to secure council tax flexibility for standalone FRAs, supporting the NFCC in highlighting the inflationary pressures experienced by the sector. We helped to coordinate a series of letters to the minister's highlighting the issues facing the sector, and provide a consistent message about the flexibility that was needed.
20. Councillor Nick Chard sits on the Fire Standards Board (FSB) for the FSMC to represent members views. We have maintained our support to the FSB, and provided speaking sessions both at the Fire Conference and the Fire Commission. They provide regular updates to the FSMC and Fire Commission through their papers to the meetings.
21. We have continued to have very positive engagement with the Inspectorate. Members sit on the External Reference Group for HMICFRS to provide feedback on their work and the development of the next round of inspections. We have also provided feedback HMICFRS on their state of fire report, previous recommendations. However, our work with the inspectorate has also expanded to include work around attending the Fire Performance Oversight Group. Cllr Biederman has attended the Fire Performance Oversight Group to provide support to our members engaged in the enhanced monitoring process and highlight the ways in which the LGA can provide support to the sector. Officers continue to engage regularly with the Inspectorate.

Governance

22. We have not yet received the Government's response to the White Paper or the proposals around governance. We however are in regular contact with the Home Office on this issue and have continued to emphasise the importance of local determination in governance change. We have continued to support members in their governance role through the Fire Leadership Essentials programme.

Climate change

23. Officers continue to play an active role in the NFCC's sustainability and environmental work and provided feedback on the toolkit the NFCC have produced. We have also given the NFCC the opportunity to input into our work on climate change to ensure that our work is complementary.
24. Members discussed issues around wildfires in December 2022 and wider climate change issues in May 2023, when further activities were agreed.
25. We have continued to build networks both in government and with the sector on the issue of climate change and the particular risks facing fire and rescue services and will be holding an evidence session to look at these issues in more depth.
26. We will shortly be publishing our updated climate emergency handbook on our website with contributions from a number of Fire and Rescue Authorities including Avon, Greater Manchester and London as well as the NFCC and Environment Agency.

Sector led improvement

27. Developing a sector led improvement offer is a joint piece of work across the LGA's policy and improvement teams, and we have continued to work closely together to make the case for a funded offer for the sector. Officers have met with the Home Office a number of times to discuss a sector-led improvement offer and continue to engage with partners to develop the case for a fire specific offer. We hope to be running a pilot soon.

Priorities for 2023/24

28. Members will wish to consider their priorities for 2023/24. The priorities for this year were centred around the Government's key themes of people, professionalism, and governance as well as sector led improvement and climate change. It is likely that these will continue to be of key importance going forward, especially with anticipated government response to the Fire Reform White Paper.
29. Therefore, members may wish to consider if the FSMC's key themes should remain consistent or if any changes are necessary, for instance, including culture within the people priority more explicitly.
30. Members may also wish to consider whether there are any further reports or issues we can expect in the coming year that will impact their priorities for the FSMC. For instance, we expect the next phase of the Grenfell Tower Inquiry to report.

Implications for Wales

31. Fire and rescue related policy is a devolved matter and much of the Committee's work will focus on changes for FRAs in England, with the Welsh Local Government Association leading on lobbying for Welsh Fire and Rescue Authorities in Cardiff.

Financial Implications

32. The programme of work to deliver FSMC's priorities will be delivered within existing budgets. Additional supporting projects maybe commissioned subject to funds being available from a small team budget

Equalities implications

33. These will be considered as individual workstreams are developed.

Next steps

34. Officers will draft a priorities paper and work programme based on members discussions.

Workforce Report

Purpose of Report

For information.

Is this report confidential? No

Summary

To update the Fire Services Management Committee on workforce matters in relation to industrial relations and more widely.

LGA Plan Theme: Support to the LG Workforce

Recommendation(s)

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

Contact details

Contact officer: Gill Gittins (Industrial Relations)

Position: Senior Adviser (Workforce and Negotiations)

Phone no: 07775 538917

Email: gill.gittins@local.gov.uk

Workforce Report

1. This report updates the Fire Services Management Committee on workforce matters in relation to industrial relations and more widely.

Negotiating Groups and NEOST

2. The LGA provides the employers' secretariat to a number of national negotiating bodies and the National Employers' Organisation for School Teachers (NEOST). An update on the main groups is provided below.
3. NJC for Local Authority Fire and Rescue Services (Grey Book)

- 3.1 As part of the most recent employees' side pay claim a number of additional matters were included. Settlement including the approaches below.

3.1.1 Retained Duty System firefighters:

Firefighters employed on the retained duty system are an important part of the workforce. Both parties committed to setting up a joint working group to include review of the retained duty system pay and rewards package with the intention of the joint working group concluding its work within 8 months. The group has held two meetings and a schedule of future dates has been agreed. Early work is focused on ensuring a sound evidence base for discussion going forward.

3.1.2 Firefighters (Control):

Both parties recognised the important contribution of emergency fire and rescue control employees. To inform NJC consideration on the matter of the pay differential it was proposed that a joint job evaluation process be undertaken. Arrangements to do so are in hand.

3.1.3 Pay progression:

Both parties committed to continued discussion around pay structure and progression, including the continual professional scheme. A joint working party would be set up with the intention of concluding its work within 8 months. The group has held two meetings and a schedule of future dates has been agreed. Early work is focused on ensuring a sound evidence base for discussion going forward.

3.1.4 New roles

Both parties remain committed to developing the work of the fire and rescue service and to do so by agreement. The need for this to be supported by appropriate investment as well as employee reward is also recognised. Discussions are taking place on how best to progress this matter.

4. NJC for Local Government Services (Green Book)
 - 4.1. 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. The usual pay settlement date each year is 1 April.
 - 4.2. The trade union claim for 2023 received in January 2023 covers:
 - 4.2.1 RPI (10.70 per cent) + 2.0 per cent on all pay points
 - 4.2.2 Consideration of a flat rate increase to hourly rates of pay in order to bring the minimum rate up to £15 per hour within two years
 - 4.2.3 A review and improvement of NJC terms for family leave and pay
 - 4.2.4 A review of job evaluation outcomes for school staff whose day-to-day work includes working on Special Educational Needs (SEN)
 - 4.2.5 An additional day of annual leave for personal or well-being purposes
 - 4.2.6 A homeworking allowance for staff for whom it is a requirement to work from home
 - 4.2.7 A reduction in the working week by two hours
 - 4.2.8 A review of the pay spine, including looking at the top end, and discussions about the link between how remuneration can be used to improve retention
5. In response, the employers' side of the NJC for Local Government Services, which once again has had to take into account the National Living Wage pressures¹, decided to make the following one-year (1 April 2023 to 31 March 2024), full and final offer in February to the unions representing the main local government NJC workforce:
 - 5.1. With effect from 1 April 2023, an increase of £1,925 (pro rata for part-time employees) to be paid as a consolidated, permanent addition on all NJC pay points 2 to 43 inclusive.
 - 5.2. With effect from 1 April 2023, an increase of 3.88 per cent on all pay points above the maximum of the pay spine but graded below deputy chief officer (in accordance with Green Book Part 2 Para 5.4)

¹ National Living Wage and Impact on Local Government Pay

The Low Pay Commission (LPC) issued their annual consultation in March on the National Living Wage (NLW) rate that will come into force on 1 April 2024. We have submitted written evidence to the LPC (this was signed off by Resources Board lead members in June. and will be providing oral evidence on 13 July.

The main point to note is that the forecast for the NLW rate has gone up again. The upper estimate of their projected rate for 1 April 2024 is now £11.43, which is 8p higher than their last forecast, while the central projection of £11.16 is also up 8p on their last forecast (both made in October 2022 when the LPC confirmed the 1 April 2023 rate).

- 5.3. With effect from 1 April 2023, an increase of 3.88 per cent on all allowances (as listed in the 2022 NJC pay agreement circular dated 1 November 2022).
6. The [employers' full response](#) also covered the other points in the claim.
 7. At a further meeting in March at which the unions sought a 'significant improvement' to the £1,925 / 3.88 per cent headline offer, the National Employers rejected the unions' request and reaffirmed the offer as full and final.
 8. The national committees of all three unions rejected the employers' final offer. UNISON is currently conducting a formal ballot for industrial action, which will close on 4 July. Unite is conducting a formal ballot for industrial action, which will close on 28 July. GMB has said it plans to conduct "*a series of targeted strike ballots*", starting in September. All three unions are / will be balloting on a disaggregated basis, which means strike action could be taken at each individual FRS / council where a turn-out of over 50 per cent is secured (if members vote in favour of strike action).
 9. Despite the prospect of a very lengthy delay until this year's pay rounds are settled, the National Employers have advised very strongly against imposing any pay offer before the collective bargaining process has concluded. To do so would not only fragment the unity of the employers' position but would also leave councils vulnerable to questions being asked by auditors about why, in the absence of a national collective agreement, expenditure has been unnecessarily incurred. Perhaps more importantly, councils would need to consider very carefully the wider legal issues, including those arising out of the cases of *Kostal UK Limited v Dunkley* and *INEOS Infrastructure Grangemouth Limited v Jones & others*.
 10. NJC for Brigade Managers of Local Authority Fire and Rescue Services
 - 10.1 The scope of this UK-wide NJC is senior uniformed managers at chief, deputy chief and assistant chief officer levels. The employee representative body is the Fire Leaders Association. Agreement has recently been reached on pay awards for 2022 and 2034:
 - A 4 percent increase on basic pay with effect from 1 January 2022
 - A 3.5 percent increase on basic pay with effect from 1 January 2023
 11. Police Staff Council
 - 11.1 The Police Staff Council (PSC) Trade Union Side has submitted its pay and conditions claim for 2023 for police staff. The headline claim is for an

increase of the Retail Prices Index (RPI) of inflation (February 2023) plus 4 per cent on all pay points. This is a 17.5% pay increase. Further details can be found here: <https://www.local.gov.uk/our-support/workforce-and-hr-support/police/police-staff/police-staff-council-circulars/emp-3>. The PSC Employers' Side is undertaking a consultation on the claim prior to a formal response to the Trade Union Side.

12. Local Authority Chief Officers

12.1. The National Employers made a full and final one-year (1 April 2023 to 31 March 2024) offer to the trade unions representing local authority chief officers of 3.5 per cent on basic salary. The offer was accepted on 5 May.

13. Local Authority Chief Executives

13.1 The National Employers made a full and final one-year (1 April 2023 to 31 March 2024) offer to the trade union representing local authority chief executives, with effect from 1 April 2023, an increase of 3.5 per cent on basic salary.

13.2 The Staff Side responded to the National Employers in June, describing the offer as 'not acceptable' and indicating that they 'will not accept any pay offer for April 2023 until the outcome for NJC staff is known'. The Staff Side also said, "it reserves its right to consider other steps if the offer for JNC Chief Executives remains in percentage terms below whatever percentage increase is finalised for staff on the top point of the NJC scale."

14. Coroners

14.1 Agreement has been reached within the JNC for Coroners to apply a 3.5% increase for 2023/24 on local salaries and day rates derived from the JNC arrangements.

15. School Teachers' Conditions of Service Handbook

15.1 A handbook setting out the conditions of service for school teachers in England and Wales has been updated for the first time in over two decades. The Burgundy Book is a national agreement between the five teacher unions and the national employers (NEOST). It is relevant to around half a million teachers and is an essential reference for all schools – both maintained and academies – with the majority choosing to incorporate the agreement into their teachers' contracts of employment. Its main provisions relate to notice periods, sick leave and pay, and maternity leave and pay. The 2023 edition updates legislation and clarifies terminology without amending the application of any of the terms and conditions of employment contained in the Burgundy Book.

(Note – similar work has been taking place within the NJC for LAFRS on the Grey Book).

Culture in the Fire and Rescue Service

16. The LGA Workforce and Policy teams worked together to deliver a free, one-day conference for members looking at their governance and leadership role in equality, diversity, and inclusion, alongside their employer role. Attendees found the event on 27 June, which covered voices from across the sector and elsewhere (including union voices) and relevant employment law and related legal framework to be very useful.
17. The Inclusive Fire Service Group has been stood up again and met on 20 June. This independently chaired, National Joint Council for LAFRS led, group has previously undertaken a substantial amount of work in this area, identifying many of the same problems as HMICFRS and developing improvement strategies that virtually all FRSs indicated support for. While a [monitoring report](#) in 2021 identified progress at local level, it was slow.
18. This UK-wide group is unique in the fire service in that it is comprised of employer and employee interests on the NJC, senior managers (NFCC) and employee representative bodies (FBU, FOA, FRSA). In developing evidence-based improvement strategies it also engaged with organisations such as Stonewall, Asian Fire Service Association, Women in the Fire Service, Women in the Police Service, FBU women's, BME and LGBT groups, Unison, GMB etc. It is therefore well-placed to hear all voices, taking on board all views to maximise buy-in at all levels and drive improvement.
19. At the meeting on 20 June, all organisation's on the group:
 - 19.1 reaffirmed commitment to strategies for improvement the group had previously developed and would encourage all FRAs and FRSs to also do so. A statement to that effect will be issued shortly.
 - 19.2 Agreed that the breadth of the IFSG's membership including the lived experience voices within it, and the confidence this would help instill in the workforce, meant it was well-placed to work together as a group and with other organisations more widely to ensure there wasn't a fragmented approach in the sector which could continue to hold back progress As part of this, contact will again be made with HMICFRS..
 - 19.3 Agreed to meet again in July to maintain momentum.
20. Since its introduction the [Core Code of Ethics](#) has been welcomed across the groups the partnership bodies represent – LGA, NFCC and APCC. Work has taken place, and is continuing to take place, to ensure the Core Code is

adopted and embedded within all fire and rescue services in order to ensure consistency and delivery of improvements.

21. Since release of the Core Code the partnership bodies have jointly undertaken several well attended workshops with fire and rescue services, initially to complement awareness activities and to support adoption of the Core Code. Workshops then moved on to progressing implementation and embedding the principles of the Core Code within services. The partners have also agreed that sharing of good practice going forward will be hosted through Workplace, which is operated by the NFCC and open to fire and rescue service employees working in this area. Partnership work will continue to support delivery of improvement and members will recall the workshop at the Fire Conference in March.
22. In its most recent State of Fire report HMICFRS said it was 'encouraged by the progress many have made in implementing this (the Core Code)'. It also indicated it would continue to consider how well services have adopted the Core Code of Ethics for Fire and demonstrate it in their cultures in its third round of inspections. HMICFRS also promoted the Core Code in its recent spotlight report on values and culture.

Fit for the Future

23. Members will be aware of the joint initiative by the LGA, National Employers (England) and NFCC - Fit for the Future. It covers a broad spectrum of issues, for example reform.
24. A joint bid has been made to the Home Office seeking funding for two specialist posts, which would sit within the LGA. The postholders would be able to provide specialist advice on industrial relations and employment law to FRA/FRSs over and above that currently provided by the LGA in a national context in order to support delivery of reform at local level.
25. The Fit for the Future improvement objectives, which were the result of wide consultation with FRAs and FRSSs, are evidence-based. Accordingly, the next review will consider any amendments or additions required following the HMICFRS spotlight report into values and culture in the fire and rescue.

Decision Making Accountability (DMA)

26. The LGA Workforce team is qualified to deliver DMA reviews to councils and fire and rescue authorities. The DMA approach is an organisational design tool which establishes the number of layers of management that an organisation needs – and the units within it – to achieve its purposes most effectively, and the decision rights that managers in different layers require to be empowered.

This can be used at a whole organisation or individual service level. It is a proven way of creating an effective organisation and services, and an efficient management structure. The aim of DMA is to create a healthy and effective organisation. For further information please contact suzanne.hudson@local.gov.uk

Creating effective teams

27. The LGA Workforce team has recently delivered tailored workshops centred around creating effective teams and enhancing communication. We have availability over the next few months to work with more councils/fire and rescue authorities on this. To find out more about how Emergenetics Psychometric Profiling workshops can support your teams, projects, team away days, contact david.drewry@local.gov.uk

Advisory Bulletins

28. LGA [Advisory Bulletin 712](#) contains details of the Government's announcement that it will conduct a review of the effectiveness of the current whistleblowing framework; Government guidance on ethnicity pay reporting and a new offence of failure to prevent fraud.

Workforce planning

29. With ageing workforces and a shortage of critical talent being among the biggest challenges facing employers, strategic workforce planning – the discipline of forecasting future gaps between demand and supply of critical talent, to ensure that you have the appropriate workforce mix three or five years from now – has to become one of senior managers' most important responsibilities. Engaging in workforce planning supports transformation programmes, agile and better ways of working and the development of a resilient, people risk adverse organisation.
30. The LGA Workforce Team has supported several local government organisations and their strategic and senior managers, their HR and OD teams as well as specific teams (services) to develop their skills and use of workforce planning. We also use a Bitesize Workforce Planning sessions by delivering a phased approach to support organisations to design and develop their own bespoke workforce plans.
31. Three FRSs have so far benefitted from LGA Workforce support; Lincoln FRS, East Sussex FRS and Hereford and Worcester FRS.

32. Any manager with a keen interest in workforce planning is welcome to join the national local government workforce planning network which is the 'go-to' place for topical workforce planning discussions and peer-to-peer learning. For more information on how the LGA Workforce Team can support your organisation with workforce planning, contact welna.bowden@local.gov.uk

Employer Link

33. Members may not be aware that the LGA workforce team also supports organisations beyond the normal fire and rescue family with the outcomes of national negotiations, through our [Employer Link](#) service.

Financial Implications

34. Any cost implications will also need to be included in the work of the NJC for Local Authority Fire and Rescue Services' joint working groups.

Equalities implications

35. Equalities issues are taken into account in all workforce issues.

Next steps

36. Workforce issues will continue to be progressed as set out above.

Pensions Report

Purpose of Report

For information.

Is this report confidential? No

Summary

To update the FSMC in relation to fire pension matters.

LGA Plan Theme: Support to the LG Workforce

Recommendation(s)

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

Contact details

Contact officer: Elena Johnson

Position: Acting Senior Adviser (Pensions)

Phone no: 07770 763031

Email: elena.johnson@local.gov.uk

Pensions Report

Background

1. This report updates the FSMC on matters in relation to pension matters and briefly describes the pension issues at present.

Legal cases related to pension matters

2. 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.
3. The details of each category have been covered in previous reports. Therefore, each category is covered in short below, together with the current positions:
4. 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).
 - 4.1. 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).
 - 4.2. 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, legislation to provide the main remedy needs to be put in place. Pending the legislation, which is expected to come in force on 1 October 2023, an Order in substantively the same form as the interim Order remains in place.

- 4.3. The injury to feelings Employment Tribunal hearing which was scheduled to take place from 14 – 28 October was vacated; the parties having agreed provisional settlement arrangements.
 - 4.4. The injury to feelings claims were made as part of the Sargeant (age discrimination) litigation and are claims for compensation for non-financial loss.
 - 4.5. Vacation of the hearing followed agreement in principle as to issues of non-financial loss, and to provide further time to negotiate the full settlement details between all parties (including FRAs) through their respective legal representatives. In the case of FRAs, approval will then be needed by the Steering Committee before final agreement is reached.
 - 4.6. The compensation amounts are based on the established principles (often referred to as ‘Vento’ bands) and will have appropriate interest applied. The cost of compensation will be fully met by the Government, on the basis that FRAs are in funds before any payments are required to be made.
 - 4.7. In respect of the claimants this applies to, it is all the named original 2015 claims in England and Wales brought by the FBU (but not claims in Scotland or Northern Ireland). This does not settle the further claims served last year, the Fire Officers’ Association (Slater and Gordon) claims nor any of the reverse discrimination claims.
 - 4.8. There have recently been negotiations between the respective legal representatives on the details, including timescales and practicalities around making payments. The parties could apply for a tribunal hearing if matters were not fully resolved by 28 April 2023. However, rather than applying for a hearing the parties have recently requested a two-month extension to the deadline, and they are finalising wording for an agreement to progress the settlement. We continue to keep FRAs updated on any material developments through their nominated contacts.
5. 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.

- 5.1. Current position – Working together with Bevan Brittan, the solicitors acting for FRAs, we are coordinating the defence of those claims on behalf of FRAs. The claims are currently stayed pending the outcome of the main FBU claims.
6. The FBU has also 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.
- 6.1. Current position – Working together with Bevan Brittan, we are coordinating the defence of those claims on behalf of FRAs. The claims are currently stayed pending the outcome of the main FBU claims.
7. Claims have been issued by Slater and Gordon solicitors against fire and rescue authorities on behalf of firefighters. Slater and Gordon is working with the Fire Officers Association. 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.
- 7.1. Current position – Working together with Bevan Brittan, we are coordinating the defence of those claims and the cases are currently stayed, pending the outcome of the main FBU claims.
8. **Matthews & others v Kent & Medway Towns Fire Authority & others:**
- 8.1. 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.
- 8.2. 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.

- 8.3. 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.
- 8.4. Current position - On 9 March 2022, after an extended period of negotiations, a [Memorandum of Understanding](#) (MoU) was agreed between the government, the Fire Brigades Union, the Fire & Rescue Services Association, and FRA employers.
- 8.5. It was confirmed that remedy for retained firefighters affected by the O'Brien judgment will be provided by way of a second options exercise allowing in-scope individuals the opportunity to purchase pension entitlement as a special member of the FPS 2006. Under the terms of the MoU it was agreed that the Employment Tribunal proceedings should be stayed for 18 months to enable that options exercise to progress.
- 8.6. A further issue arose during negotiation of the MoU around an inability to aggregate periods of pensionable service in the FPS as a retained firefighter with periods of service as a wholetime firefighter ("aggregation"). This has been addressed by affected retained firefighters (or their representatives) having the ability to give written notification to the GLD (on behalf of the Home Office) and FRAs prior to the commencement of the second options exercise of:
- their identity; and
 - details of the factual and legal basis of any aggregation claims

with a view to discussions for six months from the MoU date on a resolution of those claims. If agreed resolution of the aggregation issues was not reached by then it has been agreed that those Claimants can ask for the stay on their tribunal claims to be lifted so the tribunal can determine outstanding issues in relation to them. As resolution was not reached within this time, a number of claims were submitted and we proposed an approach to the collective defence of those claims.

- 8.7. As all FRAs agreed that they were content with the approach, a joint defence of the claims commenced, continuing to use DAC Beachcroft to represent FRAs on a cost sharing basis. A significant number of individual, and later group, claims were responded to on this basis while DAC Beachcroft sought

to secure a preliminary hearing to discuss the issues raised. DAC Beachcroft also sought for the requirement to file all other responses to be paused in the interim.

8.8. The Employment Tribunal granted this application in respect of claims in England and Wales, and the requirement to file responses had been stayed until at least 20 April 2023, the date a preliminary hearing was listed for. The stay has now been extended until 8 September 2023 and the hearing has been postponed. The equivalent claims in Scotland have also been stayed pending the outcome in England and Wales.

9. 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 are ongoing between the Home Office and LGA officers as representatives of the FRAs to discuss the costs issues.

Matthews and the second options exercise

10. The LGA continues to assist the Home Office with its policy development in this area. Project management meetings are held between the LGA, the Home Office and the Government Actuaries Department (GAD) every four weeks.
11. The LGA has published a [Matthews Project Implementation Document](#) (PID) which sets out the scope, deliverables, and high-level timeline for the project. The PID also includes a communications plan and draft terms of reference for the Scheme Advisory Board working group.
12. There are a number of steps which FRAs should be taking now to establish the data needed to implement the second options exercise. We have issued a [factsheet on pre-work](#) that authorities can undertake before October 2023.
13. A [consultation on the draft regulations](#) was launched on 31 March 2023 and closed on 9 June 2023. [The LGA submitted a response to the consultation accordingly.](#)

Immediate Detriment Framework for McCloud/Sargeant type cases

14. The proposed amendments to the Framework remain with the respective legal representatives for agreement. The amendments would also require final approval from the Steering Committee before the revised Framework is published.

15. In the meantime, the technical guidance to FRAs has been updated to include clarity around the proposed treatment of contributions and add the technical/practical issue and proposed resolution (if any), and potential risk and liability, to each element. At such point that the amendments to the Framework are agreed, the guidance will be updated to reflect those changes.
16. The Framework will also be reviewed in light of the publication of the Treasury Directions which were published on 14 December 2022.
17. We have asked FRAs to be alert to the receipt of future claims brought on behalf of scheme members, and to inform the LGA immediately on such receipt.
18. In the meantime, we remain in continuous dialogue with the Government on potential alternative solutions.

Consultation on the Firefighters' Pension Schemes' (Remediable Service) Regulations 2023

19. On 28 February 2023, the Home Office launched its consultation on the Firefighters' Pension Schemes' (Remediable Service) Regulations 2023.
20. These regulations concentrate on the retrospective elements of the 2015 Remedy that are required to fully deliver the remedy. This includes establishing the deferred choice underpin (DCU) and the changes needed to offer pensioners and beneficiaries of deceased scheme members an immediate choice between legacy or reformed scheme benefits.
21. The consultation closed on 23 May 2023 and the LGA submitted [a response to the consultation](#) accordingly.

Consultation on The Public Service Pension Schemes (Rectification of Unlawful Discrimination) (Tax) (No. 2) Regulations 2023

22. On 23 May 2023, HMRC launched a consultation on [The Public Service Pension Schemes \(Rectification of Unlawful Discrimination\) \(Tax\) \(No.2\) Regulations 2023](#) which set out changes to how pensions tax rules will apply as a result of the public service pensions remedy.
23. The draft regulations supplement [The Public Service Pension Schemes \(Rectification of Unlawful Discrimination\) \(Tax\) Regulations 2023 \('first set of regulations'\)](#), which came into force on 6 April 2023.

24. The consultation closed on 19 June 2023 and the LGA submitted [its response](#) accordingly. The SAB has also submitted a [response to the consultation](#).

Scheme Advisory Board (SAB)

SAB meeting 8 June 2023

25. The SAB last met on 8 June 2023 and discussed the following areas:
- 25.1. The SCAPE discount rate
 - 25.2. SAB response to the consultation on the Matthews second options exercise
 - 25.3. Software suppliers progress and remedy implementation

SAB membership

26. Cllr Leslie Byrom's nomination to replace Cllr Leigh Redman as the Labour representative has been approved.

27. Cllr Frank Biederman's nomination has also been approved.

SAB engagement sessions on the Matthews pensions remedy

28. The Scheme Advisory Board and the Home Office began engagement sessions in September 2022 which focussed on the Matthews pensions remedy. The aim is to discuss Matthews legislation and policy, Matthews and McCloud/ Sargeant interaction, and the proposed timeline for implementation. A further engagement session took place on 25 May 2023.

SAB Response to Consultation on the Firefighters' Pension Schemes' (Remediable Service) Regulations 2023

29. The SAB was invited by the Home Office to take part in a series of joint engagement sessions with the Police SAB to consider scheme specific versions of the Provision Definition Documents (PDDs) which define the provisions of the Public Service Pensions and Judicial Offices Act (PSPJOA) 2022 for each area of the 2015 Remedy.
30. One session took place per month between June and December 2022, with two topics discussed at each meeting. These discussions took place to help to inform the drafting of secondary legislation. The schedule of sessions is set out below.

Policy topic 1	Policy topic 2	Date
Eligibility	Interest	24 June
ABS/ RSS	IC, DCU, defaults	27 July
Added Pension	Transfers	24 August
Contributions/ compensation	Ill-health retirement	23 September
Early/ late retirement	Abatement	12 October
Contingent decisions	Bereavement	9 November
CETV/ Divorce	Tax	15 December

31. Following the launch of the consultation on the Firefighters' Pension Schemes' (Remediable Service) Regulations 2023, the SAB [submitted its response](#) to the Home Office accordingly.

Financial Implications

32. There will be financial implications arising from the legal remedies in Sargeant and Matthews in the following areas: administration, software, legal, and operational costs. Representations will continue to be made to the Government to seek to recover all costs arising as a direct result of the remedies.

Equalities implications

33. Equalities issues are central to the McCloud/Sargeant litigation and will also be taken into account in wider workforce issues.

Next steps

34. The pension issues will continue to be progressed as set out above.

Building Safety Update

Purpose of Report

For information.

Is this report confidential? No

Summary

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

LGA Plan Theme: Championing climate change and local environments

Recommendation(s)

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

Contact details

Contact officer: Joseph Sloyan and Mark Norris

Position: Graduate Trainee and Principal Policy Adviser

Phone no: 020 7664 3241 and 020 7664 3291

Email: josephs.sloyan@local.gov.uk mark.norris@local.gov.uk

Building Safety Update

Background

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

Update

Remediation

General Position

2. [The Department for Levelling Up, Housing and Communities' \(DLUHC\) Building Safety Programme Monthly Data Release](#) delineates figures related to its Building Safety Programme, with particular focus on buildings with unsafe Aluminium Composite Material (ACM) cladding and remediation progress.
3. [The 31 May 2023 release](#) gives the following relevant figures:
 - 1.1. At the end of May 2023, 96% (468) of all identified high-rise residential and publicly owned buildings in England had either completed or started remediation work to remove and replace unsafe ACM) cladding, (99% of buildings identified on 31 December 2019, 98% of buildings identified on 31 December 2020 and 96% of buildings identified on 31 December 2021) – **an increase of 2 from 31 March 2023**
 - 1.2. 450 buildings (92% of all identified buildings) no longer have unsafe ACM cladding systems – **an increase of 5 from 31 March 2023**
 - 1.3. 100% (160) of social sector buildings have either completed or started remediation. Of these, 159 (99%) have had their ACM cladding removed – **no change from 31 March 2023**
 - 1.4. 92% (215) of private sector buildings have either completed or started remediation- an increase of one from February 2023. Of these, 201 (86%) have had their ACM cladding removed- **an increase of 1 and 2 from 31 March 2023, respectively.**

Building Safety Fund

4. On 28 July 2022, the government's £4.5 billion [Building Safety Fund](#) reopened for new applications and remains open. Buildings over 18m with cladding issues are eligible to apply for the fund with guidance for applicants available here.

More information for leaseholders about the Building Safety Fund and what it covers can be accessed [here](#). Leaseholders can check if they qualify for the cost protections under the Building Safety Act using the government's new [Leaseholder Protections Checker](#) with [further guidance available](#).

5. As of 31 May 2023, the total value of approved social sector grant claims for the remediation of non-ACM cladding is £195m – **up £11m from 28 February**
6. Private sector funding allocation is £1,720m – **up £56m from 28 February**
7. This makes the total amount of allocated funding £1,915m across both sectors – **up £67m from 28 February**
8. As of 30 April 2023, the total value of BSF's expenditure across both sectors is £1,014m- **up £87m from 28 February.**

Waking Watch Replacement Fund

9. On 25 May 2023 the government reopened its [Waking Watch Replacement Fund](#) with expanded scope and funding.
10. The Fund has an additional £18.6 million available to cover all capital costs of replacing waking watches with a common alarm system, in accordance with the National Fire Chief Council's guidance on buildings that have changed from a 'Stay Put' to a 'Simultaneous Evacuation' fire safety strategy.
11. The Fund builds on the £35 million Waking Watch Relief Fund (WWRF) which focused on high-rise residential buildings and those with fire safety defects; the Fund is now open to all residential buildings where a waking watch is currently taking place, regardless of building size, cost, or presence of fire safety defect.
12. [At the end of May 2023](#) £29.7 million of funding has been approved from the Waking Watch Relief and Replacement Fund, covering 367 buildings and 26,000 leasehold dwellings.
13. A segment summarising this development and encouraging eligible Council's to apply to the fund was sent to all Councils in England and Wales as part of Mark Lloyd's weekly Chief Executive's bulletin.

DLUHC's £8m New Burdens funding for cladding remediation

14. In December 2022, DLUHC began distributing £8m in New Burdens funding to 59 authorities to support their remediation of dangerous cladding.
15. The LGA has been working with both DLUHC and local authorities to ensure that this funding is utilised effectively.
16. At this stage, we have ensured that all authorities have been in contact with DLUHC and will be working with DLUHC colleagues to design and implement an engagement strategy to ensure that this continues.
17. We are also contacting local authorities to understand obstacles and challenges to utilising this funding, with an aim to develop a programme of support accordingly.
18. We continue to encourage authorities to consider whether they would benefit from a JIT inspection. Please contact brian.castle@local.gov.uk for any enquiries and interest.

Reinforced Autoclaved Aerated Concrete (RAAC)

19. We have continued our work with the Department of Education (DfE) to ensure local authority uptake of DfE's survey registering the prevalence of RAAC across the school estate. Several previously challenging authorities have recently completed these registrations and we are now nearing the close of this project as registrations near finalisation.
20. Where it had previously focused on school buildings, central government is now looking to expand RAAC identification and remediation to the wider public estate.
21. The Office of Government Property (OGP) will be convening a working group in which there will be a designated representative from each Government department who is responsible for the identification and remediation of RAAC in buildings owned by that department. This group will also be attended by key stakeholders including the LGA.

22. On the 23 May 2023, Secretary of State for Schools Nick Gibb announced that the DfE will make its full dataset on the condition of schools- including prevalence of RAAC- publicly available by summer recess, which begins on the 20 July 2023.
- 22.1. The LGA will be monitoring the media attention on RAAC in schools and will be preparing responsive policy lines to ensure that the experiences of local authorities are well represented.
- 22.2. In preparation for this, we are engaging with local authorities to develop our understanding of the issues and obstacles being faced by authorities in identifying and remediating RAAC, as well as ways in which central government can better support this work.
- 22.3. This work also fits within our wider strategy of raising awareness of RAAC; by engaging local authorities in advanced of this data release we hope to ensure that they are adequately aware and informed on the dangers of RAAC and the potential for media scrutiny.

Joint Inspection Team (JIT)

23. Councils have a duty to investigate suspected category 1 hazards under the Housing Act, which could include buildings with flammable cladding. The LGA is continuing to encourage its members to consider whether any private buildings in their area might benefit from a JIT inspection. Work is underway to expand the team's remit to cover buildings 11-18m high and non-cladding fire safety defects.

Building Safety Act

The Building Safety Levy consultation

24. In addition to responding to the [technical consultation on the implementation of the Building Safety Levy](#), we have also written to the [Secretary of State at the Department of Levelling Up, Housing and Communities](#) and the [Chief Secretary of the Treasury](#). The letter urges them to reconsider their proposal to require 309 local authorities to set up separate, individual processes to act as a collection and administration agency for the Levy.
25. Instead, we have suggested that a more streamlined, cost-efficient approach to raising the additional funds for building safety remediation, which would benefit both central and local government, would be to expand the scope of the Residential Property Developer Tax (RPDT).
26. The Secretary of State has responded to our letter. In it he recognises that requiring local authorities to act as collection agents will mean that there will be

many bodies collecting and returning the Levy to government and that this will be an additional burden that will require funding. However, the government's view remains that local authorities are a clear candidate to act as the collection and administration agent for the Levy.

27. We will continue to work with DLUHC to ensure that should local authorities be confirmed as the collection agents for the Levy that the process is as streamlined as possible to minimise the administrative burden, and that there is a mechanism for full cost recovery.
28. [On the LGA's website](#), you can find copies of the letters and the LGA's response to the two consultations on the Building Safety Levy.

Building Safety Register

29. On 12th April 2023, the Building Safety Regulator (BSR) opened registrations for high-rise residential buildings in England. Specifically, for all high-rise residential buildings that are: 18 metres tall or higher, at least 7 storeys tall, with two or more residential units.
30. Each building must be registered by a [Principal Accountable Person \(PAP\)](#).
31. It is a legal requirement under the Building Safety Act that all eligible buildings are registered with the BSR by 1 October 2023- failing to do so is a criminal offence.

Improvement

Large Panel Systems (LPS) case studies

32. The LGA has now completed the commissioning of six case studies on management strategies of LPS Buildings.
33. These case studies are now in-hand, and we are looking to publish them on the LGA website. Given the current workload of the marketing team in the run up to the LGA Conference, we're hoping that these will be published in July 2023.
34. Considering the new Safety Case regime introduced by the Building Safety Act we hope this will be a valuable resource for our members to become familiar with common challenges and best practise.

35. We applied for these case studies to be showcased at the LGA Conference's 'Innovation Zone' in July 2023. Our application to the Innovation Zone was unfortunately unsuccessful.

Implications for Wales

36. The Fire Safety Act came into force in Wales in [October 2021](#). The new regulations passed under the FSO only apply in England. Building regulations and fire and rescue services are devolved responsibilities of the Welsh Assembly Meeting: Fire Services Management Committee Date: 9 November 2022 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

37. Although the LGA has set up the Joint Inspection Team, the cost of doing so is being met by DLUHC. The Joint Inspection Team has secured funding for the next two years which will see it expand significantly.

Equalities implications

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

Next steps

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



Fire Services Management Committee

Date:	07 July 2023
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).
- 1.2 Any questions or requests for further information can be sent to either NFCC Chair Mark Hardingham (chair@nationalfirechiefs.org.uk) or Chief Operating Officer Susannah Hancock (susannah.hancock@nationalfirechiefs.org.uk).

2. General Update

Women in the Fire Service

- 2.1 Many of you will be aware of the outstanding work of Women in the Fire Service (WFS), whose membership works tirelessly to proactively influence matters of equality, inspire and support women to reach their full potential, and contribute towards a truly progressive fire and rescue service (FRS).
- 2.2 NFCC has recently become a corporate member of WFS, and NFCC colleagues attended the WFS National Training and Development Weekend held at the Fire Service College in early June. Women from across the UK FRS benefitted from taking part in some inspirational workshops and a variety of other events. We look forward to seeing our relationship with WFS continue to develop as we identify more ways of supporting each other in our collective work.

Ukraine Convoy

- 2.3 NFCC is once again proud to have played a part in transporting aid to Ukraine – this time over 2,000 items of vital water rescue equipment, which will be used by the State Emergency Services as they respond to flooding caused by the destruction of the Nova Kakhovka dam and hydroelectric power station.
- 2.4 Secured through NFCC and the Maritime and Coastguard Agency, the donations followed an urgent request from the Home Office to NFCC's National Resilience function. FRSs and Fire and Rescue Authorities responded by identifying available kit within 48 hours. This follows five humanitarian aid convoys organised by NFCC, along with FIRE AID and International Development, with support from the wider sector and the Home Office. None of this could have been achieved without the hard work, dedication, and compassion of some truly remarkable people.

NFCC Wildfire Debrief Report

- 2.5 2022 saw an unprecedented wildfire season across the UK. National Reporting Tool figures for England and Wales recorded 983 wildfires that met the National Operational Guidance (NOG) criteria. This was up from 247 in 2021 and 146 in 2020, increases of 315 percent and 573 percent respectively.
- 2.6 A staggering 84 wildfires were recorded as occurring over the 48 hours of 18th and 19th July 2022. 14 FRSs declared major incidents, nine of which were due to concerns regarding the maintenance of business as usual and the ability to respond to operational demand. Additionally, Operation Willow Beck was implemented as fire control teams faced the significant challenge of dealing with a huge rise in 999 calls, up from a daily average of just over 2,000 to almost 13,500.
- 2.7 Given the unprecedented scale and impact of the 2022 wildfire season, the NFCC Wildfire Group meeting on 28th November 2022 determined to collate feedback and learning by undertaking the first national wildfire survey of UK FRSs. This was followed by a national wildfire debrief, including a report highlighting the key operational, tactical, and strategic challenges faced by the UK FRS, which will inform future discussions to improve wildfire resilience, response, planning, and prevention, at both a local and national level.

3. Protection UpdateEnforcement Review

- 3.1 The NFCC enforcement review is aimed at obtaining a greater understanding of the range and frequency of enforcement activities carried out by FRSs, along with identifying any inconsistencies and promoting best practices. The NFCC Protection team has completed the first stage of the review, which involved collating and analysing data from numerous sources, including Home Office returns. They found

that the level of enforcement activity varies across services, which demonstrates the need for further review.

- 3.2 The second phase of the review has begun. A survey has been sent to all FRSs, which should provide more granular detail on enforcement actions. This will be complemented by several face-to-face meetings between FRSs and NFCC staff.

Fire Engineering and Technical Officers

- 3.3 NFCC's engineering team is continuing work on several British Standards (BS) reviews including BS 9991, Approved Document B, and BS 5839, as well as developing a Publicly Available Specification, PAS 8700, for modern methods of construction. We are also participating in workshops to provide feedback on the operational aspect of the prescribed documents which will form part of the Gateway Two approval process in the new building safety regime. This includes the Building Regulations Compliance Document, the Fire and Emergency File, the Construction Control Plan, and the Change Control Plan.
- 3.4 The Protection team has completed the development of Risk Based Intervention Programme guidance, which will support the development of FRSs' Risk Based Inspection Programmes and supplement Integrated Risk Management Planning guidance note four.
- 3.5 The competency framework review will soon be published. A mapping exercise is being undertaken to understand what competency is currently available from FRSs to support the Building Safety Regulator (BSR) and its multi-disciplinary teams (MDTs).
- 3.6 NFCC is developing a training presentation that highlights the key points in Section 156 of the Building Safety Act which comes into force in October 2023. This is aimed at both FRSs and the Responsible Persons of high-risk buildings and will help readers understand what the changes to the Regulator Reform (Fire Safety) Order are and what impact this will have on their responsibilities.

Building Safety Regulator

- 3.7 The BSR is progressing and will come into effect on 1st October 2023 for new buildings and April 2024 for existing occupied buildings. NFCC is assessing the latest guidance published by the Health and Safety Executive (HSE), "Criteria for being a higher-risk building during the occupation phase of the new higher-risk regime," to understand what it means for the inspection process, MDTs, and FRSs.
- 3.8 Recruitment for the MDTs is progressing but there are still several positions that FRSs need to resource. The funding for the MDTs is secured and will enable teams to start work with the HSE and Local Authority Building Control to ensure effective delivery.

4. Prevention Update

- 4.1 The Prevention Hub was launched on 1st April 2023. We continue to support the work of the regional prevention groups, with most focusing on prevention fire standards, safeguarding, and peer assessment. The Prevention Hub has developed a forward planner of all national prevention meetings to share with FRSs.

Safeguarding

- 4.2 The draft Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) (England and Wales) Order 2023 received full parliamentary approval on 14th June.
- 4.3 Consultation on three new NFCC guidance documents (managing allegations, positive disclosure risk assessment, and joint guidance on DBS eligibility checks for FRSs) closed on 2nd June 2023. These documents will be released once approved by NFCC's Safeguarding Board.

Serious Violence Duty

- 4.4 The Serious Violence Duty has been launched. NFCC guidance is being drafted, and single points of contact (SPOCs) have been established with all FRSs.

Children and Young People (CYP)

- 4.5 The CYP Executive Board met on 20th April 2023 and approved a plan to highlight work for the year 2023–24.
- 4.6 [StayWise](#) has launched five new interactive games, funded by the Home Office's Fire Kills grant. The games link to England's national curriculum and ensure that young people engage with key safety messages. The complementary implementation toolkit will be trialled over the summer period before roll-out later this year.
- 4.7 StayWise Cymru launched at the end of May 2023. The StayWise team is building a picture of national engagement by surveying all SPOCs.
- 4.8 The UK Fire Cadets National Games will be held in Merseyside during August 2023. The NFCC CYP team continues to forge links with other national organisations, including the Princes Trust and Youth Voice.
- 4.9 The Early Intervention Implementation Framework is being embedded in FRSs, with one-to-one support available to services through NFCC.

Home Fire Safety

- 4.10 The Prevention Committee is overseeing the delivery of the Person-Centred Framework (PCF) through the development of a competency framework and an evaluation framework for home fire safety visits.

- 4.11 The [online home fire safety check tool](#) won Fire Safety Project of the Year at the Fire & Security Matters Awards on 15th June 2023.
- 4.12 The National Fire Kills advertising project is now closed. Post-project evaluation has shown a high level of reach, and the learning from this project will be fed into future campaigns.
- 4.13 NFCC's furniture fire safety working group is now engaging regularly with the Office for Product Safety and Standards.

Mental Health

- 4.14 The Mental Health Concordat will be launched to FRSs in July 2023. There are five workstreams, all linked to the PCF, which will actively target areas to support community mental health.

Water Safety

- 4.15 NFCC representatives attended The Royal Society for the Prevention of Accidents' National Water Safety Conference, as part of our work as a National Water Safety Forum member. The NFCC Be Water Aware campaign ran from 24th–30th April 2023, encouraging the public to spend time in and around water safely. NFCC also provided FRSs with water safety messaging to be used throughout the year.

Road Safety

- 4.16 We are renewing the NFCC Road Safety Group, and the creation of an NFCC Road Safety Strategy has begun. FRS SPOC feedback will allow NFCC to establish specific themes and regional structures to assist services with their road safety activity.

5. People Programme Update

Culture in the FRS

- 5.1 The sector continues to be shaken by revelations made through independent reviews of culture and the media. Responding to reports regarding culture in FRSs, NFCC has reiterated that the behaviours outlined are unacceptable and that there is no place for harassment, bullying, or discrimination in any workplace. NFCC is committed to working with all FRSs to support a sector-wide culture of inclusion and openness. NFCC's equality, diversity, and inclusion (EDI) sector report was [published](#) in March 2023.
- 5.2 NFCC has accelerated work on culture and EDI to address immediate priorities and support the development of a [Culture Action Plan](#). This plan is NFCC's commitment to work with FRSs to deliver a positive working culture by cultivating effective leadership, embedding EDI, finding and nurturing diverse talent, and supporting the health and well-being of all FRS staff. This will result in improved confidence from the public, staff,

and FRS stakeholders, and a more diverse workforce from a variety of backgrounds and experiences. The draft was published in May and was open for consultation for five weeks.

- 5.3 Framed by the Culture Action Plan, NFCC is establishing a cultural reform programme to highlight and share the good practice and learning that has been identified in some individual FRSs and other sectors. This will help embed the Core Code of Ethics (CCoE) across the UK FRS, introduce work from our Leadership and People Programmes, and ensure that the recommendations of reviews into UK FRS culture are fully addressed and integrated into services.

Culture Action Plan

- 5.4 Consultation on the Culture Action Plan is now closed. Comprehensive written and oral feedback was received from stakeholders both within and without the fire sector. The feedback has been analysed and considered as part of the redrafting process.
- 5.5 In addition to new products, NFCC will incorporate our existing products into the Culture Action Plan and engage with the sector regularly. The planned date for the publication of the Culture Action Plan is the 19th July 2023. NFCC will continue to monitor and review progress against the plan after publication, drawing on feedback to ensure delivery against ambition.

6. Leadership Programme Update

Direct Entry Project

- 6.1 The Direct Entry recruitment process closed on 2nd June 2023 with an impressive 839 applications received for the seven Station Manager posts. Applicants came from a wide range of industries including education, the Armed Forces, the NHS, and the National Grid. As hoped, the process attracted a diverse pool of applicants: 21 percent were female, 19 percent were from a minority ethnic background, and five percent declared a disability. After a rigorous shortlisting process, each service selected four to six candidates to proceed to the next stage, which is assessment and final selection.

Middle Leadership Project

- 6.2 The project team conducted early market engagement between 11th April and 12th May 2023 to seek suppliers who may be interested in collaborating with NFCC to provide an accessible online learning portal. The portal will host bespoke online learning modules, aligned to the NFCC Leadership Framework, CCoE, and the Level Five Apprenticeship standard for middle leaders.
- 6.3 This early engagement provided NFCC with an indication of costs, ensuring that informed buying decisions could be planned in advance of the official tender process.

Our engagement received interest from 24 suppliers. The formal procurement process commenced on 30th May and ran until 27th June 2023. In the next update, we will provide further details, including the successful supplier.

Strategic Continued Professional Development Masterclasses

- 6.4 There has been an excellent response to the masterclasses. Over 97 percent of FRs have attended at least one session. The next masterclass, on the theme of sustainability, the environment and climate change, will take place on 26th June 2023.

Core Code of Ethics

- 6.5 The Local Government Association and the Association of Police and Crime Commissioners met with NFCC's Implementation Lead in May 2023, during which the outcomes of the HMICFRS Culture Report were reviewed. Another meeting is planned for December 2023.

7. Operational Response and Fire Control Hub Update

- 7.1 NFCC's new Operational Response and Fire Control Hub Lead will take up the position on the 4th July 2023. The post-holder will play a significant role in the day-to-day support of NFCC's Continuous Improvement Directorate, providing technical expertise, advising leaders, and providing managerial support to the Operations Committee.

Guidance and Learning

- 7.2 The project to establish organisational learning in NFCC is progressing and teams have been restructured to adapt the NOL model for use in other areas. Areas already being considered to drive improvement include historic learning, prevention of future death reports, fire investigation reports, and protection and prevention learning.
- 7.3 One new guidance document (Terrorist Attack NOG third edition), one fire control guidance document (multi-agency NOG), and eight change requests for NOG were approved in May and are now live on [UKFRS.com](https://www.ukfrs.com). The eight change requests cover a wide variety of workstreams: hazardous materials, water rescue, utilities and fuel, fires in buildings, and transport.
- 7.4 The terrorist attack guidance replaces previous iterations of marauding terrorist attack guidance and complements Joint Operating Procedures for Terrorist Attack still marked as official sensitive.
- 7.5 Fire control NOG training specifications have now been published for the following subjects: fire control command, fire survival guidance, water survival guidance, emergency call management, and multiple calls and multiple incidents.

- 7.6 Major incidents guidance consultation is now closed. Guidance is expected to be published in August 2023. This will bring the guidance in line with recommendations from inquiries and changes to supporting documents such as the JESIP doctrine.
- 7.7 A working group has been established to review fireground radios guidance. The guidance document originally published in 2018 requires updates to reflect changes in technology and learning from incidents.
- 7.8 NFCC is actioning the joint organisational learning recommendation to address issues with multi-agency working at water rescue incidents, and an updated water survivability model is being developed. This work is being led by the National Ambulance Resilience Unit and supported by multi-agency partners.
- 7.9 The NFCC learning team has published two new packages. The first addresses Reinforced Autoclaved Aerated Concrete (RAAC), a package developed in conjunction with NFCC's Protection Reform Unit to address rising concerns regarding RAAC in premises such as hospitals and care homes. The second addresses the Torre Dei Morro fire. Following an NFCC visit to Milan, the learning is being shared via an eLearn case study developed by the Fires in Tall Buildings Group.

Grenfell Tower Inquiry

- 7.10 The Grenfell Tower Inquiry Recommendations Survey was issued to every FRS in February 2023, the results were compiled at the end of April, and the final report was submitted to the Home Office in preparation for the anniversary of the fire in June. The results of the survey show continued progress in FRS work towards the completion of all recommendations.
- 7.11 The Minister's Grenfell Tower Inquiry Recommendations Oversight and Governance Board has been reconvened to track performance ahead of the release of the Phase Two recommendations expected in early 2024.

Multi-Agency Incident Transfer (MAIT) Connect Project

- 7.12 Following extensive work by the two project working groups (the ICT User Group and the Control User Group), the MAIT Connect Project released the invitation to tender notice to the market on 16th April 2023.
- 7.13 After a thorough procurement process was completed in June 2023, the contract will be awarded in July 2023.

8. Data, Digital and Technology (DDaT) Update

- 8.1 NFCC has created a new DDaT Committee, which will consolidate leadership and expertise to determine priorities and oversee the development and delivery of a roadmap of national DDaT ambitions. To support the committee, the NFCC has wound down the Digital and Data Programme (DDP) and established a permanent DDaT function, providing strategic leadership and delivery for the committee's priorities. Recruitment for strategic leadership roles and board chairs has commenced.
- 8.2 To develop a broader understanding of the 'art of the possible' and to maximise learning, the DDaT Committee is working with the TechUK industry association, National Police Chiefs Council, and Police Digital Service to create an NFCC DDaT roadmap.
- 8.3 A strategic partnership between NFCC DDaT and TechUK is being explored. The benefits of a partnership include increased industry awareness of the remit and objectives of NFCC and TechUK among the wider fire sector and supplier communities, a more transparent and accessible market for technology in the fire sector, and strengthened relationships between the fire and private sectors to empower the sharing of public safety responsibilities. A similar strategic partnership was established in 2021 [between TechUK and the Police Digital Service](#).
- 8.4 Research to develop the strategic roadmap has begun, and initial findings will be made available in the third quarter of 2023–24. The DDaT team will engage with all NFCC Committee Chairs to ensure that priorities and anticipated DDaT-related activity are recorded.

National Fire Data Collection Systems (NFDCS)

- 8.5 NFDCS is a Home Office-led project to transform the existing Incident Recording System (IRS) into a more comprehensive, flexible, and scalable data collection system. Following unexpected delays, the aim is to deliver an initial solution in the summer of 2024. This will prioritise the scope of the current IRS datasets with subsequent expansion into other areas, including prevention, protection, and workforce data. Home Office has recently appointed a supplier to develop the new system and the project is entering its delivery phase.

Data Management Framework (DMF)

- 8.6 Following the publication of the Data Management Fire Standard, the DDaT team has defined and developed complementary underpinning guidance and tools. The DMF has undergone peer review and amendments have been made ahead of full consultation in July 2023. The final publication is anticipated in the third quarter of 2023–24.

Digital, Technology, and Cyber

- 8.7 Work on the five-point framework for digital, technology, and cyber remains a key focus. The framework comprises strategy; standards; governance and structure; cyber; and promote, engage, motivate, and collaborate.
- 8.8 The Home Office has allocated three-year funding to improve cyber resilience in English FRSs. Home Office has partnered with IBM to conduct detailed research into compliance with the Cyber Assessment Framework, which will inform how the next two years of funding are targeted and the role that NFCC will play in supporting improvement. A report on the findings is expected in July 2023.
- 8.9 The DDaT hub will collaborate with the Fire Standards Board to commence production of digital and technology standards in September 2023. Supporting guidance and tools will be identified as this workstream develops.

Title of Paper	Fire Standards Progress Report
Decision or Information	For information
Title and Date of Meeting	LGA Fire Service Managers Committee 7 th July 2023
Attachments	None

Summary

This paper provides members of the LGA Fire Service Managers Committee with a summary of the progress on the Fire Standards.

The Fire Standards Board (FSB) last met in an additional Board meeting on the 13th June. The purpose of the additional meeting was to discuss the HMICFRS Values and Culture Spotlight Report.

The next scheduled Board meeting is on 31st July 2023.

Recommendations

FSMC 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 of the Publication and Production of Fire Standards

There are now sixteen approved and published Fire Standards which are available on the [Fire Standards Board](#) website and shown in the timeline figure below.



The third phase of Fire Standards development is progressing with the remaining standards underway shown on the timeline diagram below.

It is anticipated that the full suite of standards will total approximately 21.

Phase Three Fire Standards Development



Progress with Development Work

The next areas of activity being considered for Fire Standards include:

- Commercial and Procurement
- Financial Management and Internal Governance
- Asset Management

These three standards have working titles based on scoping work to date and are being developed in parallel as some of the activities are inter-linked or interdependent. It is anticipated that through the drafting and peer review stages of development more clarity about their actual content and the number of standards required will be determined.

Work on these Fire Standards include:

- Initiating, scoping and early development of these three standards, which commenced in March 2023
- Peer review expected to take place by July 2023
- Consultation expected to take place in Autumn 2023

Digital and IT

- The discovery and scoping phase of this standard is anticipated to commence in Spring 2024 subject to the outcomes of work related to the HMICFRS Culture Report.

Implementation support

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

The NFCC has regional Implementation Liaison Managers to assist services with their work in achieving the standards. The FSB Chairs also visit services across the Country, speaking about the standards, the benefits from implementing them and aiding senior leadership teams.

Should a service wish to host a visit with the FSB Chairs, please inform the NFCC Fire Standards Team on fsb@nfcc.org.uk.

Impact and Benefits Realisation

The FSB is keen to understand the impact of the published Fire Standards. As part of both the development process and the consultation on each Fire Standard, we ask services about potential impacts.

The FSB engaged with services across England between July and November 2022 to help better understand impacts and review progress to date. In doing so it gathered a wide range of feedback from services and has used this to develop a Communications and Engagement Strategy which was approved at the December Board meeting. A Communications and Engagement Plan and Schedule

is currently being developed which aims to help support services with achieving the standards through a range of activities and communication channels.

Review of Fire Standards

The recent HMICFRS Spotlight Report on Culture and Values made three recommendations directed at the Fire Standards Board. The Board at an additional meeting on the 13th June agreed to these recommendations. An action plan with timeline for their delivery will be considered at the Board's next meeting on the 31st July.

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.

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 of the respective Fire Standards 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. HMICFRS reference the standards in their inspections and services should be prepared to evidence their progress towards achieving them.

The FSB welcomes and appreciates the support of fire authority chairs and members.

Fire Services Management Committee Update Paper

Purpose of Report

For information.

Is this report confidential? No

Summary

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

LGA Plan Theme: Championing climate change and local environments

Recommendation

That the Committee note the report.

Contact details

Contact officer: Rebecca Johnson

Position: Adviser

Phone no: 07887 568807

Email: Rebecca.johnson@local.gov.uk

Fire Services Management Committee update paper

Updates

Fire Reform White Paper

1. Government response to the White Paper is yet to be published. Officials have indicated that they are working towards publishing a response prior to recess starting on the 20 July, though this is not guaranteed.

Fire Performance Oversight Group

2. Cllr Frank Biederman attended the Fire Performance Oversight Group (FPOG) meeting on 7 June to provide support to our members.

Disclosure and Baring Service (DBS) updates

3. Earlier in June a proposed amendment to the Rehabilitation of Offenders Act (Exceptions) Order 1975, which would bring legislative changes relating to DBS checks was supported by both main parties in the House of Lords, having previously received strong support in the Commons.
4. The effect of a change, when it comes into force, would be to make all Fire and Rescue Authority employees eligible for Standard Disclosure and Barring Service (DBS) checks, alongside existing eligibility.
5. This change is expected to come into force on 6 July, subject to Ministerial signature on 5 July.

Fire Commission

6. On 9 June the LGA's Fire Commission met. Agenda items included culture in the Fire & Rescue Service, updates from the National Fire Chiefs Council on work around On-Call firefighters, an update from the Home Office on the Emergency Services Mobile Communications Programme as well as work of the Fire Standards Board.

Implications for Wales

7. None

Financial Implications

8. None.

Equalities implications

9. HMICFRS's inspection reports highlighted a range of issues that impact on equality, diversity and inclusion within the fire and rescue sector. The LGA's Fire Diversity and Inclusion Champions Network has been specifically established to assist authorities in improving equality, diversity and inclusion in fire and rescue services.

Next steps

10. The Committee note the report.

