



# Fire Commission

Agenda

Friday, 14 October 2022  
11.00 am

Hybrid Meeting - 18 Smith Square and  
Online

## Fire Commission

Friday, 14 October 2022

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There will be a meeting of the Fire Commission at **11.00 am on Friday, 14 October 2022** 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.

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### 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.

<b>Conservative:</b>	Group Office: 020 7664 3223	email: <a href="mailto:lgaconservatives@local.gov.uk">lgaconservatives@local.gov.uk</a>
<b>Labour:</b>	Group Office: 020 7664 3263	email: <a href="mailto:labgp@lga.gov.uk">labgp@lga.gov.uk</a>
<b>Independent:</b>	Group Office: 020 7664 3224	email: <a href="mailto:independent.grouplga@local.gov.uk">independent.grouplga@local.gov.uk</a>
<b>Liberal Democrat:</b>	Group Office: 020 7664 3235	email: <a href="mailto:libdem@local.gov.uk">libdem@local.gov.uk</a>

### 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 Commission – Membership

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

Councillor	Authority
<b>Conservative</b>	
Cllr Paul Duckett	Bedfordshire Fire & Rescue Service
Cllr Simon Rouse	Buckinghamshire and Milton Keynes Fire Authority
Cllr Martyn Alvey	Cornwall Council
Cllr Trevor Ainsworth	Derbyshire County Council
Cllr Sara Randall Johnson	Devon and Somerset Fire and Rescue Authority
Cllr Rebecca Knox	Dorset and Wiltshire Fire and Rescue Service
Cllr Paul Oatway	Dorset and Wiltshire Fire Authority
Cllr Carol Theobald	East Sussex Fire Authority
Mr Roger Hirst	Police, Fire and Crime Commissioner for Essex
Cllr David Norman MBE	Gloucestershire County Council
Cllr Dylan Butt	Greater Manchester Combined Authority
Cllr Rhydian Vaughan MBE	Hampshire and Isle of Wight Combined Fire Authority
Cllr Kit Taylor	Hereford and Worcester Fire Authority
Cllr Morris Bright MBE	Hertfordshire County Council
Cllr John Briggs	Humberside Fire Authority
Cllr Nick Chard	Kent and Medway Fire and Rescue Authority
Cllr Stuart Tranter	Kent and Medway Fire and Rescue Authority
Cllr David O'Toole	Lancashire Combined Fire Authority
Cllr John Shedwick	Lancashire Combined Fire Authority
Cllr Neil Bannister	Leicester, Leicestershire & Rutland Combined Fire Authority
Cllr Lindsey Cawrey	Lincolnshire County Council
Cllr Margaret Dewsbury	Norfolk County Council
Cllr Gordon Stewart	Northumberland County Council
Cllr Eric Carter	Shropshire and Wrekin Fire Authority
Cllr Andrew Reid	Suffolk County Council
Cllr Andy Crump	Warwickshire County Council
Cllr Duncan Crow	West Sussex County Council
Cllr Peter Harrand	West Yorkshire Fire Service
Cllr Rachel Bailey (Balancing Member)	Cheshire Fire Authority
Cllr Mark Healey MBE (Balancing Member)	Devon and Somerset Fire and Rescue Authority
Cllr David Cannon (Balancing Member)	Royal Berkshire Fire Authority
Cllr Richard Bell (Balancing Member)	County Durham and Darlington Fire & Rescue Authority
Cllr Lynn Hall (Balancing Member)	Cleveland Fire Authority
Cllr James Doyle (Balancing Member)	Tyne and Wear Fire Authority

Cllr Simon Ball (Balancing Member)	South Yorkshire Fire & Rescue Authority
Cllr Lesley Rennie (Balancing Member)	Merseyside FRA
Cllr Denise Turner-Stewart	Surrey County Council
<b>Substitutes</b>	
Cllr Tina McKenzie-Boyle	Royal Berkshire Fire Authority
Cllr Byron Quayle	Dorset & Wiltshire Fire and Rescue Authority
<b>Labour</b>	
Cllr Brenda Massey	Avon Fire Authority
Cllr Paul Gittings	Royal Berkshire Fire Authority
Cllr Bob Rudd	Cheshire Fire & Rescue Service
Cllr Paul Kirton	Cleveland Fire Authority
Dr Fiona Twycross	Greater London Authority
Cllr David Lancaster	Greater Manchester Combined Authority
Cllr Steve Williams	Greater Manchester Combined Authority
Cllr Les Byrom CBE	Merseyside Fire and Rescue Authority
Cllr Brian Kenny	Merseyside Fire and Rescue Authority
Cllr Michael Payne	Nottinghamshire and City of Nottingham Fire and Rescue Authority
Cllr Steve Bradwick	South Wales Fire and Rescue Authority
Cllr Charlie Hogarth	South Yorkshire Fire and Rescue Authority
Cllr Tony Damms	South Yorkshire Fire and Rescue Authority
Cllr Philip Tye	Tyne and Wear Fire Service
Cllr Greg Brackenridge	West Midlands Fire Service
Cllr Darren O'Donovan	West Yorkshire Fire and Rescue Authority
<b>Substitutes</b>	
Cllr James Roberts	Merseyside Fire and Rescue Authority
<b>Liberal Democrat</b>	
Cllr Edna Murphy	Cambridgeshire and Peterborough Fire Authority
Cllr Janet Willis	Cumbria County Council
Cllr Simon Coles	Somerset County Council
Cllr Roger Price	Hampshire and Isle of Wight FRA
Cllr Jenny Hannaby	Oxfordshire County Council
Cllr Keith Aspden (Balancing Member)	North Yorkshire Fire & Rescue Service
Cllr Jeremy Hilton (Balancing Member)	Gloucestershire County Council
Cllr Ruth Skelton (Balancing Member)	Derbyshire Fire and Rescue Authority
Cllr Carolyn Lambert (Balancing Member)	East Sussex Fire Authority
Cllr Tom Woodward (Balancing Member)	Tyne and Wear FRA
Cllr Steven Lambert (Balancing Member)	Buckinghamshire and Milton Keynes Fire Authority
Cllr Glyn Preston (Balancing Member)	Mid and West Wales Fire
Cllr Ian Roome (Balancing Member)	Devon and Somerset FRA

Member)	
<b>Independent</b>	
Cllr Frank Biederman (Chair)	Devon & Somerset Fire & Rescue Authority
Cllr John Shuttleworth	Co. Durham and Darlington Fire Authority
Cllr Elwyn Williams	Mid and West Wales Fire Authority
Cllr Dylan Rees	North Wales Fire and Rescue Authority
Cllr Luke Frost (Balancing Member)	Cleveland Fire Authority
Cllr Nigel Smith (Balancing Member)	Conwy County Borough Council
Cllr Jason Zadrozny (Balancing Member)	Ashfield District Council
Cllr Adam Brook (Balancing Member)	Cleveland Fire Authority
Cllr Philip Barrett (Balancing Member)	North Yorkshire Fire & Rescue Authority
Cllr Paul Hilliard (Balancing Member)	Dorset and Wiltshire FRA

## Agenda

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### Fire Commission

Friday, 14 October 2022

11.00 am

Hybrid Meeting - 18 Smith Square and Online

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Item	Page
1. <b>Welcome, Apologies and Declarations of interest</b>	
2. <b>Minutes of the previous meeting held on 10 June 2022</b>	1 - 8
3. <b>Home Office - verbal update</b>	
4. <b>Resilience and Climate Change</b>	
CFO Ben Brook, Warwickshire FRS and NFCC Climate Change lead, to present	
5. <b>Building Safety Regulator update</b>	
Sandra Tomlinson and James Tancred - Health & Safety Executive - to present	
6. <b>Economic and Social Value of the UK Fire &amp; Rescue Service</b>	
Presentation from Assistant CFO Dan Quinn, Shropshire FRS, and NFCC project lead	
7. <b>Fire Commission and FSMC priorities 2022-23</b>	9 - 16
<b>ITEMS FOR NOTING</b>	
8. <b>Workforce update</b>	17 - 30
9. <b>Building Safety update</b>	31 - 38
10. <b>National Fire Chiefs Council update</b>	39 - 48

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| 11. | <b>Fire Standards Board update</b> | 49 - 54 |
| 12. | <b>Fire Commission update</b>      | 55 - 60 |

**Date of Next Meeting:** Friday, 9 June 2023, 11.00 am, Hybrid Meeting - 18 Smith Square and Online







## Note of last Fire Commission meeting

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<b>Title:</b>	Fire Commission
<b>Date:</b>	Friday 10 June 2022
<b>Venue:</b>	Bevin Hall, 18 Smith Square and online via Zoom

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### Attendance

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

Item	Decisions and actions	Action
<b>1</b>	<p><b>Welcome, Apologies and Declarations of interest</b></p> <p>The Chair welcomed members to the meeting.</p> <p>Apologies were received from: Cllrs John Briggs, Linda Taylor, Steven Lambert, Amanda Peers, Carolyn Lambert, Lesley Rennie, Janet Willis, James Doyle, Frank Biederman, Trevor Ainsworth, Tudor Davies, Morris Bright and Simon Coles.</p> <p>There were no declarations of interest.</p>	
<b>2</b>	<p><b>Minutes of the previous meeting held on 24 September 2021</b></p> <p>The minutes of the meeting held on 24 September 2021 were agreed as an accurate record.</p>	
<b>3</b>	<p><b>Fire Reform White Paper</b></p> <p>The Chair invited Anjli Mapara (AM) - Deputy Head of Fire Strategy &amp; Reform Unit and Stuart Harwood (SH) – Head of Governance, from the Home Office to give a presentation on the White Paper.</p> <p>AM set out the Government’s case for the reforms proposed in the White Paper, with Covid 19, HMICFRS inspection reports and the Grenfell Tower and Manchester Arena disasters all highlighting the need for change in how FRSs are run. The proposals in the White Paper were under 3 headings:</p> <ol style="list-style-type: none"> <li>1) Professionalism           <ul style="list-style-type: none"> <li>• Establishing an independent College of Fire &amp; Rescue</li> <li>• Introducing minimum entry requirements and development schemes</li> <li>• A mandatory 21<sup>st</sup> Century leadership programme</li> </ul> </li> </ol>	



## 2) People

- Carrying out a review of the pay structure
- Defining the role of a firefighter
- Unlocking talent and diversity
- Developing a firefighter's oath

## 3) Governance

- Transferring FRA functions to a single elected (ideally directly-elected) individual
- Introducing operational independence for CFOs
- Separating strategic Fire and Rescue Plans from operational Independent Risk Management Plans.

AM stressed that the Home Office was keen to have conversations with local areas, particularly around governance reform, to try and come up with solutions that were acceptable to all parties. She encouraged members to respond to the consultation which would be running until 26 July.

Lucy Ellender (LE), LGA Senior Adviser, expanded upon the proposed governance changes and their implications for FRAs and highlighted the table in the White Paper on potential demarcation of responsibilities between the political (executive) leader and the Chief Fire Officer (CFO). Feedback was requested from members on the two possible alternative governance arrangements proposed in the covering report.

### Members' comments and questions:

- Members welcomed the Government's commitment to improving fire and rescue services through the White Paper although it was suggested that they needed to be clearer about exactly what outcomes they wanted from the process.
- Members felt very strongly that it should be up to local areas to determine the governance arrangements that best suited their individual circumstances, not for central Government to dictate. The rationale for changing governance of FRAs was queried and whether enforced changes would actually improve service delivery. Putting power in the hands of one individual would reduce accountability and scrutiny, and valuable local expertise in FRAs would be lost. It was considered that there were a number of other more pressing issues, such as pensions, recruitment/retention of senior officers and diversity and inclusion that needed to be resolved and would have a much greater impact on improving services. None of this was addressed in the White Paper. Members queried what the process would be, should there be disagreement between central and local government in a particular area. AM confirmed that this process had not yet been determined but reiterated that the Minister's preference remained for a single directly-elected individual to take on governance. Members agreed that the two alternative options put forward by the LGA in the report should be worked up and put forward in the consultation response.

- A Mayoral governance model could be made to work with the establishment of an effective Police, Fire & Crime Panel – the example of Greater Manchester was cited. SH said that the Government would seek to replicate the Manchester model in future Mayoral arrangements.
- The costs of changing governance arrangements and wider reforms had not been factored in by Government and needed to be balanced against the perceived benefits. AM referred members to the Impact Assessment published alongside the White Paper which contained cost estimates of the proposals. A further, more detailed impact assessment would be published when the Government response to the consultation was published.
- It was suggested that much of what was in the White Paper could be achieved without new legislation, through sharing best practice.
- The White Paper proposals on governance had not been joined up with the proposals in the Levelling Up White Paper on changes to local authority governance.
- The corporation sole model would not work in county council fire services.
- Trying to abolish the current NJC structure and collective bargaining would create more problems that it would solve – the Government should work with the stakeholders to address any perceived issues.
- The benefits of introducing a firefighters' oath were queried.
- Some of the proposals under professionalism were welcomed, in particular, the establishment of a properly resourced Fire College.
- If closer integration and greater accountability of blue light services was the Government's objective, then lack of accountability in the ambulance service should also be looked at.
- Ring-fencing of funding was not considered a good idea from an accounting point of view as it reduced services' flexibility to be responsive to situations.
- With PCCs not being restricted in how much they could increase their share of council tax, there was a danger that the value for money residents received could actually reduce with the proposed governance changes.
- A plea was made for regional variations in cost of living and other issues to be taken into account in any reform of the NJC structure and for local flexibility on possible entry requirements.
- Introducing stricter entry requirements for firefighters could be counter-productive in terms of recruitment of a more diverse and inclusive workforce. AM stressed that the White Paper was not specifying academic entry requirements.
- It was suggested that the White Paper proposals could help in facilitating a broadening of the role of firefighters.

The Chair thanked Anjli and Stuart for attending the Fire Commission and said that a draft response to the White Paper would be brought to the Fire Services Management Committee on 8 July for agreement.

**Decision:**

Fire Commission **agreed** the proposed direction of response to the Fire Reform White Paper, encapsulating comments made during the debate – draft response to be agreed by Fire Services Management Committee on 8 July 2022.

**4 Fire Finance**

The Chair invited Mark Hemming (MH), Buckinghamshire FRS and CFO Ben Ansell (BA), Dorset & Wiltshire FRS to introduce the report.

BA reminded members that it was currently year 1 of a 3-year Spending Review settlement from Government although services had only been provided with year 1 figures. The local government finance settlement for 2022-23 contained mixed news. Whilst giving the lowest 8 council tax FRAs the ability to raise their council tax precept by £5 was welcome, it was disappointing that this, or increased flexibility, was not extended to other FRAs. Whilst discussions with the Home Office were ongoing, it was unlikely that there would be any changes to the fire funding formula before 2025 at the earliest. It was therefore important for both the NFCC and the LGA to continue to lobby both DLUHC and the Treasury for greater flexibility around the council tax precept.

MH reminded members of the commitments made around efficiency and productivity (and the Forum established to help deliver these) as part of the Spending Review submission. The biggest challenge was around data collection and a standardised efficiency plan template was therefore being worked up through the Fire Finance Network. This would enable services to demonstrate efficiency gains and to aggregate these up nationally. MH explained that a full-blown submission to Home Office would not be required this year but several key issues such as pay awards, pensions and inflation would be highlighted to Government in terms of their impact on FRA finances. In particular, research was being carried out into the impacts of the rapidly increasing energy costs for FRAs.

**Members' comments and questions:**

- Members agreed that the current joint working arrangements with the NFCC on finance had been very helpful and should continue.
- Members felt it would be helpful if a projection of the various expected cost increases could be made for individual FRAs in order to help with budgeting, as well as lobbying. BA said that additional in-year funding was not expected and so FRAs would have to continue to plan within their current budgets. MH added that individual FRAs were being surveyed around increased costs and this would be aggregated nationally to try and produce a range of inflation scenarios to help FRAs plan ahead.
- It was considered important to distinguish between genuine efficiencies and cuts to services that would damage outcomes for residents.

**Decision:**

Fire Commission **noted** the previous work of the NFCC and LGA and



**endorsed** continued joint working on lobbying for sustainable funding for the sector.

## 5 Building Safety Update

The Chair invited Georgia Goddard (GG) – NGDP Graduate, to introduce the update.

GG took members through some of the key points from the update paper:

- Discussions taking place with DLUHC and NFCC to support a coordinated risk audit within medium-rise residential buildings
- The Joint Inspection Team has secured funding for the next two years which will see it triple in capacity by the end of this financial year
- The Building Safety Act has now received Royal Assent but there will be a significant number of pieces of secondary legislation needed in order to set up the new Building Safety Regime. The LGA's outstanding concerns were set out, in particular, a lack of Government funding to achieve desired outcomes.
- Fire Safety Act and a number of Grenfell Tower Inquiry phase 1 recommendations had now commenced.
- The Government had just published the consultation outcome on the review of the ban on the use of combustible materials in and on the external walls of buildings alongside updated guidance to fire safety and building regulations.
- The Government had also published a third consultation on PEEPs, containing new proposals, including a proposal called Emergency Evacuation Information Sharing. Fire Services Management Committee had agreed that the LGA should not support the proposals in the consultation as they don't require the responsible person in a building with simultaneous evacuation to have a plan on how a resident with a disability would evacuate in the event of a fire. The LGA's view was that such a policy would be unlawful under the Equalities Act if adopted by local authorities.

Members' comments and questions:

- Concerns were raised over the Government's latest proposals on disabled residents in high rise blocks. Charles Loft, Senior Adviser, welcomed the establishment of a working group with residents and landlords to look in more detail at the issues but warned that it was not sustainable for the Government to effectively transfer responsibility from the duty-holder to the fire service for ensuring the safety of disabled residents in blocks with Simultaneous Evacuation.

### **Decision:**

Fire Commission **noted** and **endorsed** the LGA's building safety related work.

## 6 National Fire Chiefs Council update



The Chair invited Mark Hardingham, NFCC Chair, to introduce the update.

MH passed on his thanks to colleagues who had facilitated the deployment of three convoys of UK fire service kit and equipment to Ukraine over the last two months, providing vital life-saving equipment to firefighters there. The Fire Commission Chair also recorded his appreciation for those firefighters.

**Decision:**

Fire Commission **noted** the update.

**7 Fire Standards Board update**

The Chair invited Cllr Nick Chard to introduce the update.

Cllr Chard highlighted and welcomed the new Leadership Standard which was going out to consultation.

**Decision:**

Fire Commission **noted** the update.

**8 Fire Commission update**

The Chair invited Lucy Ellender (LE), Senior Adviser, to introduce the update. LE indicated that she was happy to take questions on the report.

**Decision:**

Fire Commission **noted** the update without discussion.

**9 Workforce update**

The Chair invited Gill Gittins (GG), Senior Adviser (workforce and negotiations), to introduce the update. GG indicated that she was happy to take questions on the report.

**Decision:**

Fire Commission **noted** the update without discussion.

**Appendix A -Attendance**

Position/Role	Councillor	Authority
Chairman	Cllr Ian Stephens	Isle of Wight Council
Members	Cllr Brenda Massey	Avon Fire Authority
	Cllr John Chatterley	Bedfordshire Combined Fire Authority
	Cllr Pauline Helliars-Symons	Royal Berkshire Fire Authority
	Cllr Edna Murphy	Cambridgeshire and Peterborough Fire Authority



Cllr Bob Rudd	Cheshire Fire & Rescue Service
Cllr Martyn Alvey	Cornwall Council
Cllr Rebecca Knox	Dorset and Wiltshire Fire and Rescue Service
Cllr John Shuttleworth	Co. Durham and Darlington Fire Authority
Cllr Carol Theobald	East Sussex Fire Authority
Cllr David Norman MBE	Gloucestershire County Council
Dr Fiona Twycross	Greater London Authority
Cllr Steve Williams	Greater Manchester Combined Authority
Cllr David Lancaster	Greater Manchester Combined Authority
Cllr Rhydian Vaughan MBE	Hampshire and Isle of Wight Combined Fire Authority
Cllr Kit Taylor	Hereford and Worcester Fire Authority
Cllr Nick Chard	Kent and Medway Fire and Rescue Authority
Cllr David O'Toole	Lancashire Combined Fire Authority
Cllr John Shedwick	Lancashire Combined Fire Authority
Cllr Lindsey Cawrey	Lincolnshire County Council
Cllr Les Byrom CBE	Merseyside Fire and Rescue Authority
Cllr Elwyn Williams	Mid and West Wales Fire Authority
Cllr Margaret Dewsbury	Norfolk County Council
Paul Fell	Northants Police Fire & Crime Commissioner
Cllr Neil Fawcett	Oxfordshire County Council
Cllr Eric Carter	Shropshire and Wrekin Fire Authority
Cllr Charlie Hogarth	South Yorkshire Fire and Rescue Authority
Cllr Tony Damms	South Yorkshire Fire and Rescue Authority
Cllr Andy Crump	Warwickshire County Council
Cllr Peter Hogarth MBE	West Midlands Fire and Rescue Authority
Cllr Duncan Crow	West Sussex County Council
Cllr Darren O'Donovan	West Yorkshire Fire and Rescue Authority
Cllr Peter Harrand	West Yorkshire Fire and Rescue Authority
Cllr Mark Healey MBE	Devon and Somerset Fire and Rescue Authority
Cllr Lesley Rennie	Merseyside FRA
Cllr Richard Bell	County Durham and Darlington Fire & Rescue Authority
Cllr Greg Brackenridge	West Midlands FRA
Cllr Nikki Hennessy	Lancashire County Council
Cllr Jane Hugo	Blackpool Council
Cllr Carl Johnson	Tyne & Wear FRA
Cllr Leigh Redman	Somerset County Council
Cllr Colleen Atkins MBE	Bedfordshire FRA
Cllr Keith Aspden	North Yorkshire Fire & Rescue Service
Cllr Ruth Skelton	Derbyshire Fire and Rescue Authority
Cllr Roger Price	Hampshire and Isle of Wight FRA
Cllr Jeremy Hilton	Gloucestershire County Council
Cllr Tom Woodwark	Tyne and Wear FRA
Cllr Paul Kirton	Cleveland FRA
Cllr Nigel Smith	Conwy County Borough Council
Apologies	Cumbria County Council
Cllr Janet Willis	Derbyshire County Council
Cllr Trevor Ainsworth	Somerset County Council
Cllr Simon Coles	Police, Fire and Crime Commissioner for Essex
Mr Roger Hirst	



Cllr Amanda Peers	Greater Manchester Combined Authority
Cllr Morris Bright MBE	Hertfordshire County Council
Cllr John Briggs	Humberside Fire Authority
Cllr Tudor Davies	South Wales Fire Authority
Cllr Linda Taylor	Cornwall Council
Cllr James Doyle	Tyne and Wear Fire Authority
Cllr Carolyn Lambert	East Sussex Fire Authority
Cllr Steven Lambert	Buckinghamshire and Milton Keynes Fire Authority
Cllr Frank Biederman	Devon and Somerset Fire and Rescue Authority

## In Attendance

Janet Perry (for Roger Hirst)	Essex PFCC
Cllr Reena Ranger (for Cllr Morris Bright)	Hertfordshire County Council
Cllr Gohar Almass	West Yorkshire FRA
DCFO Steve Helps	Darlington FRS
Cllr Stef Nelson	Cheshire FRA
CFO Mark Preece	Gloucestershire FRS
Richard Stanton	West Midlands FRS
Cllr Paul Duckett	Bedfordshire FRA
Cllr Kamran Ali	
Cllr Don Davies	Avon FRA
Cllr Kevin Deanus	Surrey County Council
Steven Adams	NFCC
CFO Justin Johnson	Lancashire FRS + NFCC
Cllr Kevin Pardy	Shropshire & Wrekin FRA
Ben Wilkinson	
CFO Neil Odin	Hampshire & Isle of Wight FRS
Cllr Hetty Wood	Merseyside FRA
Mark Hardingham	NFCC
Anjli Mapara (for item 3)	Home Office
Stuart Harwood (for item 3)	Home Office



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## **Priorities for 2022-23**

### **Purpose of report**

For information.

### **Summary**

The Fire Commission are asked to note the priorities for the LGA's fire policy work for 2022-23.

### **Recommendation**

The Fire Commission are asked to note the priorities and work agreed by Fire Services Management Committee at its meeting in September.

### **Action**

Following the Committee's agreement of its priorities officers are in the process of drafting a workplan to deliver the priorities.

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

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## **Priorities for 2022-23**

### **Background**

1. In September 2022 the Fire Services Management Committee (FSMC) discussed potential priorities for the forthcoming year. This paper surmises the priorities as discussed at that meeting as well as examining the role of the LGA and horizon scanning.

### **LGA Business Plan**

2. The LGA's 2019-22 business plan previously set out a range of cross-cutting priorities with the work programmes of individual boards should contribute to:
  - 2.1. Funding for local government
  - 2.2. Adult social care, health and wellbeing
  - 2.3. Narrowing inequalities and protecting communities
  - 2.4. Children, education and schools
  - 2.5. Places to live and work
  - 2.6. Strong local democracy
  - 2.7. Sustainability and climate action
  - 2.8. Supporting councils.
3. The business plan is currently being updated and at the current time, it is not clear what the new priorities will be or where the work of the Fire Services Management Committee will fit within them. We therefore plan on the basis of the broad headings of work which came under the narrowing inequalities and protecting communities/places to live and work headings in the previous plan:
  - 3.1. Councils lead the way in shaping communities where people feel safe;
  - 3.2. Councils continue to play a leading role in the design and delivery of blue light and other services that help protect local government;
  - 3.3. Councils support strong communities through risk-based business friendly regulatory services.

### **The Role of the LGA**

4. In looking at the priorities, FSMC has considered how the LGA can best add value to the work of the fire sector through its activities. As a political organisation, bringing together members from across the country and different governance types, the LGA occupies a unique position.
5. The LGA's work focusses on responding to the political aspects of topics that affect the fire service, particularly around issues such as governance, finance, inspection, building safety and equality, diversity and inclusion. These are issues that will have a national impact on the sector, and in which we can give a collective view as well as helping Fire

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and Rescue Authorities (FRAs) to drive improvements at the local level through activities such as training or the development of resources.

6. It is clear that there will be areas of work where other organisations take more of a lead, such as the National Fire Chiefs Council (NFCC). However, in those cases the LGA still provides an important role in providing political support and discussion. There may also be times where we might have a different focus to partner organisations on particular issues.
7. As the year progresses FSMC will consider how we can remain flexible in our approach towards the priorities for the year and have the opportunity to re-prioritise throughout the year.

### **Horizon Scanning**

8. In considering the priorities for next year, there are a number of reports, inquiries, reviews or other emerging issues likely to be coming out that may have an impact on the work of the FSMC going forwards. These include:
  - 8.1. New ministerial team
  - 8.2. Industrial relations and action
  - 8.3. Government response to the Fire Reform White Paper consultation
  - 8.4. Manchester Arena Inquiry
  - 8.5. Grenfell Inquiry
  - 8.6. State of Fire 2022 and third tranche of HMICFRS inspections
  - 8.7. London Fire Brigade's cultural review
  - 8.8. Civil contingencies review
9. As new issues emerge and policy announcements are made there will be a reprioritisation throughout the year.

### **September FSMC Priorities discussion**

10. The September FSMC meeting discussed and agreed the priorities for 2022-23. The importance of all of the priorities was discussed, however members emphasised the need to prioritise work throughout the year depending on the key issues coming up. For instance prior to the next fiscal event (currently scheduled for 23 November) we will work with the NFCC around lobbying on finances for the sector. Priorities for 2022-23 are centred around the Government's key themes in the Fire Reform White Paper of people, professionalism and governance, as well as looking further at sector-led support and climate change.
11. The [LGA responded to the Government's Fire Reform White Paper](#) over the Summer. There were a number of areas where we will be seeking further engagement with the Home Office to help inform their proposals, as well as looking at wider issues underneath the people, professionalism and governance headings:

#### **11.1. People**

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11.1.1. Under this heading the Government's white paper made proposals around flexibility, business continuity, the pay negotiating machinery and nurturing new and existing talent. His Majesty's Inspectorate of Constabulary and Fire and Rescue Services' (HMICFRS's) recent reports have also highlighted issues around equality, diversity and inclusion within the sector. We will continue to work with the FSMC Equalities Advocate, Fiona Twycross to support the Equality, Diversity and Inclusion (EDI) Champions Network, including training and resources for members on driving this work forwards.

## **11.2. Professionalism**

11.2.1. The White Paper outlined proposals around leadership of the sector, data, research, ethics and culture, including codes of ethics and the fire service Oath and the introduction of a College of Fire and Rescue. Other issues we work on under this heading include building safety, finance, inspections and standards as well as the implementation of Fit for the Future.

## **11.3. Governance**

11.3.1. The Government's proposals under this heading included the proposals around executive leadership, boundaries, funding, a balanced leadership model, the legal entity of chief fire officers and the distinction between strategic and operational planning. Our work on this area has focussed on supporting members in their governance role and their role in driving change in the sector.

12. Members also agreed two further priorities:

12.1. **Sector-led improvement:** We do not receive any funding from the Home Office to undertake a specific programme of sector-led improvement activity for fire and rescue authorities. Feedback so far has suggested that the development of a sector led improvement programme would be welcome in the sector. The NFCC are already working in this space and we would see our work as complementary to theirs as well as the work that HMICFRS are doing. We have engaged with the Home Office on this at a high level and plan further engagement. Our colleagues in improvement have explored several options that we could take into further discussions with the Home Office. Whilst we will continue discussions, initial feedback from the Home Office has been mixed. This would be separate to the policy work that we can do to provide training, such as the leadership essentials programmes etc.

12.2. **Climate change:** The wildfires over the summer, the knock-on effect in terms of resilience of the sector and the potential for flooding again this winter were discussed by the FSMC, and feed into our White Paper response. Given the widespread impact and number of the wildfires, with at least 14 FRAs declaring major emergencies, and others stretched, as well as the drought having the capacity and capability to respond to such extreme weather events will be an ongoing issue. It is also a key issue of importance across the LGA, with the

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Environment, Economy, Housing and Transport Board providing strategic direction and coordination of activity. The LGA Executive Advisory Board also has an interest in this work.

**Planned Events and activities**

13. We also have a number of fixed activities throughout the year including:

- 13.1. Two Fire Commission meetings: October 2022 and June 2023
- 13.2. Five FSMC meetings: September, December 2022, March, May, July 2023
- 13.3. Two Fire Leadership Essentials: November 2022 and Summer 2023
- 13.4. The Fire Conference: 7-8 March 2023
- 13.5. Three EDI Champions network meetings: 23 November, March 2023, June 2023
- 13.6. Quarterly Fire Bulletins

**Workplan**

14. Proposed activities to meet the priorities of the FSMC are:

Priority areas	Proposed activity
People	<ul style="list-style-type: none"> <li>• Inclusion and diversity champions network: continue to provide training, information and support to FRA champions.</li> <li>• Provide support to members through the Fire Leadership Essentials programme.</li> <li>• Consider any further resources to support members in driving forwards cultural change within the sector.</li> </ul>
Professionalism	<ul style="list-style-type: none"> <li>• Engage with Health and Safety Executive’s programme to establish the new building safety regulator and raise awareness amongst Fire and Rescue Authorities of their responsibilities as regulators. As part of this, we will continue to lobby for the funding of new burdens and a proportionate approach to transition to the new regime and new Fire Safety Order responsibilities.</li> <li>• Continue to support councils in taking enforcement action under the Housing Act 2004 through hosting the Joint Inspection Team. We will continue to support a coordinated approach to regulation between fire services and councils.</li> <li>• Continue our improvement programme to support FRSs in their enhanced regulatory role.</li> </ul>

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	<ul style="list-style-type: none"> <li>• Consider any developments around the Grenfell Tower inquiry, including the recommendations of its Phase Two report and respond.</li> <li>• Respond to any recommendations relevant to the Fire and Rescue Service from the Manchester Arena Inquiry.</li> <li>• We will continue to lobby around Personal Emergency Evacuation Plans and improved building regulations.</li> <li>• Working with the NFCC on making a joint case for the funding of the sector.</li> <li>• Continuing with our role on the Fire Standards Board.</li> <li>• Represent FRAs on HMICFRS’s External Reference Group.</li> <li>• Continue to work with the National Employers (England) and NFCC on the implementation of Fit for the Future.</li> </ul>
Governance	<ul style="list-style-type: none"> <li>• Continue to engage with the Home Office on their proposals around governance.</li> <li>• Continue to engage with the Home Office as they develop their Balanced Leadership Model.</li> <li>• Support members in their leadership and governance role through appropriate resources and training.</li> </ul>
Sector-led Improvement	<ul style="list-style-type: none"> <li>• Working with colleagues in improvement to make the case to Government for a funded sector-led improvement programme.</li> </ul>
Climate Change	<ul style="list-style-type: none"> <li>• Work with the NFCC on understanding the impact of climate change on the sector, including around mitigation and adaptation.</li> </ul>

**Implications for Wales**

15. 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**

16. 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**

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17. All board papers are now required to outline the equalities implications of the proposals they put forward, to help embed the equalities approaches the LGA's members are also considering.
18. Officers will therefore consider the equalities aspects of individual elements of the work programme as these are developed. FSMC members will also be encouraged to consider this as an issue they may wish to scrutinise.

**Next steps**

19. Officers will draft a work programme based on FSMC's discussions.





**Workforce Report****Purpose of Report**

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

**Summary**

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

**Recommendation:**

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

**Action**

Officers are asked to note member comments

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**PENSIONS****Legal cases related to pension matters**

1. 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.
2. The details of each category have been covered in previous reports. Therefore, each category is covered in short below, together with the current positions:

- (a) McCloud/Sargeant – this is the main category and concerns the issue of whether the transitional protections in the 2015 Fire Pension Scheme (FPS), which provide protections based on age allowing older members to remain in their former final salary scheme, are age discriminatory (other claims were made but it is the age discrimination claim which is the primary one).

The Court of Appeal found that the transitional protections unlawfully discriminated on age and the case has now returned to the Employment Tribunal for it to determine remedy (a request to appeal was rejected by the Supreme Court).

Current position - an interim [Order](#) on remedy was agreed by all parties. It does not bind the parties beyond the limited interim period before the final declaration. Paragraph 2 of the Order in effect provides that pending the final determination of all of the remedy issues, those that brought claims in England and Wales (the claimants) are entitled to be treated as if they remained in the 1992 FPS. While the Order anticipated that the final determination on the remedy issue in regard to membership of the 1992 FPS would be resolved in 2020, legislation to provide the main remedy needs to be put in place and a remedy hearing to assess injury to feelings awards is now listed to take place on 14 – 28 October 2022. Preparations for that hearing are taking place. Pending the legislation and the remedy hearing an Order in substantively the same form as the interim Order remains in place.

- (b) Another related category of employment tribunal claims has been issued by the FBU against fire and rescue authorities on behalf of firefighters. The claims relate to members of the 2006 Scheme who were not transferred to the 2015 Scheme (and never will be), which they claim would have provided them with better benefits.

Current position – Working together with Bevan Brittan, the solicitors acting for FRAs, we are coordinating the defence of those claims on behalf of FRAs. The claims are currently stayed pending the outcome of the main FBU claims.

- (c) 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

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.

- (d) 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.

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.

- (e) *Matthews & others v Kent & Medway Towns Fire Authority & others* - relates to application of the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 to retained duty system employees. Those Regulations were brought into force to implement the EU Part-time Workers Directive. Following a protracted legal process up to and including the House of Lords judgment, settlement agreements were reached in respect of terms and conditions in 2015 with both the RFU (now FRSA) and the FBU in regard to the many thousands of Employment Tribunal cases. The LGA acted for FRAs through the auspices of the National Employers.

Defence of the pensions aspect of the case was led by government. The House of Lords judgment allowed those who were serving during the period 1 July 2000 (the date the Regulations came into force) to the date on which they elected to join the 2006 Scheme, to have special provisions which generally reflect the rules of the Firefighters' Pension Scheme 1992 ("FPS 1992"). A time-limited options exercise took place between 2014 and 2015 to allow eligible individuals to join the FPS. While the benefits awarded to special members largely mirrored the benefits under the FPS 1992, the FPS 2006 was amended as the FPS 1992 was closed.

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.

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.

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.

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. That has not happened.

3. 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**

4. The LGA continues to assist the Home Office with their policy development in this area. Project management meetings are held between the LGA, the Home Office and the Government Actuary's Department (GAD) every four weeks.
5. Additionally, a Technical Working Group (TWG) was requested by the Home Office which LGA have agreed to facilitate. The TWG comprises of a small number of administrators and FRAs, the purpose of the meeting is so that they can share their experiences of the first options exercise and assist the Home Office with any areas of technical uncertainty.
6. 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.
7. A consultation on the draft regulations is expected to take place before the end of the year.

**Immediate Detriment Framework for McCloud/Sargeant type cases**

8. The LGA is continuing to explore with the FBU and respective legal representatives what, if any, amendments could be agreed to the Framework to minimise risk to FRAs and scheme members in light of statements from the Home Office and HM Treasury, and which would further assist FRAs in being able to process immediate detriment cases under that Framework. This includes seeking specialist legal advice where necessary.
9. Via the Framework, we are trying to find a way through potential issues for FRAs, to try to avoid future costly and time-consuming litigation and extended delay to scheme members, while ensuring that the risks are clearly highlighted, and scheme managers can make informed decisions.
10. In the meantime, the technical guidance to FRAs has been updated to include clarity around the proposed treatment of contributions. At such point that the amendments to the Framework have been agreed, the guidance will be updated to reflect those changes.
11. We also continue to apply pressure to government seeking an earlier resolution to the points they have raised. A joint letter from the LGA and FBU was submitted to the government on 4 April 2022. While we have not had a formal response to that letter, we remain in continual dialogue with the Home Office and HMT.
12. As previously advised, the FBU's position has long been that it will pursue legal action if immediate detriment issues cannot be resolved in a timely manner.
13. 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.

**Scheme Advisory Board (SAB)****SAB and employer levy**

14. The SAB and employer budget for 2022-23 has been finalised and submitted to the Secretary of State via the Home Office for approval of the SAB element of the budget.
15. A total of £6.27 per active firefighter will be levied on English FRAs to pay for both the work of the SAB and the LGA. This includes the SAB levy of £4.39 and the FRA LGA levy of £1.88.
16. Due to increased carry forward from last year, lower than expected staffing costs, and a reduction in communications provision, the levy has decreased by £2.89 per head.
17. This amount distributed across FRAs based on active membership numbers will be invoiced across December 2022, pending approval of the budget. This process will be managed by LGA.

**SAB remedy engagement sessions**

18. The SAB has been 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.

19. One session is taking place per month between June and December 2022, with two topics discussed at each meeting. These discussions will help to inform the drafting of secondary legislation, ahead of formal consultation early in 2023. The schedule of sessions is set out below.

<b>Policy topic 1</b>	<b>Policy topic 2</b>	<b>Date</b>
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

### **SAB response to HMT letter**

20. On 17 December 2021, the Chair of the SAB wrote an [open letter to HMT on the withdrawal of the Home Office informal guidance](#) on immediate detriment. The letter asked for more information on the risks and uncertainties which HMT said arose as a result of processing cases ahead of legislation.
21. On 23 March 2022, [HMT provided a response outlining the factors behind the withdrawal](#) in more detail. The response highlighted that Section 61 of the Equality Act 2010 did not, in HMT's opinion, allow for amendment of a member's tax position. The response detailed several tax complexities which had been identified and will be dealt with through legislation.
22. While the Board welcomed the response, the Chair in particular was not content that all of the questions raised had been addressed satisfactorily, and that the tone of the letter was inconsistent – varying between what the implications 'would' or 'could' be.
23. On 20 June 2022, the Chair wrote an [open letter in response to HMT's reply](#) seeking further clarity on the extent of Sections 61/ 62 and the tax implications detailed.
24. The Chair is currently awaiting a response to this letter.

**SAB engagement sessions on the Matthews remedy**

25. The Scheme Advisory Board and the Home Office began engagement sessions in September 2022 which focus 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..

**KEY CURRENT WIDER WORKFORCE ISSUES****Pay**NJC for Local Government Services (Green Book)

26. 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.
27. The trade unions' claim for 2022/23 (usual settlement date 1 April), includes:
- A substantial increase with a minimum of £2,000 or the current rate of RPI (whichever is greater) on all pay points
  - COVID-19 recognition payment
  - A national minimum agreement on homeworking policies for all councils and the introduction of a homeworking allowance
  - An urgent review of all mileage rates currently applying
  - A review and update of NJC terms for family leave and pay
  - A review of term-time only contracts and consideration of retainers
  - A reduction in the working week (without loss of pay) to 35 hours (34 in London)
  - One additional day of annual leave.
28. The claim, received in June, was then the subject of regional employer consultation meetings at which authorities were also mindful of the difficult National Living Wage situation which is projected to increase by up to 20 per cent by April 2024 and the pressure that places on the current pay structure. The feedback informed national employer considerations and a [final offer](#) was made to the unions on 25 July:
- With effect from 1 April 2022, an increase of £1,925 on all NJC pay points 1 and above
  - With effect from 1 April 2022, an increase of 4.04 per cent on all allowances (as listed in the 2021 NJC pay agreement circular dated 28 February 2022)
  - With effect from 1 April 2023, an increase of one day to all employees' annual leave entitlement
  - With effect from 1 April 2023, the deletion of pay point 1 from the NJC pay spine
29. Fire and rescue authorities and services have been kept up to date on pay negotiations and also National Living Wage issues. Some chose to attend the pay briefings organised by the regional employer organisations.
30. The unions are currently seeking the views of their respective memberships. On a turnout reported to be 34%, UNISON's members have voted by 63.5% to 36.5% to accept the National Employers' final pay offer for Green Book employees. In order for the pay deal to be finalised so that it can be implemented and paid to employees, GMB and/or Unite must

also vote to accept the employers' offer. Unite's membership consultation closes on 14 October and GMB's on 21 October.

### NJC for Local Authority Fire and Rescue Services

31. The scope of this UK-wide NJC is uniformed employees (other than those in Brigade Management roles). The usual settlement date for this (Grey Book) group is 1 July.
32. The pay claim for 2022-3 was circulated to FRA/Ss via circular [EMP/1/22](#) at the end of June
33. Members of the employers' side of the NJC considered all relevant factors, including feedback from the consultation meetings with Chairs, chief fire officers and police, fire and crime commissioners and the advice of its Advisory Forum. A 2 per cent offer with effect from 1 July 2022 was made. The offer was not conditional on any other changes. Furthermore, going forward, the employers' side indicated it was open to exploring further the other points within the claim. The employees' side subsequently rejected the offer and indicated that, if necessary, it would prepare for strike action, more recently stepping up those preparations so that a ballot could quickly be launched.
34. Information was provided to FRAs including an employers' media statement (since updated), key messages and FAQs to assist communications at local level and help to ensure a consistent approach. The NJC's media work is informed by a cross-organisation group of media specialists drawn from the LGA, WLGA, Scottish Fire & Rescue Service and the Northern Ireland Fire & Rescue Service. The information is kept under review and updated as and when appropriate.
35. The employers' side of the NJC made approaches, as appropriate, within all four stakeholder nations to see if additional funding could be secured. In terms of England specifically, an approach was made to the then Home Secretary. Various discussions have taken place including at Ministerial level and further detailed information provided. Both the Home Secretary and Minister with responsibility for fire changed during the course of discussions and a formal response was received on 30 September (**Appendix A**). The Home Office has decided not to assist FRAs in these exceptional circumstances either through additional funding this year (or going forward) or increased precept flexibility.
36. The position in Scotland is more positive with Scottish Government supporting the Scottish Fire and Rescue Service to be able to make an improved NJC offer. The funding arrangements in Wales are different however the Welsh Local Government Association also indicated support in Wales for an improved NJC offer. The position in Northern Ireland has been complicated by not having a sitting NI Executive or confirmed budget for 2022/23 at present but it remains supportive of national collective bargaining.
37. The FBU has consistently been clear that, if necessary, it will ballot its members for strike action.
38. Chairs, chief fire officers and police, fire and crime commissioners were invited to attend one of two further pay consultation meetings on 20 and 21 September to discuss the possibility of an improved offer in the context of insufficient or no additional funding being identified. A further round of consultation was then undertaken immediately following receipt of the Home Office response.



39. At its meeting on 4 October members considered a wide range of information including information from advisers, current rates of inflation, views obtained through the consultation exercises, the potential financial costs and cultural damage of strike action and settlements/offers elsewhere (including the recommendations of pay review bodies which although mainly accepted by the government were unfunded in several cases). A detailed confidential note indicating key issues considered was issued to Chairs, chief fire officers and police, fire and crime commissioners shortly thereafter.
40. An improved offer of 5% on all basic pay points and continual professional development payments was made at the NJC meeting on 4 October. On 5 October the employers were informed that the Fire Brigades Union would consult its members on the offer and not as part of a ballot on strike action, albeit it in the context of an executive council recommendation to reject the offer. We understand the main reason for such a recommendation was the still substantial gap between the offer and the current rates of inflation following a long period of low pay awards. The ballot is currently intended to be a postal ballot to home addresses over 2 weeks and following approximately a 10-day period of briefings. The postal ballot will also include an online voting alternative.
41. Updated communications information as referred to in paragraph 34 above will continue to be provided to FRA/FRSs as matters progress.

#### NJC for Brigade Managers of Local Authority Fire and Rescue Services

42. The scope of this UK-wide NJC is senior uniformed managers at Chief, Deputy Chief and Assistant Chief Officer levels. The usual settlement date for this (Gold Book) group is 1 January. The employee representative body is the Fire Leaders Association. Its pay claim seeks 'an unconditional pay increase for all Brigade Managers, with effect from 1 January 2022, that is commensurate with all other fire and rescue staff in the UK'. Accordingly, the position for other fire and rescue staff will need to be clear before further negotiation can take place. However, opportunities have been taken to consult Chairs on this claim also.
43. An annual pay levels survey usually informs pay discussion within this group. Due to the resource pressures within services caused by the Covid pandemic, the NJC for Brigade Managers did not run a survey last year. However, as things are returning to normal, we will shortly be issuing the next survey, which will cover a two-year period.

#### **LGA, NFCC and APCC Core Code of Ethics**

44. The [Core Code of Ethics](#) has been promoted and welcomed across the groups the partnership bodies represent - NFCC, LGA and APCC - since its publication in May last year. The Core Code and its accompanying guidance was welcomed by the Home Office, as well as by HMICFRS and the Fire Standards Board. A supporting Fire Standard was also launched at that time.
45. Following such widespread support, 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.

46. FRAs are expected to champion the Core Code and include in their scrutiny role its implementation and whether improvements sought are being delivered. Senior managers in each service were expected to ensure that as a first step a gap analysis was undertaken to ensure the principles are at the heart of day-to-day activity and reflected in all policies and procedures. Thereafter to embed the Core Code so that the improvements sought can be delivered.
47. During November 2021, the partnership bodies jointly undertook several well attended workshops with fire and rescue services to complement initial awareness activities and to support adoption of the Core Code.
48. The partners recently ran further workshops with service leads focussing this time on 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.
49. The importance of governance bodies in delivering effective scrutiny in this area is recognised and it is intended to also run a workshop for FRA Chairs/PFCCs and/or FRA member leads on equality, diversity and inclusion.
50. Discussion is continuing with HMICFRS to understand their approach to inspection of the Core Code and to explore how that can best be approached in practice.

### **Fit for the Future**

51. Fit for the Future is a partnership piece of work involving the LGA, NFCC and the National Employers (England) to provide a common national sense of direction to the future of Fire and Rescue Services in England. The narrative and objectives were based on analysis of the evidence available from a wide variety of sources including the outcomes of inspection by Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS).
52. Following the engagement sessions with FRA Chairs, PFCCs, CFOs and other senior officers earlier this year, and further evidence since it was originally issued, Fit for the Future was revised, approved by each of the partner's governance arrangements and formally released on 30 June. It was also brought to the attention of HMICFRS and the Minister for Building Safety and Fire.
53. A separate document detailing the full evidence base to date is currently being prepared as it may also assist those taking forward the improvement objectives at local level.
54. Fit for the Future and the supporting evidence document will shortly be available as an online resource.
55. Fit for the Future will be periodically reviewed to ensure it remains up to date.

**Joint industrial relations relationship training**

56. As we increasingly return to business as usual, the NJC is once again receiving interest in its joint training for senior managers and unions representatives at local level, which focuses on recognising what is going well within that relationship and importantly what can be improved, identifying how the local parties will take that forward.

**Implications for Wales**

57. Each of the wider workforce matters in this report have the same implications for Wales as for England and we are working with WLGA, Welsh FRAs and FRSs as appropriate. The exceptions in this report are the Core Code of Ethics and Fit for the Future, which apply in England only. The WLGA is one of the four employer stakeholder bodies on the NJC for Local Authority Fire and Rescue Services and the NJC for Brigade Managers.
58. The immediate detriment matters raised are the same in Wales where the matter of Section 61 of the Equality Act also applies. Given the work to agree a Framework took place under the auspices of the National Employers, it is also available to Welsh FRAs.



**Home Office****Appendix A****Director General  
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*By Email Only*

30 September 2022

Dear Nick

Thank you for your letters to the Home Secretary of 2 August and 1 September 2022, regarding your ongoing pay negotiations. I have been asked to respond on behalf of the Home Secretary to your request for Home Office funding support towards a higher pay offer for firefighters and control staff in 2022-2023.

We recognise and value the work of firefighters and control staff and believe that they should be paid fairly taking into account value for money for the taxpayer. We also recognise the difficult and unprecedented situation that public sector employers find themselves in and have welcomed the open communication on this matter.

Firefighters and control staff continue to play a vital role to protect the public and I am mindful of the potential impact of industrial action on public safety. However, in contrast to policing, the Home Office neither funds nor agrees fire pay. As you know, responsibility for that sits with Fire and Rescue Authorities through the National Joint Council (NJC). As such, Ministers have taken the decision not to take the unusual step of providing funding support towards a pay offer.

We do not wish to see industrial action within fire and rescue services and hope that a resolution can be found through your negotiations with the NJC. The former Home Secretary, in her letter of 23 August, asked you to undertake a full affordability assessment to consider what level of pay offer could be made. A rigorous assessment would be helpful in identifying whether a higher offer could potentially be made.

I understand your concerns about the impact any pay offer made for this year would have in the following two financial years and beyond. To that end, the Fire Minister is seeking to discuss this issue with his local government counterpart and has also asked officials to make representations to DLUHC regarding mitigating funding pressures for 2023-24 onwards.

As you are aware, the Government recently published its Fire Reform White Paper which sets out an ambitious programme of reform seeking to deliver increased professionalism, improved efficiency and better governance of the sector. This

included the Government's commitment to conduct an independent review into the effectiveness of the current pay negotiation mechanism. Further details will be announced in due course and my team will work closely with you as the review develops.

I know you will wish to reflect on this decision with the employers and I would welcome your continued open engagement with us on developments. The Minister and I also appreciate your continuing close engagement and planning with us in the event of industrial action, to ensure that your contingency arrangements are sound.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Jae Samant', with a horizontal line underneath the name.

**Jae Samant**

**Director General  
Public Safety**



**Meeting:** Fire Commission

**Date:** 14 October 2022

## **Building Safety Update**

### **Purpose of report**

For noting.

### **Summary**

This report aims to update members on the LGA's building safety-related work since the last Commission meeting and suggest some areas to discuss with the Health and Safety Executive (HSE). Sandra Tomlinson and James Tancred from HSE will be in attendance at the Commission.

### **Recommendation**

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

### **Contact details**

Contact officer: Charles Loft

Position: Senior Advisor

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Email: [Charles.Loft@local.gov.uk](mailto:Charles.Loft@local.gov.uk)

## Building Safety Update

### Background

1. Since the Commission's last meeting, the LGA has continued to monitor the progress of the Building Safety Act's implementation and to plan related improvement work. We have responded to the [Emergency Evacuation Information Sharing \(EEIS\) Consultation](#) and continued to support remediation.

### Establishing the Building Safety Regulator

2. As members will be aware, the Act sets up a new system of Gateways through which new residential buildings over 18m must pass and a new system of safety regulation for buildings over 18m once they are occupied.
3. These systems are the responsibility of the Building Safety Regulator (BSR) but will be delivered through multi-disciplinary teams including Fire and Rescue Service (FRS) staff.
4. FRS and local authority staff may be allocated to deal with buildings outside their area through a system of regional hubs that will fill gaps in staffing. These gaps are expected to arise because some areas will have a lot of high-rise buildings and local fire services can be expected to develop expertise in dealing with them, whereas some will have relatively few and the local FRS may not have the staff to deal with complex cases. A similar arrangement is planned in respect of building control. The National Fire Chiefs Council (NFCC) is working with HSE to deliver the hubs and the LGA and NFCC are represented on a working group that is discussing memorandums of understanding (MoUs) - which will be required between the BSR and every FRS.
5. There is currently a [plethora of consultations](#) around the new building safety regime.
  - 5.1. The [in-occupation regime](#) for high rise buildings is of interest as the FRS will have an enforcement role and the new system needs to dovetail with the Fire safety Order/Act.
  - 5.2. The [new building control regime](#) is of interest as FRS staff will be member so the multi-disciplinary teams dealing with high rise buildings under this regime.
  - 5.3. Consequently, the [fees and charges regime](#) is also relevant, as this will provide the funding for FRS staff working alongside the BSR.
6. The LGA continues to work with NFCC and Local Authority Building Control (LABC) to support the HSE's delivery of the new regime, including setting up the new Building Safety Regulator.
7. HSE will be presenting its work on the BSR to the Commission. It has [a page](#) about the new regulator on its website, where you can sign up to regular bulletins. The implementation timetable for the new regime is as follows:

#### April 2023

- Building registration opens
- New buildings where work is underway must be registered before occupation
- New buildings where work starts on or after 1 April 2023 must follow the gateway approval process during design and construction



**October 2023**

- Registration deadline for existing occupied buildings
- Building inspector and building control approver registers open (not April 2024 as stated on HSE website)

**April 2024**

- BSR starts to call in buildings for assessment and issues building certificates

**October 2024**

- Registration deadline for building inspectors and building control approvers

8. Current issues around the implementation of the new regime that may be of interest to the Fire Commission include:

- 8.1. **Will we end up with an effective relationship between the demands on FRSs made by the Building Safety Regulator and the funding available to expand capacity in the protection sphere?** The NFCC has not been given the funding it asked for to deliver the HSE's plan.
- 8.2. **Will FRSs be left with additional unfunded work under the Fire Safety Order (FSO)?** There is a danger that fire service staff performing work for the BSR (which is cost-recoverable), encounter issues under the FSO. If the BSR takes no action on the building or takes action that does not resolve concerns under the FSO, the fire service could be forced to act with no ability to recover the cost of its actions (as FSO work is not cost-recoverable) and is therefore drawn into resource-intensive work that would not feature in the IRMP.
- 8.3. **The need for clarity.** We have yet to be given detail on the makeup of the multi-disciplinary teams in the in-occupation phase, where the role of building control has not yet been decided by HSE; we have also yet to nail down key details of the hub system and the MOU process; the requirements of safety cases, which are proving difficult to develop.

**Remediation**Progress

9. DLUHC [statistics](#) show that by the end of August 2022, 95% (462) of all identified high-rise residential and publicly owned buildings in England had either completed or started remediation work to remove and replace unsafe Aluminium Composite Material (ACM) cladding (98% of buildings identified at 31 December 2019). There has been no change since the end of July. All social sector residential buildings have either completed or started remediation. 99% have had their ACM cladding removed.
10. 438 buildings (90% of all identified buildings) no longer have unsafe ACM cladding systems – an increase of one since the end of July. 385 (79% of all buildings) have completed ACM remediation works – an increase of three since the end of July. This includes 340 (70% of all buildings) which have received building control sign off – no change since the end of July. These figures are changing very slowly.
11. On 28<sup>th</sup> July 2022, the government's £4.5 billion Building Safety Fund reopened for new applications. 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. Early indications are that some "missing" buildings have already applied.

12. [Statistics to the end of August](#) show 2824 Private Sector Registrations, covering 3212 buildings. The registration process is a form of pre-approval. Of the 2824 registrations, a total of 2570 (2930 buildings) had been reviewed by the end of August - an increase of 2 (4) since the end of July. Of these:
  - 936 (1018 buildings) were proceeding to an application for funding
  - 291 full applications have been approved and
  - 477 are at Pre-tender stage.
  - 781 (959) have been deemed ineligible and
  - 718 (798) have been withdrawn.
13. 44 applications (45 buildings) were being reviewed and there are 91 (110) where the applicant needs to provide additional information; in 254 (284) additional cases the owner has not responded to requests for more information.
14. The fund also covers the costs social landlords would otherwise pass on to leaseholders. 222 (253) applications have been made. So far 55 (56) have been rejected or withdrawn and 152 (177) approved.
15. £1,484 million has been approved for the remediation of unsafe non-ACM cladding from the Building Safety Fund, of which £1,345 million is for private sector remediation and £139 million for social sector remediation.

#### Remediation Partners

16. The Department of Levelling Up, Housing and Communities (DLUHC) has set up a remediation partners group to look at how remediation can be driven by regulatory activity. As part of this work it is establishing regional meetings between fire services and councils designed to improve information sharing and dovetail working in this area in line with [advice hosted by the LGA](#). The LGA supports this approach as the best way to avoid unnecessary duplication, share intelligence and spread best practice. It has emphasised to DLUHC the primacy of the IRMP and the life-safety role of the FRS. So far a meeting has been held in London and we anticipate other regional meetings will take place later this year. The LGA has commissioned a series of [case studies](#) on joint working between councils and FRSs on building safety
17. Officers are seeking information from councils that plan to use remediation orders introduced under the Building Safety Act – or would be interested in doing so.

#### Leaseholder protection

18. On 28<sup>th</sup> June 2022, new leaseholder protections in the Building Safety Act came into effect meaning building owners and landlords are now responsible for making buildings safe and the first port of call to fund any necessary repairs. It is illegal for costs of cladding repairs and those beyond the leaseholder caps for non-cladding defects to be passed to qualifying leaseholders.
19. The explanatory notes to the Building Safety Act are here: [https://www.legislation.gov.uk/ukpga/2022/30/pdfs/ukpgaen\\_20220030\\_en.pdf](https://www.legislation.gov.uk/ukpga/2022/30/pdfs/ukpgaen_20220030_en.pdf); the leaseholder protections are sections 116-125 and Schedule 8. New Government guidance on the leaseholder protections can be found here:

<https://www.gov.uk/guidance/building-safety-leaseholder-protections-guidance-for-leaseholders>.

20. On 22 September the new DLUHC Secretary of State, Simon Clark, set out his intentions regarding leaseholder costs in a [Daily Telegraph op-ed piece reproduced on the DLUHC website](#). Key points in the piece are:
- 20.1. 49 of the largest housebuilders have now signed a public pledge to fix unsafe buildings that they developed or refurbished. These pledges will shortly be turned into legally binding contracts.
  - 20.2. Any housebuilders that fail to act responsibly may be blocked from commencing developments and from being granted building control sign-off for their buildings.
  - 20.3. DLUHC's Recovery Strategy Unit will be launching legal action against freeholders who are not coming forward and accepting government money to make buildings safe 'very soon'.

### **Joint Inspection Team (JIT)**

21. The JIT is expanding to three teams until at least March 2024 and members are encouraged to consider whether any buildings in their area might benefit from a JIT inspection. Contact [Brian.Castle@local.gov.uk](mailto:Brian.Castle@local.gov.uk) with any suggestions or enquiries.

### **Fire Safety Act**

22. The LGA and National Fire Chiefs Council (NFCC) are members of a group established by the Home Office to monitor the impact of the Fire Safety Act. The major requirement arising at present is to include external wall systems and fire doors in fire risk assessments (FRAs). The [FRA prioritisation tool](#) will help landlords prioritise the order in which they apply this requirement to their stock. Officers welcome any update on councils' and FRS's experience.
23. The [regulations](#) implementing the Grenfell Tower Inquiry's Phase One recommendations are coming into force in January. These could lead to a significant amount of information being submitted to fire services. In residential buildings over 18m, new requirements on Responsible Persons include providing FRS with:
- 23.1. up-to-date electronic building floor plans
  - 23.2. information about the design and materials of a high-rise building's external wall system and to inform the Fire and Rescue Service of any material changes to these walls. Also, they will be required to provide information in relation to the level of risk that the design and materials of the external wall structure gives rise to and any mitigating steps taken.
  - 23.3. reports of any defective lifts intended for use by firefighters, and evacuation lifts in their building and defective firefighting equipment lifts.

### **Personal Emergency Evacuation Plans (PEEPs)**

24. On 9<sup>th</sup> August 2022, we submitted our [Emergency Evacuation Information Sharing \(EEIS+\) consultation response](#), in which we argued that the proposal could form the basis of a useful backup to the requirement for Responsible Persons (RPs) to identify residents who are unable to self-evacuate and make every reasonable adjustment to ensure that they can do so, through the provision of a Personal Emergency Evacuation Plan. However, we underlined that EEIS+ should never be Plan A, especially as we are aware that the NFCC has significant reservations about imposing on the fire service any form of EEIS+ which does not have the support of those with operational responsibility

for making it work. To do so would be to shift responsibility from RPs to the fire service and fundamentally undermine the principles underpinning the Fire Safety Order.

25. On 1<sup>st</sup> September 2022, the LGA attended the first Evacuation and Fire Safety Working Group meeting to discuss volunteer assistance for residents who are unable to self-evacuate due to certain protected characteristics. This group will also be used to explore how PEEPs could work more broadly.
26. We are seeking examples of volunteer assistance as a way of delivering PEEPs. If anyone already knows of any schemes like this, contact [Charles.loft@local.gov.uk](mailto:Charles.loft@local.gov.uk)

### **Simultaneous Evacuation Guidance**

27. On 24<sup>th</sup> August 2022, a new edition of the industry guide [The Simultaneous Evacuation Guidance](#) (SEG) was published, coordinated by NFCC in partnership with a range of stakeholders. The [fourth edition](#) replaces the third edition published in October 2020. The SEG, which has been put together by fire safety professionals, seeks to actively discourage the ongoing and prolonged use of a waking watch. Key aims of the guide are:
  - 27.1. Ensuring those with responsibility for buildings fully understand the decision-making process before deciding that a change in evacuation strategy is required
  - 27.2. Clearer emphasis on resident engagement
  - 27.3. An end to risk averse 'one size fits all' application of on-site staffing (waking watches or evacuation management) when this is disproportionate to the risk.

### **Improvement**

28. The LGA has committed to:
  - 28.1. Webinars on building safety following the Building Safety Act getting Royal Assent and the commencement of the Fire Safety Act, along with additional resources provided to councils through case studies and publications.
  - 28.2. Delivery of the building safety political leadership programme (Leadership Essentials) to housing portfolio holders.
  - 28.3. An E-learning module available to officers and elected members to inform them about councils' duties as one of the regulators supporting the Building Safety Regulator.
  - 28.4. Work in partnership with HSE to support their programme of engagement with local authorities in areas with High Rise Buildings.
29. A Building Safety [Leadership Essentials](#) event for councillors is being held in person at Warwick University on Tuesday, 18th October – Wednesday, 19th October 2022. For more information or to book, contact: Grace Collins Telephone: 020 7664 3054 Email: [Grace.Collins@local.gov.uk](mailto:Grace.Collins@local.gov.uk)
30. Three webinars for officers and councillors ((including from councils with ALMOs) have been arranged, following on from the one on 5 July. These will include sessions from the Home Office on the impact of the Fire Safety Act and preparation for the new regs coming in in January 2023 – and from HSE on the Building Safety Regulator.
  - Monday 7 November 11.30am-1:30pm
  - Monday 19 December 1pm – 3.00pm
  - Thursday 9 March 2pm– 4.00pm

31. We are developing an eLearning module on building control, aimed at councillors, portfolio holders and director-level officers. This will be commissioned September/October.

### **Other**

32. DLUHC have now published guidance on the new requirements relating to smoke alarms and carbon monoxide alarms. Although it is not explicitly referenced in the guidance, DLUHC officials have confirmed that the Regulations do not apply to communal areas. Registered providers of social housing will also be expected to self-refer to the Regulator of Social Housing whilst they remain non-compliant on the basis of not meeting their statutory duties.

32.1. **Guidance for landlords and tenants:**

<https://www.gov.uk/government/publications/smoke-and-carbon-monoxide-alarms-explanatory-booklet-for-landlords>

32.2. **Guidance for local housing authorities:**

<https://www.gov.uk/government/publications/smoke-and-carbon-monoxide-alarms-explanatory-booklet-for-local-authorities>

### **Implications for Wales**

33. 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 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**

34. 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. In effect, it will triple in capacity by the end of this financial year.
35. Other work arising from this report will continue to be delivered within the planned staffing budget, which includes an additional fixed term post in the safer community's team to support the LGA's building safety work.
36. The cost of developing PEEPs under the Equalities Act is impossible to quantify as we do not currently know what would be considered reasonable measures.

### **Equalities implications**

37. EEIS+ and PEEPs are directly related to councils' duties under the Equality Act 2010. The group of people affected by building safety issues will be broad and include a wide variety of potential equalities issues.
38. The Evacuation and Fire Safety Working Group includes representatives of disabled residents and communities and the LGA will continue to promote their contribution – we have already done so in the LGA EEIS+ Consultation Response in which we recommended the Home Office should seek advice from those with lived experience on their proposals.

**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 Commission

<b>Date:</b>	Friday 14 October 2022
<b>Title:</b>	NFCC Chair Update
<b>Presented by:</b>	Mark Hardingham, NFCC Chair
<b>Contact:</b>	<a href="mailto:chair@nationalfirechiefs.org.uk">chair@nationalfirechiefs.org.uk</a>

### 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 should be directed to either Mark Hardingham [chair@nationalfirechiefs.org.uk](mailto:chair@nationalfirechiefs.org.uk) or Susannah Hancock, Chief Operating Officer [susannah.hancock@nationalfirechiefs.org.uk](mailto:susannah.hancock@nationalfirechiefs.org.uk).

### 2. General Update

#### Operation London Bridge

- 2.1 NFCC played a key leadership role with UK FRS and Government ensuring all FRS responded appropriately to the death of Queen Elizabeth II. NFCC Chair, Mark Hardingham, and senior FRS representation from across the UK was represented at the funeral service in Westminster Abbey. Sixteen firefighters from across the UK formed part of the funeral procession.

#### Fit for the Future and Home Office White Paper – Fire Reform

- 2.2 The NFCC response has been published on the NFCC website. Discussion about fire reform is continuing with Home Office and other partners and will be further informed by recent Ministerial appointments. The work between LGA, FRS Employers (England) and NFCC to develop Fit for the Future will be a key part of future fire reform discussions.

#### Business Continuity Planning – Industrial Action

- 2.3 The risk of industrial action by the FBU is high. The FBU have set out their likely timescale for a ballot in the coming months.
- 2.4 NFCC and the FRS National Resilience function are working closely with the FRS employers and Home Office as part of the work to provide assurance and support FRS in their business continuity plans for industrial action, as necessary. In the event of industrial action then the NFCC has a key role to play in advising Home Office and supporting FRS.

Wildfires – Role of NFCC

- 2.5 The extreme weather over the summer period has led to a well-publicised series of wildfires and the associated impacts on FRS and fire damage/losses in communities. Whilst the extreme weather has been unusual and the impact on FRS very high, all the evidence suggests these events and periods of extreme weather will become more frequent.
- 2.6 The NFCC role was in supporting FRS, advising Government (up to and including briefings to the Prime Minister) and servicing extended media requests across all the major TV, radio and written news media. Work is now underway to assess the organisational learning from the various aspects of the FRS response.

Digital, Data and Technology Programme UpdateData Conference

- 2.7 The inaugural NFCC data conference was hosted in Liverpool in June and was well attended. The team will be considering plans for future conferences and smaller events.

NFCC Data Analytics Capability (NDAC)

- 2.8 The NDAC is increasingly working across other NFCC workstreams where data is a key requirement. This includes the Community Risk Programme and phase 1 of the Domestic Dwelling Fire Definition of Risk project; the Prevention Programme Person-Centred Framework; support measuring benefits realisation of national Fire Standards and building data priorities in areas including People, Commercial, and Emerging Technologies projects.

National Fire Data Collection System (NFDCS)

- 2.9 NFDCS is a Home Office-led project to replace and enhance the Incident Recording System into a more comprehensive, flexible, and scalable data collection system. NFCC is supporting the project by mapping the fire data landscape to understand what data is collected by the FRS above that which the Home Office collects, to whom data is regularly shared with, and what local systems are used to manage it. The scope was developed collaboratively with Home Office colleagues.
- 2.10 The initial pilot with LFB and GMFRS commenced in July to assess and evolve the proposed approach.

Data Management Framework

- 2.11 Following final drafting, and now publication of, the Data Management Fire Standard the team started to define and develop the underpinning guidance and tools for the new standard. The umbrella term for this suite of products is the 'Data Management Framework'
- 2.12 Using the Fire Standard consultation feedback, the programme worked with the Data Management Fire Standard Working Group to draft a high-level scope and product list that would be required to help services implement and adhere to the new fire standard.
- 2.13 The programme advertised for SMEs who would be willing to contribute to the research and authoring of the products. 43 responses were received across 35 FRS. The SME group is reviewing the draft product list to further refine and define the final scope for integration into the project plan.



## **Community Risk Programme Update**

### Definition of Risk Project

- 2.14 The projects for RTC methodologies and Other Building Fires is on track with procurement for RTC methodology completed allowing ORH (third-party contractor) to commence work.
- 2.15 Workshops to deliver training on the Domestic Dwelling Fires Methodology have been scheduled and 40 FRS's have accepted the invites.
- 2.16 The project is now investigating options for delivery of a digital tool including utilising expertise from the Data and Digital programme.

### Economic and Social Value Project

- 2.17 A meeting with Home Office representatives to address some concerns with the draft report was held and agreement on the way forward made. A final draft has now been shared with the Home Office colleagues. The project is on track to launch the report at the NFCC Autumn Conference. The Digital and Data Programme is involved in scoping a digital ESV tool.

### Competencies for Risk Management Project

- 2.18 Consultation has been completed on the competency framework. A workshop with the project board has been scheduled to determine the next steps for the project in conjunction with the people programme. Launch of the framework is scheduled for Q4.

### Evaluation of FRS Interventions Project

- 2.19 Procurement is complete and external experts will begin work to deliver the compendium of evaluation methodologies.

### CRMP Guidance Project

- 2.20 Project is on track to deliver the Evaluation of CRMP processes, Hazard Identification, Risk Analysis and Decision-Making guidance. A full launch of CRMP Guidance will take place in February 2023.

## **Prevention Programme Update**

### Person-Centred Framework Project

- 2.21 The online Home Fire Safety Check continues to be a success with over a third of FRSs fully onboarded, and a further third partially onboarded. The ambition is for all FRSs to be onboarded by the end of March 2023. The user feedback is showing positive engagement.
- 2.22 The Person-Centred Framework Standard Data requirements have been approved by D&D programme board and were launched to Fire and Rescue Services at NFCC Data Conference. These are now being implemented with Fire and Rescue Services to support consistent data collection for Home Fire Safety Visits.
- 2.23 The Evaluation workstream of the Person-Centred Framework has been established and being chaired by the Lead for Emergency Services from Public Health. A Public Health Registrar will be joining the working group in September. They will be working with FRS to design the underpinning principles for evaluating Home Fire Safety Visits.

Mental Health and Fire Risk Project

- 2.24 An initial research findings report has been produced by our Academic Partner. To support the next stage of the report we will be running a survey with FRS practitioners to gather further information to support the gaps in the report.

Prevention and Protection NFCC conference

- 2.25 The Prevention and Protection Conference will be in November 2022. This will highlight key areas of Prevention and protection work and launch the NFCC Celebrating Prevention Awards. Nominations for the awards will be launched in mid-September.

Safeguarding

- 2.26 A Safeguarding Project Board has been established with senior representation from FRS under the different governance models, APCC, LGA and Home Office. The project board is chaired by CFO Phil Garrigan as the Project Sponsor. Donna Bentley, NFCC Safeguarding Lead will be the Vice Chair and also be chairing a new Safeguarding Regional Leads Forum. The Safeguarding Practitioners Forum will continue to support the work of the sector.
- 2.27 A business case to support a change of legislation related to FRS and safeguarding was been written, submitted and approved by the previous Fire Minister.

Prevention Evaluation Framework

- 2.28 Prevention Evaluation Sharing Sessions have continued to be delivered quarterly. The sessions have a high level of engagement from the sector. This group are forming the Subject Matter Experts for the Prevention Evaluation toolkit.

NFCC – Cost of Living

- 2.29 The NFCC Home Safety Committee has recently formed a subgroup focussing on the Cost of Living crisis and the impact that this has on fire risk. We are close to starting a campaign to address this and have incorporated case studies that can be used and shared across FRS, to support partnership engagement. This work is in partnership with the Home Office, NFCC and being chaired by practitioners from Merseyside FRS and London Fire Brigade.

National Fire Kills Campaign

- 2.30 An invitation has been sent to all FRSs for a workshop to review the national Fire Kills Campaign. The workshop will include an overview of the Fire Kills campaign, how the NFCC works to support the delivery of Fire Kills, and how we worked together in 2021/22 to deliver the national campaign. It will give the opportunity to understand the current awareness and engagement in Fire Kills locally, and the focus of future national campaigns and what support Fire and Rescue Services would like to receive from future national campaign.

People Programme UpdateEnabling Development of Competence (EDC)

- 2.31 This was previously named the Review of National Operational Standards (NOS) project but has recently been changed to EDC to better reflect the scope of the work as it now stands, which is to:

- Complete the functional analysis of FRS functions (Incident Command, Fire Investigation, Home Fire Safety Visits (Person Centred Framework), Control)
- Deliver four draft competence frameworks (Incident Command, Fire Investigation, Prevention, Control)
- Deliver a review of NOS report including a gap analysis.
- Carry out a sector wide survey of competence frameworks in use or in development.

#### Health and Wellbeing

- 2.32 The Health and Wellbeing project is run in partnership with colleagues at Nottingham Trent University and the Fire Fighters Charity. The project is progressing well with the Health and Wellbeing survey due to close mid-September to be followed up by focus group sessions. The results of the research will form the basis of a Health and Wellbeing Strategy report.

#### Embedding EDI (Equality, Diversity, and Inclusion)

- 2.33 The project is progressing with a business case having been agreed and project plans in place to achieve the set deliverables of delivery of annual EDI report, including the mechanism for future reporting.

#### Recruitment

- 2.34 The Recruitment project has been developing a procurement exercise for research support to be delivered in the next financial year looking at the National Firefighter Selection Tests (NFST). The approach is being refined using intelligence gathered through prior information requests to the market and a supplier workshop day at South Yorkshire Fire and Rescue Service, due to take place in November. The invitation to tender is planned for release to the marketplace in January 2023 with responses due by the end of March, to be followed by appointment and mobilisation in April.

#### On-Call Firefighters

- 2.35 Alongside progressing work against present deliverables, the People Programme has begun the initial stages of a scoping exercise for a future On-Call project that will draw down on some of the excellent past On-call and working patterns projects.

#### Leadership Programme Update

##### Direct Entry

- 2.36 The project contract was awarded to Reed to manage the attraction, recruitment and selection process for direct entrants.
- 2.37 Between 12 and 8 FRS (early adopters group) currently intend to recruit at least one direct entrant at either Station Manager or Area Manager. The training and operational development work packages were approved in August 2022. The project intends to commence the recruitment campaign in early 2023.

##### Supervisory Leadership Development Programme

- 2.38 The learner's development programme, comprising of the four modules aligned to the NFCC Leadership Framework and the Core Code is developed, and built on the NFCC/CMI portal: NFCC ManageDirect.

2.39 The high quality of the partnership with CMI is reflected in the submission from CMI for an industry award 'Collaboration of the Year' at the Federation of Awarding Bodies.

2.40 The project launched in September 2022.

Middle Managers Development Programme

2.41 Following advertisement, a Project Executive has been appointed and project will commence scoping to build on the strengths of the SLDP delivery model.

Coaching and Mentoring

2.42 The portal was launched in May 2022 with positive feedback received from the sector. Three Q&A workshops took place in July 2022 with 26 FRS staff attending.

Talent Management Toolkit

2.43 The toolkit was launched in May 2022 with positive feedback received from the sector. Three Q&A workshops took place in July 2022 with 34 FRS staff attending.

Strategic CPD

2.44 The scope of work in 2022/23 has been redefined to deliver four workshops before March 2023.

2.45 Workshops include Finance, Procurement (both confirmed), Political Acuity and Corporate Governance (leads to be confirmed).

Core Code of Ethics

2.46 Following the successful workshops in November 2021, three further workshops were delivered in July 2022 by the NFCC/LGA/APCC partners to see how FRSs were progressing with embedding the core code.

**Protection, Policy and Reform Unit (PPRU) Update**

Protection Uplift Grant

2.47 Following the Government announcement that a further £12m would be provided to English FRSs in 2022/23 to continue improving capacity and competency in protection, all 43 FRSs have produced a comprehensive spending plan designed by the PPRU. The plans have been reviewed and scrutinised and a summary shared with the Home Office. Barring any queries, the first 50% payment is expected to reach services in September 2022.

2.48 Collation and analysis is nearing completion for quarter 1 (April – June) returns. Early indications suggest spending was in the region of £2.5m, down slightly from the previous quarter (£2.9m).

2.49 In June a new dashboard, designed by PPRU, was presented to the Minister's Protection Board to demonstrate the financial spending, benefits and outputs, governance and assurance process and risks and issues associated with the grant and NFCCs stewardship over it.

Government Consultations

2.50 PPRU have recently submitted a response to the Emergency Evacuation Information Sharing (EEIS) consultation.

- 2.51 This followed the consultation on Personal Emergency Evacuation Plans (PEEPs) and involved comprehensive engagement with FRS and partners to ensure our response met the needs of all aspects of FRS responsibility across Protection, Prevention and Response.
- 2.52 PPRU play a significant role in the production of new guidance produced by the Home Office for the Fire Safety Order. Three short guides on keeping various premises from fire have been drafted and consulted on and also a guide to the duties of a responsible person.
- 2.53 On 20th July, DLUHC released two new consultations covering:
- [the new safety regime for occupied higher-risk buildings](#); and
  - [implementing the new building control regime for higher-risk buildings and wider changes to the building regulations for all buildings](#).

2.54 The PPRU will be developing responses on behalf of NFCC and FRSs.

#### Fire Safety Act

2.55 To prepare FRS for changes to the Fire Safety Order, PPRU delivered a substantive communications plan for 'Fire Day' on 18th May 2022, to ensure that FRS and other stakeholders received information and advice about the Fire Safety Act, and Fire Safety (England) Regulations.

2.56 The Fire Safety (England) Regulations lay down mandatory reporting of key information to FRS to meet the objectives of the Grenfell Tower Recommendations, however there is no requirement to send this information in any standard format which could put unnecessary burden on FRS. PPRU are working with a number of FRS to design templates for Responsible Persons (RPs) to provide this information in a consistent format.

#### Medium-Rise Residential Buildings

2.57 PPRU has been using existing interim measures data to help with stratification of these buildings. This significant piece of work in assisting DLUHC in prioritising those buildings under 18m that need remediating is now awaiting the outcome of recent Ministerial changes.

#### Simultaneous Evacuation Guidance

2.58 A review of the 3rd edition of the Simultaneous Evacuation Guidance (SEG) began in quarter 3 (October – December). Workshops were held with stakeholders and over 400 comments were received.

2.59 NFCC PPRU and partners published the revised 4th edition of the SEG on 18<sup>th</sup> August 2022, along with supporting communications, FAQs, and an Equality Impact Assessment.

#### Building Safety Act & Building Safety Regulator

2.60 DLUHC, via the Home Office, are providing £26m to FRS over the next three years to meet the new burdens from the Building Safety Regulator (BSR). PPRU are coordinating the funding allocation and reporting.

2.61 Workshops have been held with each region to outline proposed regional working models for the new Multi-Disciplinary Teams (MDTs) under the Building Safety Regulator (BSR).

2.62 Following a thorough tender process, PPRU have now appointed Reed Consulting to lead on national recruitment and retention for fire safety staff to meet the new burdens under the BSR, which is estimated at around an additional 111 people.

Service Delivery

- 2.63 The Virtual Learning Environment (VLE) for Fire Safety regulators has seen a further increase in the number of registered accounts and completed courses between April – June 2022, although CPD hours logged over the quarter decreased slightly.
- 2.64 Six training packages have been designed, created and launched on the VLE by the PPRU since the start of this reporting year.
- 2.65 The comment resolution process is continuing on the review of the Competency Framework for Fire Safety Regulators.
- 2.66 The Business Fire Safety Awareness Tool (BFSAT) created in partnership with West Sussex FRS with funding secured through the Regulators Pioneer Fund, has now been launched on the NFCC website. Work has been completed to establish a SPOC in each FRS so that they can action any requests from Responsible Persons for additional support.

**Fit for the Future 2022**

- 2.67 The revision of Fit for the Future (2022) has been finalised and approved via the governance routes of the three partner organisations (NFCC, LGA and National Employers (England)) following engagement sessions and stakeholder feedback.
- 2.68 Work is ongoing to finalise the evidence base that underpins the aspirations and commitments for change set out in the revision.
- 2.69 Both Fit for the Future 2022 and the evidence base will be made available online for ease of access for those that will then need to act on the commitments it contains.
- 2.70 With the change of Fire Minister, recent priorities for FRS dealing with the heatwave and potential of industrial action, it has been agreed the timing of the planned joint launch event due for September will change. Instead, smaller scale stakeholder specific engagement sessions are being planned for the Autumn.
- 2.71 Fit for the Future 2022 has been referenced by the latest HMICFRS report for services in England as responding to its recommendation about defining the future role of the FRS and firefighters.
- 2.72 It is still intended that Fit for the Future 2022 and the evidence base that underpins it should form the basis of a longer-term funding bid for FRS based on agreement with Government about the future role of the FRS.

**Organisational Learning and Academic Collaboration, Evaluation and Research Group**

- 2.73 Work is underway with the nominated Chair of ACER (Dr Rowena Hill) to plan first ACER meeting in October / November. Academic Membership list being established along with a draft Terms of Reference.
- 2.74 Research into existing learning arrangements has been completed and the project will initially look at how the existing systems, and those supporting them, may be better aligned as well as assessing the broader requirements for Organisational Learning (OL).
- 2.75 The various sources of learning that will be drawn from the recent heatwave and spate of wildfires across the country will be used as a test case by the OL Project.

- 2.76 Considerations about how to engage wider stakeholders with an interest in research is being considered to avoid the group itself being diluted or diverted from its core purpose.

### **999 Control Room Guidance**

- 2.77 The Fire Control Room Project supported the development of Operation Willow Beck, which was launched in Q1 22/23. Operation Willow Beck is designed to mitigate increased emergency call volumes during spike conditions, such as flooding or wildfires. Operation Willow Beck was instigated nine times during the wildfires in late July and August.
- 2.78 Early evidence from one service, indicates Operation Willow Beck resulted in a 65% reduction in call volumes over a three-hour period, allowing delays to call handling to be mitigated. Evidence from BT also suggests that the process significantly improved call handling for 999 operators.
- 2.79 There are suggestions that three services experienced difficulties instigating Operation Willow Beck. The reasons for this are still unclear but the National Operational Learning Team and the Mobilising Officers Group are planning a national debrief to identify learning.
- 2.80 The Multi-Agency Information Transfer (MAIT) project is on track to release communications regarding costings and timelines for release in September.

### **National Operational Learning**

- 2.81 National Operational Learning released the third edition of the Good Practice Guide in July.
- 2.82 So far this year submissions have been made by 22 different FRS, as well as submissions by Joint Organisational Learning, the NFCC PPRU team and a submission made jointly by the Home Office and Mobilising Officers Group
- 2.83 To reduce the amount of communication, information notes have been consolidated into newsletters which have been well received. Two newsletters have been released so far, focusing on trends identified by NOL, Electric vehicles and Electricity

### **Grenfell Tower Inquiry – Recommendations**

- 2.84 All FRS have submitted responses to the Grenfell Tower Inquiry survey relating to progress made against the Phase 1 recommendations. The results will inform progress reports back to FRS and Home Office. Initial analysis shows an improvement on completion timelines.

### **FRS Apprenticeships**

- 2.85 Both the Fire Safety Inspector and the Emergency Services Contact Handler are currently under review and have been submitted to the Institute for Apprenticeships and Technical Education (IFATE) route panel for initial signoff. It is anticipated that the updated versions will be available from the end October once full sign off has been given by Minister for Education.
- 2.86 September sees the start of a further two apprenticeship reviews for the Business Fire Safety Advisor and the Community Safety Advisor. It is expected these will be available to use from June 2023.

### **Emergency Response Driver Training**

- 2.87 To meet changes in legislation, the NFCC is establishing a national Emergency Response Driver Training Hub to support FRS. The Content Coordination team will be responsible for the day-to-day management of the hub developing the systems and processes required to support it.
- 2.88 The team will manage the associated national register which will cover both FRS and Commercial Partners who deliver training in this area. It is intended that there will be a charge to FRS's and commercial partners to cover the ongoing management of this function. A full cost model is being developed.



<b>Title of Paper</b>	<b>Fire Standards Progress Report</b>
<b>Decision or Information</b>	For information
<b>Title and Date of Meeting</b>	Fire Commission Meeting – 14 October 2022
<b>Attachments</b>	None

## Summary

This paper provides members of the Fire Commission with a summary of the progress on the Fire Standards. The Fire Standards Board last met formally on 9<sup>th</sup> September June 2022.

## Recommendations

Members are asked to:

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

## Current Status

### Published Fire Standards



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

The third phase of Fire Standards was approved at the Board on 15 June 2022. Development on the remaining standards within phases two and three are underway and are shown on the timeline diagram below:

### Fire Standards in development



## Development Update

### Data Management

- Consultation on this standard completed in May 2022.
- Analysis of the consultation responses took place during May to agree any revisions.
- The post-consultation standard was approved by the FSB for quality assurance in June 2022.
- Published July 2022.

### Leadership and People Fire Standards

- The Board approved the draft Leadership and People Fire Standards at the Board meeting held in July 2022 and consultation was opened in June 2022
- Engagement with services relating to the consultation on the two Leadership and People Fire Standards took place in July 2022.
- Consultation closed on 9 September 2022 and analysis of the feedback received is currently underway.
- The Fire Standards Team have engaged with HMICFRS to discuss the inclusion of the Leadership and People Fire Standards within the next round of HMICFRS inspections. They are working to establish a good level of maturity within the Fire Standards in preparation for this.
- Subject to consultation feedback, it is expected these standards will be published by December 2022.

### Fire Control

- A working group was established in August 2022, the group is comprised of those delivering Fire Control national guidance.
- NFCC's Fire Control Project Executive, has been identified as Assistant Chief Fire Officer Ben Norman from Greater Manchester Fire and Rescue Service. A commissioning meeting took place on 8 September 2022.
- Development on an initial draft is underway and peer review is expected to have completed by the end of October 2022.

### Communications, Engagement and Consultation

- Engagement with the Chair and members of FirePro<sup>1</sup> took place in September 2022 and work was commissioned.
- The proposed scope of this standard would also include the best approaches to partnership working and collaboration.
- Development on an initial draft is underway and peer review is expected to have completed by mid-October 2022.

## Remaining Areas for Consideration

A third phase of development work was approved by the FSB at the Board meeting on 15<sup>th</sup> June 2022. The Board agreed to the following standards for production as part of phase three:

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<sup>1</sup> FirePro is a network of communications professionals working within all UK fire and rescue services.

No.	Activity / Potential Fire Standard	Activity Framework Category
1	Fire Control	Service Delivery
2	Communication, engagement, consultation	Cultural and Enabling
3	Commercial and Procurement (Resources)	Enabling
4	Finance and Assurance (Resources)	Enabling
5	Asset Management (Resources)	Enabling

Health and Wellbeing has been considered during the development of the Leadership and People Fire Standards. The NFCC People Programme will be undertaking work and producing products relating to health and wellbeing, however, some of this work will not commence until 2023. Therefore, it is proposed that the need for a separate Health and Wellbeing Fire Standard will be reviewed once phase three is complete and the NFCC People Programme has progressed their programme of work.

The current focus on data for the sector is a priority, with digital and technology to follow thereafter. Therefore, work on a Fire Standard relating to digital and technology may be dependent on a variety of influences which yet are unknown. It is proposed that the progression of this work should be reviewed in 2023. The influences include, but are not limited to:

1. the work of the NFCC Digital and Data Programme;
2. the evolution and impact of the Emergency Service Network;
3. support for services in improving local infrastructure and systems; and
4. evolution of the Incident Recording System and Fire Control Room technology.

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

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

## Implementation support

The FSB, through the NFCC Fire Standards and Implementation Teams, will be continuing to support services as they work to achieve the Fire Standards. The NFCC Implementation Team has recently scheduled and are in the process of conducting a series of engagement sessions with services to support them with implementation of the Fire Standards. These are scheduled until April 2023.

Implementation tools are provided with all published Fire Standards.

## Impact and Benefits Realisation

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

The FSB is currently undertaking engagement activity with services to help better understand impacts and review progress to date.

In July, the FSB Chairs supported by the Fire Standards Team, held a pilot engagement event in London to discuss the impact of the published Fire Standards. This event gave those services attending the opportunity to share their experiences and views with other services, as well as the FSB Chairs. Further engagement sessions are planned for 25<sup>th</sup> October and 25<sup>th</sup> November 2022.

Early indications from the pilot event feedback show that the Fire Standards are seen as a positive step for the sector, but that they would have more validity if they were clearly referenced through inspection.

However, what also became apparent were some perceptions held by many attendees which highlighted issues that the Chairs and the Fire Standards Team intend to explore further, both at the future engagement events and through service visits. These perceptions are summarised below:

- services not seeing a link between the Fire Standards and inspection judgement criteria leading to interpreting them as two separate measurement mechanisms;
- services not seeing the connections between their own local organisational development or change work in supporting achievement of the Fire Standards outcomes and improved inspection gradings;
- services not understanding that any national guidance which underpins a Fire Standard is there to help services achieve the standard and in doing so services are likely to see service improvements and better inspection outcomes; and
- services were concerned about what appeared to be differing levels of interpretation of Fire Standards by the cohort of HMICFRS inspectors.

It is proposed that further targeted communication may help clarify some misunderstandings and misconceptions the services have. Further proposed actions will be shared once the engagement sessions have completed and a full analysis of feedback has been received.

## **Background notes for information**

The Fire Standards Board (FSB) is responsible for the identification, organisation, development and maintenance of professional standards for fire and rescue services in England. Led by an independent Chair and Vice Chair, membership of the Board includes the NFCC, employers (both the LGA and the APCC) and the Home Office.

The LGA representative on the Board is Cllr Nick Chard.

The FSB continues to meet regularly to review the progress made on Fire Standards development. Its next meeting is scheduled for 21 December 2022.

Given the various stages of development required and the time needed for engagement with services in the early stages, as well as through formal consultation, development work and

publications are staggered. This is primarily done to align capacity and resources in a considered way, but also to pace the rate at which standards are released to services.

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

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

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

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



**Meeting:** Fire Commission

**Date:** 14 October 2022

## Fire Commission Update Paper

### Purpose of report

For information

### Summary

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

### Recommendation

That members of the Commission note the report.

### Contact details

Contact officer: Rebecca Johnson

Position: Adviser

Phone no: 07887 568807

Email: [Rebecca.johnson@local.gov.uk](mailto:Rebecca.johnson@local.gov.uk)

## Fire Commission Update Paper

### New Minister for Fire

1. Jeremy Quin MP has been appointed Minister of State at the Home Office with responsibility for Policing, Crime and Fire.
2. The LGA has previously tried to make the case that Fire should be separate from policing and instead aligned with building safety, which continues to sit within the Department for Levelling Up, Housing and Communities (DLUHC).

### Fire Reform White Paper

3. The LGA [submitted a response](#) to Government's Reforming our Fire and Rescue Service White Paper at the end of July. The response welcomed Government's ambition to improve the Fire and Rescue Service and the reform agenda. It also outlined views on where proposals need further consideration and provided practical solutions on how these could be developed to deliver reform. The response also set out potential barriers to reform and areas where the LGA believe change could be achieved more quickly.
4. Government is expected to respond although the timeline for this is unknown and is likely to be impacted by the change in ministerial team.

### HMICFRS inspection reports

5. In July His Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) published reports from the 15 FRs that made up the second tranche of round two inspections. A [summary report](#) of findings as well as the individual service reports are available on the HMICFRS website.
6. HMICFRS found that overall, the sector continues to be well prepared to respond to routine and major emergency incidents.
7. In terms of inspection grades seven out of 15 scored 'good' across the three areas, four were mixed and four scored 'require improvement' across the board (with one of those authorities scoring inadequate in one area). Compared to Round 1 inspections of the same services, the majority (eight) of services had stayed the same, five had improved their scores and two scored worse overall.
8. Many services that received causes of concern in our first round of inspections have taken meaningful steps to improve and act on recommendations and there has been a positive shift in services prioritising protection.



9. However, some services have failed to make enough progress. HMICFRS have serious concerns that some services have failed to act on the causes of concern issued in Round 1 inspections. Six new causes for concern have been issued meaning there is now a total of nine causes across seven of the 15 services inspected.
10. Three areas of particular weakness that HMICFRS has identified, and where new causes of concern have been issued are prevention, values and culture and equality, diversity, and inclusion (EDI). In two services, cultures found to be toxic.
11. The third tranche of the second-round inspections is expected to be published at the end of 2022/ early 2023.

### **Wildfires**

12. The heatwave over the summer led to a huge increase in wildfires. National Fire Chiefs Council (NFCC) data shows that up to 13 August 2022 there had been 716 wildfires. Last year the annual total was 247.
13. On 19 July, the hottest day on record with temperatures in some places exceeding 40 degrees, services were under intense pressure dealing with the volume and intensity of fires in their areas. At least fourteen FRSs declared major incident. Major incidents are usually larger, more complex incidents, endanger lives, threaten larger areas, and require additional levels of co-ordination across a range of emergency services and other agencies. London Fire Brigade recoded their busiest day since World War II and 40 homes and businesses across the city were destroyed by wildfires.

### **Events**

14. The LGAs Annual Fire Conference and Exhibition 2023 will be held on Tuesday 7th and Wednesday 8th March 2023 in Nottingham. More details on topics and speakers will follow in due course. Please get in touch with Rebecca Johnson if you have suggestions for the conference agenda [rebecca.johnson@local.gov.uk](mailto:rebecca.johnson@local.gov.uk).
15. The next Fire and Rescue Leadership Essentials course will take place between Wednesday 9 November – Thursday 10 November at Warwick Conference Centre. The course is fully subsidised and aims to provide an induction to the fire sector and is a great opportunity to network with other fire members, so new fire authority members as well as existing members are encouraged to attend.
16. The objectives of the course are for delegates to:
  - Develop a comprehensive understanding of the fire sector, including clarity on duties and responsibilities and develop skills around leadership in FRAs.
  - Develop skills around leadership in FRAs.
  - Gain a thorough understanding of scrutiny and governance in FRAs and practical skills to apply that understanding.

- Improve knowledge of the key strategic issues facing the sector, including fire reform, building safety, the fire inspections regime and issues around culture, inclusion, and diversity in the fire sector.
  - Improve knowledge of the key strategic issues facing the sector, including fire reform, building safety, the fire inspections regime and issues around culture, inclusion, and diversity in the fire sector.
17. For more information or to book, contact Grace Collins - 020 7664 3054 or [grace.collins@local.gov.uk](mailto:grace.collins@local.gov.uk)
  18. The Fire Diversity and Inclusion Champions Network is due to meet on 23 November between 10am and 12pm. This will be a virtual meeting held on Teams and will be chaired by Dr Fiona Twycross who has been reappointed as FSMC Equalities Advocate. The topic of the next session will be on the role of scrutiny in driving improvement.
  19. The network brings together elected representatives who are responsible for diversity and inclusion issues on their fire and rescue authorities to develop skills to challenge their services to improve in this area. We encourage authorities who are in the process of reviewing outside appointments post elections to make sure that they have a representative on the Committee's Member Champions Network.
  20. Please let Rebecca Johnson know if you would like to be added to the Champions Network mailing list by emailing [rebecca.johnson@local.gov.uk](mailto:rebecca.johnson@local.gov.uk).

### **Outside body updates**

21. The Emergency Services Mobile Communications Programme (ESMCP) continues to undertake significant work with key Programme suppliers building the Emergency Services Network (ESN). Until this work is concluded, more definitive information around timelines for delivery, resourcing and the broader ambitions of the Programme cannot be provided. The challenge that this uncertainty this poses for FRAs and FRSS is recognised by the Programme and its participants. At the most recent ESMCP Programme Board in September, the Home Office re-affirmed its commitment that Airwave will continue to be available until ESN is fit for purpose and the three emergency services (3ES) no longer need Airwave.
22. The interim report of the Competition and Markets Authority's (CMA) investigation into the mobile radio network is due in September, with the final report in December. This investigation was initiated because of concerns:
  - 20.1. that the market for the supply of the mobile radio network used by all emergency services in Great Britain might not be working well, resulting in a more expensive service for customers and, ultimately, the taxpayer, and;
  - 20.2. that due to Motorola's dual role [in owning both the Airwave service and being a key ESN supplier], Motorola has an incentive to delay or shape the roll-out of the ESN to its advantage, given the significant profits it currently receives from operating the Airwave network.

23. Cllr Eric Carter currently represents the LGA on the ESMCP Fire Customer Group and ensures the views of the LGA's FSMC and FRA's are considered within the overall endeavour. It is intended to provide a fuller update at the October Fire Commission meeting.

#### **Implications for Wales**

24. None.

#### **Financial Implications**

25. None.

#### **Equalities implications**

26. 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.

