



Fire Commission

Agenda

Friday, 9 June 2023
11.00 am

Hybrid Meeting - 18 Smith Square and
Online

Fire Commission
Friday, 9 June 2023

There will be a meeting of the Fire Commission at **11.00 am on Friday, 9 June 2023** Hybrid Meeting - 18 Smith Square and Online.

LGA Hybrid Meetings

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Please contact your political group as outlined below for further details.

Apologies:

Please notify your political group office (see contact telephone numbers below) if you are unable to attend this meeting.

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

Attendance:

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

LGA Contact:

Jonathan Bryant
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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.

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Chairman: Councillor James Jamieson OBE **Chief Executive:** Mark Lloyd CBE **President:** Baroness Grey-Thompson

Fire Commission – Membership

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

Councillor	Authority
Conservative	
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	Humberstone 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 Andrew Reid	Suffolk County Council
Cllr Andy Crump	Warwickshire County Council
Cllr Vera Waters	West Midlands Fire Service
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

Member)	
Cllr Lesley Rennie (Balancing Member)	Merseyside FRA
Cllr Denise Turner-Stewart	
Substitutes	
Cllr Tina McKenzie-Boyle	Royal Berkshire Fire Authority
Cllr Byron Quayle	Dorset & Wiltshire Fire and Rescue Authority
Labour	
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 Gurdial Singh Atwal	West Midlands Fire Service
Cllr Darren O'Donovan	West Yorkshire Fire and Rescue Authority
Cllr Nikki Hennessy (Balancing Member)	Lancashire County Council
Cllr Jane Hugo (Balancing Member)	Blackpool Council
Cllr Colleen Atkins MBE (Balancing Member)	Bedfordshire FRA
Cllr Carl Johnson (Balancing Member)	Tyne & Wear FRA
Cllr Cal Corkery (Balancing Member)	Portsmouth City Council
Cllr Tina Claydon (Balancing Member)	North Wales Fire Authority
Substitutes	
Cllr James Roberts	Merseyside Fire and Rescue Authority
Liberal Democrat	
Cllr Edna Murphy	Cambridgeshire and Peterborough Fire Authority
Cllr Janet Willis	Cumbria County Council
Cllr Simon Coles	Devon & Somerset Fire & Rescue Authority
Cllr Roger Price	Hampshire and Isle of Wight FRA
Cllr Jenny Hannaby	Oxfordshire County Council
Cllr Jeremy Hilton (Balancing Member)	Gloucestershire County Council
Cllr Carolyn Lambert (Balancing Member)	East Sussex Fire Authority

Member)	
Cllr Tom Woodwark (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
Substitutes	
Independent	
Cllr Frank Biederman (Chair)	Devon County Council
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 Nigel Smith (Balancing Member)	Conwy County Borough Council
Cllr Jason Zadrozny (Balancing Member)	Ashfield District Council
Cllr Philip Barrett (Balancing Member)	North Yorkshire Fire & Rescue Authority
Cllr Paul Hilliard (Balancing Member)	Dorset and Wiltshire FRA
Substitutes	

Agenda

Fire Commission

Friday, 9 June 2023

11.00 am

Hybrid Meeting - 18 Smith Square and Online

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Date of Next Meeting: Friday, 22 September 2023, 11.00 am, Hybrid Meeting
- 18 Smith Square and Online

Minutes of last Fire Commission meeting

Fire Commission

Friday, 14 October 2022

Hybrid Meeting - 18 Smith Square and Online

Attendance

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

Item	Decisions and actions
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1	Welcome, Apologies and Declarations of interest
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The new Chair welcomed members to the meeting and introduced himself.

Apologies were received from Cllr Carolyn Lambert, Cllr Darren O'Donovan, Cllr Dave Norman, Cllr Duncan Crow, Cllr Brenda Massey, Cllr Andy Crump, Cllr Morris Bright, Cllr Brian Kenny, Cllr Nikki Hennessey, Cllr Cal Corkery and Paul Fell.

There were no declarations of interest.

2	Minutes of the previous meeting held on 10 June 2022
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The minutes of the previous meeting held on 10 June 2022 were agreed as an accurate record.

3	Home Office - verbal update
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Jonny Bugg (JB), Head of the Fire Strategy and Reform Unit at the Home Office, introduced a short recorded message from the new Fire Minister – Jeremy Quin MP. In this, the Minister confirmed (a) that the Home Office would not be financially supporting a new pay offer to help resolve the dispute with the FBU; and (b) that a response to the consultation on the Fire Reform White Paper would be published before the end of 2022. The Chair thanked the Minister on behalf of the Fire Commission.

Members' comments and questions:

- Members felt it was disappointing that the Minister had not been able to find the time to attend the meeting in person. JB apologised on behalf of the Minister and added in his defence that his sole focus to date during his short time in the role had been on leading on facilitating the arrangements for HM the Queen's funeral. He added that the Minister had committed to address the LGA Fire Conference in March 2023. In addition, being a Minister of State in

the House of Commons should give more influence with other Government departments

- Disappointment was expressed at the Minister's decision not to intervene financially in the pay dispute. More generally, the view was expressed that fire had always been a 'cinderella' service when it came to Government funding and the new Minister's praise and admiration for the fire service should be backed up by increased investment. The split in responsibility and funding between the Home Office and DLUHC was not considered helpful in this respect. JB responded that the Minister had concluded early on that it was not appropriate for the Home Office to intervene in a pay dispute given the current NJC mechanism. He added that the Home Office had a good record in terms of getting funding from the Treasury although clearly, serious conversations were needed about the future.
- There were aspects of the White Paper, such as operational independence, which the sector could get on with implementing without waiting for the Government response. Others, such as governance, would be more challenging but the LGA should continue to work with the Home Office to find the best solution.

4 Resilience and Climate Change

The Chair invited CFO Ben Brook (BB), Warwickshire FRS and NFCC Climate Change lead, to give his presentation.

BB informed members of the NFCC's approach to Environment, Climate Change and Sustainability, particularly in relation to the large number of wildfires that hit the country during the Summer. BB set out both the legal and moral/ethical duties on the fire sector to act in relation to contributing to the UK's net zero target.

BB reported that there had been 976 wildfires in the UK so far this year related to the record high temperatures - a huge increase on previous years. Flooding events were also becoming more frequent with the changing climate. BB argued that climate change was an emerging and growing risk that needed to be taken into account by FRSs in their Community Risk Management Plans. This also needed to be reflected in emerging Fire Standards and in the Fit for the Future document.

BB talked about the toolkit that was being developed by the NFCC to help FRSs to understand the future risks and how to be best prepared to tackle them. He appealed to members to send him any examples of good practice in this field that could be included as part of the toolkit. It was hoped that the toolkit would be ready for use within the next 6 months and following that, a process of evaluation and stakeholder feedback would take place.

Members' comments and questions:

- Further detail was sought on the grant funding available to FRAs to increase their sustainability. BB said that he was working with a successful bidder to develop best practice that would be included

in the toolkit.

- The sheer pace of climate change impacts was raised and whether services could be prepared for the impacts in an increasingly short timeframe. Had the NFCC been working with colleagues internationally who might be further down the line in terms of impacts than the UK? BB said that the use of data for predicting extreme events needed to be improved, with more emphasis on prevention. The Climate Change Committee was due to release a report on wildfires in the near future which would be very helpful. The NFCC lead on wildfires, Paul Headley, would be attending the FSMC meeting in December to talk about his work. NFCC were engaged closely with the Metro Fire Chiefs in the US, AFAC in Australia & New Zealand and FEU in Europe.
- What more could the sector be doing to join up and capture all the data on wildfires and other events in order to build a case to put to the Home Office for greater resourcing? BB said that the NFCC was leading on debrief sessions following the Summer's wildfires and this would feed into further discussions with Government. This would also support the NFCC's project on the Economic and Social Impact of Fire & Rescue.
- The point was made that wildfires were often started by people's behaviour resulting from a lack of understanding of the risks. Whilst this has clearly been exacerbated by climate change, links needed to be made to education and overcoming 'psychological distance'.
- The importance of joining up with the devolved administrations over flooding prevention work and general catchment management was emphasised, particularly in relation to the River Severn. BB agreed that the discussions needed to be more wide-ranging than just wildfires and to take into account less well-known issues such as the impact of soil degradation on buildings.
- The Chair of Cheshire FRA outlined some of the actions they were already taking in relation to climate change, including building the first zero carbon fire station in the country. Early sight of some of the data in the toolkit was requested in order to further help planning. BB agreed to share this with the CFO.
- What more could be done to make things under the direct control of FRAs, such as buildings and vehicles, more sustainable? BB said that the NFCC was working to ensure that climate change preparation was embedded in all their work strands, including property, procurement etc.
- Members asked if the statistics from the presentation could be shared. BB agreed.

Decision:

Fire Commission **noted** the presentation.

Action:

BB to share wildfire statistics with LGA colleagues for circulation.

5 Building Safety Regulator update



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

CL briefly updated members on LGA activity since the previous Fire Commission meeting. Officers had continued to monitor the progress of the Building Safety Act's implementation and had planned related improvement work for FRAs. A response to the Emergency Evacuation Information Sharing (EEIS) consultation had been submitted and more specifically, concern expressed about the potential transfer of liability from responsible persons to the fire service.

CL then introduced Sandra Tomlinson (ST) and James Tancred (JT) from the Health & Safety Executive to give members an update on the new Building Safety Regulator (BSR).

ST and JT gave a presentation on the new Multi-Disciplinary Teams (MDT), comprising the BSR, local authorities and FRAs, and how they would jointly deliver building control and building assessment certification under the new regime. This had been a key recommendation of the Hackitt Review of Building Regulations and Fire Safety in the wake of the Grenfell tragedy. Each of the partner regulators would be reimbursed for their work within the MDTs with the NFCC setting the rates. The processes for both Building Control applications and In-Occupation Building Assessment Certificate applications were outlined. FRAs and local authorities would also retain their regulatory role under the Fire Safety and Housing Acts. The BSR was developing Memorandums of Understanding with FRAs and local authorities and also producing a National Framework Document that would set out in detail roles and responsibilities and the expectations of the BSR. Finally, the timeline for implementation of the new regime was presented.

Members' comments and questions:

- In response to a question about the strengthening of post-Grenfell regulation, ST confirmed that, as well as new high-rise buildings, the new regime applied to any works to existing buildings that would have to go through building regulations. As part of the new Gateway process, no works could begin on site until design approval had been achieved. Bringing FRSs into the MDTs would strengthen the voice of the fire sector in the process.
- Clarification was sought on the role of the new statutory resident panel. ST said that an interim panel was set up in December 2021 and that the final panel would be put in place by December 2022. She agreed to provide a further update to members following the meeting.
- Concern was expressed about the potential for the new regime to slow down the planning process, particularly in relation to new build housing. ST said that the Gateway 1 process had been in place now since August 2021 and the HSE was using that to advise of any potential building safety issues with projects moving forward. It was hoped that this would save time down the line when the building control regulator regime came into force.
- Members requested that the slides from the presentation be shared. ST agreed to this request.

Decision:

Fire Commission **noted** the presentation and update.

Actions:

HSE to provide copy of presentation slides and further update on resident panel.

6 Economic and Social Value of the UK Fire & Rescue Service

The Chair invited Assistant CFO Dan Quinn Shropshire FRS, and NFCC project lead to deliver his presentation.

DQ gave members a brief overview of the NFCC's Economic and Social Value of the UK FRS project, which aims, for the first time, to put a monetary value to the services provided by fire and rescue services in the UK. This will help negotiations around funding nationally, and also at a local level to allow FRS's to direct resources to the most beneficial activities. The final report was officially launched at the NFCC Autumn Conference. The initial report covered English FRS's with a further phase 2 report covering the whole of the UK. The digital tool for individual FRSs would be launched towards the end of 2022.

DQ reported that over the period 2016/17 – 2018/19 the model estimated that the value of saved property due to FRS intervention was £4.45bn per annum and the value of saved lives was £5.35bn per annum. There were also significant savings from water rescue, making environments safe, clearing spills and leaks, medical assistance and extrications. For every £1 spent on the Fire and Rescue Service there was £6.17 saved. DQ finished by saying that this was an ongoing project and he looked forward to further data and improvements from services to fine tune the model.

Members' comments and questions:

- Some of FRSs' work around prevention and protection – e.g. drowning prevention education work – is difficult to quantify. How could this be taken into account as part of the model? DQ said that they had done the best they could with the data currently available but this kind of activity had been identified as an area where more work was necessary in order to more accurately quantify the benefits. Work was currently taking place across the NFCC, for example through evaluation of the Community Risk Programme to try and address any gaps or shortfalls.
- Had the Home Office been made aware of this project and its implications in terms of resourcing the sector? DQ confirmed that they had held discussions with the Home Office team that was looking into the economic cost of fire around some of the methodology used in the model. DQ would be holding a workshop session at the LGA Fire Conference in March 2023 and was happy to present to any audience that members felt might be helpful.

Decision:

Fire Commission **noted** the presentation.



7 Fire Commission and FSMC priorities 2022-23

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

LE briefly outlined the work priorities for 2022-23 that had been agreed by the Fire Services Management on 23 September. This included the addition of two new priorities from those agreed for 2021-22 – Sector-Led Improvement and Climate Change.

Decision:

Fire Commission **noted** the report.

8 Workforce update

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

CH reported that since the update had been written, the proposed remedy hearing to assess injury to feelings awards had been vacated to enable all parties to negotiate a settlement. This applied only to claims bought by the FBU. The Government had confirmed that it would be covering the cost of these claims on the basis that funding would be provided to FRAs before they would be required to make any payments. The LGA would be persisting with its representations to Government that they must fund all other costs arising from the Sargeant discrimination case.

GG reported that in relation to the FBU's postal ballot, referred to in para 40 of the report, the timetable had now been pushed back, although it was not known by how much. In relation to para 41 of the report, updated FAQs and a template letter had been completed and were available for FRAs to use in local communications with their workforce to reflect local circumstances.

In relation to previous comments made during agenda item 3 by the Minister and Home Office representative, GG reminded members that recommendations from pay review bodies were often not accompanied by additional funding from Government.

Decision:

Fire Commission **noted** the update.

9 Building Safety update

Noted with item 5.

10 National Fire Chiefs Council update



The Chair invited Mark Hardingham (MH), NFCC Chair, to introduce the update. In view of the time, MH indicated that he was happy to take any questions from members on the update.

Members' comments and questions:

- The Chair asked MH to pass on the Commission's thanks to firefighters for the incredible work they did to tackle the summer wildfires.
- The climate change work needed to be joined up with effective public education campaigns about the risks associated with certain behaviours that lead to wildfires.

Decision:

Fire Commission **noted** the update.

11 Fire Standards Board update

The Chair invited Cllr Nick Chard and Mark Hardingham to introduce the update. Cllr Chard indicated that, in view of the time, they were happy to take questions on the report.

Decision:

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

12 Fire Commission update

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

RJ highlighted some of the upcoming events that were outlined in the report.

LE reported that the Competition and Markets Authority had just released findings in relation to ESMCP and had provisionally concluded that Motorola, which operates the Airwave network, appears to be able to charge the Home Office (which represents the emergency services) prices well above competitive levels, resulting in higher costs which would ultimately be paid by taxpayers. The CMA had therefore outlined a set of proposed changes to limit the price that Motorola could charge to a level that would apply in a well-functioning, competitive market.

Decision:

Fire Commission **noted** the update.

Appendix A -Attendance

Position/Role	Councillor	Authority
Chair	Cllr Frank Biederman	Devon County Council
Vice-Chair	Cllr Keith Aspden	City of York Council
Members	Cllr Paul Duckett	Bedfordshire Fire & Rescue Service
	Cllr Paul Gittings	Royal Berkshire Fire Authority
	Cllr Simon Rouse	Buckinghamshire and Milton Keynes Fire Authority
	Cllr Edna Murphy	Cambridgeshire and Peterborough Fire Authority
	Cllr Janet Willis	Cumbria County Council
	Cllr Trevor Ainsworth	Derbyshire County Council
	Cllr Sara Randall Johnson	Devon and Somerset Fire and Rescue Authority
	Cllr Simon Coles	Somerset County 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
	Ms Jane Gardner	Essex Deputy Police, Fire & Crime Commissioner
	Dr Fiona Twycross	Greater London Authority
	Cllr David Lancaster	Greater Manchester Combined Authority
	Cllr Steve Williams	Greater Manchester Combined Authority
	Cllr Dylan Butt	Greater Manchester Combined Authority
	Cllr Rhydian Vaughan MBE	Hampshire and Isle of Wight Combined Fire Authority
	Cllr Roger Price	Hampshire and Isle of Wight FRA
	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 Les Byrom CBE	Merseyside Fire and Rescue Authority
	Cllr Elwyn Williams	Mid and West Wales Fire Authority
	Cllr Gordon Stewart	Northumberland County Council
	Cllr Jenny Hannaby	Oxfordshire County Council
	Cllr Eric Carter	Shropshire and Wrekin Fire Authority
	Cllr Charlie Hogarth	South Yorkshire Fire and Rescue Authority
	Cllr Rachel Bailey	Cheshire Fire Authority
	Cllr Mark Healey MBE	Devon and Somerset Fire and Rescue Authority
	Cllr Lynn Hall	Cleveland Fire Authority
	Cllr James Doyle	Tyne and Wear Fire Authority
	Cllr Jeremy Hilton	Gloucestershire County Council
	Cllr Ruth Skelton	Derbyshire Fire and Rescue Authority



	Cllr Steven Lambert	Buckinghamshire and Milton Keynes Fire Authority
	Cllr Ian Roome	Devon and Somerset FRA
	Cllr Luke Frost	Cleveland Fire Authority
	Cllr Denise Turner-Stewart	Surrey County Council
	Cllr Jane Hugo	Lancashire Combined Fire Authority
	Cllr Colleen Atkins MBE	Bedfordshire Fire & Rescue Authority
	Cllr Byron Quayle	Dorset & Wiltshire Fire & Rescue Authority
	Cllr Donald Davies (as sub)	Avon Fire Authority
	Cllr Tina Claydon	North Wales Fire & Rescue Authority
Apologies	Cllr Brenda Massey	Avon Fire Authority
	Mr Roger Hirst	Police, Fire and Crime Commissioner for Essex
	Cllr David Norman MBE	Gloucestershire County Council
	Cllr Morris Bright MBE	Hertfordshire County Council
	Paul Fell	Northants Police Fire & Crime Commissioner
	Cllr Andy Crump	Warwickshire County Council
	Cllr Duncan Crow	West Sussex County Council
	Cllr Darren O'Donovan	West Yorkshire Fire and Rescue Authority
	Cllr Carolyn Lambert	East Sussex Fire Authority
	Cllr Nikki Hennessey	Lancashire Combined Fire Authority
	Cllr Cal Corkery	Hampshire & Isle of Wight Combined Fire Authority
In Attendance	Mark Preece	Gloucestershire FRS
	Neil Odin	Hampshire & Isle of Wight FRS
	Mick Osborne	Buckinghamshire FRS
	Phil Shillito	Humberside FRS
	Steve Helps	Durham & Darlington FRS
	Steven Adams	National Fire Chiefs Council
	Mark Hardingham	National Fire Chiefs Council
	Jonny Bugg	Home Office
	Ben Brook	Warwickshire FRS and NFCC
	Dan Quinn	Shropshire FRS and NFCC
	Sandra Tomlinson	Health and Safety Executive
	James Tancred	Health and Safety Executive

Update on the Emergency Services Mobile Communications Programme (ESMCP)

Purpose of Report

For information.

Is this report confidential? No

Summary

This report provides an update to Commission members on the progress of the Emergency Services Mobile Communications Programme (ESMCP). In particular it highlights some of the reports that have recently been published, along with areas of progress.

Choose an item.

Recommendation

That Fire Commission note the content of the report

Contact details

Contact officer: Ian Taylor

Position: Assistant Chief Fire Officer, Senior User and Business Change Lead (Fire) for National Fire Chiefs Council (NFCC)

Phone no:

Email: ian.taylor3@homeoffice.gov.uk

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Background

1. The Emergency Service Mobile Communications Programme (ESMCP) will provide the next generation of mission critical communications for the emergency services in Great Britain. This will in part replace the current Firelink [Airwave] provision, as well as providing secure and resilient mobile broadband capability with near universal coverage across the country. ESMCP is a cross Government Programme led by the Home Office since 2011, but also involving the Department for Health and Social Care, Scottish Government and Welsh Government.
2. ESN will take readily available standard commercial mobile telephony and augment it to provide the levels of coverage, availability and functionality required for emergency services use, where it will inevitably be regularly deployed in the most testing of circumstances. The enhancements include:
 - Additional coverage for the areas where commercial coverage does not exist to provide near universal coverage across Great Britain
 - Priority and pre-emption to ensure that emergency service users can always access the network, even when normal consumers may not.
 - Higher levels of security and resilience, especially given the current cyber security landscape, the type of information being passed through ESN, the impact of climate change on the nation and demands upon the emergency services, and the expectations of the public
 - Devices that work for the emergency services including being more rugged than most phones, the provision of a push to talk (PTT) or transmit button and appropriate battery life
 - A communications application [App] that delivers the full suite of functionality required by the emergency services and staff
 - An air to ground (A2G) capability enabling responders on the ground to interact seamlessly with air assets via ESN, even if FRSs don't have such assets themselves
3. The commercial approach to delivering ESN was to divide into smaller contractual lots, rather than having a single prime supplier. In 2015, Motorola were selected to deliver Lot 2 (User Services), comprising data centres, support services and a push to talk (PTT) application or 'App'. Lot 3 (Mobile Services) was awarded to EE to provide the core mobile network. Other contracts have been awarded for items such as devices, Control Room upgrade development and specialist services, that will all come together to form ESN.

4. The Fire and Rescue Service's ESMCP governance is mainly focussed through the NFCC's ESMCP Fire Customer Group (FCG) chaired by the NFCC's lead for Operational Communications, Deputy Chief Fire Officer Ben Norman from Greater Manchester. The LGA was represented on FCG by former Cllr Eric Carter from Shropshire and Wrekin FRA, taking one of two LGA places on FCG, along with supported from Lucy Ellender.
5. Previous updates to the Fire Services Management Committee (FSMC) were on 21st May 2021 and 9th December 2022.

Update

Public Reports and Programme Scrutiny

6. Since the previous update to the committee, the Programme [ESMCP] has undergone a number of reviews and elements of scrutiny. Some of these have been as part of the internal governance of the Programme within Government. Others have been more visible with the publication of a report by the National Audit Office (NAO) and more recently two oral evidence sessions with the Public Accounts Committee (PAC). The final report from the Competition and Markets Authority (CMA) into Airwave was also published recently and has a bearing on the Programme.
7. The NAO report published on 8th March, identified Progress to date, along with identifying a number of risks in the of commercial, technological, user take up and Programme management arenas. The report includes Home Office forecasts that, between April 2015 and March 2023, the programme will have spent £2.0 billion on ESN and £2.9 billion running and maintaining Airwave. From this the NAO made six clear recommendations on areas to be addressed going forward.
8. As part of the NAO's research work a questionnaire was circulated amongst the emergency services, with 36 English FRSs responding. This provided a triangulated set of data expressing degrees of optimism that ESN will be delivered and meet our expectations, and also confidence in the leadership of the Programme.
9. The report from the PAC has not yet been published, but the two oral evidence sessions probed many areas of the Programme along with associated concerns and risks. The first session on 27th March was attended by Home Office Officials, whilst the second on 26th April primarily had emergency services representation, with Deputy Chief Fire Officer Ben Norman, the NFCC Strategic Lead for Operational Communications representing the NFCC.

10. The final report from the CMA published on 13th April in many senses doesn't differ significantly to those contained within their earlier provisional findings and previously reported to the committee. The key findings are:
- The Home Office and the emergency services in Great Britain are 'locked in' to a monopoly provider, Airwave Solutions, and will be in that position until at least 2026, likely until 2029 and possibly longer
 - Airwave Solutions and its owner, Motorola, now have considerable market power. The Home Office is in a particularly weak bargaining position. Airwave Solutions / Motorola can set and maintain a price substantially above the level would be expect in a well-functioning market.
 - Through Airwave, Motorola generated supernormal [excess] profits leading to emergency services paying almost £200m per year more than they should have since 2020.
 - Motorola's incentives to deliver its ESN Lot 2 obligations effectively and efficiently were dulled by the substantial profits it makes from the continued operation of the Airwave Network. Motorola had the ability to act on such incentives by virtue of its central role in the delivery of ESN.
11. Amongst the measures that the CMA will implement includes a price control or cost cap to limit the price that Motorola can charge to a level that would apply in a well-functioning, competitive market. The detail of this is not yet known, nor how it will play through and representatives from the NFCC and Home Office are working through this detail and complexity. As previously advised, given some of the potential outcomes, FRAs may be best placed not to anticipate any Airwave savings within this financial year.

Programme Developments

12. In December 22, Motorola and the Home Office mutually agreed that the Motorola ESN contract, known as Lot 2 or User Services, would terminate early at Motorola's suggestion. This meant that Motorola no longer provides any form of live service for ESN and the Programme need to appoint a new supplier. A years' worth of termination services have been agreed with Motorola which will see testing taking place, deriving as much value as possible from the investment made.
13. With uncertainty over Motorola's long-term interest in ESN, the Programme had already undertaken some scoping and early market engagement to ascertain landscape and supplier appetite, with a number of potential alternatives emerging. Consequently, the Programme is now at an advanced stage in

preparations to reprocurer this lot and should be formally launching it within the next few weeks.

14. Key within the reprocurement will be the use of open standards that weren't available at the outset of ESN to allow greater use of an emerging ecosystem of technology, especially as other developed nations similarly look towards the technologies of ESN for their communications needs. It also provides some safeguards against suppliers developing the technology for ESN in a proprietary way and thereby 'locking' in the Government and emergency services in.
15. With the current Lot 3 (EE) contract expiring at the end of 2024, the NAO report publicly highlighted the Programme's ambition to directly award a new contract to EE. Work is progressing well, especially to ensure value for the public purse going forward.
16. Once a new supplier is appointed there will be greater certainty over how and when ESN will be delivered and available for testing ahead of deployment into live service. Both the Programme and users are clear that future plans need to be grounded and realistic to avoid challenges that have previously beset the Programme and impacted upon FRSs. These plans, along with detail from contractual aspects, will be key to the production of a new business case for ESN.
17. Progress is being made in a number of areas. Within coverage, EE have built over 650 new mast sites required under their contract, and there remains just 24 km of contracted road coverage for them left to deliver. Within the Programme's own Extended Area Services (EAS) project, 29 masts sites have gone live, representing 10% of that total, bringing coverage to areas where the network operators do not envisage providing it themselves. Some of this EAS coverage will also be incorporated into the Shared Rural Network (SRN), a wider Government endeavour to bring broadband mobile telephony to harder to reach and previously commercially unviable areas.
18. As a joint endeavour with the other emergency services, FRSs have been assessing the ESN coverage available as part of an exercise known as coverage assurance. This has provided a rich field of data on the availability of coverage, and also the opportunity to report areas where coverage may be insufficient, highlighting them as areas of concern (AOC). A further component has been to assure coverage at locations where it is imperative coverage is provided, known as critical operational locations (COL).

FRS Elements

19. With the withdrawal of Motorola from ESN, the small number of FRSs using ESN Connect (data capability) in live service have implemented alternative provision at short notice. A small number remain using ESN's secure internet connection from their Control Rooms and are currently working with suppliers and evaluating options.
20. With a significant slowdown or hiatus in ESN activity for FRSs, a multi stakeholder working group, including Home Office representation, proposed that local (FRS) ESN resources should be stood down temporarily until such time that ESN is sufficiently advanced to warrant the resource being available. This was subsequently endorsed at Chiefs Council and enacted from the end of March. Most of the staff involved have been redeployed within FRSs to other work and Programmes. It is hoped that they will be available and have the desire to be engaged with ESN in the future, thereby helping to mitigate against a distinct risk of loss of ESN knowledge and experience.
21. In preparation for the reprocurement, subject matter experts (SME) from FRSs have undertaken a thorough review of our base requirements for ESN along with emergency services and Programme colleagues. These were formally endorsed at FCG in March and recognised that whilst some had changed with the evolution of technology, the majority were largely unchanged, emphasising that the original requirements and direction of the Programme to meet the future needs of FRSs remains valid.
22. As already identified, there has been significant involvement by FRSs in assuring the coverage available for ESN, which has built a rich picture, indicating that available coverage may be better than predicted.

Airwave

23. Current FRS wide area communications is provided the Airwave system. It has inherent resilience, and over the years it has generally performed well with high levels of confidence from frontline staff, and this continues to be the case. More recently, significant planning and preparation was undertaken for the Coronation where the Airwave system performed extremely well.
24. The Firelink contract is a managed service meaning that maintenance and replacement of devices either through obsolescence or normal wear and tear is the responsibility of Airwave, and not a direct cost to Fire and Rescue Authorities (FRAs). There is currently a yearlong Airwave led Programme to replace all handheld devices, the first such since the Firelink contract was let in 2006.
25. Most FRS Control Systems require an upgrade to enable them to interface with new Airwave technology, called Dispatch Communications Server (DCS),

replacing outdated and obsolete equipment. FRSs are working hard to ensure that the upgrades and associated work is complete by the Airwave set deadline of the end of this year.

26. Inevitably the Firelink contract and the Airwave service will need to be extended beyond 2026. At this stage, it cannot be predicted for how long, or whether there will be a further need to replace other obsolete equipment and if any associated costs will fall to FRAs. The NFCC is working with the Programme to seek the necessary assurances on contract extension and continued viability of the Airwave system.

Funding

27. At the very outset of the ESMCP journey English FRSs, through Fire Customer Group, agreed a set of funding principles with Government Department, the then DCLG, to ensure that Fire Authorities would not be disadvantaged in the transition from Airwave to the new ESN technology. In particular:
- Equipment will be upgraded or replaced on a like for like basis
 - There will be no second costs for dual running where ESN and Airwave will need to run in parallel for a period of time
 - Funding will be provided for additional resources and staffing to enable ESN transition where required
28. Within the last year, the majority of English FRSs have taken part in an ESN finance deep dive also involving treasurers / S. 151 Officers and Home Office Fire Finance leads. These identified an overall improvement in recording and reporting to the Home Office on grant funded ESN spend, along with highlighting some notable practice. The deep dives identified some areas of concern where funds had not been spent in accordance to the guidelines. This was generally as a result of the S151 officers not being involved in the decision making process. This has now been rectified in all cases that were identified.

Implications for Wales

29. There is direct representation into ESMCP through the Welsh Senior User for ESMCP working on behalf of the Welsh Joint Emergency Services Group (JESG), and who works closely with counterpart Senior Users from all user communities. Notable differences in approach from the respective Government Departments, particularly around funding, are highlighted in the paper, and any specific queries should be directed to the Welsh Senior User accordingly.

Financial Implications

30. Given some of the potential outcomes for implementation of the CMA's remedies, it may be prudent for FRAs not to anticipate any Airwave savings within this financial year.
31. As outlined in this paper, ESN resources in FRSs have largely been stood down and English FRAs should not be drawing down funding for resourcing unless they have an agreed business case for coverage work

Equalities implications

32. ESN will be subject to its own equality impact assessment that will identify any equalities implications with this future provision. There are no implications arising directly from this update.

Next steps

33. At the FSMC meeting in May it was agreed that the FSMC would consider its representation on the Fire Customer Group over the Summer.
34. With NFCC representatives continuing to work closely with the Programme and Programme Leadership through mature and effective relationships, the FSMC may wish to be provided with an update at an appropriate point in the future.

Workforce Report

Purpose of Report

For information.

Is this report confidential? No

Summary

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

LGA Plan Theme: Support to the LG Workforce

Recommendation

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

Contact details

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

Negotiating Groups and NEOST

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

3.1 Agreement was reached on 6 March in respect of pay awards for 2022 and 2023:

- A 7 per cent increase on all basic pay rates and Continual Professional Development payments with effect from 1 July 2022
- A 5 per cent increase on all basic pay rates and Continual Professional Development payments with effect from 1 July 2023

3.2 In respect of the other points in claim the following approaches were agreed.

3.2.1 Retained Duty System firefighters:

Firefighters employed on the retained duty system are an important part of the workforce. Both parties committed to setting up a joint working group to include review of the retained duty system pay and rewards package with the intention of the joint working group concluding its work within 8 months. The group has held its first meeting. A second meeting will be held later this month and a schedule of further dates is being put in place.

3.2.2 Firefighters (Control):

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

3.2.3 Pay progression:

Both parties committed to continued discussion around pay structure and progression, including the continual professional scheme. A joint working party would be set up with the intention of concluding its work within 8 months. The group has held its first meeting. A second meeting will be held later this month and a schedule of further dates is being put in place.

3.2.4 New roles

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

4. NJC for Local Government Services (Green Book)

4.1. Support staff in fire and rescue services tend to be employed on NJC for Local Government Services terms and conditions (Green Book). Its scope is England, Wales, and Northern Ireland. Employee representatives on that NJC are Unison, Unite and GMB. The usual pay settlement date each year is 1 April.

4.2. The trade union claim for 2023 received in January 2023 covers:

4.2.1 RPI (10.70 per cent) + 2.0 per cent on all pay points

4.2.2 Consideration of a flat rate increase to hourly rates of pay in order to bring the minimum rate up to £15 per hour within two years

4.2.3 A review and improvement of NJC terms for family leave and pay

4.2.4 A review of job evaluation outcomes for school staff whose day-to-day work includes working on Special Educational Needs (SEN)

4.2.5 An additional day of annual leave for personal or well-being purposes

4.2.6 A homeworking allowance for staff for whom it is a requirement to work from home

4.2.7 A reduction in the working week by two hours

4.2.8 A review of the pay spine, including looking at the top end, and discussions about the link between how remuneration can be used to improve retention

5. In response, the employers' side of the NJC for Local Government Services, which once again has had to take into account the National Living Wage pressures, decided to make the following one-year (1 April 2023 to 31 March 2024), full and final offer in February to the unions representing the main local government NJC workforce:

5.1. With effect from 1 April 2023, an increase of £1,925 (pro rata for part-time employees) to be paid as a consolidated, permanent addition on all NJC pay points 2 to 43 inclusive.

- 5.2. With effect from 1 April 2023, an increase of 3.88 per cent on all pay points above the maximum of the pay spine but graded below deputy chief officer (in accordance with Green Book Part 2 Para 5.42)
- 5.3. With effect from 1 April 2023, an increase of 3.88 per cent on all allowances (as listed in the 2022 NJC pay agreement circular dated 1 November 2022)
6. The [employers' full response](#) also covered the other points in the claim.
7. At a further meeting in March at which the unions sought a 'significant improvement' to the £1,925 / 3.88 per cent headline offer, the National Employers rejected the unions' request and reaffirmed the offer as full and final.
8. The national committees of all three unions rejected the employers' final offer. UNISON announced a ballot for industrial action which will commence on 23 May and run until 4 July. GMB and Unite decided to consult their members on the basis of a recommendation that the offer be rejected.
9. Unite's 'Green Book' members have since voted 75% to 25% to reject their pay offer. Of those who voted, 90% voted in favour of moving to a formal ballot for industrial action. Unite now plans to conduct a formal ballot for industrial action, which is expected to run on a timetable similar to UNISON's strike ballot. GMB has announced that its members have rejected the LGS 'Green Book' pay offer by 64% to 36%. GMB added, "If negotiations aren't reopened and a revised offer made, we will move to industrial action ballots in some areas."
10. NJC for Brigade Managers of Local Authority Fire and Rescue Services
- 10.1 The scope of this UK-wide NJC is senior uniformed managers at chief, deputy chief and assistant chief officer levels. The employee representative body is the Fire Leaders Association. Agreement has recently been reached on pay awards for 2022 and 2034:
- A 4 percent increase on basic pay with effect from 1 January 2022
 - A 3.5 percent increase on basic pay with effect from 1 January 2023
11. Police Staff Council
- 11.1 The Police Staff Council (PSC) Trade Union Side has submitted its pay and conditions claim for 2023 for police staff. The headline claim is for an increase of the Retail Prices Index (RPI) of inflation (February 2023) plus 4 per cent on all pay points. This is a 17.5% pay increase. Further details can be found here: <https://www.local.gov.uk/our-support/workforce-and-hr-support/police/police-staff/police-staff-council-circulars/emp-3>. The

PSC Employers' Side is undertaking a consultation on the claim prior to a formal response to the Trade Union Side.

12. School Teachers' Conditions of Service Handbook

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

Minimum Service Levels

13. The Strikes (Minimum Service Levels) Bill, covering England, Wales and Scotland, provides a power for the Secretary of State to specify in regulations the relevant services, which are subject to 'minimum service regulations'. This includes fire and rescue services.
14. The government proposals set out the essential services that it considers the MSL should cover. Feedback from the Fire Services Management Committee (FSMC), and from FSMC lead members thereafter on the draft letter, informed the LGA's Resources Board response to the consultation (Appendix A).

Culture in the Fire and Rescue Service

15. The LGA Workforce and Policy teams are working on delivery of a free, one-day conference for members looking at their governance and leadership role in equality, diversity, and inclusion, alongside their employer role. The conference, planned for 27 June, will be a mix between discussion and practical training sessions including the role of scrutiny, relevant employment law and related legal framework.
16. The Inclusive Fire Service Group will be stood up again. This independently chaired, National Joint Council led, group has previously undertaken a substantial amount of work in this area, identifying many of the same problems as HMICFRS and developing improvement strategies that virtually all FRSs indicated support for. While a [monitoring report](#) in 2021 identified progress at local level, it was slow.

17. This UK-wide group is unique in the fire service in that it is comprised of employer and employee interests on the NJC, senior managers (NFCC) and employee representative bodies (FBU, FOA, FRSA). In developing the evidence-based improvement strategies it also engaged with organisations such as Stonewall, Asian Fire Service Association, Women in the Fire Service, Women in the Police Service, FBU women's, BME and LGBT groups, Unison, GMB etc. It is therefore well-placed to hear all voices, taking on board all views to maximise buy-in at all levels and drive improvement.
18. Since its introduction the [Core Code of Ethics](#) has been welcomed across the groups the partnership bodies represent – LGA, NFCC and APCC. Work has taken place, and is continuing to take place, to ensure the Core Code is adopted and embedded within all fire and rescue services in order to ensure consistency and delivery of improvements.
19. Since release of the Core Code the partnership bodies have jointly undertaken several well attended workshops with fire and rescue services, initially to complement awareness activities and to support adoption of the Core Code. Workshops then moved on to progressing implementation and embedding the principles of the Core Code within services. The partners have also agreed that sharing of good practice going forward will be hosted through Workplace, which is operated by the NFCC and open to fire and rescue service employees working in this area. Partnership work will continue to support delivery of improvement and members will recall the workshop at the Fire Conference in March.
20. In its most recent State of Fire report HMICFRS said it was 'encouraged by the progress many have made in implementing this (the Core Code)'. It also indicated it would continue to consider how well services have adopted the Core Code of Ethics for Fire and demonstrate it in their cultures in its third round of inspections. HMICFRS also promoted the Core Code in its recent spotlight report on values and culture.

Fit for the Future

21. Members will be aware of the joint initiative by the LGA, National Employers (England) and NFCC - Fit for the Future. It covers a broad spectrum of issues, for example reform.
22. A joint bid has been made to the Home Office seeking funding for two specialist posts, which would sit within the LGA. The postholders would be able to provide specialist advice on industrial relations and employment law to

FRA/FRSs over and above that currently provided by the LGA in a national context in order to support delivery of reform at local level.

23. The Fit for the Future improvement objectives, which were the result of wide consultation with FRAs and FRSs, are evidence-based. Accordingly, the next review will consider any amendments or additions required following the HMICFRS spotlight report into values and culture in the fire and rescue.

Decision Making Accountability (DMA)

24. The LGA Workforce team is qualified to deliver DMA reviews to councils and fire and rescue authorities. The DMA approach is an organisational design tool which establishes the number of layers of management that an organisation needs – and the units within it – to achieve its purposes most effectively, and the decision rights that managers in different layers require to be empowered. This can be used at a whole organisation or individual service level. It is a proven way of creating an effective organisation and services, and an efficient management structure. The aim of DMA is to create a healthy and effective organisation. For further information please contact suzanne.hudson@local.gov.uk

Creating effective teams

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

Advisory Bulletins

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

Workforce planning

27. With ageing workforces and a shortage of critical talent being among the biggest challenges facing employers, strategic workforce planning – the discipline of forecasting future gaps between demand and supply of critical talent, to ensure that you have the appropriate workforce mix three or five years

from now – has to become one of senior managers’ most important responsibilities. Engaging in workforce planning supports transformation programmes, agile and better ways of working and the development of a resilient, people risk adverse organisation.

28. The LGA Workforce Team has supported several local government organisations and their strategic and senior managers, their HR and OD teams as well as specific teams (services) to develop their skills and use of workforce planning. We also use a Bitesize Workforce Planning sessions by delivering a phased approach to support organisations to design and develop their own bespoke workforce plans.
29. Three FRSs have so far benefitted from LGA Workforce support; Lincoln FRS, East Sussex FRS and Hereford and Worcester FRS.
30. Any manager with a keen interest in workforce planning is welcome to join the national local government workforce planning network which is the ‘go-to’ place for topical workforce planning discussions and peer-to-peer learning. For more information on how the LGA Workforce Team can support your organisation with workforce planning, contact welna.bowden@local.gov.uk

Employer Link

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

Financial Implications

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

Equalities implications

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

Next steps

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



Fire Commission

9 June 2023

APPENDIX A



From the Chair of the LGA Resources Board

Cllr Peter Marland

2 May 2023

Minimum Service Levels FRSs Consultation

Fire Safety Unit

Home Office

2 Marsham Street

London

SW1P 4DF

Sent to: FRSMinimumServiceLevels@homeoffice.gov.uk

Minimum Service Levels for Fire and Rescue Services – Response to Consultation

This correspondence from the Local Government Association (LGA) relates to the Home Office consultation on Minimum Service Levels (MSLs) in the Fire and Rescue Services (FRSs), published on 9 February 2023.

The LGA is the national voice of local government and our members include councils and fire and rescue authorities (FRAs). We work with councils and FRAs to support, promote and improve local government. We are a politically-led, cross party organisation which works on behalf of councils and fire and rescue authorities, PFCCs and Deputy Mayors for fire, who are members of the LGA, to ensure local government has a strong, credible voice with national government. We aim to influence and set the political agenda on issues that matter most to councils and FRAs so they are able to deliver local solutions to national problems. The LGA covers every part of England and Wales, supporting local government as the most efficient and accountable part of the public sector.

The LGA also provides the secretariat for the employers' side of the National Joint Council for Local Authority Fire and Rescue Services (NJC), the national representative body for fire and rescue service employers. The NJC is a UK wide body and we note that this consultation does not relate to Northern Ireland and may apply differently in Scotland and Wales which presents an inconsistent position which will need to be recognised and accommodated.

The consultation questions issued by the Home Office primarily relate to operational matters on which the NFCC is better placed to respond. However, the wider context of industrial relations in the fire and rescue sector is fundamentally affected by the Home Office's proposals on minimum service levels and we do wish to take this opportunity to raise our observations on likely consequences.

The fire and rescue sector, through the NJC, has successfully agreed pay and conditions changes without national industrial action for 20 years. The last national strike action was in 2013/14 concerning a dispute with government about changes to the pension scheme. As the employers of fire and rescue staff we are directly impacted by the decision to impose regulations on the conduct of industrial action in the sector. To date, industrial action, and its impact on the public, has primarily been managed in two ways. Firstly, by achieving negotiated outcomes to disputes with the recognised representatives of our employees over pay and all other areas of terms and conditions over which employers have control. In this we have been very successful compared with other sectors. The only area in recent years where there has been national industrial action related to pension reform and decisions made by the Home Office and HM Treasury over which employers had no control. The second mitigation approach is to reach agreements with the relevant trade union/s (usually the FBU but UNISON, GMB and others also represent various sections of the FRS workforce) on exemptions and return to work triggers in the event of strike action. Generally, these are both national, as was agreed earlier this year when the FBU secured a mandate for strike action; and local, to reflect the particular circumstances of each FRS in implementation. The LGA is deeply concerned that by introducing legislation in this area, the potential for appropriate management of services during strike action will be more limited as the context for dialogue between employers and unions is immediately more oppositional than has historically been the case.

It is important that Home Office understands that the tension between employers and employees, reflected by their trade union representatives (we estimate at least three quarters the workforce are members of a trade union), will cause a deterioration of industrial relations in the sector. This is already evident in the public statements of many trade unions, including those in the fire and rescue sector.

As strike action is the result of a legal dispute between trade unions and employers, it is imperative that fire and rescue sector employers, locally and nationally, are sighted on and, where appropriate, have involvement in, any implementation of MSLs Regulations. While it is

appropriate for local operational needs to have a high level of priority when setting MSLs, there should be broad engagement of those who have a governance responsibility in a Chief Fire Officer's deliberations.

The introduction of Regulations in this area will cause inconsistency across the UK and within the NJC as the Regulations do not apply in Northern Ireland and the Scottish First Minister has been clear that they will not be acted upon in Scotland. Customarily the FBU (who are the primary representatives of firefighters) conducts 'national industrial action' on a UK-wide basis. Currently there are differences in ballot thresholds within the UK but that has not been an issue in the sector as the FBU has always exceeded those requirements across the UK. These Regulations will mean the conduct of industrial action will differ within the UK and this may not be a positive dynamic when seeking to resolve a dispute. In practical terms, this will also introduce a new level of challenge and uncertainty in relation to cross border working which will be an issue for some FRSS.

In terms of wider governance issues, the LGA believes it should be for local areas to decide how they should be governed, and there should be no mandatory transfers of governance. As with levelling up, real change and improvement within the sector and communities will be more successful if local councils and fire and rescue authorities are empowered to decide what their local governance structure will be, based on the needs of their communities. Therefore, transfers of governance should only take place where there has been local agreement to and support for the transfer. Local support for any change of governance should be the principal basis for making any determination on the future of the service, therefore empowering local decision makers. The implementation of the MSLs Regulations should not alter the existing governance arrangements and in particular how the employment relationship is managed.

Customarily, to address the balance between the right to strike and reducing risk, agreements have been reached between the National Employers and the Fire Brigades Union (through the NJC) to provide cover allowing striking fire personnel to be exempted from strike action by the union so they can respond to any major incident. This has occurred for disputes both with the National Employers and those with government and with sufficient time to ensure arrangements are in place prior to any such action. Such agreements allow available people, equipment and resources to respond to such incidents in a safe and co-ordinated way. While voluntary in nature, experience has shown such agreements to be effective during the national strike action as part of the dispute with government on pension reform. The similar arrangements put in place more recently were not in the end required as the dispute related to pay was resolved within the NJC without FBU members commencing strike action.

The principles having already been agreed nationally, it is then a matter of expeditiously putting in place a local practical procedure to ensure implementation. The Chief Fire Officer determines the resources necessary to attend such incidents. Where a major incident would

require the deployment of National Resilience assets, the FBU would also exempt from strike action those of its members who are specifically trained and deal with that particular asset in another fire and rescue service as part of their normal duties. The LGA is concerned that these type of agreements at local and national level will not be possible if the MSLs Regulations are applied. Given the scope of the NJC, this will cause new challenges for other parts of the UK. It would be useful for the LGA to be aware of what discussions the Home Office is having with devolved administrations in regard to the application of this legislation. A further point for consideration is business continuity contracts that some FRA's have in place to ensure a level of service during industrial action. It is not clear from the consultation how the Home Office sees these operating in the future and how the MSL process might interact with these existing arrangements, further discussion of this would be appreciated.

The LGA is concerned that the Regulations will expose FRSs to increased legal risk and cost as MSL work notices may well be legally challenged by trade unions, both on principle and on detail of the contents of and operation of individual notices. This would also place FRSs in a precarious position of uncertainty that the current voluntary agreement approach has, to date, successfully avoided. The additional cost and time that would be involved in legal proceedings would both be a distraction at a self-evidently challenging time and a cost for which FRAs do not necessarily have provision. At the heart of the employment relationship is the contract of employment which governs matters such as what remuneration and recompense the employee is entitled to for their employment and what the employer can expect in terms of work undertaken. It is important that the Regulations and their operation do not seek to extend and/or breach that contract by requiring staff to do work they are not normally expected to do. Further the Regulations and their operation must not result in any breach of other statutory requirements such as under the Working Time Regulations 1998. Finally, it is also important that the Regulations, and their operation, are conducted in a fair manner that does not result in less favourable treatment of any member of staff related to any of their protected characteristics under the Equality Act 2010. In light of the recent report from His Majesty's Inspectorate relating to the culture of the fire and rescue sector, this issue should be given very serious consideration.

There are a number of areas where the consultation is unclear in its intention and scope. For example, the consultation does not set out details about any application of MSLs for a dispute that is local to a FRS, and does not have national implications. The legislation will need to be clear to which it applies, or both, in order for the necessary business continuity arrangements to be established and applied as necessary. It is also imperative that there is clear guidance to these Regulations and that the LGA and other key stakeholders are involved in the drafting of that guidance.

The LGA believes that in order to succeed, it would be imperative for any MSLs to be introduced in a clear and proportionate way that meets the government's objectives on public safety in practice; causes the least disruption to industrial relations where it is working



Fire Commission

9 June 2023

positively; and protects employees' right to strike where a valid trade dispute exists. If any of these elements are missing, maintenance of the public's confidence in the fire and rescue sector is at risk and the LGA is keen to avoid such a situation.

Should the Home Office proceed with the introduction of MSLs the LGA would appreciate being engaged at the earliest possible opportunity to ensure Regulations are workable and achieve the government's desired balance between ensuring public safety and the employees' right to take industrial action.

Yours sincerely

Cllr Peter Marland

LGA Resources Board Chair

Pensions update

Purpose of Report

For information.

Is this report confidential? No

Summary

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

LGA Plan Theme: Support to the LG Workforce

Recommendation

That Fire Commission note the issues set out in the paper.

Contact details

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Background

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

Legal cases related to pension matters

2. Members are aware of the range of legal cases brought against FRAs (supported by the FBU) that fall broadly under the category of the McCloud/Sargeant litigation. As they were named as respondents in the cases, Fire and Rescue Authorities (FRAs) had to submit defences. The defences continue to be managed collectively on behalf of the FRAs by the LGA under the auspices of the National Employers and decisions have been taken by a central Steering Group which is comprised of a number of legal and HR advisers from varying types of fire and rescue services across the UK, the national employers' Advisory Forum legal adviser, national employers' secretariat, and from the LGA its Corporate Legal Adviser and a Senior Employment Law Adviser.
3. The details of each category have been covered in previous reports. Therefore, each category is covered in short below, together with the current positions:
4. McCloud/Sargeant – this is the main category and concerns the issue of whether the transitional protections in the 2015 Fire Pension Scheme (FPS), which provide protections based on age allowing older members to remain in their former final salary scheme, are age discriminatory (other claims were made but it is the age discrimination claim which is the primary one).
 - 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. Pending the legislation, which is expected to come in force on 1 October 2023, an Order in substantively the same form as the interim Order remains in place.

- The injury to feelings Employment Tribunal hearing which was scheduled to take place from 14 – 28 October was vacated, the parties having agreed provisional settlement arrangements.
 - The injury to feelings claims were made as part of the Sargeant (age discrimination) litigation and are claims for compensation for non-financial loss.
 - Vacation of the hearing followed agreement in principle as to issues of non-financial loss, and to provide further time to negotiate the full settlement details between all parties (including FRAs) through their respective legal representatives. In the case of FRAs, approval will then be needed by the Steering Committee before final agreement is reached.
 - The compensation amounts are based on the established principles (often referred to as ‘Vento’ bands) and will have appropriate interest applied. The cost of compensation will be fully met by the Government, on the basis that FRAs are in funds before any payments are required to be made.
 - In respect of the claimants this applies to, it is all the named original 2015 claims in England and Wales brought by the FBU (but not claims in Scotland or Northern Ireland). This does not settle the further claims served last year, the Fire Officers’ Association (Slater and Gordon) claims nor any of the reverse discrimination claims.
 - There have recently been negotiations between the respective legal representatives on the details, including timescales and practicalities around making payments. The parties could apply for a tribunal hearing if matters were not fully resolved by 28 April 2023. However, rather than applying for a hearing the parties have recently requested a two-month extension to the deadline, and they are finalising wording for an agreement to progress the settlement. We continue to keep FRAs updated on any material developments through their nominated contacts.
5. Another related category of employment tribunal claims has been issued by the FBU against fire and rescue authorities on behalf of firefighters. The claims relate to members of the 2006 Scheme who were not transferred to the 2015 Scheme (and never will be), which they claim would have provided them with better benefits.

- Current position – Working together with Bevan Brittan, the solicitors acting for FRAs, we are coordinating the defence of those claims on behalf of FRAs. The claims are currently stayed pending the outcome of the main FBU claims.
6. The FBU has also issued another batch of employment tribunal claims for its members who had not brought claims before. Those claims are broadly of the same type of claims that have been brought previously.
- Current position – Working together with Bevan Brittan, we are coordinating the defence of those claims on behalf of FRAs. The claims are currently stayed pending the outcome of the main FBU claims.
7. Claims have been issued by Slater and Gordon solicitors against fire and rescue authorities on behalf of firefighters. Slater and Gordon is working with the Fire Officers Association. The claims are of the same type as the main claims brought by the FBU on behalf of their members in that they allege that the transfer of younger firefighters to the 2015 pension scheme amounts to age discrimination. We anticipate the claims have been brought 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.
8. *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 pension's 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. As resolution was not reached within this time, a number of claims were submitted and we proposed an approach to the collective defence of those claims.

- As all FRAs agreed that they were content with the approach, a joint defence of the claims commenced, continuing to use DAC Beachcroft to represent

FRAs on a cost sharing basis. A significant number of individual, and later group, claims were responded to on this basis while DAC Beachcroft sought to secure a preliminary hearing to discuss the issues raised. DAC Beachcroft also sought for the requirement to file all other responses to be paused in the interim.

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

9. Legal costs in relation to the above cases are currently shared between FRAs. Since the outset, the position of FRAs that any costs arising from these cases should be met by governments has been made clear. Work continues with legal representatives on appropriate approaches to reinforce that position, and a formal letter was sent to UK governments on behalf of FRAs. Discussions are ongoing between the Home Office and LGA officers as representatives of the FRAs to discuss the costs issues.

Matthews and the second options exercise

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

Immediate Detriment Framework for McCloud/Sargeant type cases

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

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

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

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

SCAPE Discount Rate Methodology Consultation Response

22. In June 2021 a public consultation on the discount rate (the "SCAPE rate") methodology had been launched. The Superannuation Contributions Adjusted for Past Experience (SCAPE) discount rate is a discount rate used in the valuation of unfunded public service pension schemes to set employer contribution rates.
23. The consultation sought views on the appropriate methodology for setting the discount rate used in scheme valuations. The consultation closed on 19 August 2021.
24. On 30 March 2023, the UK Government announced the [publication of its response](#) to the June 2021 consultation on the methodology used to set the SCAPE discount rate and has concluded that the existing methodology best

meets the balance of the Government's objectives for the SCAPE discount rate, and therefore does not intend to modify the methodology.

25. The SCAPE discount rate to be used as part of the ongoing 2020 valuations will therefore be based on the expected long-term Gross Domestic Product growth figures, published by the Office for Budget Responsibility in July 2022. Based on these figures, the new SCAPE discount rate is CPI + 1.7 per cent p.a.
26. In recognition of the impact this announcement will have on the employer pension contribution rate, and following close work across Home Office, Government Actuary's Department and the Treasury, HMT has agreed additional funding for 2024/25. Agreeing this funding principle provides fire authorities with certainty with which to take important operational decisions and manage their budget for 2024/25.
27. The commitment covers the net outcome (on the employer contribution rate) of the 2020 valuations. That means, if the employer contribution rate payable from April 2024 is equal to or lower than the current employer contribution rate plus the isolated SCAPE impact, the increase from the current rate will be covered in full.
28. If the employer contribution rate payable from April 2024 is higher than the current employer contribution rate plus the isolated SCAPE impact, the additional funding will match the isolated SCAPE impact only. As there are some scenarios where the latter may apply to the Fire scheme, the Home Office has secured a commitment from HMT that pensions pressure should not create an operational risk for fire. The Home Office and HMT will continue discussions on any outstanding pressure in 2024/25 for FRAs once the Government Actuary's Department have completed the valuations.
29. The initial assessment that the Home Office have undertaken, with the advice of their actuaries, indicates that there may be additional costs on FRAs in 2024/25 because of the changes to the employer contribution rate. This is because, based on their initial assessment, there are some scenarios where the funding commitment from HMT is likely to cover the full impact on FRAs in 2024/25 and there are some scenarios where the funding commitment will cover the majority, but not the full, impact on FRAs in 2024/25.
30. The Home Office will continue to work with their actuaries and with HMT in order that any additional cost pressures on FRAs will be considered in the Local Government Finance Settlement for 2024/25 which will take place in December 2023.

LGA staffing updates

31. Claire Hey left the LGA on 23 April 2023. Recruitment for the Senior Pension Adviser role has taken place and the successful applicant was Claire Johnson. As Claire is currently on maternity leave, Elena Johnson has been appointed as Acting Senior Pension Adviser for the interim period.

Scheme Advisory Board (SAB)

SAB meeting 23 March 2023

32. The SAB last met on 23 March 2023 and discussed the following areas:

- The spring budget 2023
- Matthews second options exercise
- 2020 valuation
- Home Office retrospective remedy consultation

SAB membership

33. Cllr Leslie Byrom has been nominated to replace Cllr Leigh Redman as the Labour representative. Ministerial approval of the nomination is awaited.

SAB engagement sessions on the Matthews remedy

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

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

35. The SAB was invited by the Home Office to take part in a series of joint engagement sessions with the Police SAB to consider scheme specific versions of the Provision Definition Documents (PDDs) which define the provisions of the [Public Service Pensions and Judicial Offices Act \(PSPJOA\) 2022](#) for each area of the 2015 Remedy.

36. One session took place per month between June and December 2022, with two topics discussed at each meeting. These discussions took place to help to inform the drafting of secondary legislation. The schedule of sessions is set out below.

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

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

Financial Implications

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

Equalities implications

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

Next steps

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

Building Safety Update

Purpose of Report

For information.

Is this report confidential? No

Summary

This report aims to update members on the LGA's building safety-related work since the last Fire Commission meeting.

LGA Plan Theme: Supporting local people and places

Recommendation(s)

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

Contact details

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Building Safety Update

Background

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

Update

Remediation

General Position

2. [The Department for Levelling Up, Housing and Communities' \(DLUHC\) Building Safety Programme Monthly Data Release](#) delineates figures related to its Building Safety Programme, with particular focus on buildings with unsafe Aluminium Composite Material (ACM) cladding and remediation progress.
3. [The 30 April 2023 release](#) gives the following relevant figures:
 - 3.1. At the end of March 2023, 95% (467) of all identified high-rise residential and publicly owned buildings in England had either completed or started remediation work to remove and replace unsafe ACM) cladding, (99% of buildings identified on 31 December 2019, 98% of buildings identified at 31 December 2020 and 96% of buildings identified at 31 December 2021) – an increase of 5 from August 2022
 - 3.2. 448 buildings (91% of all identified buildings) no longer have unsafe ACM cladding systems – an increase of 10 from August 2022.
 - 3.3. 100% (160) of social sector buildings have either completed or started remediation. Of these, 159 (99%) have had their ACM cladding removed.
 - 3.4. 92% (215) of private sector buildings have either completed or started remediation- an increase of one from February 2023. Of these, 201 (86%) have had their ACM cladding removed.

Building Safety Fund (BSF)

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

5. As of 31 March 2023, the total value of approved social sector grant claims for the remediation of non-ACM cladding is £184m.
6. Private sector funding allocation is £1,664m.
7. This makes the total amount of funding £1,848m across both sectors.
8. As of 31 March 2023, the total value of BSF's Private Sector expenditure is £804m and total social sector grant claims expenditure is £123m – a total of £927m.

Waking Watch Replacement Fund

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

Joint Inspection Team (JIT)

13. Councils have a duty to investigate suspected category 1 hazards under the Housing Act, which could include buildings with flammable cladding. The LGA is continuing to encourage its members to consider whether any private buildings in their area might benefit from a JIT inspection.

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

14. In December 2022, DLUHC began distributing £8m in New Burdens funding to 59 authorities to support their remediation of dangerous cladding.

15. The LGA has been working with both DLUHC and local authorities to ensure that this funding is utilised effectively.
16. At this stage, we have ensured that all authorities have been in contact with DLUHC and will be working with DLUHC colleagues to design and implement an engagement strategy to ensure that this continues.
17. We are also contacting local authorities to understand obstacles and challenges to utilising this funding, with an aim to develop a programme of support accordingly.

Reinforced Autoclaved Aerated Concrete (RAAC)

18. We have continued our work with the Department of Education (DfE) to ensure local authority uptake of DfE's survey registering the prevalence of RAAC across the school estate. Several previously challenging authorities have recently completed these registrations and we are now nearing the close of this project as registrations near finalisation.
19. Where it had previously focused on school buildings, central government is now looking to expand RAAC identification and remediation to the wider public estate.
20. The Office of Government Property (OGP) will be convening a working group in which there will be a designated representative from each Government department who is responsible for the identification and remediation of RAAC in buildings owned by that department. This group will also be attended by key stakeholders including the LGA.
21. On the 23 May 2023, Secretary of State for Schools Nick Gibb announced that the DfE will make its full dataset on the condition of schools- including prevalence of RAAC- publicly available by summer recess, which begins on the 20 July 2023. The LGA will be monitoring the media attention on RAAC in schools and will be preparing responsive policy lines.

Building Safety Act

Responsible Actors Scheme

22. On 25th April, the DLUHC introduced the Building Safety (Responsible Actors Scheme and Prohibitions) Regulation 2023 to establish the Responsible Actors

Scheme (RAS). Developers are invited to join the RAS if they meet one of the following criteria:

- 22.1. 'The developer's principal business is residential property development, and they were responsible (other than solely as a contractor) for the development or refurbishment of one or more building over 11m in height between 1992 and 2022;
- 22.2. The developer meets the "profits condition" (broadly, having an average annual operating profit of £10m or higher in the financial years ending 2017, 2018 and 2019), and developed or refurbished multiple buildings assessed as eligible for a relevant government cladding remediation scheme; and
- 22.3. At least one of the buildings over 11m in height that they developed or refurbished qualifies for remediation under the terms set out in the DLUHC's developer remediation contract.'

23. Under these regulations, RAS members must enter a contract with the Secretary of State in which they must undertake, at their own cost, identify and remediate any fire safety defects in their buildings.

24. Members who entered substantially similar contracts prior to the Regulations coming into force – such as that put out by DLUHC January 2023 – will be treated as having satisfied this condition of membership.

25. The RAS will serve as a tool to persuade developers to conduct relevant remedial work. Not signing up to the RAS if invited to do so in effect bars companies from accessing the development market through prohibiting access to major development works or building control approvals for works already underway.

Building Safety Register

26. On 12th April 2023, the Building Safety Regulator (BSR) opened registrations for high-rise residential buildings in England. Specifically, for all high-rise residential buildings that are: 18 metres tall or higher, at least 7 storeys tall, with two or more residential units.

27. Each building must be registered by a [Principal Accountable Person \(PAP\)](#).

28. It is a legal requirement under the Building Safety Act that all eligible buildings are registered with the BSR by 1 October 2023 – failing to do so is a criminal offence.

Improvement

Large Panel Systems (LPS) case studies

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

Implications for Wales

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.

Equalities implications

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

Next steps

36. 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 Update Report

Date:	09 June 2023
Title:	NFCC Update
Presented by:	Mark Hardingham, NFCC Chair
Contact:	chair@nationalfirechiefs.org.uk

1. Purpose

- 1.1 This report provides an update on key work within the National Fire Chiefs Council (NFCC).
- 1.2 Any questions or requests for further information can be sent to either NFCC Chair Mark Hardingham (chair@nationalfirechiefs.org.uk) or Chief Operating Officer Susannah Hancock (susannah.hancock@nationalfirechiefs.org.uk).

2. General Update

Minimum Service Levels (MSLs) Consultation

- 2.1 NFCC has responded to the Home Office's MSL consultation. We welcome the opportunity to work with Government, the Local Government Association (LGA), and other partners as the legislation progresses.
- 2.2 NFCC's response was clear in its call for a consistent approach that can be easily understood and implemented, both for staff and senior leadership, which allows for local adaptation and flexibility to consider local risks and needs. Further clarity is also needed on implementation.
- 2.3 Public safety at times of industrial unrest is critically important. It is also important that the introduction of MSLs does not limit or undermine the ability of fire and rescue services/employers (FRSs) to resolve workplace disputes. Chief Fire Officers (CFOs) and FRS senior leadership teams will need to work closely with their staff around the

implementation of MSLs to ensure that positive engagement is maintained, and MSLs do not lead to a deterioration in employee relations.

Coronation of King Charles III

- 2.4 NFCC Chair Mark Hardingham, along with other UK FRS leaders, attended the coronation to represent FRSs across the UK. CFO Ben Ansell (Dorset and Wiltshire FRS) led the FRS part of the Civilian Services Contingent with Assistant CFO Michelle Hickmott (Staffordshire FRS).
- 2.5 NFCC supported colleagues at London Fire Brigade (LFB), Royal Berkshire FRS, Norfolk FRS, and Scottish FRS with preparations for the day. FRSs undertook preparatory activity including prevention and community outreach, safety inspections, specialist site visits, and response to incidents. The collaboration between FRSs, police services, Transport for London, the Home Office and others was invaluable and ensured the event went ahead safely and successfully.

Ukraine FRS Convoy

- 2.6 On 3rd May 2023, a fifth convoy of fire appliances, kit, and equipment left Merseyside and then Kent FRS to support firefighters on the frontline in Ukraine. The humanitarian aid convoy was organised by NFCC and FIRE AID & International Development, with support from the wider sector and the Home Office. Items were also donated by police services coordinated through the National Police Chiefs Council.
- 2.7 The convoy is made up of 25 vehicles packed with more than 8,000 items of life-saving kit and equipment. 80 volunteers from FRSs will ensure its safe passage across Europe. Firefighters will hand over the convoy in Poland, where it will then be delivered to where it is needed most.

Fire Reform – College of Fire

- 2.8 NFCC is engaged with Home Office about aspects of fire reform related to the 2022 white paper consultation, and we await the publication of the Home Office response to the consultation. One area of particular interest and activity is the proposed College of Fire and how such a function might be established, and in what form. The suggested functions of a College of Fire are currently established in the NFCC and with the Independent Fire Standards Board, so ensuring continuity into any new arrangements would be critical to both FRSs and Fire Authorities.

3. Protection Update

Protection Uplift Grant

- 3.1 Utilisation of the Protection Uplift Grant continues to increase and a full spending analysis for Q4 2022/23 is being undertaken. The Home Office has confirmed that all 43 FRSs in England will receive the same grant in 2023/24 as last year, which will

again be paid in two halves. The NFCC Protection Reform Unit (PRU) will hold a workshop on the use of technology for FRSs in Q2 2023/24.

Fire Safety (England) Regulations (FSER)

- 3.2 The FSER, which provides additional stipulations to responsible persons of High-Rise Residential Buildings (HRRBs), came into force on 23rd January 2023. The draft guidance was produced to assist FRSs, and NFCC is awaiting feedback to publish a final guide. PRU is working with the Home Office to evaluate the impact of the FSER and work through the issues that FRSs are experiencing with poor plans and fault reporting.
- 3.3 Section 156 of the Building Safety Act
- 3.4 Section 156 comes into force in October 2023. It makes changes to the Regulator Reform (Fire Safety) Order and enhances the synergy between the new building safety regime and the existing regulatory regime for HRRBs.
- 3.5 Section 156 also ensures that all fire risk assessments are recorded regardless of the size of the premises. The PRU will publish guidance to assist FRSs with Section 156 and assist the Home Office with Article 50 guidance.

Building Safety Regulator

- 3.6 The PRU continues to work with the Health and Safety Executive (HSE), Local Authority Building Control, and the LGA in testing the new regime. We continue to respond to secondary legislation and HSE consultations to ensure FRS voices are heard.
- 3.7 Not all mixed-use HRRBs will be inspected under the new regime and discussions are ongoing about how this would be applied in practice to meet the aims of the regulator and improve building and resident safety.

4. Prevention Update

- 4.1 The NFCC Prevention Board met on 17th March 2023 and the NFCC Prevention Committee met on 17th April 2023. At their recent meetings in April and March respectively, both the Prevention Board and the Prevention Committee approved the paper outlining the transition from the Prevention Programme to the Prevention Hub. This includes governance, structures, and resourcing, and the Prevention Programme Board has transitioned into a Prevention Partnership Board to support collaborative working with our partners. The Prevention Team has produced a [video](#) that highlights the achievements of the Prevention Programme and the Children and Young People's Portfolio in 2022/23.

Safeguarding

- 4.2 The amendment to the Rehabilitation of Offenders Act business case has now been introduced into Parliament with a schedule for debate taking place over 12-16 weeks. Once it has been debated and signed by the Minister(s), it will be acted on immediately.
- 4.3 As part of our short-term plan, we have drafted three pieces of guidance that have been peer-reviewed by the NFCC Safeguarding Practitioners Group and will be consulted on in May/June 2023.

Person Centred Framework

- 4.4 The online Home Fire Safety Check has 62% of FRSs fully onboarded, 17% partially onboarded, and 13% engaged. There has been an increase in the number of online home fire safety assessments completed, as the tool has received a lot of media support in relation to the cost-of-living crisis.
- 4.5 75% of English FRSs attended the Home Fire Safety Visit (HFSV) Competency Framework development workshops.

Prevention Evaluation Framework

- 4.6 The draft framework has finished formal consultation, with 61% of English FRSs providing feedback.
- 4.7 Building on this work, we will continue to develop standardised tools with FRSs starting with the HFSV, which is already in progress. This work has also been aligned with the Community Risk Programme's evaluation work.

Fire Prevention Grant to Support Fire Kills National Advertisement

- 4.8 NFCC was awarded the Home Office Fire Prevention Grant on 22nd December 2022, and the national advertising campaign ran from 1st to 28th February 2023. The reach of the campaign was over 42.7 million people in England, with over 123.1 million impressions.

Children and Young People

- 4.9 NFCC continues to support local FRSs to deliver effective prevention activities to children and young people, including early interventions, Firesetters, Princes Trust, and Fire Cadets.
- 4.10 The Fire Prevention Grant supported the further development of www.staywise.co.uk with new fire safety resources for children and those working in the community.

5. People Programme Update

Culture in the FRS

- 5.1 The sector continues to be shaken by revelations made through independent reviews of culture and the media. Responding to reports regarding culture in FRSs, NFCC has reiterated that the behaviours outlined are unacceptable and that there is no place for harassment, bullying, or discrimination in any workplace. NFCC is committed to working with all FRSs to support a sector-wide culture of inclusion and openness. NFCC's equality, diversity, and inclusion (EDI) sector report was [published](#) in March 2023.
- 5.2 The need for equality in FRSs was acknowledged by the previous fire inspectorate in 1999; however, measures taken to improve the situation thus far have not been sufficient. In response, NFCC has accelerated work on culture and EDI to address immediate priorities and support the development of a [Culture Action Plan](#). The draft has been published and the People Programme is seeking feedback.
- 5.3 A key part of NFCC's response to the LFB Independent Culture Review was engagement with stakeholders at NFCC's first Culture and Inclusion Conference in March 2023. The two-day conference culminated in a session identifying how the sector should work together to address gaps and find solutions to create inclusive FRSs. This output was fed into the development of the Culture Action Plan.
- 5.4 NFCC is establishing a cultural reform programme to highlight and share the good practice and learning that has been identified in some individual FRSs and other sectors. This will help embed the Core Code of Ethics (CCoE) across the UKFRS, introduce work from our Leadership and People Programmes, and ensure that the recommendations of reviews into UKFRS culture are fully addressed and integrated into UK FRSs.

Culture Action Plan

- 5.5 The draft Culture Action Plan details the next 18 months' action. This will address recommendations made in the 2022 white paper, 'Reforming our Fire and Rescue Service', and realise the ambitions of Fit for the Future and the NFCC Member Strategy. It also incorporates the suite of existing NFCC products for FRSs. NFCC will continue to monitor and review progress against the plan, drawing on feedback to ensure delivery against ambition.
- 5.6 Three focus group sessions took place in May 2023, during which the programme sought feedback on the Culture Action Plan. Feedback will be collated and actioned, with a view to publishing the final plan in July 2023.

Health and Wellbeing

- 5.7 The Health and Wellbeing Report was completed at the end of October 2022. The output report and key priorities document was presented to Chiefs Council in March. Council endorsed the report, and it has been [published](#).

On-Call Firefighters Project

- 5.8 Deputy CFO Steve Healey of Lancashire FRS is the NFCC Lead for on-call and will be supported by Assistant CFO Andy Cole from Dorset and Wiltshire FRS. They are scoping the required work, which is likely to involve research and data studies into the productivity, efficiency, and sustainability of the on-call duty system.

6. Leadership Programme UpdateDirect Entry

- 6.1 The Direct Entry recruitment campaign successfully launched on 3rd April 2023. Seven FRSs are seeking to hire a direct entrant at Station Manager level. The participating FRSs are East Sussex, Staffordshire, Avon, Oxford, North Wales, Leicestershire, and Shropshire. In the first month, over 400 applications were received – 75% male to 25% female, which is above the national average for FRSs. The recruitment process closes on 2nd June 2023.

Supervisory Leadership Development Programme (SLDP)

- 6.2 Since September 2022, 404 learners have registered for the SLDP across 41 FRSs. The feedback from those who have completed the programme has been overwhelmingly positive. The SLDP project was formally closed in April 2023 and handed over to the NFCC Content and Implementation Function.

Middle Leadership Project

- 6.3 The project business case was approved in April 2023. The project team are conducting early market engagement regarding the development of the project and have opened discussions on a 360 toolkit with potential suppliers. Formal procurement will begin at the end of May 2023.

Strategic Continued Professional Development Masterclasses

- 6.4 There has been an excellent response to the masterclasses, and over 97% of FRSs have attended at least one session. Themes have included finance, commercial and procurement, corporate governance, and political acuity. Further masterclasses are planned on topics including sustainability and inquests and inquiries.

Coaching and Mentoring Portal

- 6.5 The portal continues to attract staff in the fire sector with an increase in all categories since January 2023. It now has 305 members, 37 qualified coaches, 48 mentors, and

26 live coaching relationships. Feedback from users continues to be positive and a progress report to the Home Office was well received. The team plan to produce evaluation reports in the coming months demonstrating the benefits of the portal. The coaching and mentoring portal project was formally closed in April 2023 and handed over to the NFCC Content and Implementation Function.

Core Code of Ethics

- 6.6 NFCC and partners, the LGA and the Association of Police and Crime Commissioners, held two workshops on the CCoE at the LGA Fire Conference in March 2023, which were well received. Following further positive feedback in the HMICFRS Report on Values and Culture on the CCoE, NFCC and partners are committed to ensuring the CCoE is fully adopted, implemented, and embedded in all FRSs. A meeting with partners is planned for May 2023 to consider the next steps.

7. Operational Response and Control Hub Update

- 7.1 NFCC has appointed a new Operational Response and Fire Control Hub lead and will shortly be advertising for supporting roles. The post holder will play a significant role in the day-to-day support of the Continuous Improvement Directorate, providing technical expertise, advising NFCC leaders, and providing managerial support to the Operations committee.

Year-End Update

- 7.2 In 2022/23 the NFCC Content team published: two new fire control guidance documents; six fire control training specifications; a National Operational Guidance (NOG) document review; 53 changes based on National Operational Learning (NOL) feedback and legislative change; and four national training packages covering major incidents, emerging risks, and technical knowledge areas.
- 7.3 Three further fire control documents, one guidance review, and fourteen change requests are in the final stages of approval before publication in Q1 of 2023/24.
- 7.4 The new and revised guidance produced this year covers a range of subjects including:
- Lessons identified by the Manchester Arena Inquiry, new guidance for terrorist attacks, survival guidance for members of the public at risk, and advice for the public on basic first aid.
 - Recommended changes to how FRSs handle casualties during road traffic collisions and revised guidance regarding water survivability.
 - Incidents involving psychological trauma and suicide.

Ongoing Work

- 7.5 The Major Incidents guidance consultation has recently closed. Changes will align with Joint Emergency Services Interoperability Principles (JESIP) doctrine updates and will move the sector closer to addressing lessons learned over the past five years.
- 7.6 A Working Group has been established to review fireground radios guidance.
- 7.7 Workplans for guidance reviews in 2023/24 are yet to be confirmed but are likely to include hazardous materials and wildfires.

Grenfell Tower Inquiry Survey

- 7.8 The Grenfell Tower Inquiry Recommendations Survey was issued to every FRS in February 2023 for completion in April. The final report is due for submission to the Home Office in May. It is intended that a final report will be issued to the Home Office in preparation for the anniversary of the fire in June.

Multi-Agency Incident Transfer (MAIT) Connect Project

- 7.9 Following extensive work by the two project working groups (ICT User Group and Control User Group), the MAIT Connect Project released the invitation to tender notice to the market on 16th April 2023. The final draft of the full suite of procurement documents was reviewed by an independent legal team before release to the market.
- 7.10 The timeline for the ongoing procurement process has now been set. It is hoped that this will lead to the award of a contract in late Q2 of 2023. The project manager is now working with NFCC colleagues and Home Office stakeholders to scope the governance structures that will be necessary to support the MAIT contract once awarded.

Fire Control Guidance Project

- 7.11 Two key pieces of guidance related to the outcome of the Manchester Arena Inquiry (Multi-Agency for Fire Control and Terrorist Attack Survival Guidance), have now finished consultation. Pending agreement at NFCC Steering Group, the guidance will be published in Q2 of 2023/24.

Learning Update

- 7.12 NOL has now received over 500 submissions since the launch of the online tool four and a half years ago. This has resulted in 41 action notes.
- 7.13 In the year 2022/23, NOL received 105 cases and the NOL User Group (NOLUG) processed 99 cases, which includes: 37 cases with wider organisational impacts; 21 cases with multi-agency impacts; and six international incidents.

- 7.14 Deputy Assistant CFO Stewart Nicholson (Scottish FRS) has overseen significant improvements to the NOL process since he was appointed NOLUG Chair.
- 7.15 The NOL team will shortly publish a centralised database of Prevention of Future Deaths Reports which will be updated quarterly highlighting relevant learning for FRSs. The NOL team has also reviewed over 180 historic incidents against NOG for consideration by NOLUG.
- 7.16 The project to establish organisational learning in NFCC is progressing and teams have been restructured to adapt the NOL model for use in other areas. The aim is to work with ten trial FRSs in the first two quarters of 2023/24.
- 7.17 The Academic Collaboration, Evaluation, and Research Group (ACER) group, chaired by Dr Rowena Hill from Nottingham Trent University has now held two meetings and agreed on areas for focus. They are currently drafting bids for further funding from the Economic and Social Research Council to establish a fire research centre.
- 7.18 A form for submission of academic work to help NFCC identify and share ongoing and completed research has been launched on the [NFCC website](#).

8. Data, Digital and Technology (DDaT) Update

- 8.1 NFCC has established a DDaT Committee, which will consolidate leadership and expertise to determine priorities and oversee the development and delivery of national DDaT ambitions. NFCC is winding down the Digital and Data Programme (DDP) and establishing a permanent DDaT function, providing strategic leadership and delivery for the committee's priorities. Recruitment for strategic leadership roles and board chairs has commenced.
- 8.2 NFCC's Digital and Data Strategy is being updated to align with Fit for the Future and current priorities. TechUK, the UK's technology trade association, kindly hosted members of the DDaT Committee and TechUK members to help shape the strategy at an early stage and ensure it works in partnership with industry.
- 8.3 It is anticipated that an initial draft strategy will be shared with Chiefs Council in June 2023. Further engagement will be done with CFOs and committee chairs over the coming months to further understand and define priorities.

National Fire Data Collection System (NFDCS)

- 8.4 NFDCS is a Home Office-led project to transform the existing Incident Recording System (IRS) into a more comprehensive, flexible, and scalable system. The aim is for a supplier to be in place by June 2023 to deliver an initial solution by summer 2024. The initial solution will prioritise the scope of the current IRS datasets with subsequent expansion into other areas, including prevention, protection, and workforce data.

- 8.5 The DDaT team previously supported a mapping exercise to understand the additional data FRSs collect above that which is captured by the IRS. The analysis was presented to the Home Office in February and will inform a series of dataset review workshops that the Home Office will run with FRSs in the coming months. These workshops will provide FRSs with an opportunity to advocate for additional incident datasets to be captured within the new system.

Data Management Framework (DMF)

- 8.6 Following the publication of the Data Management Fire Standard, the DDaT team has defined and developed the underpinning guidance and tools for the new standard. The DMF is undergoing peer review until 15th May and full consultation is expected to launch in June 2023. The final publication is anticipated by October 2023.

Data Analytics

- 8.7 As part of the One NFCC Programme, NFCC data capability has been restructured and its disparate components brought together. This aligns with the recommendations from the National Data Analytics Capability design developed by the DDP, and the supporting processes will feed into the new target operating model for this function. The newly structured function is in place for the start of 2023/24 as the Analysis and Insight Team.

Data Conference

- 8.8 In April 2023, DDaT Committee Chair Andy Hopkinson hosted a hugely successful NFCC Data Conference in Liverpool attended by more than 100 strategic leaders and those in professional data roles. The 'data-driven future' two-day event welcomed engaging, inspiring, and thought-provoking speakers from a broad range of private and public organisations highlighting how data is being used across the fire and rescue sector, and our everyday lives, to shape how leaders make transformational strategic decisions.
- 8.9 Senior representatives from the Home Office and HMICFRS hosted a session on how data is driving transformation and reform in FRSs. Other speakers included representatives from the Metropolitan Police, Palantir Technology, BT, Trigon Fire Safety, Nottingham Trent University, and two excellent sessions from ACER group chair, Dr Rowena Hill.

Digital, Technology, and Cyber

- 8.10 Work on the five-point framework for digital, technology, and cyber remains a key focus. The framework comprises strategy; standards; governance and structure; cyber; and promote, engage, motivate, and collaborate.
- 8.11 The Home Office has secured three years of funding to improve cyber resilience in FRSs in England. The Home Office has partnered with IBM to conduct detailed

research into compliance with the Cyber Assessment Framework which will inform how the next two years of funding are targeted and the role NFCC will play in supporting improvement.

- 8.12 The DDaT hub will collaborate with the Fire Standards Board to commence production of digital and technology standard(s) in September 2023. Supporting guidance and tools will be identified as the standard(s) develop.

9. **Community Risk Management Programme (CRMP) Update**

Guidance Project

- 9.1 The project has delivered significant guidance to support the CRMP Framework that reflects the Fire Standard. The remaining guidance: hazard identification, risk analysis, and decision making are all on track for publication in summer 2023.

Definition of Risk Project

- 9.2 The project is currently finalising methodologies for road traffic collisions and other building fires. Following publication, workshops will be held to assist FRSs in implementing the methodologies.

Evaluation of FRS Interventions Project

- 9.3 The Evaluation Methodologies Compendium is nearing completion and will be published in the summer of 2023.

Competencies for Risk Management Project

- 9.4 The [Competency Framework for Risk Management Planning](#) has been published.

Title of Paper	Fire Standards Progress Report
Decision or Information	For information
Title and Date of Meeting	LGA Fire Commission Meeting 9 th June 2023
Attachments	None

Summary

This paper provides members of the LGA Fire Commission with a summary of the progress on the Fire Standards.

The Fire Standards Board (FSB) last met formally on 30th March 2023. The Board has agreed to hold an exceptional meeting on 13th June 2023 to discuss the recommendations for the FSB contained in HMICFRS Values and Culture Spotlight Report (see below).

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

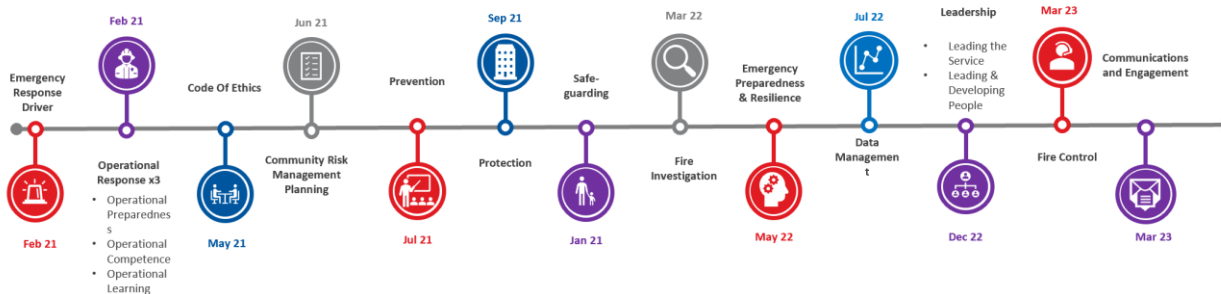
Recommendations

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 of the Publication and Production of Fire Standards

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



The FSB approved the publication of both **Leading the Service** and **Leading and Developing People Fire Standards** in December 2022 and they were launched in January 2023.

The Fire Control Fire Standard and **Communication and Engagement Fire Standard** were both approved at the Board’s March 2023 meeting and launched in April 2023

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

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

Phase Three Fire Standards Development



Progress with Development Work

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

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

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

Work to date has included:

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

Digital and IT

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

Implementation support

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

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

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

Impact and Benefits Realisation

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

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

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

Review of Fire Standards

The recent HMICFRS Spotlight Report on Culture and Values made several recommendations for the FSB. Subject to agreement at the extraordinary Board Meeting on 13 June 2023, it is anticipated that throughout the remainder of 2023 the review of a number of Fire Standards will take place following the Board's agreed exceptional review process.

This is in addition to the FSB's periodic review process which is linked to the publication of each Fire Standard and allows for an exceptional review if needed.

Background notes for information

The Fire Standards Board (FSB) is responsible for the identification, organisation, development and maintenance of professional standards for fire and rescue services in England.

Led by an independent Chair and Vice Chair, membership of the Board includes the NFCC, employers (both the LGA and the APCC) and the Home Office.

The LGA representative on the Board is Cllr Nick Chard.

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

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

Services should now be aware of the requirements being placed upon them through these Fire Standards. HMICFRS reference the standards in their inspections and services should be prepared to evidence their progress towards achieving them.

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

Fire Commission Update Paper

Purpose of Report

For information.

Is this report confidential? No

Summary

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

LGA Plan Theme: Support for councillors

Recommendation

That Fire Commission note the report.

Contact details

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Position: Adviser

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Board updates

Joint Emergency Services Interoperability Principles (JESIP)

1. Cllrs Brackenridge and Chard attended the JESIP Ministerial Oversight Board at the end of April, which was attended by ministers from the Home Office, and the Departments of Health and Social Care and Levelling Up, Housing and Communities.
2. The focus of the meeting was the second report from the Manchester Arena Inquiry and the recommendations made by the Inquiry on how to improve emergency service interoperability at incidents.
3. The Board received updates on the work to embed the recommendations across the three emergency services. Two major themes emerged during the meeting: joint training and exercising by all three services; and how to provide assurance that JESIP principles and ways of working are properly embedded. As a result there are likely to be further discussions with His Majesty's Inspectorate of Constabulary and Fire and Rescue Services and the Care Quality Commission about establishing a baseline across the police, ambulance and fire and rescue services over the next year.

NFCC Strategic CPD Masterclass Corporate Governance

4. In March Cllr Frank Biederman presented at an NFCC Strategic Masterclass for senior Fire Officers on the theme of Corporate Governance outlining the role of FRA Members and the LGA. The event was facilitated by the NFCC Chief Operating Officer, Susannah Hancock.
5. Other speakers included Diana Mellville, Governance Advisor at the Chartered Institute of Public Finance and Accountancy (CIPFA) and Peter Murphy, Professor of Public Policy and Management at Nottingham Business School.

Home Office – Professionalism workstream

6. In April, FSMC Lead Members attended a session facilitated by the Home Office's Policy and Innovation Lab (CoLab) to help inform the design of the future of fire professionalism, a key part of government's reform programme as outlined in the [recent white paper](#).
7. Home Office shared progress on and findings from their work to better understand the future of professionalism for fire and rescue services and invited views and feedback on the ideas for activities that could be run centrally to support the sector in areas of research, data, leadership, ethics and achieving professional standards.

Events

Fire and Rescue Leadership Essentials

8. We held a Fire and Rescue (Leadership Essentials) course between Monday 13 and Tuesday 14 March at Warwick Conferences. Speakers included Home Office, HMICFRS, Shropshire Fire and Rescue Service and Cllr Keith Aspden.
9. The session was well attended and received good feedback from FRA Members who attended.

Fire Inclusion and Diversity Member Champions Network

10. Cllr Jane Hugo, EDI Champion for FSMC, chaired an EDI Champion network meeting on Friday 28 April. The meeting was well attended with speakers including HMICFRS who updated on their spotlight review and both Gloucestershire and Lancashire Fire and Rescue Services who shared experiences around driving change in culture and EDI.
11. We encourage all authorities to make sure that they have a representative on the Committee's Member Champions Network. Please get in touch with Rebecca Johnson for further information Rebecca.johnson@local.gov.uk.

Implications for Wales

12. None

Financial Implications

13. None

Equalities implications

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

Next steps

15. The Committee note the report.