



Fire Services Management Committee

Agenda

Wednesday, 6 December 2023
11.00 am

Hybrid Meeting - 18 Smith Square
(Beecham Room) and Online

There will be a meeting of the Fire Services Management Committee at **11.00 am on Wednesday, 6 December 2023** Hybrid Meeting - 18 Smith Square and Online.

LGA Hybrid Meetings

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

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

Catering and Refreshments:

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

Political Group meetings and pre-meetings for Lead Members:

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

Apologies:

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

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

Attendance:

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

LGA Contact:

Jonathan Bryant
Jonathan.Bryant@local.gov.uk - 07464652746

Carers' Allowance

As part of the LGA Members' Allowances Scheme, a Carer's Allowance of National Living Wage and/or London Living Wage is available to cover the cost of dependants (i.e. children, elderly people or people with disabilities) incurred as a result of attending this meeting.

Fire Services Management Committee – Membership 2023/24

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

Councillor	Authority
Labour	
Cllr Greg Brackenridge (Deputy Chair)	West Midlands Fire & Rescue Authority
Cllr Karen Kilgour	Tyne & Wear Fire & Rescue Authority
Cllr Nikki Hennessy	Lancashire Combined Fire Authority
Cllr Jane Hugo	Lancashire Combined Fire Authority
Cllr Les Byrom CBE	Merseyside Fire & Rescue Authority
Substitute	
Cllr Ludwig Ramsey	Derbyshire Fire & Rescue Authority
Conservative	
Cllr Rebecca Knox (Deputy Chairman)	Dorset & Wiltshire Fire & Rescue Authority
Cllr Nick Chard	Kent & Medway Fire & Rescue Authority
Mr Roger Hirst	Police, Fire & Crime Commissioner for Essex
Cllr Mark Healey	Somerset County Council
Cllr Carol Theobald	East Sussex Fire Authority
Substitutes	
Cllr Rachel Bailey	Cheshire Fire & Rescue Authority
Cllr Roger Phillips	Hereford & Worcester Fire & Rescue Authority
Liberal Democrat	
Cllr Carolyn Lambert (Deputy Chair)	East Sussex Fire Authority
Cllr Ben Nutland	Avon Fire & Rescue Authority
Substitutes	
Cllr Roger Price	Hampshire & Isle of Wight Fire & Rescue Authority
Independent	
Cllr Frank Biederman (Chair)	Devon & Somerset Fire & Rescue Authority
Cllr Dr Wendy Maples	East Sussex Fire Authority
Substitutes	
Cllr John Shuttleworth	Co. Durham and Darlington Fire & Rescue Authority

Agenda

Fire Services Management Committee

Wednesday, 6 December 2023

11.00 am

Hybrid Meeting - 18 Smith Square and Online

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Date of Next Meeting: Monday, 11 March 2024, 4.00 pm, Bristol Marriott City Centre Hotel

Minutes of last Fire Services Management Committee meeting

Fire Services Management Committee

Friday, 6 October 2023

Hybrid Meeting - 18 Smith Square and Online

Attendance

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

Item	Decisions and actions
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1	Welcome, apologies and declarations of interest
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The Chair welcomed members to the first meeting of the new LGA year and introduced new members of the Committee.

Apologies for absence were received from Cllr Rebecca Knox (sub - Cllr Roger Phillips), Cllr Jane Hugo (sub - Cllr Lud Ramsey) and Cllr Nikki Hennessey.

There were no declarations of interest.

2	Minutes of the previous meeting held on 7 July 2023
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The minutes of the meeting held on 7 July 2023 were agreed as an accurate record.

3	Fire finance update
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The Chair invited Ben Ansell (BA), Mark Hemming (MH) – NFCC finance leads, and Emma Lawrence (EL) – Home Office, to introduce the update.

BA updated members on the joint work between the NFCC, LGA and Home Office on developing a case to input into the forthcoming local government finance settlement. The inflationary pressures survey had achieved a 100% return rate which was hugely important in building a strong evidence base. BA proposed that the ask across the sector should be (a) increase in government grant in line with September 2023's CPI inflation; (b) council tax precept flexibility of 3% or £5, whichever is the higher. This ask had been agreed by the Fire Commission and the NFCC Full Council. BA asked for coordinated letters from Chairs and CFOs to be sent to relevant government ministers, arguing the case and thanked those that had already completed this. MH expanded upon the results of the inflationary pressures survey, the headline figure being £139m (cf

£145m last year), and said that the evidence base was strong, consistent and independently verified. He clarified that the base was 3%, not 2%. EL stressed that the decision was likely to be made within the next couple of weeks so urged members to get their letters in quickly. She warned members that this year, there would be an added political dimension to the process, with a general election likely to take place in 2024 and continuing cost of living pressures on council tax payers.

Members' comments and questions:

- Concern was expressed about placing additional burdens on those residents least able to manage through increased council tax. BA acknowledged the dilemma facing FRAs but stressed that the precept increase would be optional and they were also pushing for core grant increase. Realistically it was unlikely that broader issues around fire finance would be addressed before April 2026 due to political constraints. EL confirmed that precept flexibility and inflationary grant increases were the most realistic ask of Government at the current time.
- It was suggested that writing to local MPs to lobby DLUHC, as well as ministers, would also be effective. BA agreed and urged members to do this.

Decision:

Fire Services Management Committee **noted** the update and **endorsed** the ask and strategy outlined by BA.

4 Climate change

The Chair invited Lucy Ellender (LE), Senior Adviser, Ben Brook (BB), NFCC Climate Change lead, and Phil Clark (PC), NFCC Emerging Energy Technologies lead, to introduce the update.

LE said that the report outlined the proceedings of the climate change evidence session hosted by the LGA on 6 September 2023.

BB highlighted 3 specific areas of work that the NFCC was focussed on and which FSMC may want to consider: (i) climate adaptation – dealing with the impacts of climate change now; (ii) climate security of the sector – e.g. availability of water supply; and (iii) climate resilience – preparing for future risks and vulnerabilities. The NFCC had produced a toolkit to help FRAs with their approach to environment, sustainability and climate change and how to build this into Community Risk Management Plans. The NFCC was also working with academics as part of a Foresights Group, looking at how climate change was likely to impact the sector in the longer-term future.

PC expanded upon the NFCC's climate adaptation work including – improved public awareness campaigns around the risks of new technologies; product safety and standards; improving relationships with council planning authorities; designing buildings to accommodate new technology, charging infrastructure etc.; car park safety; and working with developers on new technologies.

Members' comments and questions:

- Concern was expressed that vital safety implications would not be taken into account if fire services continued not to be statutory consultees on more significant planning applications. PC said that the main concern for the FRS was knowing where potentially hazardous facilities were located. Engagement with planners through planning practice guidance was very helpful in this regard. PC highlighted possible new environmental permitting regulations around lithium ion batteries that would introduce new standards to be complied with on an ongoing basis, not just at the initial planning applications stage. It was agreed that Lead Members should look at this issue in more detail given its broader relevance across different LGA workstreams.
- The importance of building local resilience within communities and in partnership with local FRSs was stressed, particularly in relation to, for example, flooding incidents. BB agreed and stated that Local Resilience Forums had a key role to play, ideally with an enhanced FRS input.
- Work between Hampshire & Isle of Wight FRA and international partners in the US and Australia on the causes of wildfires was highlighted. Could the NFCC look at developing specialist training in this area? BB reassured members that the NFCC had a wildfire lead and associated working groups who would be looking at international best practice. Expert advice was available for FRSs who needed support in tackling wildfires.
- The new NFCC toolkit was welcomed but this needs to be disseminated to a much wider audience including councils, local resilience fora etc. The technology is fast moving and authorities need to be on top of it. BB agreed and asked for members help in facilitating this dissemination.
- Product safety standards and their effective enforcement were considered key. It was suggested that Lead Members could take forward lobbying in this area.

Decision:

Fire Services Management Committee **noted** the update and **agreed** the next steps set out in paragraph 16 of the report.

Actions:

Lead Members to discuss role of planning process and enforcement of product safety standards.

5 Toxicity in fires

The Chair invited Professor Anna Stec, Centre for Fire and Hazards Sciences at the University of Central Lancashire, to give her presentation.

Professor Stec presented the key findings from her recent research into the exposure of firefighters to toxins and associated health impacts, including from the UK Firefighter Contamination Survey. This piece of research was commissioned by the Fire Brigades Union to provide an



evidence base for understanding the risks and common sources of contaminant exposure, informing decontamination and future research recommendations.

Members' comments and questions:

- Concern was expressed at the results coming from the Contamination Survey and it was recognised that more needed to be done in terms of everyday procedures and practices, as well as culture, to minimise firefighter exposure to toxins, albeit that this could be challenging for individual firefighters on the ground.
- The issue of prescriptive illness was raised and the role played by the Industrial Injuries Advisory Council, which had concerns about some of the methodology used in the research. Professor Stec said that her team had addressed their concerns and she defended the methodology used.
- It was suggested that the LGA lobby Government to get firefighters' profession put onto GP records to help expedite diagnosis and treatment of conditions. Professor Stec said that this had happened in Scotland but it was more of a challenge in England where there was less central harmonisation of services.

MN summarised the 3 main areas where the LGA could potentially influence this work: (i) lobbying around reducing the amount of toxic compounds in building materials etc.; (ii) working with the NJC to try to influence culture and working practices that could be contributing to ill health in firefighters; and (iii) lobbying to ensure that problems are picked up earlier in the piece by the NHS, potentially through something similar to the Armed Forces Covenant.

Decision:

Fire Services Management Committee noted the presentation and agreed that Lead Members should consider how best to take forward the points in (i) to (iii) above.

6 Membership, Terms of Reference and Outside Body appointments

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

MN highlighted that an additional Fire Commission meeting was being planned for when the Government response to the Fire Reform White Paper is published – most likely November 2023.

Proposed outside body nominations were presented in Appendix D.

Members' comments and questions:

- Cllr Chard proposed PFCC Roger Hirst to be the Conservative Group FSMC representative on the ESMCP Fire Customer Group.
- Cllr Roger Price confirmed that he would be the Lib Dem representative on the HMICFRS External Reference Group, not Cllr Lambert as stated in the papers.
- In relation to the additional Fire Commission meeting, members



requested any further news on a proposed publication date for the White Paper response. Jonny Bugg, Home Office, confirmed that a date had not yet been set but it was likely to be after the King's Speech.

Decision:

Fire Services Management Committee:

1. **agreed** its Terms of Reference (**Appendix A**);
2. formally **noted** the membership for 2023/24 (**Appendix B**);
3. **noted** the future meeting dates for 2023/24 (**Appendix C**);
4. **agreed** the Board's nominations to outside bodies, subject to the additions noted above (**Appendix D**);

7 FSMC priorities for 2023-24

The Chair invited Lucy Ellender to introduce the report.

LE outlined the proposed priorities for the coming LGA year which mainly followed the priorities set out in the Government's Fire Reform White Paper. There were also two additional priorities not in the White Paper – Sector Led Improvement and Climate Change (including emerging technologies). The report also looked ahead to potential new developments in the sector over the coming year. At the Fire Commission meeting on 22 September members had raised several additional items for consideration – planning issues, RAAC, fire safety at asylum centres and toxicity of building materials. LE proposed that officers devise a work plan based on the suggestions made which would be taken to the next Lead Member meeting for further prioritisation. Flexibility in the plan would also be important to take account of changing events.

Members' comments and questions:

- New and emerging technologies, such as increasing numbers of battery powered e-bikes, were considered to be a key issue for fire safety.

Decision:

Fire Services Management Committee **agreed** the draft priorities set out in the paper and **agreed** that a work plan be drawn up to enable further prioritisation by Lead Members.

8 RAAC update

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

MN provided members with an update on the current state of knowledge of RAAC in UK buildings and, in particular, highlighted the specific implications for Fire & Rescue Services (FRS) and Fire & Rescue Authorities (FRA). The two main current areas of concern are: (i) identifying buildings in the FRA estate that contain RAAC; and (ii) operational implications for FRSs in relation to incidents with buildings



containing RAAC. In relation to (ii), the National Fire Chiefs Council (NFCC) was pressing the Government to produce a register of all known buildings containing RAAC to enable a more targeted approach for FRS support and interventions. Whilst progress was being made on quantifying the problem in the public estate, little was still known about private sector buildings.

Members' comments and questions:

- Members agreed that it was vitally important for firefighters to know whether buildings contained RAAC prior to entering during a fire incident.
- The importance of frequent fire drills in schools was emphasised.

Decision:

Fire Services Management Committee **noted** recent developments pertaining to the identification, remediation, and management of RAAC.

9 Workforce update

The Chair invited members to take the update as read.

Members' comments and questions:

- Disappointment was expressed that an agreement still hadn't been reached on a non-uniformed staff pay settlement, particularly as this affected many lower paid workers. The offer had been made on 23 February.

Decision:

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

10 Pensions update

The Chair invited members to take the update as read.

Decision:

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

11 Building safety update

The Chair invited members to take the update as read.

Members' comments and questions:

- Was the Building Safety Fund still open and being widely advertised? MN confirmed that the Fund was still open for applications and had recently been expanded to include buildings over 11m in height.

MN informed members that the deadline for registering buildings over 18m with the new Building Safety Regulator (BSR) had passed and that the



number of buildings registered was significantly higher than predicted. The funding implications for the work required were now being reviewed by the NFCC and BSR.

Decision:

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

12 National Fire Chiefs Council (NFCC) update

The Chair invited members to take the update as read.

Decision:

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

13 Fire Standards Board update

The Chair invited members to take the update as read. He placed on record his thanks to Cllr Chard for representing the LGA on the Board since it was set up and wished Cllr Brackenridge well as his successor.

Decision:

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

14 FSMC update

Marshall Scott (MS), Policy Adviser, highlighted the following points from the update paper to members:

- In relation to the LGA's proposed new Local Government White Paper, officers would work up some proposals around fire and bring them to the next FSMC meeting in December.
- Members' input was sought on the LGA Fire Conference 2024, in particular, ideas for any sessions, an overall theme for the Conference and whether shadow ministers should be invited to speak in addition to the current Fire Minister. The Chair asked members to feed any ideas to their Lead Member as soon as possible.

The Chair reported that he had been asked to speak at a Chairs and Chiefs event on 1 November about what members thought of the HMICFRS inspection process and whether it could be improved in any way from the perspective of FRAs. He invited members to provide him with their thoughts prior to the event.

The Chair also recommended the Leadership Essentials course taking place on 1 and 2 November in Warwick.

Decisions:

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

**Actions:**

- LE to e-mail FSMC members seeking feedback on HMICFRS inspection process.
- All members to feed back suggestions for Fire Conference to Lead Members.

Appendix A -Attendance

Position/Role	Councillor	Authority
Chair	Cllr Frank Biederman	Devon & Somerset Fire & Rescue Authority
Vice-Chair	Cllr Carolyn Lambert	East Sussex Fire Authority
Deputy-Chair	Cllr Greg Brackenridge	West Midlands Fire & Rescue Authority
Members	Cllr Karen Kilgour Cllr Les Byrom CBE Cllr Nick Chard Mr Roger Hirst Cllr Mark Healey MBE Cllr Carol Theobald Cllr Ben Nutland Cllr Dr Wendy Maples Cllr Ludwig Ramsey (sub) Cllr Roger Phillips (sub)	Tyne & Wear Fire & Rescue Authority Merseyside Fire & Rescue Authority Kent & Medway Fire & Rescue Authority Police, Fire and Crime Commissioner for Essex Somerset County Council East Sussex Fire Authority Avon Fire & Rescue Authority East Sussex Fire Authority Derbyshire Fire & Rescue Authority Hereford & Worcester Fire & Rescue Authority
Apologies	Cllr Nikki Hennessy Cllr Jane Hugo Cllr Rebecca Knox	Lancashire Combined Fire Authority Lancashire Combined Fire Authority Dorset & Wiltshire Fire & Rescue Authority
In attendance	Cllr Roger Price Cllr John Shuttleworth Professor Anna Stec (for item 5) CFO Ben Ansell (for item 3) Mark Hemming (for item 3) Emma Lawrence (for item 3) CFO Ben Brook (for item 4) Phil Clark (for item 4) Jonny Bugg Steven Adams Liam Stowell Albie Collins	Hampshire & Isle of Wight Fire & Rescue Authority Co. Durham & Darlington Fire & Rescue Authority University of Central Lancashire NFCC NFCC Home Office NFCC NFCC Home Office NFCC NFCC NFCC
LGA Officers	Mark Norris Lucy Ellender Naomi Cooke Sarah Ward Claire Johnson Marshall Scott	Principal Policy Adviser Senior Adviser Head of Workforce Principal Adviser (Workforce) Senior Pensions Adviser Policy Adviser



Jonathan Bryant

Member Services Officer

Fire Conference Draft Agenda

Purpose of Report

For direction.

Is this report confidential? No

Summary

This report outlines potential sessions and speakers for LGA Fire Conference 2024.

LGA Plan Theme: Communications and events

Recommendation

That the Board give direction regarding the sessions to be included in the Fire Conference 2024 programme.

Contact details

Contact officer: Marshall Scott

Position: Policy Adviser (Fire)

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Email: marshall.scott@local.gov.uk

Fire Conference Draft Agenda

Background

1. The next LGA Annual Fire Conference is to be held on 12-13 March 2024 at the Delta Hotels (Bristol Marriott) City Centre.
2. A blank programme can be found in **Appendix A** of this report.

Proposal

3. Officers propose that the programme consist of eight plenary sessions and two workshop sessions, each consisting of five individual workshops.
4. The plenary sessions could include:
 - 4.1. Ministerial Address
 - 4.1.1. Chris Philp MP, the Minister of State for Crime, Policing and Fire, has been invited to address the conference. His address would likely comment on the Government's reform programme.
 - 4.2. Discussion/Panel Session
 - 4.2.1. Following member's comments regarding the need for greater interaction between attendees and speakers, this session would follow a discussion format. We would form a panel, with representatives from a range of relevant organisations then utilise 'Mentimeter', an interactive polling tool, which would allow the audience to influence which topics would be discussed and/or which questions they would like to be answered. We could ask people to vote in advance of the session starting.
 - 4.3. Inspection
 - 4.3.1. Andy Cooke could be invited to discuss the work of the inspectorate, the New State of Fire Report and findings from the Misconduct thematic review.
 - 4.4. Shadow ministerial addresses (Labour and Liberal Democrat)
 - 4.4.1. Each shadow minister would be encouraged to give their view on the current state of the fire and rescue services and the future of the service and then answer questions.

4.5. CRMPs

4.5.1. This session would focus on CRMPs, identifying risks and mapping across to resources. We have separately been approached by Hampshire and the Isle of Wight FRS, who are interested in demonstrating their new approach to constructing a Community Risk Management Plan (CRMP). They have produced a document looking at pure risk in their area and will be using this as the basis for further work as they look to update their CRMP going forwards. This might be a session that the NFCC would also wish to input into as well.

4.6. Mental health in the fire and rescue service

4.6.1. This session would focus on the topic of mental health in the fire and rescue service. The session could include case studies and outside speakers.

4.7. Finance

4.7.1. This session would include a discussion of finance and funding of the fire sector and looking towards the next spending review.

4.8. Fire Standards Board

4.8.1. Suzanne McCarthy can provide an update on the work of the Fire Standards Board as Chair of the Board. This could alternatively be a part of discussions in other panels such as inspection, sector-led improvement or the discussion panel.

4.9. Other speakers/issues for consideration would be:

4.9.1. Culture and equality, diversity and inclusion

4.9.2. Improvement in the sector – for example, sector-led improvement. This could include contributions from the LGA, NFC, HMICFRS, FSB

5. The two workshop sessions will consist of five workshops each. These could include:

5.1. Toxicity

5.1.1. Chemicals released from combusting home furnishings and building materials contribute significantly to the toxicity of domestic fires. This affects firefighters as they are then exposed to significantly higher levels of toxicity than the average worker, leading to higher rates of preventable diseases such as various forms of cancer. This session will look at the issue of toxicity in domestic materials and potential mitigations through regulation or behaviour change.

5.2. AI use in Norfolk County Council

5.2.1. Norfolk County Council are using AI to predict falls from a social care perspective, then working with their fire service to visit people to put in mitigation measures.

5.3. Local Resilience Forum Pilots

5.3.1. The Department for Levelling up, Housing and Communities are currently undertaking a series of pilots with Local Resilience Forums, stemming from the new Resilience Framework published in December 2022. The Stronger Local Resilience Forum (LRF) Pilot Programme focusses on governance and the creation of a central officer role in relation to three pillars of Leadership Accountability and Integration.

5.4. Climate change modelling

5.4.1. This workshop would be in addition to the climate change plenary and would demonstrate the modelling tools available to FRSs to analyse future risks from fire and flooding. The presentation starts with a general explainer of areas of concern regarding climate change and then demonstrates the use of modelling tools to forecast 'pinchpoints'. These are areas of significant concern due to infrastructure vulnerabilities, population increases, or likely increases in rainfall and flooding. This workshop could be useful to those who are looking to enhance CRMPs with data-led forecasts.

5.5. Building Safety and RAAC

5.5.1. This workshop would update delegates on the developments in the post-Grenfell building safety regime. Topics for discussion could include the work of the Building Safety Regulator, the impact and progress of fire safety legislation and the central government and local response to the RAAC crisis.

5.6. Emerging technology

5.6.1. This workshop would include a presentation on emerging energy technologies and their current and potential impacts on FRSs. This could include discussions around vapes, e-scooters, e-bikes, electric cars and energy storage facilities. Phil Clark came to speak at last year's conference on this issue.

5.7. Workforce

5.7.1. Workforce colleagues are considering if there are any particular issues that they would wish to highlight at the conference.

Implications for Wales

6. None

Financial Implications

7. Individual sessions mentioned in this paper should not incur significant financial burdens. Financial implications will mainly result from hiring and venue costs and revenue from sponsorship of the conference.

Equalities implications

8. As the agenda is confirmed officers will consider the equalities implications. We will always try to ensure that panels provide a range of views and perspectives and are diverse.

Next steps

9. The Committee is asked to give direction to officers on which sessions should be pursued as items for the Fire Conference agenda.

Appendix A

LGA Fire Conference 2024

Tuesday 12 March – Wednesday 13 March 2024



Tuesday 12 March 2024

09.00	Registration, refreshments and exhibition viewing
10.30	Conference opening and Chair's welcome
10.35	Keynote session 1. Ministerial address
11.20	Keynote session 2.
12.05	Refreshments and exhibition viewing
12.30	Workshops – session 1 An opportunity to attend a workshop from the list below. These sessions will be repeated. <ol style="list-style-type: none"> 1. Workshop 1 2. Workshop 2 3. Workshop 3 4. Workshop 4 5. Workshop 5
1.15	Lunch, exhibition viewing and networking <i>[Lunchtime fringe sessions to be announced]</i>
2.20	Plenary session 3.
3.15	Workshops – session 2 An opportunity to attend a workshop from the list below. These sessions will be repeated. <ol style="list-style-type: none"> 1. Workshop 1 2. Workshop 2

3. Workshop 3**4. Workshop 4****5. Workshop 5**

4.05	Refreshments and exhibition viewing
4.35	Plenary Session 4. Shadow Fire Minister (Labour) Alex Norris MP
5:00	Plenary Session 5. Shadow Fire Minister (Liberal Democrat) Baroness Kath Pinnock
5.30	Political group meetings Conservative Group Meeting Labour Group Meeting Liberal Democrat Group Meeting Independent Group Meeting
7.30	Drinks reception
8.00	Conference dinner

Wednesday, 13 March 2024

08.45	Registration for new delegates, refreshments and exhibition viewing
09.30	Welcome to day two
9.35	Plenary Session 6.
10.35	Plenary Session 7.
11.35	Refreshments and exhibition viewing
12.00	Plenary Session 8.
1.00	Conference close
1.15	Lunch, exhibition viewing and networking



Fire Services Management Committee

6 December 2023

LGA Local Government White Paper

Purpose of Report

For decision.

Summary

All LGA boards have been asked to develop proposals for inclusion in the LGA's Local Government White Paper. This paper sets out proposals for the Committee to suggest for inclusion under the key areas the LGA has identified.

LGA Plan Theme: Championing climate change and local environments

Recommendation(s)

That the Committee:

- (a) Notes the key areas set out in paragraph 5 of interest to the LGA as well as the emerging themes in paragraph 6; and**
- (b) Comments on the proposed approaches set out in paragraphs 8 to 13, and that these are then submitted by the Committee as its contribution to the Local Government White Paper.**

Contact details:

Contact officer: Mark Norris

Position: Principal Policy Adviser

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LGA's Local Government White Paper

Background

1. As members will recall from the Update paper taken to the Committee in October the LGA Chair announced the Local Government White Paper as a priority at the LGA's Annual Conference in July 2023.
2. The White Paper is a broad piece of work designed to allow the LGA to influence manifestos and the detailed delivery plans of both the first year and the longer-term programme of a new/returning government.
3. Feedback from the sector has suggested that the fundamental problem we need to solve is the relationship between national and local government. We need a relationship which enables us to maximise our delivery for the public. A general election provides an opportunity to reset this relationship.
4. Therefore, the aim of the Local Government White Paper as agreed at the Executive Advisory Board (EAB) in September is to *demonstrate how stronger and more empowered local government could deliver the public's priorities more effectively and strengthen the value that the public place on the UK's democratic structures.*
5. In order to provide a structure to the LGA's engagement with member authorities and stakeholders members agreed an analysis framework. There are 3 areas where the LGA is seeking specific feedback:
 - 5.1. **Public service reform:** How can fully empowered local government lead public service reform for better places and services?
 - 5.2. **Enabling local leadership:** How do we re-set the relationship with Whitehall?
 - 5.3. **Funding and resources:** What could local government "offer" in relation to any new resources?
6. From the feedback so far key emerging themes are:
 - 6.1. **Financial sustainability:** Continue to retain a focus on the issue of quantum. Some councils are keen to look at what reform of the existing system could enable councils to do ie business rates review, tourist tax options
 - 6.2. **Meaningful devolution/constitutional settlement:** An opportunity to use discussions about a new constitutional settlement to make the case for councils and greater devolved powers. Councils keen that devolution is meaningful and not just a means of reorganisation.
 - 6.3. **Accountability, transparency and assurance:** Wanting to be at the forefront of what this could look like. Can we make an offer as a sector?

- 6.4. **Statutory duties and role in prevention:** Councils are keen that we shine a light on prevention. Strong feeling that we could have a greater role in this. Some councils raising questions about whether we can fulfil all of our current statutory duties - does this lead to a broader debate?
- 6.5. **Partnership working/convening powers:** Councils feel that we should have a nationally recognised role as the convenor of partnerships in our localities.
- 6.6. **Recognising local leadership:** At a time when local government is more trusted than national politicians how do we use this relationship to deliver for our communities. Local leaders want to be able to deliver hope. What does that look like and how do we enable it? How do we get national government to trust us?

Proposal

7. Fire Services Management Committee needs to develop proposals setting out how a stronger and more empowered fire and rescue sector could deliver even more effectively than they currently do on the public's priorities around preventing and reducing fires and improving community safety. Arranged below under the three major areas where the LGA is seeking feedback are proposals for the Committee's contribution to the White Paper.

Public Service Reform

8. The Committee does not have a specific list of legislative changes it would like to make to the legislation underpinning Fire and Rescue Authorities, though it does of course have a developed position around the Fire Reform White Paper, which is covered under the Enabling Local Leadership section. Drawing on current priorities and existing work the Committee could propose the White Paper make the case for:
- 8.1. A review of the statutory duties in the Fire and Rescue Services Act 2004 so they include responding to weather-related incidents such as flooding and wildfires.
- 8.2. Fire and Rescue Authorities to be statutory consultees in the planning system, so services are able to comment on the fire safety issues arising from proposed developments.
- 8.3. Introducing requirements to reduce the amount of toxic compounds used in building materials.
- 8.4. Amending the Higher-Risk Buildings (Descriptions and Supplementary Provisions) Regulations 2023 introduced under the Building Safety Act 2022, to ensure regulators can consider mixed use residential and commercial buildings as a whole.

Enabling Local Leadership

9. The Committee has a long-established position around strengthening local leadership and governance within the fire and rescue sector. It is therefore proposed the Committee repeat its position that there should be no changes in fire and rescue service governance without local agreement.
10. As members are well aware we are still awaiting the Home Office's response to the Fire Reform White Paper. The Committee may therefore wish to make the point that in the Committee's view there is much in the White Paper that should be taken forward, and that we would want to see the Home Office working with Fire and Rescue Authorities to deliver these changes.
11. Specifically in the case of the College of Fire, the Committee may wish to make the point that there should be a stand-alone College for the fire and rescue sector, which is separate from the College of Policing, and which could be developed by building on the work of the Fire Standards Board.
12. The Committee has been briefed on emerging fire safety issues arising from progress to meet the country's goals of achieving a net zero target by 2050. These include the fire safety risks from lithium-ion batteries and battery storage facilities. The National Fire Chiefs Council also has work underway to better understand a range of other emerging risks. The Committee may therefore wish to make the point that there should be a cross-departmental approach to working with the sector to address these emerging issues, with for example further work to ensure we have the appropriate product safety standards in place and that government policies related to farming, biodiversity, landscape use and planning all consider the risks from wildfires going forwards.

Funding and Resources

13. Funding and resources for Fire and Rescue Authorities has been a Committee priority for some time, and we have undertaken collective work with the National Fire Chiefs Council and the Home Office to shape several recent Spending Reviews. EAB has been keen to stress that on funding and resources the White Paper should not simply demand more funding, but demonstrates how local government could make better use of funding. It is therefore suggested the Committee proposes the White Paper makes the case for:
 - 13.1. Fire and Rescue Services to be funded according to risk.
 - 13.2. Specific capital funding for Fire and Rescue Authorities.
 - 13.3. Setting a requirement for multi-year funding settlements for Fire and Rescue in order to provide services with certainty about funding arrangements.

Implications for Wales

14. The Committee may wish to consider seeking views from Welsh Fire and Rescue Authorities on the differing model of local/central partnership which has developed in Wales since devolution, and whether there is anything the LGA might learn on the delivery of fire and rescue services to inform the proposals it makes.

Financial Implications

15. There are no direct financial implications arising from this work for the Committee. In terms of impact on government and local authority budgets where possible the options developed by each board should concentrate on what could be delivered by reprioritising existing departmental budgets.

Equalities implications

16. As fire can have a greater impact on people with protected characteristics, the ability to fight fires more effectively and also to prevent them happening will improve equality, diversity and inclusion within communities, and the proposals set out in the paper will assist in improving equality.

Next steps

17. The proposals set out in paragraphs 8 to 13 which are agreed by the Committee will be submitted as the Committee's contribution to the development of the Local Government White Paper.

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

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

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Pensions update

Background

1. This report updates the Fire Services Management Committee 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 – These are the original claims issued in 2015 by the firefighters in England and Wales originally with the support of the FBU and represented by Ivan Walker of Walkers Solicitors. Ivan Walker is ceasing to act for the claimants, and they are in the process of transferring all the claims to Thompsons to take forward.
 - 4.1. Following the Court of Appeal's decision that there had been unlawful age discrimination in relation to the transitional arrangements for the 2015 FPS, the test cases were listed for a remedy hearing on 14 – 28 October 2022, to decide on the appropriate level of compensation for non-financial loss (injury to feelings).
 - 4.2. Following discussions with the Government Legal Department (GLD), we were notified that an offer had been agreed in principle in relation to these claims.
 - 4.3. It was agreed at the Steering Committee meeting on 12 October 2022 that the FRAs would support the application made by the Government and FBU

for the remedy hearing listed for 14 – 28 October 2022 to be vacated, to allow the parties to continue to negotiate the terms of the settlement of these claims.

- 4.4. An application for postponement was therefore made and we received confirmation from the Employment Tribunal that the application was successful. This confirmed that the remedies hearing was postponed, and the claims stayed until 28 April 2023.
 - 4.5. Since that time there have been further stays applied for and granted, most recently until **5 January 2024**. This latest stay has been granted on two primary bases: allowing Thompsons time to go on the record for each of the claimants; and to allow the negotiations of the terms of the COT3 to progress.
 - 4.6. Our legal advisors continue to negotiate the terms of the COT, but progress has been very slow – although not on the part of the FRAs.
5. Separate to the compensation for injury to feelings, the claimants also have a right to compensation for financial losses caused by the age discrimination in relation to the transitional arrangements for the 2015 FPS. They cover: ‘consequential’ financial losses (such as IFA fees, mortgage related losses, medical expenses, loss because of moving house etc.); and loss of pension benefits (including in relation to contribution holidays and non-joiners).
 - 5.1. Consequential losses - it was agreed between the parties in February 2022 that these losses are *in principle* claimable and should be dealt with (again via the test cases) at a remedy hearing, but that this was to be separate to the injury to feelings remedy hearing which had been listed for October 2022 (and which was vacated as above). Originally, the parties had agreed that the position was that directions for dealing with these losses would need to be agreed between the parties/issued by the Tribunal for them to progress to a remedy hearing. In more recent communications with Thompsons and GLD it seems that these losses have become subsumed in general financial loss of pension benefits and directions have not been progressed.
 - 5.2. Loss of pension benefits – the position taken by the parties is that these are postponed pending the introduction of legislation/regulations to remedy the discrimination with parties being able to apply to the Tribunal at any time. Thompsons, as well as GLD, remain of that view in that the new legislation should deal with these losses and so should dispose of most of the claims. Any losses that are not dealt with (and Thompsons have indicated they think these would be limited) would be raised specifically with the parties. It may

be that Thompsons have in mind here the consequential losses referred to above.

6. Slater and Gordon claims - These claims are based on the same premise of age discrimination in relation to the transitional arrangements for the 2015 FPS but were issued after the Court of Appeal found those arrangements to be discriminatory. There is a minimum of around 200 claimants within multiple claims in different Tribunals across England, Wales, and Scotland.
 - 6.1. The claims are brought by Slater & Gordon with, we understand, the support of the FOA.
 - 6.2. It is not clear whether all the claims filed by Slater & Gordon on behalf of the claimants have been served on the relevant FRAs at this stage – it is possible that some have been held at the respective Tribunals whilst stays are in place.
 - 6.3. So far, the Tribunals in Scotland, England and Wales have been prepared to stay all the claims pending the outcome of the Sargeant claims – albeit our legal advisors are having to make multiple applications for such stays.
 - 6.4. Again, given the claims have all been stayed from the outset, no directions have been made in relation to different types of loss.
 - 6.5. We are aware that no suggestion of settlement has been made in respect of these claims to date.
7. New wave claims (also known as late claims) - We understand that there are approximately 4,200 of these claims by firefighters against certain FRAs in England and Wales, supported by the FBU and with representation from Walkers, again alleging age discrimination arising from the same transitional protections on the introduction of the 2015 FPS as the Sargeant claims.
 - 7.1. We understand from Walkers that the FBU ran a second exercise in 2020 to allow members who did not complete the questionnaire in 2015 a second opportunity to file a claim.
 - 7.2. There are multiple stays in place in respect of these, awaiting the outcome of the Sargeant claims, again, albeit we are having to make multiple applications for such stays.
8. Reverse claims - These are separate Employment Tribunal claims which have been brought by firefighters against certain FRAs in England, supported by the

FBU and with representation from Walkers initially and now (we assume, although it has not been confirmed) Thompsons, again alleging age discrimination arising from the transitional protections on the introduction of the 2015 FPS. However, these claims are brought by firefighters who belonged to the 2006 Scheme, (unlike the claimants in the main FBU claims who are/were members of the 1992 Scheme).

8.1. The allegation in these claims is that the effect of the transitional protections was to prevent the claimants, (who are older members of the 2006 Scheme), transferring to what they are alleging is the more favourable 2015 FPS and that this was discriminatory of grounds of age.

8.2. The claims have all been brought in the Central London ET and were stayed until the outcome of the FRAs' EAT appeal, but the claimants have not pursued the claims since then and the Tribunal has not chased the parties for an update.

8.3. In terms of settlement, the last update was provided by GLD, confirming on 24 November 2022 that they have no instructions in relation to the reverse discrimination claims. We are therefore not aware of any discussions regarding settlement of these claims.

8.4. There has been no recent change or update in relation to these claims.

9. Matthews & others v Kent & Medway Towns Fire Authority & others:

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

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

special members largely mirrored the benefits under the FPS 1992, the FPS 2006 was amended as the FPS 1992 was closed.

- 9.3. 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.
- 9.4. Current position - On 9 March 2022, after an extended period of negotiations, a [Memorandum of Understanding](#) (MoU) was agreed between the government, the Fire Brigades Union, the Fire & Rescue Services Association, and FRA employers.
- 9.5. It was confirmed that remedy for retained firefighters affected by the O'Brien judgment will be provided by way of a second options exercise allowing in-scope individuals the opportunity to purchase pension entitlement as a special member of the FPS 2006. Under the terms of the MoU it was agreed that the Employment Tribunal proceedings should be stayed for 18 months to enable that options exercise to progress.
- 9.6. A further issue arose during negotiation of the MoU around an inability to aggregate periods of pensionable service in the FPS as a retained firefighter with periods of service as a wholetime firefighter ("aggregation"). This has been addressed by affected retained firefighters (or their representatives) having the ability to give written notification to the GLD (on behalf of the Home Office) and FRAs prior to the commencement of the second options exercise 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.
- 9.7. As all FRAs agreed that they were content with the approach, a joint defence of the claims commenced, continuing to use DAC Beachcroft to represent FRAs on a cost sharing basis. A significant number of individual, and later group, claims were responded to on this basis while DAC Beachcroft sought to secure a preliminary hearing to discuss the issues raised. DAC Beachcroft also sought for the requirement to file all other responses to be paused in the interim.
- 9.8. The Employment Tribunal granted this application in respect of claims in England and Wales, and the requirement to file responses had been stayed until at least 20 April 2023, the date a preliminary hearing was listed for. A

further request has been submitted for a stay to remain in place until 31 January 2024. The equivalent claims in Scotland have also been stayed pending the outcome in England and Wales.

10. 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

11. The LGA continues to assist FRAs with their obligations in respect of the Matthews remedy.
12. Regular engagement sessions continue to take place with FRAs to ensure that they are aware of their role and responsibilities.

Firefighters' Pension Schemes' (Remediable Service) Regulations 2023

13. The LGA continues to assist FRAs with their obligations in respect of the remediable service regulations.
14. Regular engagement sessions continue to take place with FRAs to ensure that they are aware of their role and responsibilities.

Scheme valuation results (2020)

15. We understand that the results of the 2020 scheme valuation are imminent.
16. Preliminary results have been shared with the SAB, however, although not expected to change, the final results cannot be published until they have received Home Secretary approval.
17. The results will set the employer contribution rate for the period 1 April 2024 to 31 March 2027.
18. It is expected that there will be a considerable rise in the employer contribution, with funding to cover such rise to be provided by HMT for 1 April 2024 to 31 March 2025.

19. Funding for subsequent years will have to be agreed by the Spending Review.

Financial Implications

20. 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

21. Equalities issues are central to the McCloud/Sargeant litigation and will also be considered in wider workforce issues.

Next steps

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

Workforce update

Purpose of Report

For information.

Is this report confidential? No

Summary

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

LGA Plan Theme: Support to the LG Workforce

Recommendation(s)

That the Board note the issues set out in the paper

Contact details

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Workforce update

Background

1. This report updates the Fire Services Management Committee on workforce matters in relation to industrial relations across the local government workforce, and some of the other programmes of workforce support currently underway.

NJC for Local Authority Fire and Rescue Services (Grey Book)

2. As reported to the previous FSMC, the additional aspects of the 2023 pay agreement resulted in the creation of two joint working groups. One to review the retained duty system pay and rewards package, and the other to establish a continued discussion around pay structure and progression, which should include consideration of the continual professional development (CPD) scheme.
3. These working groups are not decision-making bodies and are consciously confidential working groups meeting on a monthly basis. It is anticipated that the January meetings will pull together reports to go to the February NJC. It will be up to the NJC to progress matters from there.
4. A further aspect of the pay agreement included a commitment to undertake a joint evaluation process to inform the NJC in considering the matter of the pay differential that exists for emergency fire and rescue control employees. The Joint Secretaries of the NJC remain in discussion in order to progress this issue.
5. Finally (in relation to the 2023 pay agreement) the employers' side of the NJC also confirmed commitment to developing the work of the fire and rescue service and to do so by agreement. Our letter of agreement also stated that the employers recognised the need for this to be supported by appropriate investment as well as employee reward. It was perhaps inevitable that this theme would end up weaving through the informal discussions within the working groups, but there are few quick fixes or easy solutions.
6. The National Employers are continuing to give detailed consideration to the claim submitted on behalf of the NJC Employees side seeking to extend the current arrangements for maternity leave within the Grey Book to 12 months on full pay following the date of birth. The National Employers have identified a number of considerations which they are exploring in detail.

Workforce data survey

7. Noting that plans for the last workforce data survey were postponed during the Covid-19 pandemic, the NJC has now issued a request to FRSs to help provide as full a picture as possible on workforce data. This work is time consuming and

detailed, and the Joint Secretaries are extremely grateful to FRSs in supporting this important work.

Culture in the Fire and Rescue Service

8. The Inclusive Fire Service Group is next meeting in December, this is a little later than planned but due to issues outside of anyone's control, the autumn meeting had to be postponed and it proved impossible to get a date in before then.

NJC for Local Government Services (Green Book)

9. Agreement was reached on 1 November on the 2023-24 pay award for local government services ('Green Book') for an increase of £1,925 on all pay points and 3.88 per cent on all locally determined pay points above the top of the national pay spine.
10. UNISON's and GMB's acceptance of the offer met the requirement for a majority on the Trade Union Side to be in favour, thereby allowing a formal collective agreement to be reached.
11. The deal achieves a bottom rate of pay of £11.59 with effect from 1 April 2023 (which equates to a pay increase of 9.42 per cent for employees on the bottom pay point 2).
12. The Chancellor confirmed the April 2024 NLW rate will be £11.44 in the Autumn Statement on 22 November. The Government's policy is for the NLW to reach 66 per cent of average earnings by April 2024.

Local authority craftworkers ('Red Book') Pay 2023-24

13. Agreement between the National Employers and the trade union side (Unite and GMB) was reached on 16 November on the 2023-24 pay award for local government craft workers ('Red Book') for an increase of £1,925 on all pay points.

Local Authority Chief Executives

14. Agreement was reached on the 2023 pay award of 3.50 per cent on 1 November 2023.

Youth and Community Workers

15. The Staff Side has submitted its pay and conditions claim for 2023. The headline claim is for an increase of RPI plus two per cent across all grades and in addition there are a range of health and work life balance elements. The National Employers is undertaking a consultation of local authorities on the claim.

Soulbury Committee

16. The National Employers have made a full and final offer following further discussions seeking to settle the ongoing pay dispute for 2022. The offer is for an increase of £1,925 on all pay points with effect from 1 September 2022 and an increase of 4.0% on all pay points with effect from 1 September 2023. There are some additional adjustments to the Soulbury Pay scales. Industrial Action has been paused while the unions who make up the Soulbury Officers side consult with their members.

Trade Union Act 2016: Check Off Arrangements in the Public Sector

17. The Trade Union Act 2016 introduced powers to restrict the use of check off arrangements in “relevant public sector employer[s]” but these have not yet been brought into force. The provisions are now expected to take effect on 9 May 2024, following implementation of the [Trade Union \(Deduction of Union Subscriptions from Wages in the Public Sector\) Regulations 2023](#), which have been published in draft form and specify the employers the restrictions will apply to. However, this requires the approval of both houses of parliament. Similar draft regulations were laid in 2017 and whilst there was some opposition these were not passed ostensibly because of a lack of parliamentary time.

18. The new restriction is that public sector employers will only be able to deduct trade union subscriptions from its workers’ wages via a check-off arrangement where:

- the workers have the option to pay their subscription by other means; and
- the union makes reasonable payments to the employer which are “substantially equivalent to the total cost to public funds of making the deductions”.

19. As well as setting out when the restriction will take effect, the draft Regulations list the “relevant public sector employer[s]” to whom the restrictions will apply. As anticipated that extensive list includes local authorities, fire and rescue authorities, governing bodies of local authority-maintained schools and academy schools.

20. The statutory provisions do not specify charges in the sense that there is no minimum or maximum level of fees, as the act requires that arrangements have been made for the union to make reasonable payments to the employer in respect of them making the deductions and that this means the employer is satisfied that the total amount of the payments is substantially equivalent to the total cost to public funds of making the deductions. An employer would be required to cease making deductions if agreement on reasonable payments cannot be reached. Cabinet Office will be producing guidance to assist employers

and trade unions understand their obligations under the legislation.

21. We anticipate that many employers will have entered discussions about these proposed changes with their trade unions some time ago following the introduction of the Trade Union Act 2016, with a view to seeing if check off arrangements can continue after the restrictions come into force. As the proposals were not enacted at the time it may be that they will need further consideration at this stage. We will provide further updates if there are any changes in the final regulations as they pass through Parliament and when the Cabinet Office publishes its guidance.

Employment Law Updates

22. [Advisory Bulletin 717](#) provides an overview of the latest employment law issues including unlawful deductions from wages, looking at when a 'series' is broken in relation to back pay, provides a link to the Employer guide to the law on equal pay, updated ICO guidance on monitoring employees at work, updated fit note guidance, development of government menopause employment guidance and as always the employment law timetable.

Financial Implications

23. 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

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

Next steps

25. Workforce 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 FSMC meeting.

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

Recommendation

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

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Building Safety update

Background

1. Since FSMC's last meeting, the LGA has continued to support action associated with the remediation of high-rise residential with dangerous cladding systems and has been engaged in the implementation of the new building safety regime created by the Fire Safety and Building Safety Acts.

Update

Overall Remediation

2. On November 16, The Minister of State, Lee Rowley MP published a [written ministerial statement](#) on the progress of remediation.
3. [The Department for Levelling Up, Housing and Communities' \(DLUHC\) Building Safety Programme Monthly Data Release](#) provides data related to its Building Safety Programme. The October data release includes new additional data on the overall progress made so far on ACM remediation, Building Safety Fund (BSF), Cladding Safety Scheme (CCS), Developer remediation, and Social Housing Sector, and Enforcement.
4. The October 2023 release gives the following relevant figures:
 - 4.1. There are 3,797 residential buildings 11 metres and over in height identified with unsafe cladding whose remediation progression is being reported on in the release, an increase of 2,195 since the end of December 2022.
 - 4.2. Overall, 1,512 buildings (40%) have either started or completed remediation works. The total number of buildings reported to have started or completed remediation works has doubled since the end of December 2022.
 - 4.3. A breakdown can be seen below of these:
 - 4.3.1. 703 buildings (19%) have completed remediation, including those awaiting building control sign off
 - 4.3.2. 809 building (21%) have started remediation
 - 4.3.3. 2,285 buildings (60%) have not started remediation
5. It should be noted that the total number of buildings set out above does not sum to the total number of buildings reported in the sections below which are also taken from the data release due to crossover between schemes.

ACM Cladding Remediation

6. The October 2023 release gives the following relevant figures:

- 6.1. of the 495 high-rise (18 metres and over in height) residential and publicly owned buildings with ACM cladding systems unlikely to meet Building Regulations, 473 (96%) have either started or completed remediation works, an increase of one since the end of September.
- 6.2. of these, 422 buildings (85%) have completed ACM remediation, including those awaiting building control sign-off, no change since the end of September.
- 6.3. there are 22 buildings yet to start ACM remediation (4% of all buildings), an increase of two buildings since the end of September. Two buildings are vacant and so do not pose a risk to resident safety, 15 buildings have forecast start dates and four without a start forecast have had local authority enforcement action taken against them.

Building Safety Fund (BSF) – other cladding systems

- 7. On 28 July 2022, the government's £4.5 billion Building Safety Fund reopened for new applications and remains open. Buildings over 18m with cladding issues are eligible to apply for the fund with guidance for applicants available [here](#). More information for leaseholders about the Building Safety Fund and what it covers can be accessed [here](#). Leaseholders can check if they qualify for the cost protections under the Building Safety Act using the government's new Leaseholder Protections Checker with further guidance available.
- 8. As of 31 August 2023, the Building Safety Fund had received 2,833 private sector registrations of which 722 applications are proceeding with an application for funding. 341 private sector registrations have been withdrawn as the majority are covered by developer remediation contracts. 222 social sector applications have been made of which 147 applications are proceeding. In total 425 buildings within the Building Safety Fund have started with remediation work, of which 171 have completed works.
- 9. £2.139 billion has been approved for the remediation of unsafe non-ACM cladding, of which £1.939 billion is for private sector remediation, and £200 million for social sector remediation. At the end of August, the Building Safety Fund's total expenditure was £1.167 billion.

Waking Watch Relief and Replacement Funds

- 10. On 25 May 2023 the government reopened its [Waking Watch Replacement Fund](#) with expanded scope and funding.
- 11. The Fund has an additional £27 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. As of 31 August £2.4 million of funding had been approved related to 25 applications. The number of approved applications and amount of funding remains unchanged from August 2023.

12. 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 Relief Fund has allocated £27.3 million covering 329 applications, of which 212 have been approved and cover 320 buildings. The number of approved applications and amount of funding remains unchanged from August 2023.

Regulator of Social Housing (RSH) survey

13. On November 16 2023, The RSH published [findings](#) from the Fire Safety Remediation Survey (FRS) for buildings 11 metres and over in height, which opened to all landlords on 23 August 2023 and closed on 15 September 2023.

14. A summary of the findings is below:

- 14.1. Response rate: 88% response rate to the survey. 32% (426) of all landlords that responded identified themselves as being the responsible entity for at least one 11-metre-plus building, the majority of whom are large landlords. In total landlords reported 15,405 buildings over 11 metres in height. The majority of these, 11,230 are 11-18 metre buildings, with the remaining 4,175 buildings measuring 18 metres or more in height.
- 14.2. Building defects: Of the buildings assessed, there were 1,608 affected buildings identified in their most recent assessment. Work is complete on 7% of these buildings and is underway on a further 25%. Work is due to commence on an additional 29% of buildings by September 2024. 11-18 metre buildings account for 57% and 18 metre plus buildings account for 43% of buildings with EWS related LCFS defects.
- 14.3. Building stock: Fire risk assessments have been undertaken on 98% of all buildings reported, with plans to assess a further 1% of buildings in the next six months. For buildings measuring 11–18 metre in height, 97% have a fire risk assessment and of the buildings measuring 18 metre plus, 99.6% have a fire risk assessment.
- 14.4. Remediation status: Landlords report that work is complete on 7% of buildings with a LCFS defect related to EWS.

15. The survey also collected information about non-EWS defects and the costs of remediation. This data is subject to further cleansing and analysis.

Cladding Safety Scheme (CCS)

16. As of the end of October 2023, there were almost 1,000 buildings in the different stages of the Cladding Safety Scheme. Of these:
- 16.1. 429 buildings are in the pre-application stage.
 - 16.2. 557 buildings have a live application and are progressing at pace through the eligibility stages.
17. There are 48 eligible buildings in programme as at the end of October 2023:
- 17.1. 42 buildings have been issued or have signed Grant Funding Agreements in place with those eligible receiving pre-tender support.
 - 17.2. 6 buildings are assembling or preparing to assemble a works package to complete the remediation works required.

Joint Inspection Team (JIT)

18. Ensuring dangerous external wall systems are remediated will remain a multi-agency activity with Fire and Rescue Authorities at the forefront for buildings between 11-18m in height. The government expects councils to investigate suspected flammable cladding under the Housing Act 2004. In order to support councils, the remit of the team has been expanded following negotiations with DLUHC so it can inspect buildings between 11-18m in height, as well as those over 18m, and provide training on the use of the tools and powers in the Building Safety Act in particular Remediation Orders. The definition of the external wall systems the team can work on has also been aligned with definitions in the Building Safety Act. The team has so far inspected 97 buildings out of the 254 inspections conducted by local authorities to the end of September 2023.

London councils fire safety group for private sector housing

19. After discussions with councils in London the LGA set up and continues to run and organise this group which shares good practice around enforcement activity by councils under the Housing Act and Building Safety Act against building owners who are not remediating dangerous external wall systems on residential buildings. At its most recent meeting earlier the group heard from the London Borough of Lambeth about their successful use of a remediation order in conjunction with leaseholders in the relevant block (which had been inspected by the JIT) to enforce remediation work.
20. The group also heard about the successful prosecution brought by Newham Council against a building owner for failing to remove combustible cladding. Following an inspection by the JIT of the Lumiere building Newham served an improvement notice requiring dangerous cladding to be removed by 31 March

2021. Work did not start on removing the cladding until March 2021, and was not completed until February 2022.

Building Safety Act 2022 (BSA)

21. Work continues to put in place all the elements needed to ensure the new building safety regime in the Building Safety Act is in place for commencement in April 2024. The Building Safety Regulator (BSR) has published its strategic plan for 2023-26, which sets out how the BSR will: improve standards in building control; drive improvements in the built environment; regulate the planning, design and construction of new higher-risk buildings (HRBs); and ensure building owners manages the fire and structural safety risks in existing HRBs. Fire and Rescue Authorities will work alongside the BSR under the Building Safety Act on the design and construction of new HRBs and ensuring existing HRBs are safe.
22. The National Fire Chiefs Council continues to work closely with the BSR to ensure Fire and Rescue Authorities can play their part when the new regime comes into force in April 2024. This work includes consideration of how those HRBs registered with the BSR will be allocated across the five year programme to assess their safety cases and issue building assessment certificates, and how the work will be allocated to services.
23. DLUHC has published guidance on the use of remediation orders, which were introduced as part of the Building Safety Act 2022. The orders were designed to make it easier for councils and other parties to take enforcement action against building owners where the progress with remediating dangerous external wall systems has not been as fast as it should be.
24. The King's Speech included the Leasehold and Freehold Reform Bill, which will seek to extend the measures protecting leaseholders in the Building Safety Act to ensure the provisions in the Building Safety Act work as intended.

Building Safety Register

25. On 12 April 2023, the Building Safety Regulator (BSR) opened registrations for high-rise residential buildings in England that are: 18 metres tall or higher, at least 7 storeys tall, with two or more residential units.
26. Each building must be registered by a [Principal Accountable Person \(PAP\)](#).

27. The deadline for registering high-rise residential buildings with the BSR was 1 October 2023. Failure to register buildings is a criminal offence. The BSR is currently working through the registrations they have received and this will be used to inform the building safety assessment certificate process, which starts in April 2024. The number of buildings registered with the BSR is expected to be in line with the government's estimate of approximately 12,000 buildings across the private and public sector.

Large Panel System (LPS) Buildings

28. FSMC was updated at its last meeting on the commissioning of six case studies on management strategies of LPS Buildings. These have now been completed and are with the LGA's digital communications team pending upload shortly.

29. On November 14, Bristol City Council made the decision to decant the LPS tower block Barton House and evacuate 400 residents. There was concern that the tower block could be damaged in the event of a fire, explosion or large impact which posed a risk to the structure of the building.

Implications for Wales

30. 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.

Financial Implications

31. 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

32. 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

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



NFCC
National Fire
Chiefs Council

NFCC Chair's Update for FSMC

Date:	6 December 2023
Title:	NFCC Chair's Update
Presented by:	Mark Hardingham, NFCC Chair
Contact:	chair@nationalfirechiefs.org.uk

1. Purpose

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

2. Protection Update

Building Safety Regulator (BSR)

- 2.1 The new BSR reached a significant milestone on 1 October 2023, as the design and build of new and refurbished tall blocks of flats are now dealt with under the new regime. NFCC's Protection Reform Unit (PRU) have assisted FRSs to be ready to support a multi-disciplinary team (MDT) to assist the new regulator. The team are working on multiple workstreams in relation to the delivery of the overall project. The PRU are now working with the FRS on the next milestone of 1 April 2024, when buildings in occupation join the new regime. The PRU have secured via a tender process a provider to upskill FRS staff to assure the installation of firefighting facilities in tall blocks of flats.

Protection Board

- 2.2 The Enforcement Review was presented to Protection Board in October. However, further funding for the PRU will be required over the coming years to enact the recommendations. This is aligned with a PRU paper reviewing the fire safety audit process, which presents short, medium, and long term aims and objectives to ensure the process that Inspecting Officers carry out continues to be fit for purpose. The Board also discussed the emerging hazard work, which involves a multi-stakeholder group

who will explore new risks in the built environment and what mitigation and gaps there are at present.

Department of Levelling Up, Housing and Communities (DLUHC) Central Enforcement Advisory Team

- 2.3 The PRU have been engaging with DLUHC to ensure the swift remediation of buildings. The work has focused on a central team containing expertise on the new powers FRSs have under the Building Safety Act to advise FRSs on best way of using Remediation Orders and Remediation Contribution Orders.

Legislation and Guidance Update

- 2.4 Section 156 of the Building Safety Act, which amended the Fire Safety Order, came into effect on 1 October 2023. The PRU assisted the Home Office with Article 50 Guidance and produced guidance specifically for FRSs.
- 2.5 The transitional arrangements for the second staircase in new tall purpose-built blocks of flats has been announced.
- 2.6 The PRU continue to assist Home Office with the technical guidance programme that involves updating all the guidance on the Fire Safety Order.

Protection Uplift Fund

- 2.7 The PRU and NFCC's Data and Governance teams continue to assist FRSs in ensuring that the additional funding is being used effectively and efficiently. A presentation on sharing best practice took place at the NFCC Prevention and Protection Conference in November.

General Update

- 2.8 The PRU continue to sit on many British Standards Institute committees, boards, and working groups to assist in improving both public and firefighter safety. The PRU continues to support FRSs around complex enforcement and fire engineering issues via a peer review process. The PRU supported DLUHC and the Home Office in the introduction of the Mass Decant Protocol that was launched in October.

3. Prevention Programme Update

- 3.1 The Prevention Partnership Board met on 12 September and the Prevention Committee met on 11 October. The latest edition of the *Prevention Newsletter* was published in October. The NFCC Prevention and Protection Conference took place in November, with an awards ceremony jointly hosted with Protection colleagues.
- 3.2 The Prevention Evaluation Principles and Checklist, which has been developed with FRSs, has been approved and launched to support evaluation work.

Safeguarding

- 3.3 NFCC has published guidance to support FRSs with adapting to the legislative change to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 which came into force in July: the Joint Guidance on Disclosure and Barring Service (DBS) Eligibility

Checks for Fire and Rescue Authority Roles, the NFCC Positive Disclosure Risk Assessment Guidance, and the Managing Allegations Guidance. The Safeguarding team continue to successfully host joint webinars with the DBS, with 88% of FRSs in England and Wales attending since they began in the summer. Three strategic workshops are also scheduled. A full evaluation report will be made available following all webinars, as well as a designated area on the NFCC safeguarding webpage for any FAQs.

- 3.4 The NFCC Safeguarding Board will be moving from monthly to quarterly meetings, with standing agenda items covering work priorities and His Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) *Spotlight Report on Values and Culture in the Fire and Rescue Service*, with 16 of the 35 recommendations related to safeguarding matters. The team have also supported the Fire Standards Board to review any amendments to the Safeguarding Fire Standard. The Safeguarding Practitioners Group and regional groups continue to meet online, with 49 UK FRSs engaged.

Serious Violence Duty

- 3.5 The FRS Serious Violence Duty guidance has now been launched to support the sector.

Children and Young People (CYP)

- 3.6 The CYP Strategic Intent has been shared with FRSs, as well as a DBS checks factsheet and legal compliance for CYP programmes. Considerations from the recent CYP survey are being incorporated into CYP business, following a response from 81% of FRSs.
- 3.7 Fire Safety Interventions has refreshed its guidance, which has been approved. The team held a National Practitioners Day in November focusing on Special Educational Needs and Disability (SEND) and Fire Safety Interventions.
- 3.8 StayWise has just launched its Implementation Toolkit, aligned to the HMICFRS key areas and responsibilities and how to implement StayWise as part of Community Risk Management Plans (CRMPs). A tutor adventure book is also being produced along with new video content for the website following a successful upsurge of users, which reached over 2000 following a joint letter from StayWise and the Department for Education (DfE).
- 3.9 Six Fire Cadet Units took part in UK Rescue Organisation (UKRO) Festival of Rescue in September 2023.
- 3.10 The Fire Service Prince's Trust Association (FSPTA) have noted that currently only 12 of the 47 FRSs in England facilitate a Prince's Trust team programme. A paper was shared with the NFCC Steering Group and Full Council to outline recommendations to support the engagement and delivery of youth engagement and intervention programmes. The team would like to recognise and congratulate Cheshire FRS for celebrating 30 years of Prince's Trust delivery.

- 3.11 Forty FRSs have been visited by the Early Interventions National Liaison Officer offering support to enable FRSs to establish and adapt their early intervention programmes requirements under the Serious Violence Duty and the creation of a “Impactasaurus”.
- 3.12 The great work currently being undertaken in CYP has been profiled in a feature in September’s *FIRE Magazine* and at a webinar which was attended by over 200 practitioners.

Home Fire Safety

- 3.13 The Online Home Fire Safety Check tool has been adopted by 86% of FRSs, with 40,000 assessments completed in England. It was featured at this year’s UKRO event in the Community Village. Workshops for the Online Home Fire Safety Check will be hosted in London and Manchester in partnership with the Home Office and Safelincs.
- 3.14 A new Home Fire Safety Visit Competency Framework has been developed and approved and was launched at the Prevention and Protection Conference.

Water Safety

- 3.15 The National Water Safety Forum (NWSF) Education Group led by Swim England has secured agreement from the Secretary of State for Education and the DfE to include a classroom-based water safety lesson within the English national curriculum from September 2024. The curriculum constitutes guidance, rather than being Ofsted regulated.

Road Safety

- 3.16 Following the inaugural Road Safety Group meeting in August, necessary momentum to help take forward road safety work continues, with UK FRS Single Points of Contact (SPoCs) identified. The group seeks to develop local and national packages, with products to meet the criteria of the road safety education standards being developed by the Department for Transport (DfT). These are to be shared on the StayWise website as a repository of good practice once they have been assessed by educators and aligned to the national curriculum.
- 3.17 Following NFCC work on the definition of risk in road traffic collisions, UKRO has developed a Road Risk Peer Review methodology for FRSs in assessing their Prevention preparedness and response to road traffic collisions and also when creating a CRMP. This has been piloted by Surrey FRS. This work will lead to future national rescue challenge events, including road safety and Prevention-oriented workshops.

4. Operational Response and Fire Control Hub Update

Lead Officers

- 4.1 The recruitment process for the three lead officers is underway. Clare Taylor, the Fire Control Lead Officer (previously NFCC’s Fire Control Project Content Manager) started in November; James Till, the Operational Response Lead Officer will start on

1 December; the Sustainability, Climate, Environment, and Emerging Technologies Lead officer process is scheduled to deliver a lead officer to begin in January 2024.

Emerging Technologies

4.2 Emerging technologies create challenges across Prevention, Protection, and operational response. NFCC Lead Officer Phil Clark is drafting an action plan to deliver a suite of policy and guidance products. This recent work includes:

- Shaping a draft Private Members Bill (The Safety of Electric – Powered Mobility Vehicles and Lithium Ion Batteries Bill 2023) to ensure it was more encompassing.
- A survey has been developed with the NFCC Analysis and Insights team for Lithium Battery Incidents. This is designed to capture the “here and now” as we await the updated Incident Recording System (IRS) and will be launched later this month. Phil has also contributed towards a Government working group for the new IRS in respect of battery incidents.
- Support for the development of now published Fire Kills material referring to li-ion batteries.
- Presentations delivered to a range of conferences and groups: the Institute of Fire Engineers (IFE) Fire Conference, the Institute of Healthcare Estates Managers, Recycling & Waste Management, Prevention and Protection Conference, the Fire Commission, and the Fire Service Management Committee. Phil attended the EU Battery Energy Conference – scientists and academics noted that there has been a tangible shift to defensive firefighting and controlled burn for Battery Energy Storage System (BESS) fires.
- Engaging with the Environment Agency on the NFCC position for controlled burn to avoid issues surrounding environmental regulations.
- Working with Home Office and DfT to produce guidance for owners and users of portable light electric vehicles.
- Meeting with the Institute for Vehicle Recovery, DfT, the Office for Zero Emission Vehicles (OZEV), and the National Police Chiefs Council (NPCC) to discuss challenges for recovery operators now seeking to recover and store crash- and fire-damaged electric vehicles.
- Providing ongoing support to FRSs regarding BESS and planning applications.

Contaminants

4.3 We are currently working with NFCC Contaminants Group Lead Officer Luke Gazzard to provide support in the following areas: developing a literature review, the gap analysis from the UCLan recommendations, health surveillance, developing an online portal, and training.

Wildfires

- 4.4 Two meetings are scheduled in November where we will support the working group to agree an action plan for the 2022 Wildfires Debrief Report.

Home Office Emergency Alerts System

- 4.5 We have supported meetings with the Home Office to agree how to apply this guidance and NFCC learning regarding the production of an NFCC training packages.

Recent Work

- 4.6 Three subject matter experts (SMEs) have been secured to assist with review of suite of hazardous materials products. Responses to the working at height competency framework consultation has been agreed and shared with SMEs.
- 4.7 The hub is feeding back as a consultee of National Highways regarding the emergency corridors concept and have worked with the Home Office in consultations on draft evacuation guidelines for tall buildings.
- 4.8 The hub has worked with the Police Lead to agree that the recently issued Police document *Dealing with Persons in Crisis – Guidance for Emergency Service First Responders* would become a JESIP guidance document and link to National Operational Guidance (NOG).

Updated Products:

- 4.9 Three guidance products were presented to the Operations, Preparedness Response, and Resilience (OPRR) Committee on 17 October 2023: NOG 092 – Search, Rescue & Casualty Care – Electrical injuries; NOG 093 – Transport – Various minor changes; and a change of wording applicable to all training specifications.

5. People, Culture, and Leadership (PCL) Programme Update

Culture Action Plan and Survey Results

- 5.1 The NFCC Culture Action Plan is a renewed call to action to improve culture and address all forms of discrimination, bullying, and harassment across FRSs in the UK. NFCC published its Culture Action Plan in July 2023. An independent Challenge and Support Panel has been established to provide external scrutiny, challenge, and advice to NFCC in its work around culture and inclusion, including delivery against the Culture Action Plan. The seven panel members' expertise, insight, and experience from a range of sectors will inform NFCC's work around culture and equality, diversity, and inclusion (EDI).
- 5.2 Following on from the publication of the Culture Action Plan, NFCC launched a survey to provide a baseline understanding for the NFCC of Culture/EDI Improvement measures undertaken and planned by FRSs. The survey was sent to all FRSs and was promoted via Chief Fire Officers (CFOs), Heads of HR, and Workplace.
- 5.3 The results of the survey indicate that there is a varying picture of FRS maturity in cultural improvement. This intelligence is being used to inform the development of NFCC People, Culture and Leadership tools, products, and guidance. To measure

performance, identify trends, and provide intelligence, the survey will be repeated in 2024 with the results being compared across both years.

Health and Wellbeing Framework

- 5.4 This project aims to produce a comprehensive framework that answers the recommendations and priorities identified in Nottingham Trent University's (NTU) research into the health and wellbeing support provided in the FRS, published earlier this year. This is currently in the pre-project phase. An academic partner in NTU is in the process of being procured and a working group of sector subject matter experts have been identified to quality assure the draft framework document.

Recruitment, Fitness, and Medical Standards Research Project

- 5.5 This is currently in the pre-project phase, with an outline business case under development.

On-Call Research Project

- 5.6 The On-Call Research Project is part of NFCC's strategy to reduce community risk and vulnerability. The project will address workforce challenges in the On-Call Duty System (OCDS) by conducting a national review to determine the effectiveness and efficiency of on-call resource management and systems across the country. The project will also deliver a standardised data set and approach to on-call data management which will provide the basis for future change. The project will be entering the initiation stage in Quarter 4, subject to a partnership with the Fire Service Research and Training Trust.

Equality, Diversity, and Inclusion Toolkits

- 5.7 New EDI toolkits for FRSs on faith and disability are to be developed as part of the Culture Action Plan. A working group is being developed to review the current material available and scope the project requirements. NFCC will work with the Asian Fire Service Association (AFSA) to further develop and promote its Religion and Faith Toolkit.
- 5.8 Working within existing resources, NFCC have also begun developing a new Menopause toolkit. The toolkit will contain materials and guidance that were highlighted at the NFCC's first Menopause Conference.

Equality, Diversity, and Inclusion Lunch and Learns

- 5.9 NFCC's EDI Hub will host a series of Lunch and Learn sessions to develop knowledge and share experiences on a variety of topics. A working group is currently scoping potential topics, identifying guest speakers, and developing a schedule.

Direct Entry

- 5.10 The Direct Entry Scheme has successfully appointed six direct entrant Station Managers; five are in service, with the sixth starting on 11 December 2023 (due to notice period).



- 5.11 An Open Day at the Fire Service College took place on 15 November 2023, where the NFCC Chair Mark Hardingham welcomed the Station Managers in development to the fire sector. This also triggered the start of their three-year training programme.
- 5.12 NFCC has agreed to become an approved centre with Skills for Justice to use the Custom Certifications Service (CCS) for the Direct Entry pilot scheme. Skills for Justice have provided free resource to the project develop the CCS, which is an “in house” route for assuring training and provides the learner with an accredited and assured certificate of achievement.
- 5.13 NFCC and the Fire Service College have agreed upon the first steps of a joint Memorandum of Understanding (MOU) and Framework Agreement that protects both parties’ intellectual property rights and ways of working during and after training periods.
- 5.14 A hard copy of the training programme, *The Prospectus*, has been sent to all CFOs.
- 5.15 The MLP project successfully awarded Lot 1 (online portal and content) of the procurement process to Chartered Management Institute, but Lot 2 (blended learning approaches) was unsuccessful on two rounds of procurement.
- 5.16 Approval was granted to offer Lot 2 as a secondment opportunity to a skilled learning and development specialist, up to the allocated budget and time period (for Lot 2). Eight applicants responded to the advert, with the appointment of a specialist secured from Shropshire FRS, who is now working with the supplier and project team.
- 5.17 The project has already developed two of the four modules and will now work with a number of FRS HR volunteers to review and provide feedback on the content, structure, and format of the programme as part of QA.
- 5.18 The project is on track to launch on 1 April 2024.

Strategic Continued Professional Development (CPD) Masterclasses

- 5.19 There has been an excellent response to the masterclasses, with 486 UK FRS staff attending at least one masterclass and only one service from 54 not attending any. The most recent masterclass, titled *Beyond the Response – Preparing for Scrutiny*, was delivered by London Fire Brigade (LFB) in September 2023, with 67 in attendance. Current and future FRS leaders were encouraged to consider how well

prepared they and their organisations are to deal with potential scrutiny that may arise following a major incident or event.

- 5.20 All masterclasses are waiting to be uploaded onto the new NFCC website.

Core Code of Ethics

- 5.21 Results from the NFCC culture and inclusion survey showed that 32 FRSs use the Core Code of Ethics with 29 FRSs fully embedding this by 2024/25.
- 5.22 The Implementation Support Team continue to work with FRSs to implement the Core Code of Ethics to assure partners that it continues to be at the forefront of work to be delivered by them.
- 5.23 HMICFRS has published its *Effectiveness, Efficiency, and People 2023/25* inspection reports for a number of FRSs – all are noted for their adoption of or compliance with the Core Code of Ethics.
- 5.24 A meeting is planned in December 2023 between the Local Government Association (LGA), and the Association of Police and Crime Commissioners (APCC), and the NFCC Implementation Manager to consider the next steps.

NFCC Interactive Leadership and Careers Pathways

- 5.25 An outline business case for a new project to develop interactive leadership and career pathways has been approved to progress. This interactive tool will be hosted on the new NFCC website and deliver a clear, intuitive, and professional landing page to attract people to the fire sector, helping to support FRSs' recruitment campaigns and showcase the range of career and development opportunities across FRSs in the UK.
- 5.26 The interactive pathways will provide all FRS staff with opportunities and roadmaps that enrich their professional development, either vertically (through promotion) or horizontally. It will provide a clear leadership pathway with the appropriate tools and products to support existing and future FRS leaders and become a central hub for all existing and future people, culture, and leadership products.
- 5.27 The interactive pathways will initially align with areas of work under the People, Culture, And Leadership Programme as a proof of concept, with the aim to widen the scope in phases to ensure it is scalable and manageable. It is proposed to undertake consultation in the new year.

360 Degree Feedback Guidance

- 5.28 National guidance has been produced on 360-Degree Feedback to support FRSs in implementing 360 at all levels, including aligning this to the NFCC Leadership Framework.
- 5.29 This guidance is currently out for consultation, with the proposal to review the results, produce a report for the NFCC Leadership Project Board to approve, and for the publication of the guidance uploaded onto the NFCC website in the new year.

6. Community Risk Programme Update

- 6.1 The programme has almost completed its original aims, and is moving toward closure and the transition of products to business as usual. The programme has identified areas for further work and business cases will be produced for future consideration.
- 6.2 A Community Risk Coordination Group consisting of heads of NFCC's Protection, Prevention, and Operational Response Hubs, the Head of Service Delivery, and a Strategic Lead for Community Risk is part of business as usual activities.

Economic and Social Value (ESV) Project

- 6.3 The ESV digital tool is now available to FRSs and the project has closed.

Guidance Project

- 6.4 The final guidance documents have now been published and are available on the UK FRS website. This project has now closed.

Definition of Risk Project Update

- 6.5 The Road Traffic Collision Methodology is now available online and work is progressing well to deliver the Other Building Fires Methodology.

Evaluation of FRS Interventions Project

- 6.6 The evaluation framework is now available online and the project has closed.

7. Data, Digital and Technology (DDaT) Hub update

- 7.1 The DDaT Committee continues to develop its governance structure. A Data Board and Digital, Technology and Cyber (DTC) Board have been established under the committee to lead on their respective areas, with cross-organisation subject matter experts as members. A recruitment process recently concluded to determine the new voluntary chairs of each board. CFO Jonathan Dyson (North Yorkshire FRS) is Chair of the Data Board, and CFO Callum Faint (Leicestershire FRS) is Chair of the DTC Board. The chairs have also become the respective lead officers for each subject matter area. Terms of reference for each board will be signed off at the first meetings in November.
- 7.2 The DDaT Hub has concluded recruitment of the full-time positions of Strategic Data Lead and Strategic Digital, Technology and Cyber Lead. These roles will become de-facto vice chairs of the boards outlined above and will be the day-to-day leads on delivery in each area, working to the Head of DDaT. The Strategic DTC Lead commenced in post in October 2023, and the Strategic Data Lead will commence in post in Q4.
- 7.3 The DDaT Committee continues to work on developing a strategic roadmap for the sector. To gain an understanding of the current landscape, a survey was shared with all other NFCC committee chairs to identify any current and planned committee activity which has a DDaT element that may need to be considered. Deep dives into each area will be conducted from Q3. An overarching strategy document has been drafted and shared with the DDaT governance structures for initial feedback.

- 7.4 A MOU for the NFCC's strategic partnership with techUK has been drafted and is undergoing final review. The strategic partnership aims to facilitate and foster a culture where the NFCC and tech companies work together collaboratively exchanging ideas, knowledge, and skills. The aim of the partnership will be to overcome barriers to industry collaboration with the NFCC and provide tech companies with an equal opportunity to showcase their solutions, problem solve, horizon scan and drive innovation across the sector. Final signing is expected in December 2023.

National Fire Data Collection System (NFDCS)

- 7.5 NFDCS is a Home Office-led project to transform the existing IRS into a more comprehensive, flexible, and scalable national fire data collection system. There are two major workstreams underway, one is the technical development of the new system, the second is the data review. The suppliers are fully mobilised and have started the alpha phase of development. The data review is focussed on incident data which is likely to take the rest of this calendar year and then be reviewed in January 2024. Review of other datasets, including those for Prevention, Protection, and workforce, will likely commence after spring 2024. The target for an initial solution to be in place for incident data is summer 2024.

Data Management Framework (DMF)

- 7.6 Following publication of the Data Management Fire Standard in 2022, the team defined and developed the underpinning guidance and tools for the new standard. The DMF has undergone consultation and amendments to the guidance have been made ahead of final QA processes and publication in December 2023.

Digital, Technology, and Cyber

- 7.7 Work on the five-point framework for digital, technology, and cyber remains a key focus. The framework comprises: strategy; standards; governance and structure; cyber; and promote, engage, motivate, and collaborate.
- 7.8 The Home Office has three-year funding to improve cyber resilience in English FRS. Home Office partnered with IBM to conduct detailed research into FRS compliance with the Cyber Assessment Framework (CAF) which has determined a set of recommendations for the sector. The DDaT team are working with SMEs to turn these recommendations into a prioritised action plan. NFCC will lead on the options appraisal and business case development for national actions, and funding may be available from the Home Office cyber programme to support delivery. A draft action plan and recommendations paper will be shared with DDaT governance in November 2023.
- 7.9 The DDaT hub will collaborate with the Fire Standards Board to commence production of digital, technology and cyber standard(s) in Q3. Supporting guidance and tools will be identified as the standard(s) develop into 2024.

Title of Paper	Fire Standards Progress Report
Decision or Information	For information
Title and Date of Meeting	LGA Fire Service Management Committee 6 th December 2023
Attachments	None

Summary

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

The Fire Standards Board (FSB) last met formally on 9th October 2023. During the Board meeting, the members were asked;

- to approve the response to the HMICFRS Review into Culture within Fire and Rescue Services, which led to the revision of three Fire Standards.
- Prioritise the work streams for the remainder of the financial year.
- Approve the EDI statement explaining how the Board ensure EDI is appropriately referenced within its standards, prior to publication on the website.

Recommendations

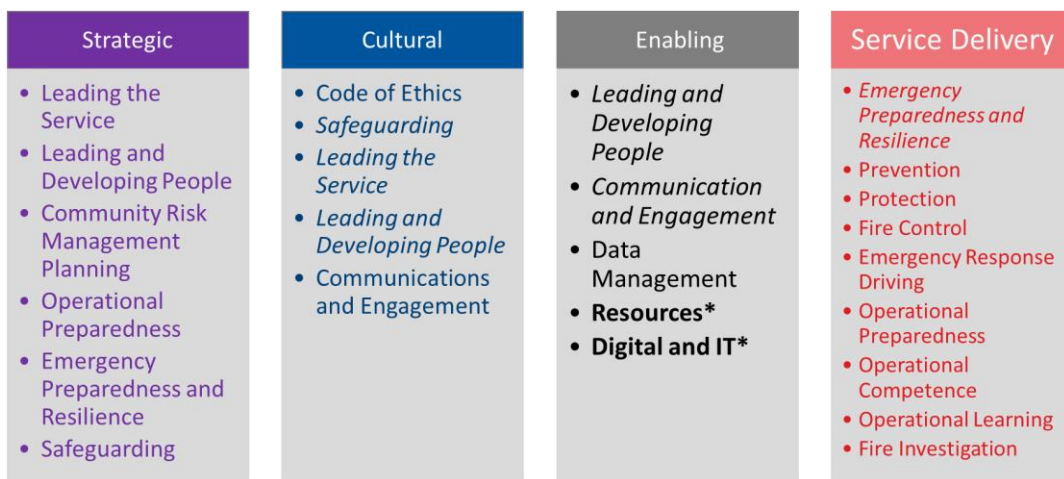
Members are asked to:

- note the contents of this report for information.
- provide ongoing support to officers enabling and empowering them to engage with the Fire Standards to see their service achieve them and contribute to continually improving the service offered to the public; 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 forming a complimentary suite of describing what good looks like across the activities performed by services. They are all available on the [Fire Standards Board](#) website.

The figure below shows the published Fire Standards and the categories of activity they link to. Some standards appear in more than one category. The areas in bold are where Fire Standards are currently in development.



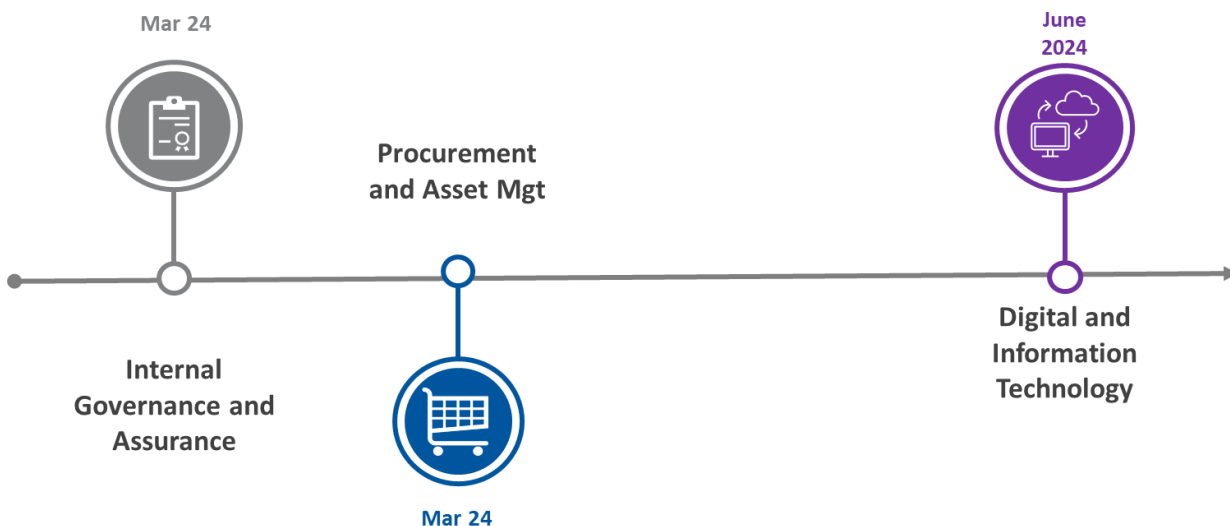
It is anticipated that the full suite of standards will total approximately 19.

Services are encouraged to view the standards as a holistic suite that when considered together, provide a framework for services to benchmark and self-assess themselves against as part of their ongoing work to continually improve.

Phase Three Fire Standards Development

Consultations for the Internal Governance and Assurance Fire Standard and the Procurement and Asset Management Fire Standard are now in progress. All services are encouraged to consider the draft standards and respond with their views via the consultation questionnaire. Details of how to take part in the consultation can be found on the [FSB website](#)

The Board anticipate both standards will be published in Spring 2024, subject to consultation as shown in the figure below:



Progress with Development Work

Finance Fire Standard

A decision about the need for a specific standard for finance related activities was reached by the FSB in Autumn 2023. The decision was not to proceed with a single standard, but to integrate identified elements of good practice relating to financial practices within other relevant standards. It was agreed this was a more appropriate approach at this time and would help avoid any confusion with the extensive range of guidance and legislative requirements for financial matters already applicable to all public services.

Digital and Information Technology

The remaining area of activity being considered for potential Fire Standards is digital and Information Technology.

Discovery and scoping work has commenced with liaison with subject matter experts and drafting work due to take place in early 2024.

Review of Fire Standards

The HMICFRS Spotlight Report on Culture and Values published in Spring 2023, made several recommendations for the FSB . After collaborative work with the NFCC, three Fire Standards have been reviewed and revised to emphasise the importance of and clarify how services should approach Safeguarding, the handling cases of misconduct and background checks, especially to accommodate requirements in the revised Safeguarding legislation.

The revised standards include:

- Leading the Service
- Leading and Developing People
- Safeguarding.

At its last meeting in October, the FSB agreed the work undertaken had met the requirements of the HMICFFRS recommendations and has informed the HMICFRS such along with copies of the revised standards.

This exceptional review work was carried out in addition to the original development work agreed at the start of this financial year.

The FSB's periodic review schedule is based on reviewing standards when they have been published for three years unless a requirement to do so is identified sooner. In which case an exceptional review may be called.

At its last meeting in October, agreement was reached to prioritise completing the suite of Fire Standards before commencing any planned or exceptional review work as no feedback from the services, or new learning had been identified that may impact any existing Fire Standard significantly.

This will be kept under review and considered when planning work for the 2024-2025 financial year.

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. Gap analysis tools are provided with all published Fire Standards to support services with self-assessment of their position against any given Fire Standard.

Work is underway to review the gap analysis tools following feedback from services and to bring focus on the Outcome Statement of each Fire Standard.

The NFCC has regional Implementation Liaison Managers to assist services with their work in achieving the standards. In addition, the FSB Chairs continue to visit services across the country. In doing so they meet with senior teams to discuss how services are engaging with the Fire Standards.

They seek to provide external perspectives and share the experiences of others. They can provide support to senior leadership teams in ensuring services use the Fire Standards to good effect as part of the ongoing organisational development of services; encouraging innovative approaches to reform working practices and ultimately drive behavioural change. The combination of which contributes to building positive working cultures within services.

With the majority of the proposed standards in place, the FSB are keen to continue engagement with services across England to understand the impact they are having and to assess what more may be required to assist services in achieving them. Should a service wish to host a visit of the FSB Chairs, please inform the NFCC Fire Standards Team on fsb@nfcc.org.uk.

Supporting local achievement of Fire Standards

The support of Fire Authority members is pivotal in helping to support the work of the FSB that has developed the suite of national standards and supporting their officers in raising awareness of the standards within their service.

To help improve levels of awareness and understanding, the FSB have recently made available three new videos which explain the work of the FSB, the positive impact Fire Standards represent for communities and the support fire and rescue services can receive from the NFCC. All videos are available on the [FSB website](#).

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 Greg Brackenridge.

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

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

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

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

Fire Services Management Committee Update Paper

Purpose of Report

For information.

Is this report confidential? No

Summary

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

LGA Plan Theme: Support for councillors

Recommendation(s)

That the Committee note the report.

Contact details

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Fire Services Management Committee Update Paper

HMICFRS Annual Assessment of Fire and Rescue Authorities in England

1. HMICFRS produces a 'State of Fire and Rescue' Report which is an annual assessment of fire and rescue services across England. The [previous version](#) was published in January 2023. The 2024 report is expected in the first few months of next year and HMICFRS are currently consulting on what should be included.
2. We have received a request from HMICFRS to contribute. Officers have written a letter in response which outlines the LGA's excellent work on culture issues, independent reporting lines, building safety, and climate change within the sector. It also highlights ongoing issues and concerns of our officers and members regarding workforce challenges, emerging technology, finance and the Fire Reform White Paper. Lead Members are approving the response.

Updated Climate Emergency Handbook

3. The LGA published the original [Climate Emergency Handbook](#) in March 2020. Officers have updated the Handbook to ensure the information included is relevant and up to date.
4. We have received contributions from the NFCC on wildfires and sustainable procurement, from Professor Rowena Hill on climate change, the Environment Agency on incidence management and resilience, as well as relevant case studies from several fire and rescue services.
5. The updated handbook will be published as soon as all contributions are finalised and the digital team has confirmed the design.

Fire Performance Oversight Group

6. Councillor Frank Biederman attended HMICFRS's Fire Performance Oversight Group on 19 October 2023. He highlighted the work the LGA has done to assist the services currently in FPOG.

Chairs and Chiefs

7. Councillor Frank Biederman attended Chairs and Chiefs and spoke about his reflections on inspections, key challenges for the sector, and key future considerations for HMICFRS. He also detailed the priorities of FSMC for the year ahead.

Fire Standards Board

8. Councillor Greg Brackenridge has attended the Fire Standards Board on behalf of the FSMC. They have recently opened a consultation on the [Internal Governance and Assurance Fire Standard](#) which is now live on their website.

Dorset and Wiltshire Fire and rescue service - Independent Review

9. [Dorset and Wiltshire Fire and Rescue Service have undertaken an independent review](#) following allegations of misconduct reported in media in February 2023. Alex Johnson QFSM, the previous Chief Fire Officer at South Yorkshire FRS, led the review, which has now been published. The report contains a number of recommendations. The fire service has responded to the recommendations and will be using them as the foundation for formulating a single Culture Action Plan, which will be overseen by the fire authority.

Events

Leadership Essentials

10. The most recent Fire Leadership Essentials Programme was held in Warwick on 1 & 2 November 2023. The programme was hosted by David Weaver and had eight attendees. We had excellent feedback from delegates about each of the sessions which covered a range of topics from building safety legislation to EDI and good governance.
11. The next Fire Leadership Essentials Programme is scheduled for 6 & 7 February. We shall run a similar programme but with a few changes to the schedule.

LGA Fire Conference 2024

12. Our annual fire conference will be held on 12-13 March 2024 at the Delta Hotels (Bristol Marriott) City Centre. Please see item 6 for further information.

Implications for Wales

13. None

Financial Implications

14. None

Equalities implications

15. None

Next steps

16. Committee members to note the report.

