

12 March 2018

Note of last Fire Services Management Committee meeting

Title:	Fire Services Management Committee
Date:	Friday 26 January 2018
Venue:	Smith Square Rooms 1&2, 18 Smith Square, London, SW1P 3HZ

Attendance

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

Item	Decisions and actions
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1	Welcome, apologies and declarations of interest
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The Chair welcomed members to the meeting and noted that Dr Anthony Maude from the Essex Police, Fire and Crime Commissioner's office was attending the meeting as an observer.

The Chair also informed members that Cllr Michele Hodgson, a former member of the FSMC, had been awarded an MBE in the Queen's New Years' Honours list. Members offered their congratulations.

There were no declarations of interest.

2	Broadening the role of the Firefighter - oral report
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The Chair introduced Gill Gittins, LGA Principal Negotiating Officer, who gave members an update on the continuing NJC negotiations around pay and broadening the role, noting that discussions were mindful of existing NJC work streams and lessons learnt from the University of Hertfordshire and New Economy reports. In terms of broadening the role, Gill noted that there were a broad range of activities being discussed, including and relating to: emergency medical response e.g. co-responding, multi-agency response, including MTFA, environmental challenges, inspection and enforcement and health and community initiatives. It was noted that while significant progress had already been made, it was a work in progress not least of all because at present, the level of funding available was unknown.

Gill noted that lobbying in that regard was key to this work. The NJC were seeking discussions with ministers across the UK and putting in place wider events to inform MPs, MSPs and Assembly Members respectively of this work and the detailed cost benefit analysis developed by New Economy, the purpose of which was to seek support in respect of funding. Fire Ministers' support would also be sought in approaching other government departments. Most recently an APPG (Fire Safety Rescue) event on the New Economy report was held in Westminster in November 2017. Jim Fitzpatrick MP, a member of that APPG, had sponsored a wider event for all MPs on 16 January. Arrangements were being made in respect of the National

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Assembly for Wales. Members were advised that discussions were ongoing with Northern Ireland representatives to do likewise and that while the funding position for Scotland was more positive, an event/meeting with the Minister would be set up if they felt it to be helpful. Cllr Chard, Chair of the Employers' Side of the NJC, Ian Murray, Chair of the Employees' Side of the NJC and the NJC's joint secretariat would be meeting with the Home Office Minister for Policing and the Fire Service at the end of January.

Cllr Chard gave thanks to both Gill and Simon Pannell, Principal Adviser (Employment and Negotiations), for all their work in undertaking the negotiations.

Decision

Members **noted** the update.

3 Fire and rescue national framework for England consultation

The Chair introduced Steve Polly from the Fire Strategy and Reform Unit of the Home Office, who gave members an overview of the revised national framework and noted that the consultation on this would run until 14 February.

Steve gave members an overview of the revised framework and said that the framework sets out priorities and objectives rather than providing an exhaustive list of what fire and rescue services should and should not do, while also allowing for a certain degree of localism. It was noted that the last consultation on the framework was carried out in 2012 so it was decided that it was now time to bring it in line with the introduction of HMICFRS inspections. The team hoped to bring the framework into effect in May but members were advised that delivery of the new framework was dependent on time being given to the issue in parliament as secondary legislation would be needed.

In terms of the changes made to the framework, Steve noted that they were not radical and that the majority of the framework, while looking different, remains the same. He said that the Integrated Risk Management Plan (IRMP) remained fundamental to how FRSs operate, regardless of their governance model, and that priorities and core functions remained broadly the same. Members were told that the framework now incorporates the NFCC and HMICFRS, outlines how Police and Fire Crime Commissioner's act in accordance with the Policing and Crime Act 2017, includes the statutory duty to collaborate, lists existing legislation requirements for how FRAs should support trading companies, requirements for FRAs not to appoint 'boomerang bosses', requires FRAs to publish a medium term financial strategy, efficiency plan and reserves strategy as well as a people strategy, which would cover diversity, culture, recruitment, progression and health and wellbeing.

Steve was keen to hear member's views on the consultation document and the following comments were made:

- There was a lot of focus on PCC structures in the framework but not as much around mayoral structures. The document needs to make sure combined authorities also know what they need to achieve and whether they should

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follow this framework as well. Steve noted that there was a table in his presentation which outlined what each sort of governance model should look like. The presentation was circulated to members following the meeting.

- Some concerns were raised about scrutiny arrangements for Police and Fire Crime Commissioners (PFCCs) and a number of members felt they should be strengthened, while another comment was made suggesting that it was up to authorities and council leaders to ensure that members on scrutiny panels were effective.
- Members were pleased that IRMP guidelines remained, noting that it generally does its job and gives Chief Fire Officers the authority and credibility to deliver the public's expectations. Members also felt that the duty to collaborate needed to be taken seriously but that some services would benefit from a better understanding of the legislation.
- It was suggested that the wording of paragraph 7.13 on Page 23 of the document was unclear and ambiguous, and that it needed to be clearer about the fact that the position was 'agreed' by the Government and NFCC but not employees representatives such as the Fire Brigades Union. The Home Office said they would look at the working on this point.

Decision

Members **noted** the report.

Action

Officers to consider members' comments and send a draft response to lead members for approval before submitting it to the consultation formally.

4 Fire Vision 2024

Charles Loft, LGA Senior Adviser, outlined the report and explained that this was the latest draft of the Fire Vision. Charles noted that it had been rewritten in line with comments from FMSC, the Fire Reform Board, the NFCC and the Home Office. Members were advised that the key point to note was that the Vision was a document owned by the Fire Commission, not jointly with the NFCC and the Home Office as previously intended.

Charles was keen to hear members' views on the latest draft with a view to publishing the Vision to coincide with the LGA's Annual Fire Conference in March. The following comments were made:

- Members noted their thanks to Charles for the work he had done on this.
- It was noted that the fourth paragraph down on Page 51 of the Vision could be worded better in order to recognise benefits of different duty systems and how they were delivered.

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- A brief discussion was had about the need to review the document once findings had come out of the various inquiries post-Grenfell. Charles noted that the Vision would be seen as a rolling three year process but that a line could be added to say it could be reviewed earlier if necessary.

Decision

Members **noted** the latest draft of the Fire Vision.

Action

Officers to update the Fire Vision in line with members' comments.

5 Building regulations review and fire safety in high rise buildings

Mark Norris, LGA Principal Policy Adviser, updated members on the review into building regulations and fire safety in high rise buildings, outlining Dame Judith Hackitt's call for further commentary from those who submitted contributions to the early stages of the review process. Dame Judith had written a letter inviting the LGA to volunteer to assist with various workstreams, though it was unlikely the LGA would get a place on all the working groups it wanted.

Mark asked members for their comments, which would help inform the LGA's response to the interim report. The following comments were made:

- Lord Porter attended a previous FSMC meeting and said that the LGA had to act together on this but concerns were raised that another Board looking at building regulations had views that did not necessarily join up with views held by FSMC members. Members felt it was important that all messages coming from the LGA were agreed.
- It was suggested that a better understanding was needed of the estimated additional resources that would be required in the future in terms of any added responsibilities taken on by the fire service.
- It was not just additional money that was needed but also skills and availability of people to do the work.

Decision

Members **noted** the update.

Action

Officers to proceed as directed.

6 Memorandum of Understanding (MoU) on equality, diversity, behaviours and organisations culture in the fire service - one year on

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Charles Loft led on this item, explaining that the Memorandum of Understanding (MoU) had been published a year ago and that included in the MoU was a commitment to review it after one year. The LGA committed to promoting specific activities in relation to diversity and inclusion which included a conference publication on an inclusive service, promotion of the MoU, sessions on diversity in leadership essentials programmes, a masterclass on inclusion and a letter sent from FSMC lead members to the Fire Commission.

Charles outlined proposals to convene a summit with all of the MoU's signatories to be held after Easter which would help review the progress made to date and discuss what more could be done to push the agenda forward. It was noted that some progress had already been made and that case studies would be published at the LGA's Annual Fire Conference in March on what individual fire and rescue services had done to recruit a more diverse workforce. A second proposal was to nominate a member champion who would work with NFCC on this agenda by providing the members' perspective. This would entail regular informal conversations by phone, in person and attending meetings.

Members made the following comments:

- A summit involving the signatories of the MoU would be beneficial and a member champion should be nominated.
- It was felt that another survey sent to FRSs would be an additional burden at a time when they were already responding to a number of requests for information post-Grenfell. Gill Gittins noted that the Inclusive Fire Service Group (IFSG) had published the FRS responses to the improvement strategies developed by the group, but said that it would take time for the strategies to become embedded at a local level and deliver improvements. The IFSG will however then be monitoring the impact so it would be better not to carry out another survey until that time.

Decision

Members **agreed** to the proposals to hold a summit and to nominate a member champion.

Action

Officers to:

1. Make arrangements for a summit convening all signatories of the MoU; and
2. Write to FSMC lead members about identifying a member champion.

7 Outside bodies - oral update from members

There were no updates from outside bodies meetings which had taken place since the previous meeting.

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8 Fire Services Management Committee update and outside bodies paper

Lucy Ellender, LGA Adviser, gave members an update on the LGA's Annual Fire Conference and took them through the programme. She noted that the Minister had not yet confirmed that he would attend but that a variety of different subjects were covered in the programme and that members had been provisionally listed for chairing duties.

Members made the following comments:

- The programme did not make any mention of the future Comprehensive Spending Review and how the sector would approach it. Members suggested taking a strategic look at what the next Review would look like could be helpful if any of the other sessions were cancelled.
- Members thanked officers for making the panels more diverse than they had been in previous years.
- It was suggested that a video of London firefighter, Ricky Nuttall, reading out his poem on mental health could be shown at the start of the session on health and wellbeing.

Decision

Members **noted** the update.

Action

Officers to proceed as directed.

9 Workforce Report

Clair Alcock, Firefighters' Pensions Adviser, spoke to members about paragraph 5 of the report, which referenced payments made from the compensation scheme which had been identified as having been taxed at the time when they should not have been. There was now a question of what retrospective action would be taken. HMRC would refund the tax taken in error for up to four years but it was up to individual FRAs what they would do next. Clair told members that they had received requests that the team seek legal advice but she noted that this option would be very costly and could put unnecessary burdens on FRAs which could be avoided. Clair also noted that the advice given until now was that each FRA should consider their own circumstances but that seeking legal advice in the future would bring with it potential consequences.

Clair also spoke briefly to members on paragraph 6 of the report which focused on pensionable pay and inconsistencies that had been made apparent dating back to 2011. Clair noted again that seeking legal advice on this issue would be costly but that there were a number of things they could do to protect FRAs without taking this action. It was noted that the issue was likely to continue and that they were constantly seeing areas where pensionable pay needed to be adjusted.

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The following comment was made:

- It would be helpful to know what sort of costs would be incurred by taking legal advice and that more information was needed before any decisions could be made.

Decision

Members **noted** the update.

Action

Officers to proceed as directed.

10 Minutes of the previous meeting

Minutes from the previous meeting were **agreed** as an accurate summary of the discussion which took place.

Appendix A -Attendance

Position/Role	Councillor	Authority
Chairman	Cllr Ian Stephens	Isle of Wight Council
Vice-Chairman	Ms Fiona Twycross AM	London Fire and Emergency Planning Authority (LFEPA)
Deputy-chairman	Cllr Rebecca Knox	Dorset and Wiltshire Fire and Rescue Service
	Cllr Keith Aspden	North Yorkshire Fire & Rescue Service
Members	Cllr Jason Ablewhite	Essex Police, Crime and Fire Commissioner
	Cllr John Bell	Greater Manchester Fire and Rescue Authority
	Cllr Nick Chard	Kent and Medway Fire and Rescue Authority
	Cllr Mark Healey MBE	Devon and Somerset Fire and Rescue Authority
	Cllr Simon Spencer	Derbyshire Fire and Rescue Authority
	Cllr Les Byrom CBE	Merseyside Fire and Rescue Authority
	Cllr John Edwards	West Midlands Fire and Rescue Authority
	Cllr Judith Hughes	Kirklees Metropolitan Council
	Cllr Thomas Wright	Tyne and Wear Fire and Rescue Authority
	Cllr John Robinson JP	County Durham and Darlington Fire and Rescue Authority
Apologies	Cllr David Acton	Trafford Metropolitan Borough Council