

Note of last Fire Services Management Committee meeting (Confidential)

Title: Fire Services Management Committee
Date: Friday 10 December 2021
Venue: Online via Teams

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

The Chair welcomed members to the meeting.

He paid tribute to former CFO of Warwickshire, Kieran Amos, who had sadly passed away recently after a short illness.

Apologies were received from Fiona Twycross, Cllr Greg Brackenridge, Cllr Nigel Smith and Jonny Bugg (Stephen Polly deputising).

There were no declarations of interest.

2 Minutes of the previous meeting held on 15 October 2021

The minutes of the meeting held on 15 October 2021 were agreed as an accurate record.

3 Climate Change

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

Lucy briefly highlighted the main areas of the LGA's current work on climate change, including sector support and lobbying priorities, and spoke about the opportunities for further joint working.

Lucy introduced CFO Ben Brook, the NFCC joint lead on Environment, Sustainability and Climate Change, to talk about the work being carried out by NFCC in this area.

Ben said that climate change was one of the biggest challenges facing the sector over the coming years, both in terms of adapting ways of working and in responding to an increasing number of extreme weather-related incidents.

Ben said that the NFCC was in the early stages of putting together a toolkit for FRSs to help them adapt. Eight task and finish groups had been set up to look at various aspects of the challenge: (i) Overarching vision with a 2030 horizon; (ii) Literature review to understand the scale of risk; (iii) Assessing the quality of existing datasets; (iv) Developing a stakeholder map; (v) Analysis and tools to measure impacts and successes; (vi) Assessing the benefits of producing a toolkit vs. a full strategy; (vii) Conducting a gap analysis; (viii) Pulling it all together.

Ben stressed that the project was still in the very early stages but the NFCC was keen for FSMC to be involved as a key partner.

Members' comments and questions:

- Members were very supportive of the NFCC's work in this area and felt that it would provide a much clearer picture of what FRSs needed to be doing.
- The issue of river catchment flooding was raised and, in particular, how this crossed the borders with Wales and Scotland in some FRAs. It would therefore be important to involve the devolved administrations in this work in order to produce a joined-up response.
- Would the LGA be updating its publication on climate change that was produced for the 2020 Fire Conference? Lucy said that officers would be refreshing the publication in due course with new case studies.
- Would the NFCC be looking at European countries for examples of best practice? Ben said that the literature review work would pick up broader international learning.

The Chair thanked Ben for his presentation.

Decision:

Fire Services Management Committee **noted** the report and **endorsed** the work of the LGA and NFCC on climate change.

4 LGA Fire Conference 2022

The Chair invited Rachael Aldridge (Policy Adviser) to introduce the report.

Rachael confirmed the arrangements for the Fire Conference in Gateshead on 15 and 16 March and said that the website was now open for registration. She ran through the proposed programme and added that Sir Tom Winsor had already confirmed attendance as a keynote speaker. The Minister, Lord Greenhalgh, had been invited but not yet confirmed attendance. It was confirmed that the overarching theme of the conference would be 'delivering transformation in the fire and rescue sector'. All conference resources will be provided in digital format for sustainability reasons.

The Chair added that the FSMC meeting would take place on 14 March at 4pm at the conference centre and he urged members to attend this in person, subject to government guidance and covid situation at the time.

Members' comments and questions:

- Members asked what the fall-back position was if the Minister was unable to attend. Rachael said that there were several options and officers would come back to Lead Members if that eventuality arose. Stephen Polly agreed to chase the Minister's office as a matter of urgency.

- Would there be enough flexibility in the programme to have discussions on the Fire Reform White Paper if this were to be published before the conference? The Chair said that Lead Members would ensure that this would be possible.
- Could the ESMCP be included somewhere in the programme as this was now becoming a pressing issue for FRAs? Rachael confirmed that options for how this could be included within the existing proposed programme will be explored.

Decision:

Subject to the above comments, Fire Service Management Committee **approved** the proposed theme and programme for the Annual LGA Fire Conference and Exhibition 2022.

5 LGA Business Plan

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

Mark said that the updated Plan was being brought to members for information only as it had been formally adopted by the LGA Board in September 2021. The work of FSMC was covered at a broad level on page 29 of the Plan.

Members' comments and questions:

- The pie chart of the LGA's expenditure showed that the organisation's spend on sustainability and climate accounted for just 0.5% of overall expenditure. This seemed to be low given the priority now given to these areas of work. Was there a danger that people might think that the LGA wasn't taking this issue as seriously as it should be? Mark said that this figure probably didn't accurately reflect the amount of policy work currently being done by Boards across the LGA and agreed with members that this breadth of work should probably be presented more clearly in the Plan. He added that this figure on spend was likely to increase significantly in the coming years. He agreed to feed members' comments back to senior officers.

Decision:

Fire Services Management Committee **noted** the 2020/21 update of the 3-year business plan as the broad basis for its work programme over the coming months.

Actions:

Officers to feedback members' comments on the Plan to LGA senior officers. **Mark Norris.**

6 Building Safety update

The Chair invited Mark Norris to introduce the update.

Mark highlighted the following points from the report:

- Remediation of dangerous high-rise buildings continues, but at a slow pace.
- The LGA was providing support for FRAs and councils as outlined in para. 11
- Implementation of the Fire Safety Act and the Grenfell Tower Inquiry Phase 1 report recommendations had been delayed and was now unlikely to happen in April 2022 as previously stated by the Home Office.

- The new Secretary of State at DLUHC, Michael Gove, was reviewing various aspects of the Government's building safety policy and the signals were that there could be a shift, especially around costs to leaseholders. This may result in some amendments being brought forward by the Government to the Building Safety Bill when it returns at the Report stage.

Members' comments and questions:

- Concern was expressed about unfunded burdens being placed on FRAs and councils arising from the Building Safety Bill. Mark said that the LGA was lobbying strongly on this issue with the NFCC, and in particular, around the supply of skilled personnel to carry out the additional work.
- It was suggested that the training currently offered to housing portfolio holders would also be beneficial for FRA members. Could this offer be extended to them? Mark said that content was being added to the Leadership Essentials courses on building safety but he would speak to Charles Loft to see whether anything further could be offered to FRA members.

Decision:

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

7 Workforce update

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

Gill and Claire stated they had nothing to add to the report but were happy to take members' questions.

Members' comments and questions:

- An update on the immediate detriment withdrawal of Home Office guidance issue was requested. Gill reported that as set out in the Workforce report HM Treasury had issued a note setting out their assessment of the advisability of processing immediate detriment cases before new legislation to enact the McCloud remedy is put in place. The Home Office had withdrawn its guidance on processing immediate detriment cases and made a statement about potential funding of such cases. Gill said this did not entirely alter the position with regards funding as there had never been a guarantee that costs arising from the Sargeant judgment in general would be covered by government. The LGA would therefore continue on behalf of all FRAs to seek funding for all the costs arising out of the Sargeant claims, under New Burdens or otherwise. Officers were working with specialist QCs on the implications of the recent HMT note and would be providing information to FRAs as soon as possible.
- Two members felt that FSMC had not been fully engaged or consulted when the Framework and Memorandum of Understanding (MoU) with the FBU had been drawn up, and that it had therefore come as a surprise. Gill explained that development of the MoU and Framework had been entered into as sought by UK-wide FRAs to identify a mutually agreeable settlement of the High Court cases already actioned by the FBU involving London and Nottinghamshire and because they did not wish to be subject to High Court claims as well (as intended by the FBU), mindful of the cost and also that affected firefighters had already been awaiting action since the judgment in 2018. It was a legal negotiation and not an

FSMC policy matter. The Framework then provided all FRAs with a route to avoid/settle such legal action if an FRA wished to do so. FSMC had been informed of this work in previous reports as had the person nominated by each service to receive information (given confidentiality and risk to legal privilege issues). It had been developed in conjunction with legal representatives and specialists, and in light of the direction of travel of the PSPJO Bill, discussion with government on its intentions. It had been approved by the Steering Committee specifically set up with the agreement of FRAs to handle such matters. It was recognised that risk could only ever be minimised, not removed completely and guidance issued to FRAs alongside the Framework had covered this. Work was now being undertaken with legal and pension specialists to consider this latest government position and a note would be issued to FRAs as soon as possible. Gill said that workforce and pension team officers would be happy to discuss further with the two members concerned outside of the meeting, which offer they accepted.

Decision:

FSMC **noted** the update.

8 National Fire Chiefs Council update

The Chair invited Justin Johnston (NFCC Vice-Chair) to introduce the update.

Justin highlighted the recent signing of the Royal Foundation Mental Health at Work Commitment by the NFCC and suggested that individual FRAs may also want to consider doing likewise.

Members' comments and questions:

- Why hadn't the NFCC's potentially controversial consultation on the 'firefighter role' been included in the update? Justin agreed that this was an important piece of work and there would be a wider strategic discussion on it once the results of the consultation had been examined.

Decision:

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

9 Fire Standards Board update

The Chair invited Cllr Nick Chard to introduce the update.

Cllr Chard highlighted the upcoming Peer Review of three new leadership standards, due to commence in December, and stressed the importance of members engaging in the process. Consultation was scheduled to commence in January 2022 depending on feedback received during the peer review phase.

Decision:

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

10 **FSMC update**

The Chair invited Rachael Aldridge to introduce the update.

Rachael reported that, since the paper had been circulated, next steps on the Fit for the Future process had been agreed. Officers are aiming to have the consultation analysis report agreed by 7 February, following which, technical workshops would be held. The aim was to have an updated Fit for the Future document drafted by early March.

Cllr Chard reported that he had attended a JESIP meeting earlier in the week and they continued to do good work in improving collaboration between the emergency services. He would report back more fully at the next FSMC meeting.

Decision:

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

11 **State of Fire & Rescue Report**

The Chair invited Laura Gibb and Alexandra Blohm from HMICFRS to give their presentation.

Laura reported that the State of Fire & Rescue 2021 report would be published on 15 December along with 12 out of the 13 service inspection reports (Warwickshire's report was being delayed out of respect for the former CFO Kieran Amos who had sadly passed away). In general, most of the services that received 'cause for concern' at the previous inspection had taken meaningful steps to address these. However, there were still too many services that had not adequately tackled areas identified for improvement. 11 out of the 13 services had causes for concern identified in the current inspection. This compared to 10 in the whole of the first round of inspections.

Laura and Alexandra then briefly ran through the report's findings under each of the 3 pillars:

1) Effectiveness:

- The collection and sharing of risk information was not generally being given high enough priority
- Prevention activity was not effective enough – in 9 out of the 13 services. This was partly due to Covid diverting resources, but not entirely.
- Protection work had improved considerably, in part due to Home Office funding. Most services had increased the number of fire safety inspectors.
- Most services had excellent procedures in place to respond to fires and other major incidents.

2) Efficiency:

- 50% of services not appropriately matching resource allocation to risks.
- Most services could do more to make sure the workforce remained productive.
- Most services had realistic assumptions in place around budgets and future scenario planning.

3) People:

- Significant improvement in the promotion of values and culture in services.
- Most services prioritising staff wellbeing and health and safety but some gaps in processes and procedures identified.
- Most services showed good intentions around promoting EDI but concrete improvements were still not always evident.
- Workforce still a long way from being representative of the communities served.
- Not enough progress being made on planning for future leaders.

Members' comments and questions:

- Were there any examples of services that continued to do good prevention work during the pandemic? Laura said that there were examples which would be highlighted in the report. HMICFRS were talking with the LGA about doing some sector led improvement work in this area.
- What was the common thread for those services failing on risk? Laura said that they were all failing to carry out practical action to address commitments made in IRMPs. This would be expanded upon in the report.
- In the people pillar, was EDI split into its component parts for inspection purposes? Laura confirmed that they were each looked at individually.
- Was the judging criteria the same as in the first round of inspections? If so, and given the high number of causes for concern identified, people would conclude that the sector had gone backwards over the last year. Members felt that this didn't reflect the reality on the ground. Laura confirmed that the inspection criteria were by and large the same as in round 1. She added that some services had made really good improvements over the period and this was not necessarily reflected in the grade movement. Members felt that this context should be made very clear in the report otherwise it could be open to misinterpretation.
- Members sought further clarity from HMICFRS on the operational independence recommendation and what they envisaged it meaning in practice for services. In particular, members felt that it was important that the right mechanisms were put in place to attract high quality leaders into the sector if operational independence were to become a reality. Laura agreed that more needed to be done to get a strong pipeline of potential leaders entering the sector. She agreed with the suggestion of setting up a meeting between HMICFRS, the Home Office, the NFCC and the LGA in the new year to explore the issues in more detail.
- Would there be a forum to give members an opportunity to feed into and discuss the report in more detail? Laura said that a Chiefs and Chairs event would take place in the new year and suggested that a workshop for FSMC or Fire Commission could be held.
- Cllr Knox stated that the External Review Group was a very valuable forum for members to discuss issues raised by the inspections and expressed concern that its existence was being reviewed. Laura reassured members that there was no proposal to disband it or reduce member input, rather the number of operational staff attending was being reviewed.

Decision:

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

Actions:

- Set up meeting with HMICFRS, Home Office, NFCC and LGA on operational independence.
- HMICFRS and LGA to explore possibility of putting on a workshop for members in the new year on the report's findings. **Lucy Ellender and Alexandra Blohm.**

Appendix A -Attendance

Position/Role	Councillor	Authority
Chair	Cllr Ian Stephens	Isle of Wight Council
Deputy-Chairman	Cllr Nick Chard	Kent and Medway Fire and Rescue Authority
Deputy-Chair	Cllr Keith Aspden	North Yorkshire Fire & Rescue Service
Members	Cllr Eric Carter	Shropshire and Wrekin Fire & Rescue Authority
	Cllr Mark Healey MBE	Devon and Somerset Fire and Rescue Authority
	Mr Roger Hirst	Police, Fire and Crime Commissioner for Essex
	Cllr Rebecca Knox	Dorset and Wiltshire Fire and Rescue Service
	Cllr Nikki Hennessy	Lancashire Combined Fire Authority
	Cllr Carl Johnson	Tyne & Wear Fire & Rescue Authority
	Cllr Leigh Redman	Devon & Somerset Fire & Rescue Authority
	Cllr Les Byrom (as sub)	Merseyside Fire & Rescue Authority
	Cllr Jeremy Hilton	Gloucestershire County Council
	Cllr Frank Biederman	Devon and Somerset Fire and Rescue Authority
Apologies	Dr Fiona Twycross	Greater London Authority
	Cllr Greg Brackenridge	West Midlands Fire and Rescue Authority
	Cllr Nigel Smith	North Wales Fire & Rescue Authority
	Mark Hardingham	NFCC Chair
In attendance	Cllr Roger Price	Hampshire & Isle of Wight Fire & Rescue Authority
	Cllr Linda Vijeh	Devon & Somerset Fire & Rescue Authority
	Cllr Luke Frost	Cleveland Fire & Rescue Authority
	Cllr John Briggs	Humberside Fire & Rescue Authority
	CFO Justin Johnston	NFCC
	Deputy CFO Phil Shillito	Humberside Fire & Rescue Service
	Stephen Polly	Home Office
LGA Officers	Mark Norris	Principal Policy Adviser
	Lucy Ellender	Senior Adviser
	Gill Gittins	Senior Adviser (Workforce & Negotiations)
	Claire Hey	Senior Fire Pensions Adviser
	Rachael Aldridge	Policy Adviser
	Emily McGuinness	Programme Manager – Local Government Support



Jonathan Bryant

Member Services Officer