

## **EAST SUSSEX FIRE AUTHORITY**

**Minutes of the meeting of the SCRUTINY & AUDIT PANEL held at County Hall, St. Anne's Crescent, Lewes, East Sussex at 14:00 hours on Monday 24 July 2017.**

**Members Present:** Councillors Galley, Osborne, Sheppard, Taylor, Peltzer Dunn, Penn.

**Also present:** Councillor John Barnes.

**Also present:**

Ms. D. Whittaker (Interim Chief Fire Officer), Mr. M. Andrews (Interim Deputy Chief Fire Officer), Ms. E. Woodley (Deputy Monitoring Officer), Mr. D. Savage (Assistant Director Resources / Treasurer), Mr. P King, Ernst & Young (External Auditor), Mr. A. Sams (Democratic Services Support & Research Officer).

087. **INTERESTS**

087.1 It was noted that, in relation to matters on the agenda, no participating Member had any interest disclosable in accordance with the provisions of the Fire Authority's Code of Conduct for Members.

088. **APPOINTMENT OF CHAIRMAN**

088.1 **RESOLVED** That Councillor Roy Galley be appointed Chair of the Panel for the remainder of the civic year.

089. **APOLOGIES FOR ABSENCE**

089.1 Apologies for absence were received from Councillor Carolyn Lambert.

090. **NOTIFICATION OF ITEMS WHICH THE CHAIR CONSIDERS URGENT / CHAIR'S BUSINESS**

090.1 Members received an urgent report from the Interim Chief Fire Officer regarding the PCC's (Police and Crime Commissioner) proposal for taking control of fire and rescue services in Sussex. It was noted that the PCC had dropped plans for taking control of the fire and rescue services in East Sussex.

090.2 Councillor Barnes suggested that in light of the news regarding the PCC that a cross party working group be created to extend the governance review of the East Sussex Fire and Rescue Service.

091. **NON-CONFIDENTIAL MINUTES OF THE SCRUTINY & AUDIT PANEL MEETING HELD ON 27 APRIL 2017**
- 091.1 **RESOLVED** – That the non-confidential minutes of the meeting of the Scrutiny & Audit Panel held on 27 April 2017 be approved as a correct record and signed by the Chair. (Copy in Minute Book).
092. **CALLOVER**
- 092.1 Members reserved the following items for debate:
- 093. Assessment of the Corporate Framework and Annual Governance Statement for 2016/17
  - 095. 2016/17 Annual Performance Outcome Report
  - 096. Health and Safety Year End Report 2016-17
  - 097. 2016/17 – Statement of Operational Assurance
  - 098. Fire in Waste and Recycling Facilities
- 092.2 **RESOLVED** – That all other reports be resolved in accordance with the recommendations as detailed below.
093. **ASSESSMENT OF THE CORPORATE FRAMEWORK AND ANNUAL GOVERNANCE STATEMENT FOR 2016/17**
- 093.1 Members considered a joint report of the Chief Fire Officer, Assistant Director Resources / Treasurer and Monitoring Officer that set out how the Fire Authority had assessed the effectiveness of its governance arrangements and sought approval of the Annual Governance Statement in line with the Accounts and Audit Regulations 2015. (Copy in Minute Book).
- 093.2 The Fire Authority is required under the Accounts and Audit Regulations 2015 to conduct an annual review of the effectiveness of its system of internal control and to prepare an annual governance statement in accordance with proper practices to accompany its Statement of Accounts. The review had been carried out by the Governance Group of senior officers in line with the Fire Authority's Local Code of Corporate Governance.
- 093.3 As part of this review officers had not identified any gaps in assurance over key risks or significant governance issues but had identified a range of improvements to the Authority's performance management framework, to ensure the Authority respond effectively to the Fire Reform Agenda and to complete the implementation of the accident investigation action plan for the Service Training centre. It was noted that Action Plans were now in place to address the necessary improvements and these would be monitored during the year. The draft Annual Governance Statement had been endorsed by the Corporate Management Team.
- 093.4 Interim CFO Whittaker informed Members that Action 8, Review the delivery of the Equality and Diversity Strategy (AD-HR), listed in Appendix 3 of the report has now been approved.

- 093.5 **RESOLVED** – That:
- i. Members were satisfied with the level of assurance provided to them through this report and the Authority's governance framework and processes;
  - ii. no significant governance issues were identified that should be included in the Authority's Annual Governance Statement; and
  - iii. the Annual Governance Statement be approved to be signed by the Chair of this Panel and the Chief Fire Officer.

094. **CORPORATE RISK REGISTER REVIEW 2017/18 FIRST QUARTER**

- 094.1 Members considered a joint report of the Chief Fire Officer and Assistant Director Resources / Treasurer on the latest quarterly review of Corporate Risk which sought their agreement on outcomes. (Copy in Minute Book).
- 094.2 Members were informed of the established procedures in place for ensuring that risks were identified and managed for all corporate projects, with all high risks identified in the Project RAID (Risks, Assumptions, Issues, and Dependencies) logs being collated and reported to Corporate Management Team (CMT) to allow any themes to be identified and risks to be escalated to the corporate risk log as necessary. The latest series of meetings with Corporate Risk Owners was carried out during the first quarter of this year to update risk management action plans and review the position of each risk.
- 094.3 **RESOLVED** –That the latest Corporate Risk Register be approved.

095. **2016/17 ANNUAL PERFORMANCE OUTCOME REPORT**

- 095.1 Members considered a report of the Assistant Director Planning & Improvement that presented the 2016/17 Performance Outcome results. (Copy in Minute Book).
- 095.2 Members were advised that nine top level indicators improved or met the target set in 2016/17 (53%) and eight indicators stayed the same or declined.
- 095.3 Councillor Penn requested further information regarding the rise in deliberate primary fires in Lewes Borough. She was concerned that the number in 2015/16 was 19 and this had risen to 39 in 2016/17. Interim DCFO Andrews explained that this rise was due to a number of fires which took place at HM Prison Lewes. In response to this rise there is due to be a joint investigation between ESFRS and the Crown Premises Fire Inspection Group, which hold responsibility for investigating fires in prisons. Members were also informed that all those committing prison fires are sought for prosecution as a deterrent.
- 095.4 Councillor Taylor requested further information regarding the rules for cigarette smoking within prisons. He felt that there has been an increase in media attention in this area. Interim DCFO Andrews explained that government plans to make prisons non-smoking had now been changed to only banning smoking within prison cells.

- 095.5 Councillor Osborne raised a question regarding false alarm calls. She was concerned that 50% of the total incidents in 2016/17 were responding to false alarm calls and requested information regarding whether private businesses can be charged for repeat false alarm calls. Interim CFO Whittaker explained that a call challenge policy was in action where responsible business owners are asked to confirm the need for attendance and that this was providing some reduction in responding to false alarms. It was stated that the risk management plan has a specific section which focuses on identifying a range of options for reducing false alarm calls, and that a charge could be considered as an option.
- 095.6 Councillor Osborne raised a concern regarding the increase of staff sickness in the control room of 82.7% since 2015/16. It was noted the high level of staff sickness was primarily due to a small number of staff having high levels of absence.
- 095.7 Councillor Penn sought assurance that temporary accommodation is counted as a vulnerable residence and that they receive home fire safety checks. She was concerned that due to high demand, temporary accommodation was being developed outside of Brighton. Interim DCFO Andrews stated that it is the responsibility of the local authority to inform ESFRS of the locations of temporary accommodation and that they would be eligible to receive home fire safety checks.
- 095.8 Councillor Galley requested information on the total number of vulnerable people that ESFRS visit when performing home safety checks. Interim DCFO Andrews explained that there is currently not an exact figure but that there is specific targeting based on the categories within the classifications of vulnerability but that this information could be provided to Members.
- 095.9 Councillor Taylor requested information regarding whether a policy of evacuation or staying in rooms during a fire was in place at CQC (Care Quality Commission) care homes. Interim DCFO Andrews stated policy at individual care homes was dependent on a range of factors including the size of the building and number of floors. He stated that ESFRS are entering into a formal memorandum of understanding with the CQC to find a balanced view on evacuation policy. Councillor Taylor stated that he felt consistency of policy should be key throughout care homes.

095.10 **RESOLVED** – That the 2016/17 performance results be noted

096. **HEALTH AND SAFETY YEAR END REPORT 2016-17**

- 096.1 Members considered a report of the Assistant Director Training and Assurance that provided a summary of health and safety statistics for the year end of 2016/17, and a brief overview of health, safety and well-being activity that has taken place over the previous 12 months. (Copy in Minute Book).
- 096.2 Councillor Peltzer Dunn requested that there be a further breakdown of information regarding the causes of staff sickness that are related to stress. DCFO Andrews stated that two policies were looking into the root causes of stress related sickness. The Healthy Body, Health Mind project is staff led and is looking at whether any improvements can be made in the induction and appraisal process, and the Trauma

Risk Management policy is developing better intervention and prevention of trauma cases.

- 096.3 Councillor Osborne commented that control room staff are facing indirect trauma when responding to a large number of calls. CFO Whittaker concurred with Councillor Osborne's comments and stated that control room staff will also be included within the Trauma Risk Management policy.
- 096.4 Councillor Penn requested that a future briefing is made regarding the progress of the Trauma Risk Management policy.
- 096.5 **RESOLVED** – That Members
- i. note the 2016/17 health and safety statistics for the year end as set out in the report.
  - ii. note the health and safety activity over the last 12 months.

097. **2016/17 – STATEMENT OF OPERATIONAL ASSURANCE**

- 097.1 Members considered a report of the Chief Fire Officer that presented the Statement of Operational Assurance 2016/17 for approval. (Copy in Minute Book).
- 097.2 **RESOLVED** – That the East Sussex Fire & Rescue Service's Statement of Operational Assurance be approved for formal sign off by the Chair of the Scrutiny & Audit Panel and the Chief Fire Officer.

098. **FIRE IN WASTE AND RECYCLING FACILITIES**

- 098.1 Members received a report of the Deputy Chief Fire Officer Assistant Director Resources / Treasurer which reported on the report on the issues arising from a number of waste and recycling site fires across East Sussex. (Copy in Minute Book).
- 098.2 This paper provides some background on the expansion of the waste and recycling sector in the UK and the impacts on fire and rescue services. It provides a review of the waste site fires that have occurred in East Sussex. It then sets out the current powers and responsibilities held by different public bodies relating to fire safety in recycling and waste management sites, along with a proposal for a joint working agreement to be signed by East Sussex Fire & Rescue Service (ESFRS) and the Environment Agency.
- 098.3 Interim Deputy Chief Fire Officer (DCFO), Mark Andrews, informed Members that he will be leading a working group formed by the National Fire Chief Council to look at the specific issue of waste and recycling site fires and the key task of this group will be to improve response.
- 098.4 Interim DCFO Andrews informed Members that a memorandum of understanding has been entered into between ESFRS and the Environment Agency, this is to enable the two organisations to work in tandem to prioritise high risk sites. Councillor Galley asked for clarification regarding the role of local authorities within this partnership working, it was confirmed that local authorities are involved and referred to within the report.

- 098.5 Councillor Osborne raised a concern that waste sites are being categorised as low risk. Interim DCFO Andrews stated that in terms of loss of life these type of fires are low risk, but in terms of public disruption they are high risk.
- 098.6 Councillor Taylor raised a concern regarding the level of risk associated with wood chip fires. Interim DCFO Andrews explained that there is now national guidance from the Environment Agency which should ensure safety for these types of facilities.

**RESOLVED** – That the Panel:

1. note the report; and
2. support the signing of the Joint Working Agreement between ESFRS and the Environment Agency.

099. **EXCLUSION OF THE PRESS AND PUBLIC**

- 099.1 **RESOLVED** – That item 101 be exempt as specified in paragraph 7 of Part 1 Schedule 12A of the Local Government Act 1972 as amended i.e. that it includes information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime. That item 102 be exempt as specified in paragraph 3 of Part 1 Schedule 12A of the local Government Act 1972, i.e. that it includes information relating to the business affairs of the Fire Authority. That item 103 be exempt as specified in paragraph 3 and 4 of Part 1 Schedule 12A of the local Government Act 1972, i.e. that it includes information relating to the business affairs of the Fire Authority and information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

The meeting concluded at 16:03 hours

Signed

Chairman

Dated this

day of

2017