



## **EAST SUSSEX FIRE AUTHORITY**

**THURSDAY 8 SEPTEMBER 2016 at 10:30 HOURS**

### **MEMBERS**

#### **East Sussex County Council (12)**

Councillors Barnes, Buchanan, Butler, Earl, Galley, Howson, Lambert, Pragnell, Scott, Sheppard, Taylor and Wincott.

#### **Brighton & Hove City Council (6)**

Councillors Deane, Morris, O'Quinn, Peltzer Dunn, Penn and Theobald.

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**You are required to attend this meeting to be held at Fire and Rescue Service Headquarters, 20 Upperton Road, Eastbourne, BN21 1EU at 10:30 hours.**

### **AGENDA**

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|----------|----------|---|
| 935.     | 1        | In relation to matters on the agenda, seek declarations of any disclosable pecuniary interests under Section 30 of the Localism Act 2011.   |
| 936.     | 1        | Apologies for absence.  |
| 937.     | 1        | Notification of items which the Chairman considers urgent and proposes to take at the end of the agenda/Chairman's Business.<br><br>(Any Members wishing to raise urgent items are asked, wherever possible, to notify the Chairman before the start of the meeting. In so doing they must state the special circumstances which they consider justify the matter being considered urgently). |
| 938.     | 1        | To consider any public questions.   |
| 939.     | 1        | To receive any petitions.   |

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940.	5	Non-confidential minutes of the meeting held on 16 <sup>th</sup> June 2016 (copy attached).
941.	2	Callover. The Chairman will call the item numbers of the remaining items on the open agenda. Each item which is called by any Member shall be reserved for debate. The Chairman will then ask the Fire Authority to adopt without debate the recommendations and resolutions contained in the relevant reports for those items which have not been called.
942.	19	2017/18 Strategic Service Planning and Medium Term Financial Plan – joint report of the Chief Fire Officer and the Treasurer (copy attached).
943.	31	Revenue Budget and Capital Programme Monitoring 2016/17 – joint report of the Chief Fire Officer and the Treasurer (copy attached).
944.	45	Integrated Risk Management Plan (IRMP) 2017/18-2019/20 – report of the Chief Fire Officer (copy attached).
945.	55	Annual Performance Outcome Report 2015/16 – report of the Chief Fire Officer (copy attached).
946.	57	Immediate Emergency Care Responding – Future Options – report of the Chief Fire Officer (copy attached).
947.	75	ESFRS Firefighters' Pension Scheme – Discretions Policy – report of the Chief Fire Officer (copy attached).
948.	2	Date of Fire Authority meeting in February 2017 The Fire Authority has previously agreed that a meeting shall be held on 9 <sup>th</sup> February 2017. However, it is anticipated that all the necessary information will not be available in sufficient time to allow it to be included in the budget proposals for Members' consideration. Therefore, Members are asked to agree to move the date of the Fire Authority meeting from 9 <sup>th</sup> to 14 <sup>th</sup> February 2017.

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949. 3 Exclusion of the Press and Public.

To consider whether, in view of the business to be transacted or the nature of the proceedings, the press and public should be excluded from the remainder of the meeting on the grounds that, if the public and press were present, there would be disclosure to them of exempt information. **NOTE:** Any item appearing in the confidential part of the Agenda states in its heading the category under which the information disclosed in the report is confidential and therefore not available to the public. A list and description of the exempt categories are available for public inspection at East Sussex Fire & Rescue Service HQ, 20 Upperton Road, Eastbourne, and at Brighton and Hove Town Halls.

950. 99 Confidential minutes of the meeting held on 16<sup>th</sup> June 2016 (copy attached). (Exempt categories under paragraphs 1, 2, 3 and 5 of the Local Government Act 1972).

**ABRAHAM GEBRE-GHIORGHIS**  
**Monitoring Officer**  
**East Sussex Fire Authority**  
**c/o Brighton & Hove City Council**



**EAST SUSSEX FIRE AUTHORITY**

**Minutes of the meeting of the East Sussex Fire Authority held at East Sussex Fire & Rescue Service Headquarters, 20 Upperton Road, Eastbourne at 10:30 hours on Thursday 16 June 2016.**

Present: Councillors Barnes, Buchanan, Deane, Earl, Field, Galley, Howson (Chairman), Lambert (Vice-Chair), Morris, O'Quinn, Peltzer Dunn, Penn, Pragnell, Scott, Sheppard, Taylor, Theobald and Wincott.

**Also present:**

Mr. G. Walsh (Chief Fire Officer), Mrs. D. Whittaker (Deputy Chief Fire Officer), Mr. M. Andrews (Assistant Chief Fire Officer), Mr. A. Ghebre-Ghiorghis (Monitoring Officer), Mr. D. Savage (Treasurer/Assistant Director Resources), Mrs. L. Ridley (Assistant Director Planning & Improvement), Mr. M. O'Brien (Assistant Director Operational Support & Resilience), Mrs. V. Chart (Assistant Director Human Resources & Organisational Development), Mrs. A. Bryen (Clerk to the Fire Authority), and for item 932 Katy Bourne (Sussex Police & Crime Commissioner), Carl Rushbridge (PCC Chief Finance Officer).

**914. DISCLOSABLE PECUNIARY INTERESTS**

914.1 It was noted that, in relation to matters on the agenda, no participating Member had any disclosable pecuniary interest under Section 30 of the Localism Act 2011.

**915. ELECTION OF CHAIRMAN**

915.1 The Fire Authority considered a report of the Monitoring Officer. (Copy in minute book).

915.2 The Combination Order for the creation of the East Sussex Fire Authority set down the procedures for the election of the Chairman of the Authority. The Fire Authority's Standing Orders required a Chairman to be elected at the annual meeting from amongst its members as the first item of business, and set out the rules for doing so.

915.3 **RESOLVED** – That Councillor Howson be elected Chairman of the Fire Authority.

**916. ELECTION OF VICE-CHAIRMAN**

916.1 The Fire Authority considered a report of the Monitoring Officer. (Copy in minute book).

916.2 The Fire Authority's Standing Orders stated that the Authority may elect a Vice-Chairman or Vice-Chairmen from amongst its members and set out the rules for doing so.

916.3 In considering the appointment of a Vice-Chairman, Members had regard to Standing Order 9.3 which stated that the Authority, when deciding to elect a Vice-Chairman, should consider an appropriate representative balance between the two constituent authorities such that the Vice-Chairman, unless the Fire Authority specifically determined otherwise, should be a Member from the other constituent authority to that of the newly elected Chairman.

916.4 **RESOLVED** – That Councillor Lambert be elected Vice-Chair of the Fire Authority.

917. **APOLOGIES FOR ABSENCE**

917.1 Councillor Butler had temporarily resigned from the Fire Authority; Councillor Kathryn Field was welcomed to the meeting, having been temporarily appointed in Councillor Butler's place.

918. **URGENT ITEMS AND CHAIRMAN'S BUSINESS**

918.1 **Welcome to DCFO Dawn Whittaker and ACFO Mark Andrews**

The Fire Authority gave a warm welcome to DCFO Dawn Whittaker and ACFO Mark Andrews who were attending their first Fire Authority meeting since their appointments. Members wished them both well during their careers with ESFRS.

918.2 **Welcome to Katy Bourne and Carl Rushbridge.**

The Chairman welcomed Katy Bourne (Sussex Police & Crime Commissioner) and Carl Rushbridge (PCC's Chief Finance Officer) to the meeting.

919. **TO CONSIDER PUBLIC QUESTIONS, IF ANY**

919.1 There were none.

920. **TO CONSIDER PUBLIC PETITIONS, IF ANY**

920.1 There were none.

921. **NON-CONFIDENTIAL MINUTES OF THE MEETING HELD ON 11 FEBRUARY 2016**

921.1 **RESOLVED** – That the non-confidential minutes of the meeting held on 11 February 2016 be approved and signed by the Chairman. (Copy in Minute Book).

922. **CALLOVER**

922.1 Members reserved the following items for debate:

923. ESFRS Local Firefighters' Pension Board

924. Political Representation on the Panels of the Fire Authority

926. Treasury Management – Stewardship Report 2015/16

928. Senior Management Restructure

922.2 **RESOLVED** – That all other reports be approved according to the recommendations set out in the reports.

923. **ESFRS LOCAL FIREFIGHTERS' PENSION BOARD**

923.1 The Fire Authority considered a report of the Chief Fire Officer that invited the Authority to consider the appointment of the Chair of the Pension Board, the number of members of the Board and terms of office, and a possible amendment to the terms of reference of the Board. (Copy in minute book).

923.2 **RESOLVED** - That

- (i) the employer representatives (Fire Authority members) and scheme member representatives (employees) continue to be appointed for a one year period;
- (ii) the number of Board Members be retained at a total of 8, with 4 employer representatives and 4 scheme member representatives, and APFO be invited to nominate a representative to fill the current vacancy;
- (iii) the chairman of the Board continue to be an employer representative and Councillor Butler be appointed as Chairman of the ESFRS Pension Board for the forthcoming year; and
- (iv) the Monitoring Officer be authorised to amend the terms of reference of the Pension Board as necessary to accord with the decisions taken above.

924. **POLITICAL REPRESENTATION ON THE PANELS OF THE FIRE AUTHORITY**

924.1 The Fire Authority considered a report of the Chief Fire Officer that asked the Members to agree an allocation of Panel seats to political groups in accordance with the Local Government (Committees and Political Groups) Regulations 1990. (Copy in minute book).

924.2 **RESOLVED** - That

- (i) the Panel arrangements and political representation as set out below be approved:

	Cons	Lab	Lib	UKIP
Scrutiny & Audit (7)	3	2	1	1
Policy & Resources (7)	3	2	1	1
Human Resources (7)	3	2	1	1
Urgency (7)	3	2	1	1
Appointments (5) (Group Leaders + 1 Conservative)		No political balance		
Pensions Board		No political balance		

- (ii) in accordance with standing order 41.14, the Panels be invited to appoint their Chairmen at their first meeting; and
- (iii) Group Leaders be asked to confirm their membership of Panels to the Clerk to the Fire Authority.

925. **FIRE AUTHORITY AND PANEL MEETINGS 2016/17**

925.1 The Fire Authority received a report of the Chief Fire Officer that set out the dates of future meetings of the Fire Authority and its Panels for the next 12 months. Standing Order 3.1 of Part 1(a) required the Fire Authority to be notified annually in advance of the dates of meetings. (Copy in minute book).

925.2 **RESOLVED** – That the following dates for Fire Authority and Panel meetings be approved:

<b>Date:</b>	<b>Meeting:</b>
7 July 2016	Scrutiny & Audit and Policy & Resources Panels
8 September 2016	Fire Authority
15 September 2016	Scrutiny & Audit Panel
3 November 2016	Scrutiny & Audit and Policy & Resources Panels
8 December 2016	Fire Authority
19 January 2017	Policy & Resources Panel
2 February 2017	Scrutiny & Audit Panel
9 February 2017	Fire Authority
27 April 2017	Scrutiny & Audit and Policy & Resources Panels
15 June 2017	Fire Authority
6 July 2017	Scrutiny & Audit and Policy & Resources Panels
7 September 2017	Fire Authority
14 September 2017	Scrutiny & Audit Panel
2 November 2017	Scrutiny & Audit and Policy & Resources Panels
7 December 2017	Fire Authority

All Fire Authority meetings to commence at 10:30 hours

All Panel meetings to commence at 10:00 hours

926. **TREASURY MANAGEMENT – STEWARDSHIP REPORT 2015/16**

926.1 The Fire Authority considered a joint report of the Chief Fire Officer and Assistant Director Resources/Treasurer that detailed the annual Treasury Management Stewardship Report; this covered the Treasury activity for 2015/16 and was a requirement of the Fire Authority's reporting procedures. The report included the Prudential Indicators which related to the treasury activity. (Copy in minute book).

926.2 The Fire Authority had complied with its approved Treasury Management Strategy and Prudential Indicators for the year. The average rate of interest received through Treasury Management return was 0.65%. This reflected the Fire Authority's continuing prioritisation of security and liquidity over yield.

926.3 No new borrowing was undertaken in 2015/16, with total loan debt outstanding remaining at £10.973m at an average interest rate of 4.65%. There were no beneficial opportunities to reschedule debt during the year. The outturn of the Fire Authority's Capital Financing Requirement (CFR), a measure of the underlying need to borrow, was £10.973m.



- 926.4 Councillor Galley asked how the forward planning of debt profiling would be dealt with. Mr Savage said that the debt profile was reviewed with any opportunities to restructure annually.
- 926.5 Councillor Barnes suggested that interest rates may rise and that the Authority should be looking at the next 15 years to recycle debt.
- 926.6 Mr Savage confirmed that there would be no need for any new borrowing over the next 5 year financial plan, but the period beyond that would be considered. There remained uncertainty over future interest rates but this would be kept under review.
- 926.7 **RESOLVED** – That the Treasury Management performance for 2015/16 be noted.

927. **PERFORMANCE INDICATORS REVIEW**

- 927.1 The Fire Authority received a report of the Chief Fire Officer that proposed an amendment to the Fire Authority's Performance Indicators. (Copy in minute book).
- 927.2 The Policy & Resources Panel in May 2012 had recommended that the Fire Authority be asked to approve the future corporate performance indicator targets from 2011/12 up to 2015/16 (base line 2010/11) for inclusion in the Service's Planning documents. The Panel also agreed to utilise these as the strategic performance indicator targets for the five years up to 2015/16 and that they should be monitored on a quarterly basis by officers and the Scrutiny & Audit Panel.
- 927.3 The Scrutiny & Audit Panel on 4 February 2016 had requested a review of the current list of performance indicators, reported quarterly to the Panel, and that those that no longer presented relevant information to the Panel be removed.
- 927.4 Officers had completed a fundamental review of the performance indicators and the proposed changes were set out in the report.
- 927.5 **RESOLVED** – That
- (i) the latest strategic performance indicator targets contained in Appendix 1 to the report be approved;
  - (ii) the deletion of the indicators set out in Appendix 2 to the report be approved; and
  - (iii) it be noted that the reduced list of 22 indicators (from previously 36 indicators) will be reported to the Scrutiny & Audit Panel on a quarterly basis.

928. **SENIOR MANAGEMENT RESTRUCTURE**

- 928.1 The Fire Authority considered a report of the Chief Fire Officer that advised Members of the progress with the implementation of the management restructure. (Copy in minute book).
- 928.2 The aim of the structure review was to deliver financial savings by creating an organisational structure that reflected the changes needed to meet the Authority's current needs from 2016, to deliver organisational change, and to be efficient and lean. The new structure became operational with new senior managers in place and forming part of the Corporate Management Team on 7 March 2016 following the Fire Authority's approval in December 2015. Implementation was almost complete, and there was nothing material or significant to report at this time that would require a change in the proposals from the Chief Fire Officer.
- 928.3 The final savings from the restructure were not yet confirmed and so had not been built into the Authority's budget proposals for 2016/17. They would be built into the Medium Term Financial Plan (MTFP) in due course and any in-year savings reflected in the regular budget monitoring reports. However, based on current estimates, it was anticipated that, once fully implemented, the new senior management structure would deliver revenue budget savings in the order of £239,000 per annum, slightly lower than previously reported. These savings would be reduced by both the on-going costs of applying the Authority's pay protection policy over 3 years and one-off costs of redundancy.
- 928.4 Councillor Scott said that a restructure had been necessary to realise efficiency savings, not only now but in the longer term, and that flexibility to further restructure over the next five years was needed. The Chief Fire Officer responded that the Assistant Director of Resources/Treasurer was leading on the Support Services review, and Phase 1 had been completed. Members would be receiving a further report in the autumn.
- 928.5 **RESOLVED** – That the progress made on the implementation of the senior management restructure and the change made to the capital programme, be noted.

929. **POTENTIAL RELOCATION OF LEWES FIRE STATION, NORTH STREET LEWES**

- 929.1 The Fire Authority considered a report of the Chief Fire Officer that provided an update on the proposals to relocate Lewes Fire Station as part of the North Street Quarter redevelopment scheme. (Copy in minute book).
- 929.2 Discussions had been ongoing for some time between ESFRS, the Santon Group (developers undertaking the redevelopment of the North Street Quarter in Lewes), and other local stakeholders including Lewes District Council, the NHS and South East Coast Ambulance Service (SECamb). Lewes District Council had agreed Heads of Terms to enter into a joint venture agreement (JV) with the Santon Group to deliver the North Street Quarter redevelopment scheme.

929.3 The current Fire Station at Lewes fell within the development zone and Lewes District Council. A number of relocation sites had been considered and Springman House, the former NHS and SECAMB site located nearby on the junction of North Street and Lancaster Street, had been identified as the preferred relocation site. Lewes District Council Cabinet had authorised Officers to negotiate and complete the purchase of the Springman House site from the NHS and SECAMB, for either its own use or to support the relocation of the Fire Station in Lewes.

929.4 At this stage it was not intended to commit ESFRS to any legally binding agreement. The Joint Venture had asked ESFRS to provide some formal commitment to the proposed North Street relocation site of Springman House and also to the principles drafted in the Memorandum of Agreement. Lewes District Council had requested ESFRS to provide a letter setting out ESFRS's agreement in principle to this approach and the broad terms set out in the memorandum of agreement which had been drafted. On completion of a feasibility study, a further report would be brought to Members for consideration and a decision on whether to accept the terms of the relocation scheme.

929.5 **RESOLVED** – That

- (i) a letter of intent to Lewes District Council be approved and issued; and
- (ii) the draft Memorandum of Agreement (subject to contract), together with the schedule of accommodation outlining ESFRS's baseline requirements for a replacement site, be approved in principle.

930. **EXCLUSION OF PRESS AND PUBLIC**

930.1 **RESOLVED** – That items nos. 931, 933 and 934 be exempt under the paragraphs indicated below of Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 and accordingly are not open for public inspection on the following grounds:

- 931 Paragraphs 1 & 3: Contains information relating to any individual and information relating to the financial or business affairs of any particular person (including the authority holding that information).
- 933 Paragraphs 2 & 5: Contains information which is likely to reveal the identity of an individual, and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- 934 Paragraph 3: Contains information relating to the financial or business affairs of any particular person (including the authority holding that information).

930.2 It had been recommended that item no. 932 – Police and Crime Commissioner – be exempt under the paragraphs 3 & 4 of Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 and not open for public inspection. However, the Fire Authority considered that the public interest outweighed the reasons for excluding the press and public. The Police & Crime Commissioner, who was present during this part of the deliberations, acknowledged that this would be a decision for the Fire Authority, and confirmed she was content for the report to be considered in public. It was therefore:

930.3 **RESOLVED** – That item no 932 – Police and Crime Commissioner be considered in the part of the meeting which was open to the press and public.

932. **POLICE AND CRIME COMMISSIONER**

932.1 The Fire Authority considered a report of the Chief Fire Officer that set out matters relating to the consultation document ‘Enabling closer working between the Emergency Services’ that had been issued by the Home Office/DCLG in September 2015. (Copy in minute book).

932.2 Members welcomed Katy Bourne, the Sussex Police & Crime Commissioner (PCC), and Carl Rushbridge (PCC’s Chief Finance Officer) to take part in the discussions on this report.

932.3 The report reminded Members that the Fire Authority had responded to the Government’s consultation document stating that whilst close collaboration between emergency services was essential, it could be achieved without elaborate structural change. It was also the Fire Authority’s view that it was more accountable to the community it served because its members were elected councillors from Brighton & Hove City and East Sussex.

932.4 Although similar responses had been made by the sector, the Government was carrying forward its intention to implement the proposals in the Policing and Crime Bill. The Chief Fire Officer’s report outlined the contents of the Bill which was likely to receive Royal Assent in the autumn. The Bill would give PCCs the ability to take on responsibility for fire and rescue services where a local case was made.

932.5 The PCC had made a formal approach for the Fire Authority to co-operate in exploring whether or not a sound business case existed for moving fire & rescue services in Sussex under the responsibility of the PCC. Her letter was attached to the report as Appendix 2. The PCC had welcomed the provision in the Bill to be represented on the Fire Authority as a means of creating a stronger platform for police and fire & rescue to work more collaboratively together.

- 932.6 Ms Bourne said that it was the Home Secretary's expectation that PCCs would consider whether or not a case existed locally for changing the governance arrangements by bringing the service under the political control of the PCC. Ms Bourne intended to set in motion work on a business case so as to avoid further speculation on what the future governance arrangements might be. She intended to appoint an external independent business partner to work alongside a project manager to develop a business case.
- 932.7 Ms Bourne said that it was her intention to establish a Reference Group which would include senior officers from Sussex Police, East and West Sussex FRSs, elected Members from East Sussex Fire Authority and West Sussex County Council. This Group would consider what a business case might look. Following this, a procurement exercise would be undertaken for a business partner.
- 932.8 Councillor Penn asked how much a business partner and a project manager would cost the taxpayer, and whether the PCC considered that this was an appropriate use of taxpayer's money particularly in the light of recent cuts in service such as the cut in number of PCSOs in Brighton & Hove. She said that the FRS already collaborated with other services and did not see this as a good use of money in the light of cuts that had been made in the City.
- 932.9 Ms Bourne responded that it was not possible to say how much the business partner and a project manager would cost, but she had a duty to get best value and a proper procurement exercise would be carried out. The Government direction was clear that PCCs were expected to consider the governance issue.
- 932.10 Councillor Peltzer Dunn asked who would bear the cost of producing the business case. Ms Bourne confirmed that the cost would be borne by the PCC.
- 932.11 Councillor Barnes considered that the Home Office should assist with the costs of the business case preparation and suggested that the Chairman and the Chief Fire Officer should indicate that to the Home Office. He said that the Fire Authority should be as co-operative as possible with the preparation of the business case, but that the PCC should be aware of the doubts Members had about the necessity. The Home Office were not bringing the Ambulance Service into its collaboration proposals and he considered that this was where the maximum advantage in collaboration could be gained. The Fire Authority already collaborated with the Police Service and were seeking greater integration in future months with shared accommodation and administrative staff, but wanted to see more work carried out with the Ambulance Service which he considered was urgent and necessary; he regretted that the Home Secretary thought that this was a step too far.

- 932.12 Councillor Barnes also expressed his doubts about a possible negative impact on the prevention work that had been developed by ESFRS and the collaborative work that was being done with Adult Social Care, should the governance arrangements of the FRS be changed. He asked the PCC to consider positively an arrangement where she could be a part of the CFA, but not seek to replace it. He also considered that the public should be widely consulted on the proposals.
- 932.13 There was a discussion between the PCC and Members in respect of the funding of any business case and the Commissioner encouraged the Fire Authority to make representations to the Home Office. The Home Secretary was aware of the ongoing conversation about bringing the Ambulance Service into the compulsory collaboration, and the current collaborations, such as Adult Social Care, would be taken into account in the preparation of the business case.
- 932.14 Councillor Scott said that he would welcome the PCC joining the CFA meetings and felt that she could learn a lot from this Fire & Rescue Service. He also welcomed the idea of an open and transparent process on the discussions for the way forward for governance of ESFRS. Whilst he wanted to hear what the PCC had to say, he pointed out that there was no political appetite from those on the Fire authority for the Home Office to impose the model of PCC governance on FRSs in Sussex. ESFRS had been collaborating with other agencies for years and would look to do further collaboration work. East Sussex Fire Authority comprised cross party elected Members and, whilst they did not agree on everything, they generally came to a consensus on developments within ESFRS. The CFA was the least politicised body that he served on. He was concerned that the Police and FRS had very different identities which may be lost if the PCC took over the governance of ESFRS. He was also concerned that there could be a shift of budgets across from ESFRS to the Police. ESFRS was already collaborating with the Police, for example, through the planned shared accommodation at Lewes, and with the Council and the Police at Newhaven Community Fire station. The Government should understand what ESFRS had been doing for a long time.
- 932.15 Councillor Theobald welcomed Ms Bourne to the meeting and asked how long the business case would take to prepare. She pointed out that it took two years for the business case to be completed for a proposed merger with West Sussex FRS. She also expressed her concern that the Ambulance Service had been excluded from the consultation and the governance proposals.
- 932.16 Ms Bourne said that she anticipated that it would take three months to complete a business case. It would not include the Ambulance Service.

- 932.17 Councillor Deane concurred with Councillor Scott. The consultation from the Government last year, (*set out in Appendix 1 to the report on this agenda*), had not given enough time for the public to become aware of the proposals which had far reaching consequences. The CFA had discussed the proposals very thoroughly at that time and had agreed that governance of the ESFRS by the PCC was not the best way forward. The CFA at that time comprised 5 political parties who were unanimous in their opposition to the proposals and the view of the CFA had not changed since then. She said that, although the discussion so far today had been around the development of a business case, the issues of a change in governance had far reaching consequences. The FRS was a respected service in the community and was welcomed into people's homes to carry out Home Safety Visits. Certain members of the community were not at ease with the Police coming into their homes and if the FRS came under the auspices of the PCC, there could be a detrimental effect on the Home Safety work done by ESFRS. She continued to say that the business case should look beyond costs and savings as it may take a long time before any financial benefit is evident. Britain had the fifth strongest economy in the world so should be able to afford blue light services as equals without any compromises. She valued collaboration and the co-operation with the PCC but felt that the business case could be flawed.
- 932.18 Councillor Lambert concurred with what had been said. She was concerned that a business case could be prepared in three months. She asked the PCC to ask the Home Secretary for funding so that ESFRS could backfill staff that would be needed to work on the business case. Other competing pressures on staff were anticipated, such as the local devolution proposals, which would have a negative impact on staff capacity.
- 932.19 Ms Bourne said that the PCC would bear the cost of producing the business case. A lot of information was already available from the business case previously prepared for the proposed merger between East and West FRSSs, and she did not envisage a drain on ESFRS resources to do this.
- 932.20 Councillor O'Quinn agreed with the comments so far made by her colleagues, and was disappointed that the Home Secretary had not included the Ambulance Service in proposals for collaboration.
- 932.21 Councillor Galley said that it was important to co-operate fully in the business case preparation. Clear, transparent and objective terms of reference were needed. The business case must be able to show that if ESFRS was to be governed by the PCC, the Home Secretary's objectives would be more readily achieved by a change in governance and it needed to clearly show that the outcomes would be better under PCC control; however, it was difficult to say at present that ESFRS's outcomes could be improved upon. He applauded a short timescale for the preparation of the business case. Issues that needed to be taken into account included the collaboration across services, centralised back office systems, and that the number of incidents had decreased but workforce numbers remained high.

- 932.22 Councillor Wincott was concerned that there would be no community input to the business case. He pointed out that across East and West Sussex, councillors and MPs were opposed to the PCC taking over the governance of FRSs, and he felt that the electorate was largely being ignored. He concurred with other councillors that the business case should include community benefit issues.
- 932.23 Ms Bourne said that public consultation would take place after the business case had been prepared. She could not say at this stage what the business case might conclude, as evidence needed to be gathered to inform the business case. She said she had a mandate from the public and was minded to move ahead with these proposals. The Home Secretary had made it clear that the Policing and Crime Act would make it a duty to collaborate. The PCC had a duty to put forward a business case and she was starting this work now.
- 932.24 Councillor Scott said that he thought three months was not long enough to prepare a business case.
- 932.25 Ms Bourne said that a business case would be prepared within 3 months and that it would conclude whether or not a proposal to bring the governance of the FRS under the PCC was viable. If a case was made, there would be full public consultation. If a case was not made there would be no public consultation.
- 932.26 Councillor Scott thought that there should be public consultation regardless of the conclusions of the business case, as this was about a fundamental change in the running of a service being imposed by the government.
- 932.27 Ms Bourne said that the terms of reference would be established by the Reference Group comprising East and West Sussex FRS, Police and the PCC. The use of an independent business partner would give rigour and independence to the business case.
- 932.28 Councillor Field was concerned that the social aspects of the work done by ESFRS should be included. Ms Bourne said that it would be for the Group to determine the terms of reference and what should be included.
- 932.29 Councillor Barnes said it was acceptable that the Reference Group should draw up the terms of reference which should provide for an exploration of the benefits and dis-benefits that the different forms of governance would have for closer collaboration, home safety work and the wider health agenda, and not just the costs benefits/dis-benefits. He supported public consultation after the business case had been prepared.
- 932.30 Councillor Pragnell agreed that public consultation could only take place after the business case had been prepared. He said that it was important that this should take account of more than just the financial implications, and should include the social implications. ESFRS should co-operate fully in its preparation.



- 932.31 Ms Bourne said that the Treasury had set out five strands that the business case should include and this extended beyond financial implications.
- 932.32 Councillor Penn was concerned that the trades' unions/representative bodies should be consulted and asked if there would be a single employer of FRS and Police if the PCC assumed the governance of both organisations.
- 932.33 The Chief Fire Officer confirmed that all Trades Unions in ESFRS had been briefed on the correspondence between the PCC and the Chairman. (*Set out in Appendices 2 and 3 to the report*). Ms Bourne confirmed that she would be inviting the trades unions to discussions.
- 932.34 Councillor Morris asked if the appointment of an external business partner would be reviewed by an independent body. Ms Bourne confirmed that a business partner would be appointed through a procurement process.
- 932.35 Councillor Deane welcomed the public consultation. She asked how the public would be able to have their say, and if there would be a public vote, through a referendum. Ms Bourne said that she could not say what form the public consultation would take and that there would be no referendum as the cost would be prohibitive.
- 932.36 Councillor Lambert, in noting that the Ambulance Service had not been included in the Reference Group, considered that this would be a good opportunity to bring them on board for wider collaboration and to address the Fire Authority's concerns that the Home Office's proposals for a change of governance may get in the way of wider collaboration.
- 932.37 Ms Bourne said that there were no plans to include SECAMB in the Partnership Reference Group but encouraged ESFRS to collaborate further with SECAMB.
- 932.38 The Chief Fire Officer said that he had received an invitation for him and the Chairman to an initial meeting to discuss the setting up of the Reference Group. Members asked that representations be made at that meeting about the membership of the Reference Group to include all Group Leaders from the CFA, and to consider the scrutiny of the business case process.
- 932.39 The Monitoring Officer said that he understood that the notes of the discussion at this meeting would be taken as broad instructions to officers to co-operate fully in the formulation of the business case, and that Members had reservations about the costs and merging of functions.
- 932.40 Ms Bourne thanked the Fire Authority for inviting her to the meeting and for the opportunity for an open discussion.

932.41 **RESOLVED** – That

- (i) the progress of the Policing and Crime Bill through Parliament and the specific duty to collaborate contained within it be noted;
- (ii) the recent formal request (dated 26 May 2016) by the PCC to co-operate with the intention to explore whether or not a sound business case exists for moving Fire and Rescue Services in Sussex under the responsibility of the PCC, (given the requirement in the Bill that the relevant FRA's should cooperate with the PCC in preparation of the proposal), be noted;
- (iii) the establishment of the Reference Group, (which will include the Chairman and the Chief Fire Officer), to consider and agree terms of reference for the business case be welcomed;
- (iv) the view that the business case should explore various options for future governance of the ESFRS including no change, as well as the PCC joining the CFA as an observer be approved;
- (v) the resource implications in contributing to the development of a business case, particularly officer time, be noted with concern;
- (vi) full public consultation be welcomed if the business case shows that there is a need for a change in governance; and
- (vii) the Fire Authority's response to the Government's consultation 'Enabling closer working between the Emergency Services' (*set out in Appendix 1 to the report*), remain unchanged following the debate at this meeting, but the Fire Authority recognises its duty to be constructive in the preparation of a business case and agrees to co-operate fully in that regard, and reaffirms its belief in collaboration, where it improves delivery of services to the public and creates efficiencies.

The meeting concluded at 12:50 hours.

Signed  
Chairman

Dated this 8<sup>th</sup> day of September 2016.

**EAST SUSSEX FIRE AUTHORITY**

**Date** 8 September 2016

**Title of Report** 2017/18 Strategic Service Planning and Medium Term Financial Plan

**By** Chief Fire Officer and Treasurer

**Lead Officer** Warren Tricker, Finance Manager

**Background Papers** Office for Budget Responsibility: Economic and fiscal outlook, March 2016.  
 Capita Asset Services: Updated Interest Rate Forecasts, 4 July 2016.  
 Fire Authority 11 February 2016 – Item 905 – Service Planning Processes for 2016/17 and beyond

**Appendices**

1. Medium Term Financial Plan 2017/18 to 2021/22
2. 2017/18 Council Tax Scenarios
3. Draft Efficiency Plan 2016/17 – 2019/20

**Implications**

<b>CORPORATE RISK</b>		<b>LEGAL</b>	
<b>ENVIRONMENTAL</b>		<b>POLICY</b>	✓
<b>FINANCIAL</b>	✓	<b>POLITICAL</b>	✓
<b>HEALTH &amp; SAFETY</b>		<b>OTHER (please specify)</b>	
<b>HUMAN RESOURCES</b>		<b>CORE BRIEF</b>	
<b>EQUALITY IMPACT ASSESSMENT</b>			

**PURPOSE OF REPORT** To roll forward the Fire Authority’s Service Planning Strategy and Medium Term Financial Plan for 2017/18 to 2021/22.

**EXECUTIVE SUMMARY**

Whilst the main purpose of this report is to set the financial context for the service planning process, through an update of the Medium Term Finance Plan (MTFP), the fundamental aim of the review is to determine how best to deliver the Authority’s Purpose and Commitments, and the targets and priorities that underpin them, within the context of the current estimate of available financial resources for the period 2017/18 to 2021/22.

Closer alignment of business and resource (including finance) planning is necessary to ensure that the Authority can deliver its corporate strategy and Integrated Risk Management Plan (IRMP) outcomes more effectively. Work is underway to develop this approach for the 2017/18 planning cycle. This will include a budget review mechanism to challenge directorate and functional budgets and identify potential savings and pressures which will be led by the Deputy Chief Fire Officer and Assistant Director Resources / Treasurer. This will also ensure that the outcomes from the review of the IRMP can be built into future business and financial plans.

There remains uncertainty about the future of local government funding, despite the multi-year funding offer, as a result of political and economic changes over the last 6 months and the on-going review of business rates retention. Much of the detail that is required to set the budget for 2017/18 and our MTFP may not be available until January 2017. The situation beyond the current multi-year offer, 100% Business Rates Retention, the move to the Home Office, and the impact on fiscal policy post EU referendum, mean that the last two years of the MTFP in particular should only be regarded as indicative.

When the MTFP was last updated as part of the budget papers approved in February 2016 the Authority had identified savings of £3.3m over the period 2016/17 to 2018/19 acknowledging that there remained a funding gap of £0.2m in 2020/21. When taken together the revisions to both the expenditure and funding elements of the MTFP, assuming continued increases in council tax at just below current threshold levels, indicate the potential for a balanced budget in 2017/18, a small surplus in 2018/19 and 2019/20. That potential for surplus affords a small degree of flexibility and a broadly balanced position in 2020/21 and 2021/22. The flexibility in the middle years of the MTFP, along with the potential use of one-off funding from the Improvement & Efficiency Reserve, enable the Authority to consider the resource implications of the proposals set out elsewhere in the Agenda as part of the IRMP review, within the current financial planning cycle.

The Government has made an offer of a multi-year funding settlement to all local authorities. In order to access this offer the Authority must submit an efficiency plan in line with the guidance issued by the Home Office by 14 October 2016. The multi-year offer is not an absolute guarantee of funding but acceptance is recommended on the basis that it does provide greater certainty and aids future planning.

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## **RECOMMENDATIONS**

The Fire Authority is asked to:

- i) approve the updated Medium Term Financial Plan for 2017/18 – 2021/22 and its underlying assumptions;
  - ii) accept the Government's offer of a multi-year funding settlement 2016/17 – 2019/20;
  - iii) approve the draft Efficiency Plan 2016/17 – 2019/20 and delegate authority to the Chief Fire Officer in consultation with the Assistant Director Resources / Treasurer to finalise the Plan for submission to the Home Office by 14 October 2016; and
  - iv) delegate authority to the Assistant Director Resources / Treasurer, in consultation with the Chief Fire Officer, to determine whether the Fire Authority remains within, or withdraws from, the East Sussex Business Rate Pool
-

## 1. **MEDIUM TERM SERVICE PLANNING**

- 1.1 Whilst the main purpose of this report is to set the financial context for the service planning process, through an update of the MTFP, the fundamental aim of the process is to determine how best to deliver the Authority's Purpose and Commitments, and the targets and priorities that underpin them, within the available resources. This process has become even more important in recent years in the light of the sustained reduction in public sector funding and the consequent need to deliver significant savings over the period of the MTFP. Members and officers will need to ensure that the service planning process, which is driven through our Purpose and Commitments and the Integrated Risk Management Plan (currently being reviewed) delivers sustainability in the medium term for both the revenue and capital budgets, and the Service as a whole. Further work is planned however to ensure that strategic planning and resource allocation processes (including financial planning / budget setting) are better aligned, ensuring that agreed policy priorities and key outcomes are properly resourced and can be delivered more effectively. This will include a budget review mechanism, which will be led by the Deputy Chief Fire Officer and the Assistant Director Resources / Treasurer to challenge directorate and functional budgets and identify potential savings and pressures. Proposed new pressures, savings and investments will be included in future reports for Member approval.

## 2. **NATIONAL CONTEXT**

- 2.1 On the 23 June 2016 the UK voted to leave the European Union. Since then there has been a change in leadership of the current Government and a subsequent cabinet reshuffle. The financial markets have settled but still the consensus is for a period of slower economic growth with a prolonged period of low bank base rates. The Office of Budget Responsibility (OBR) forecast is for GDP to grow by 2.0% this year compared to the 2.4% which was expected in November 2015. Further ahead, GDP is expected to grow by 2.2% next year down from 2.5% previously forecast and 2.1% in 2018, down from 2.4% predicted previously. Additionally it is generally felt that initially GDP will be lower still following the decision to leave the European Union.
- 2.2 The Government had previously committed to tackle and eliminate the national budget deficit, however the previous Chancellor of the Exchequer announced following the EU membership referendum a relaxation of this target. Following his replacement it is unknown what direction the fiscal and public spending policy will take.
- 2.3 At the 2016 Spending Review the Government offered a four year settlement on the submission of satisfactory efficiency plans. Subsequently the Home Office has issued guidance on its requirements for efficiency plans and set a deadline for submissions of 14 October 2016. At this stage it is not clear what impact political and economic changes since early 2016 will have on the multi-year funding offer. We anticipate further information as part of the Chancellor's Autumn Statement and subsequent confirmation of the multi-year funding offer as part for the local Government Finance Settlement in late December.

- 2.4 A draft efficiency plan is included at Appendix 3. It follows the guidance issued by the Home Office and includes the mandatory reporting of funding and budget assumptions for 2016/17 – 2019/20 which Fire Authorities are required to submit even if they do not intend to accept the multi-year funding offer. Members should note that the layout required by the Home Office differs from that used in our existing MTFP. The multi-year offer is not an absolute guarantee of funding but acceptance is recommended on the basis that it does provide greater certainty and aids future planning. We have a number of queries outstanding with the Home Office on the completion of their template so these may be subject to further adjustment before submission. Members are also recommended to approved the draft Efficiency Plan 2016/17 – 2019/20 but delegate authority to finalise the Plan to the Chief Fire Officer in consultation with the Assistant Director Resources / Treasurer.
- 2.5 The Government has announced plans to change the way that local authorities are funded with 100% of the business rates generated in an area being retained locally. The Government has indicated that this will be implemented in full from 2020. Initial consultation on the proposals has been issued, but it is not yet clear how 100% business rates retention will impact on local authorities as a whole, the fire service in particular and the multi-year funding offer.

### 3. **LOCAL POSITION**

#### **Medium Term Finance Plan**

- 3.1 The rolled forward MTFP is included at Appendix 1. The MTFP was previously updated when the 2016/17 Budget was set in February 2016. At that stage there was forecast to be a balanced budget through to 2019/20 and a funding gap of £0.2m in 2020/21. Savings of £3.3m had been identified through the 'Changing the Service, Shaping our Future' programme and a range of other initiatives. Given that the Authority has already embarked on this phased programme to identify savings, and that there will continue to be a degree of uncertainty around funding until much later in 2016, the latest revisions for the MTFP have focussed on updating assumptions for 2017/18 and rolling forward the plan by a further year to 2021/22. The main issues considered are set out in the following paragraphs. The impact of the proposal that local government retain all Business Rates collected and continued reduction overall in public spending makes forecasting the position for the last two years of the rolled forward MTFP very difficult. For that reason the forecast within the MTFP for 2020/21 and 2021/22 should be regarded only as indicative at this stage.
- 3.2 In overall terms the assumptions set out below mean that the revised MTFP shows a balanced budget for 2017/18, small surpluses in 2018/19 - 2020/21 and a balanced position in 2021/22. This scenario obviously presents the Authority with some degree of flexibility over the short to medium term but it is important to highlight a number of key risks / issues:
- there remains a degree of uncertainty about the future of local government funding both in terms of the multi-year funding offer and business rates retention and on this basis modelling for 2020/21 and 2021/22 should only be regarded as indicative at this stage.
  - there is a modelling assumption of continued increases in Council Tax of 1.94% pa. Should the Authority determine to set a different level of increase then this will obviously impact on the funding available and the level of savings required

- the impact on council tax of 2016/17 changes to LCTRS are not yet clear as is the medium term trajectory of the tax base
- the MTFP assumes that all agreed savings are delivered and this includes those related to the SCC project and changes in operational crewing arrangements. Current budget monitoring recognises potential pressures in both these areas.
- A new IRMP for 2017/18 – 2019/20 is proposed for consultation elsewhere on this Agenda. It is likely that the proposals included in the IRMP will require additional investment on a one off and potentially ongoing basis
- increased scrutiny of efficiency and comparison of costs across the fire sector by the Home Office

### **Grant Funding**

- 3.3 Between 2010/11 and 2016/17 RSG has reduced by £7.2m or 49% and the rolled forward MTFP makes the underlying assumption of further reduction of £5.1m to £1.2m by 2021/22. The MTFP uses as its basis the grant figures set out in the multi-year funding offer on the assumption that the Authority will accept the offer as it provides some certainty for planning purposes.
- 3.4 The Authority currently receives a small number of on-going specific revenue grants from central Government for FireLink and New Dimensions. The Government has given an assurance that these will be protected for the next financial year and then assumed that they will reduce by 10% p.a. The replacement for FireLink will be deployed locally in 2018/19 and it is likely that the fire link grant will be phased out but with lower costs to the Authority. The MTFP assumes the Authority will be no worse off with ongoing costs. No provision is made for one off implementation costs or grant income, beyond the existing provision of £50,000 pa in 2016/17 – 2018/19.
- 3.5 For 2017/18 and beyond there has been no indication that capital grants will be available for fire & rescue services. There may be Home Office police transformation grant for collaborative opportunities and officers will explore the opportunity to bid against these funds should it arise.

### **Business Rates**

- 3.6 Current assumptions on retained Business Rates are based on information from the billing authorities. There is a BR revaluation in 2017 which could have a negative impact on BR income due to the increased level of provision that billing authorities will make against appeals. At this stage we have no information on the impact from billing authorities and so the BR base is assumed at this stage to remain static. The top up grant reflects the multi-year settlement. RPI assumptions remain unchanged, the latest projections from the OBR; 2.4% in 2017/18 and 3.2% thereafter whereas Capita Asset Services in their 4<sup>th</sup> July Interest Rate Update estimates taking account of the exit referendum result forecast 2.2% and 2.8%. The Business Rates RPI multiplier remains at 3.0% in the MTFP. Based on updates from the billing authorities and past performance a Collection Fund Business Rates deficit has been included for 2017/18 of £100,000.

- 3.7 In 2016 the Government announced a permanent extension of temporary rate reliefs for small businesses. We have assumed that payment of this grant will continue on the same basis until 2019/20, increasing by the multiplier each year, and then be rolled into local business rates retention at the 2019/20 level.
- 3.8 For 2016/17 the East Sussex Business Rates Pool is budgeted to result in additional benefits for the Authority of £0.1m. Given the uncertainties over the 2017 revaluation, and proposals for 100% Business Rates retention, it is not clear at this stage whether the Pool will continue beyond 2016/17 and we have not assumed any income from it in the MTFP. It is possible that any final decision on membership of the Pool will need to be taken during the consultation period following the announcement of the draft Local Government Finance Settlement in December 2016. It is, therefore, recommended that authority to withdraw from the Pool is delegated to the Assistant Director Resources / Treasurer, in consultation with the Chief Fire Officer.

### **Council Tax**

- 3.9 The underlying assumption in the MTFP is that in Brighton & Hove the Council Tax base will increase by 1.0% in 2017/18 and 0.5% thereafter based on the Council's current forecasts. Projections provided by the districts and boroughs have historically been prudent and below 1% overall. However recent performance has consistently exceeded these projections, and although the picture is complicated due to changes in Local Council Tax Reduction Schemes (LCTRS) we are modelling a 1.5% increase in 2017/18 with increases of 0.75% for the remainder of the MTFP. When taken together this gives an overall increase in the Council tax base of 1.35% in 2017/18 and 0.67% thereafter (compared to 0.6% pa in the existing MTFP). These assumptions do not reflect any plans for further revisions to LCTRS. Based on updates from the billing authorities and past performance a Collection Fund Council Tax surplus has been included for 2017/18 of £150,000.
- 3.10 The MTFP assumes that the threshold for triggering a referendum on Council Tax increases will remain unchanged and so assumes Council Tax will be increased by 1.94% each year through the period to 2021/22. Any decision to pursue a Council Tax Strategy of less than the 1.94% p.a. would reduce available funding and mean that additional savings would need to be identified. Each 1% increase in Council Tax generates approximately £247,000 in additional income. Appendix 3 illustrates the impact of setting different levels of Council Tax in 2017/18.
- 3.11 A question on Council Tax will be included in the IRMP consultation document and this will seek the public's view on whether they believe the Service offers value for money and whether they would support a Council Tax increase in 2017/18 of up to 2%, over 2%, or no increase.

### **Expenditure**

- 3.11 Existing expenditure plans, based on the agreed 2016/17 Revenue Budget and MTFP have been rolled forward to financial year 2021/22 following initial consultation with budget managers and known commitments, and reflect the following assumptions and pressures:



- The level of pay award for the fire & rescue service will be determined nationally through the National Joint Council (NJC). The rolled forward MTFP has a net provision for pay inflation of 1.5% in 2017/18 and 2018/19 and 2% thereafter. The Government's intention is to cap public sector pay rises to an average of 1% over the next 3 years. Each 1% increase in pay is equivalent to £253,000.
- The MTFP currently provides 2.5% p.a. for price inflation on goods and services which has been rolled forward to 2021/22. Each 1% increase in prices is equivalent to £79,000
- Budget adjustments reflecting year-on-year changes in revenue funding to support current strategies for fleet, IMD and property.
- Increases in employer's contributions of 1.0% p.a. for the Local Government Pension Scheme (LGPS). The next triennial revaluation of the LGPS is due for 2017/18 and based on recent experience the MTFP assumes increases of 1.0% p.a. will continue until 2021/22.
- Provision in 2017/18 of £0.080m to reflect the introduction of the Apprenticeship Levy.
- The extension by one year of the provision for continued support of legacy systems in Sussex Control and the introduction of support for staff costs in 2017/18 only.
- Short term flexibility in the MTFP, where savings are achieved in advance of need, is utilised to address the reduction in Capital Grant funding by providing additional revenue contributions to fund capital expenditure in 2017/18 and 2018/19 at the levels agreed in February 2016.

- 3.12 In the March 2016 Budget the Government maintained its intention to keep public sector pensions "sustainable". It was estimated that unfunded public sector employer pension contributions will increase from 2019 by an estimated £2bn per annum. The Firefighters' Pension is an unfunded scheme and the impact is undefined although there are various commentators have suggested increases in employer's contributions of up to 5%. Whilst this is at odds with Hutton's cost cap principle which is about sharing pension cost between the employee and the taxpayer nevertheless the commitment has been introduced to the MTFP as a 2.0% increase in employer contributions from 2019/20 onward.
- 3.13 As part of the 2016/17 revenue budget officers investigated the opportunities to make charges and have quantified potential income that might be derived from a change in policy for the charging for special services incidents that have hitherto not been charged. Proposals were agreed to develop charging for large animal rescue (both in East Sussex and for work carried out on behalf of Kent & Medway FRA) and search and rescue activity carried out on behalf of Surrey and Sussex Police. Reviewing the situation has revealed low demand and no income targets are proposed at this stage for 2017/18.
- 3.14 The Authority has been reviewing its IRMP and elsewhere on this Agenda are proposals to consult on a new IRMP for 2017/18 – 2019/20. The potential financial implications of the proposals, both one off and on-going, have not yet been built into the MTFP. This process will be picked up over the coming months to ensure that the final budget proposals (including the Capital Asset Strategy / Use of Reserves) reflect the outcomes of the consultation process and the final IRMP. There are potential financial impacts resulting from:

- the impacts of housing and population growth in the short to medium term
- investment in demand management
- emergency medical response
- continued investment in protection activity including firefighter safety
- community safety initiatives including the further development of volunteering, Safe & Well visits and road safety
- workforce planning initiatives such as apprenticeships and improved firefighter recruitment

### Savings Plans

3.15 Since the 2010/11 the Authority has made, and has planned to make, savings totalling £8.488m of which £6.708m will have been delivered by the end of 2016/17. The expenditure plans also reflect the delivery of the savings agreed as part of the 2016/17 budget. The estimated savings starting from 2017/18 from the 'Changing the Service, Shaping our Future' programme and other initiatives are set out in table 1 below and include the savings from the Management Restructure.

**TABLE 1 – SUMMARY OF NEW SAVINGS BUILT INTO THE MTFP**

<b>CUMULATIVE SAVINGS</b>		<b>2017/18</b>	<b>2018/19</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>
<b>Category</b>	<b>Description</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Facing the Challenge	ICS Review	(73)	(73)	(73)	(73)	(73)
Non operational	Various reductions in Health and Safety budget to reflect changes in working practices	(4)	(8)	(8)	(8)	(8)
Non operational	Development budget increases to reflect the need to develop staff following reduction in previous years	15	15	15	15	15
Non operational	Uniform – based on proposals to reduce operational posts	0	(44)	(44)	(44)	(44)
Non operational	Reduction in the contribution to the Capital Programme Reserve	(250)	(250)	(250)	(250)	(250)
Non operational	Reduce provision for pay increases from 2% to 1.5% from 2017/18 and 2018/19	(123)	(248)	(248)	(248)	(248)
Non operational	Various reductions in corporate budgets to reflect reduced actual spend	(14)	(14)	(14)	(14)	(14)
Phase 2 alternative	Riding at Standard	(560)	(840)	(840)	(840)	(840)
Additional	Senior Management Restructure	(254)	(283)	(318)	(313)	(318)
<b>Total cumulative savings</b>		<b>(1,263)</b>	<b>(1,745)</b>	<b>(1,775)</b>	<b>(1,780)</b>	<b>(1,780)</b>

- 3.16 Any failure to deliver these savings will require compensatory savings to be found elsewhere.
- 3.17 There are a number of existing projects that have the potential to deliver further savings and these are listed below. In addition there will be opportunities through the current corporate strategy review and the IRMP to reshape how our services are provided in the medium term.
- Service HQ relocation (awaiting finalisation of Heads of Terms)
  - Emergency Services Collaboration Programme – Integrated Transport Function
  - Support Services Review

### Reserves and Balances

- 3.18 Reserves and balances are held in accordance with the Authority’s agreed policy, and table 2 below summarises their current values and planned use over the period. As agreed as part of the non-operational savings proposals, the base budget contribution to reserves will reduce from its current level of £0.75m to £0.50m in 2017/18. The planned use of reserves and balances will be reviewed as part of the service planning process in the light of the savings requirement, any changes to the Capital Strategy, the outcome of grant funding bids to Government, and the need to fund the costs of up-front investment to support the delivery of savings proposals. The level of reserves held is expected to reduce over the next 5 years and by 2021/22 will comprise primarily an unallocated risk provision (General Balance 29% of total reserves) and resources to fund the Capital Strategy without recourse to borrowing (68% of total reserves).

**TABLE 2 FORECAST OF USEABLE RESERVES BASED ON EXISTING PLANS**

	31/03/2016	31/03/2017	31/03/2018	31/03/2019	31/03/2020	31/03/2021
	£'000	£'000	£'000	£'000	£'000	£'000
Capital Programme Reserve	4,631	5,381	5,881	6,381	6,881	7,264
Other Earmarked Reserves	5,359	2,959	1,344	318	318	318
Total Earmarked Reserves	9,990	8,340	7,225	6,699	7,199	7,582
General Fund Capital Reserves	3,142	3,142	3,142	3,142	3,142	3,142
	6,438	4,389	5,164	3,282	1,154	0
<b>Total Useable Reserves</b>	<b>19,570</b>	<b>15,871</b>	<b>15,531</b>	<b>13,123</b>	<b>11,495</b>	<b>10,724</b>

### Capital Strategy

- 3.19 As part of the Service Planning process the Capital Asset Strategy will be carried out drawing on new strategies for IMD, Fleet and Property, and seek to prioritise capital investment that most effectively supports the delivery of the Authority’s new purpose and commitments. The review will include an assessment of the resources available to fund the Capital Asset Strategy against which projects will need to be prioritised. This will include any capital investment necessary to support the new IRMP, potential plans for the future of Preston Circus Fire Station and further investment in BA training facilities. The revenue implications of the current Capital Asset Strategy are included within the MTFP.

**MEDIUM TERM FINANCIAL PLAN 2017/18 – 2021/22  
INCREASE COUNCIL TAX BY 1.94% EACH YEAR**

	2017/18	2018/19	2019/20	2020/21	2021/22
	£'000	£'000	£'000	£'000	£'000
<b>Gross Revenue Service Budget</b>	<b>37,115</b>	<b>36,797</b>	<b>37,619</b>	<b>38,524</b>	<b>39,360</b>
<b>Less</b>					
Specific grants	(215)	(193)	(174)	(157)	(141)
Other income	(1,409)	(1,446)	(1,482)	(1,519)	(1,557)
<b>Total income</b>	<b>(1,624)</b>	<b>(1,639)</b>	<b>(1,656)</b>	<b>(1,676)</b>	<b>(1,698)</b>
<b>Net Service Budget</b>	<b>35,491</b>	<b>35,158</b>	<b>35,963</b>	<b>36,848</b>	<b>37,662</b>
Capital financing costs less interest receivable	868	852	852	852	828
Capital expenditure from the Revenue Account	341	232	0	0	0
Transferred to Balances	622	500	500	500	500
<b>Total Net Expenditure</b>	<b>37,322</b>	<b>36,742</b>	<b>37,315</b>	<b>38,200</b>	<b>38,990</b>

<b>Net Budget brought forward</b>	<b>38,432</b>	<b>37,322</b>	<b>36,742</b>	<b>37,315</b>	<b>38,200</b>
Unavoidable cost pressures					
Pay inflation	485	473	473	480	490
Price inflation	224	224	216	222	230
<b>Total inflation</b>	<b>709</b>	<b>697</b>	<b>689</b>	<b>702</b>	<b>720</b>
Changes in Capital Financing	(2)	(16)	0	0	(24)
Budget commitments	(554)	(778)	(86)	187	94
Savings approved	(1,263)	(483)	(30)	(4)	0
<b>Total Net Expenditure</b>	<b>37,322</b>	<b>36,742</b>	<b>37,315</b>	<b>38,200</b>	<b>38,990</b>

<b>Sources of Funding</b>					
Locally Retained Business Rates	2,458	2,532	2,608		
Business Rate Top Up	4,862	5,005	5,165		
<b>Business Rates Baseline</b>	<b>7,320</b>	<b>7,537</b>	<b>7,773</b>		
Revenue Support Grant	4,524	3,660	3,157		
<b>Start Up Funding Assessment</b>	<b>11,844</b>	<b>11,197</b>	<b>10,930</b>	<b>10,930</b>	<b>10,930</b>
Section 31 Grant Business Rates adjustment	222	229	236	236	236
Council Tax Collection Fund (Deficit) / Surplus	150	0	0	0	0
Business Rates Collection Fund (Deficit) / Surplus	(100)	0	0	0	0
Transition Grant	122				
Council Tax Requirement	25,084	25,741	26,418	27,111	27,824
<b>Total Resources Available</b>	<b>37,322</b>	<b>37,167</b>	<b>37,584</b>	<b>38,277</b>	<b>38,990</b>
<b>Additional Savings Required / (surplus)</b>	<b>0</b>	<b>(425)</b>	<b>(269)</b>	<b>(77)</b>	<b>0</b>

Note: figures in red indicate a budget surplus; figures in black indicate additional savings required

## Appendix 2

### Council Tax 2017/18

The table below illustrates the impact of different scenarios for increases in Council Tax in 2017/18.

	2017/18	2018/19	2019/20	2020/21	2021/22
	£'000	£'000	£'000	£'000	£'000
<b>Total Net Expenditure</b>	37,322	36,742	37,315	38,200	38,990
<b>Total Resources Available</b>					
Increase 1.94% (Band D increase £1.68)	37,322	37,167	37,584	38,277	38,990
2017/18 increase 1.5% (Band D increase £1.30) then 1.94%	37,214	37,059	37,472	38,161	38,871
2017/18 increase 1.0% (Band D increase £0.87) then 1.94%	37,092	36,933	37,342	38,031	38,737
2017/18 increase 0.0% (Band D increase nil) then 1.94%	36,845	36,679	37,081	37,762	38,460
<b>Additional Savings Required (Surplus)</b>					
Increase 1.94% (Band D increase £1.68)	0	(425)	(269)	(77)	0
2017/18 increase 1.5% (Band D increase £1.30) then 1.94%	108	(317)	(157)	39	119
2017/18 increase 1.0% (Band D increase £0.87) then 1.94%	230	(191)	(27)	169	253
2017/18 increase 0.0% (Band D increase nil) then 1.94%	477	63	234	438	530
1% increase in CT in 2017/18 is worth	247	254	261	269	277



**EAST SUSSEX FIRE AUTHORITY**

**Date** 8 September 2016

**Title of Report** Revenue Budget and Capital Programme Monitoring 2016/17

**By** Chief Fire Officer and the Treasurer

**Lead Officer** Warren Tricker, Finance Manager

**Background Papers** None

**Appendices** Six

**Implications**

<b>CORPORATE RISK</b>		<b>ENVIRONMENTAL</b>	
<b>EQUALITY IMPACT</b>		<b>LEGAL</b>	
<b>FINANCIAL</b>	✓	<b>POLICY</b>	
<b>HEALTH &amp; SAFETY</b>		<b>POLITICAL</b>	
<b>HUMAN RESOURCES</b>		<b>OTHER (please specify)</b>	
		<b>CORE BRIEF</b>	

**PURPOSE OF REPORT** To report on issues arising from the monitoring of the 2016/17 Revenue Budget and Capital Programme as at 31 July 2016.

**EXECUTIVE SUMMARY** This is the first financial monitoring report to the Authority for the financial year 2016/17 and although early in the financial year and subject to some uncertainties a number of risks have been identified.

The current Revenue Budget is forecast to be underspent by £47,000. There are a number of significant risks but certainty will increase once the work to revisit the Wholetime pay and pension budgets is complete.

The overall Capital Programme is projected to be £13,000 underspent, however there is a risk that the current year's spending profile may slip for some schemes (Appendices 2 and 3).

The Authority maintains Earmarked and General Reserves in order to assist it in managing its spending plans across financial year (Earmarked Reserves) and making provisions for the financial risks it faces (General Reserves). A summary of the current planned use of Reserves can be found at Appendix 4.

A summary of the savings, £1,864,000, already taken from the 2016/17 budget, is set out in Appendix 5.

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**RECOMMENDATION**

**(a) Members are asked to note:**

- i) the projected Revenue Budget underspend and the risks identified;
- ii) the variations to the capital programme, all within the delegated powers of the Chief Fire Officer and the Treasurer to approve;
- iii) the projected underspend in the Capital Programme;
- iv) the planned use of reserves;
- v) the monitoring of savings taken in 2016/17; and
- vi) the current year investments.

**(b) Members are recommended to approve** the drawdown of up to £350,000 from the IMD Transformation Reserve to fund the IT implications of the SHQ Relocation Programme and other planned refresh activity in 2016/17.

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## 1. INTRODUCTION

- 1.1 This is the first report to the Fire Authority for 2016/17 which in respect of the Revenue Budget now reflects the new management structure and takes account of the savings achieved.

	This report
	£'000
Revenue (see paragraph 2)	(47)
Capital in year (see paragraph 5)	(27)

- 1.2 The financial information contained in this report is based upon enquiries as at 31 July 2016.
- 1.3 This report highlights risks to the 2016/17 Revenue Budget that may impact on the projected outturn position as indicated in 1.2 above. The monitoring of Wholetime pay and the transition to the Fighters' Pension 2015 scheme will impact on the forecast. Coupled with this, at this early point in the financial year, it is difficult to accurately forecast outturn and this report considers those issues both internal and external that will influence the final outturn position.

## 2. REVENUE BUDGET COMMENTARY

- 2.1 **Safer Communities, RDS pay** – This budget is projected to be underspent in the region of £130,000, this projection is based on only 3 months of operational activity and takes into account budget transfers for the new RDS Support Officer post in Lewes and their response vehicle. The projection is based on comparing the spending to date to the same period last year, but this budget is demand led and has the potential to be volatile.
- 2.2 **Operational Support and Resilience, Sussex Control** – The Sussex Control Centre (SCC) budget remains under pressure as a result of the continued operation of two mobilising systems. Actions are being taken and alternatives being explored but in the meantime, the previous year's overall overspend of £126,000 can be expected to be replicated. Current projections support this with the East Sussex share of the 2016/17 position estimated as an overspend of £68,000. The budget continues to be under pressure on the staff and staff related costs budget with some underspending in ICT budgets.
- 2.3 **Resources/Treasurer** – There is a projected overspend of £40,000 on the uniform budget, this is as a result of a combination of additional demand relating to RDS Firefighters having to be fitted out when offered fixed term contracts to become Wholetime Firefighters and changes to the policy of uniform issue (where these costs fall in the Sussex Control, 50% is recharged to West Sussex Fire & Rescue). Work is underway to identify potential compensatory savings elsewhere within the Directorate budget.
- 2.4 **Planning and Improvement** – The budget manager has committed £35,000 of the £60,000 Integrated Risk Management Plan (IRMP) consultation budget to be spent in this year, this will result in an underspend of £25,000.

- 2.5 **Corporate Contingency** – This budget is intended to provide some flexibility for CMT to manage in year budget pressures and was set at £270,200 for 2016/17. The Table below shows the movements to date:

	<b>£'000</b>
<b>Opening budget</b>	<b>270</b>
<b><i>Transferred</i></b>	
Senior Management Review saving (2016/17 element)	189
Additional Costs in SCC Special Projects Budget	(26)
Temporary extension of hours Estates administrator	(6)
Additional temporary procurement resource to match demand	(19)
<b>Current Budget</b>	<b>408</b>
<b><i>Pending Transactions:</i></b>	
Carry forward 2015/16 IMD	(88)
Carry Forward 2015/16 Internal Audit days	(7)
Carry Forward 2015/16 Performance Management	(10)
Green Book pay award – excess provision	36
Grey book pay award – excess provision	83
Estates – contribution to Spaces project manager costs	(5)
Chief Fire Officers Association – R&D project	(5)
<b>Uncommitted total</b>	<b>412</b>

With £51,000 already transferred out and £189,000 added for the 2016/17 savings from the senior management restructure the corporate contingency budget currently stands at £408,000. A further £115,000 has been earmarked by CMT, combined with £119,000 from the overprovision for pay awards, there are now available funds of £412,000 for the remainder of 2016/17. The Revenue Budget 2016/17 includes a pay award provision of 1.5% for both Green Book and Grey Book employees. In both cases the agreed pay award for 2016/17 is 1.0% which equates to a saving of £83,000 on Grey Book and £36,000 on Green Book budgets respectively.

### 3. **REVENUE BUDGET RISKS**

- 3.1 The overall number of **Wholetime firefighters** (including those employed in all Directorates) continues to be above the budgeted level. The number of operational personnel is budgeted to fall from 360 at the start of the financial year (including the reductions from Hove) to 343 by the end of 2016/17. The table below shows the number of Wholetime Firefighters paid from April to date allowing for the 5 seconded officers where costs are fully recovered:

<b>Month</b>	<b>Number paid</b>
April	388
May	373
June	374
July	369

There is a risk that this budget will overspend, given the higher number of operational personnel being paid compared to the number budgeted for. Extrapolating the 2016/17 position to date indicates a risk that this budget may overspend by up to £208,000. Work will continue to identify the pressures on directorate budgets and the impact of the work carried out by the Bridging the Savings Gap programme. When this is complete any projections will be included in the overall forecast and in Appendix A. Until then this remains a risk to the overall Revenue Budget.

- 3.2 In 2015/16, the **Wholetime pension** budget underspent, although in the same financial year the pay budget was overspent. The Firefighters' Pension position is a complex area with the budget provision being based on a model that was designed before the new 2015 Scheme was introduced as well as the impact from other changes. Initial enquiries indicate that the underlying underspend could be repeated in 2016/17, with early projections showing a risk that this this budget may underspend by up to £300,000. A complete review of the Wholetime Pension budget will take place over the summer to inform the budget monitoring reports.
- 3.3 **RDS Pay** – there is a potential pressure within the RDS pay budget resulting from the need to implement the requirement of the Part Time Workers (Prevention of Less Favourable Treatment) Regulations 2000 in relation to payment for public holidays for our RDS staff. There is still further work to do to finalise details of the payments but initial estimates indicate they are expected to be £73,000 in 2016/17 (including a backdated element) and £18,000 p.a. ongoing.
- 3.4 **Planning and Improvement** – This budget includes £160,000 allocated by the Fire Authority for a Programme Management Office (PMO). Work on developing the PMO remit and is in progress but no appointments have yet been made and the budget seems unlikely to be spent in full for 2016/17.
- 3.5 **Resources / Treasurer, IMD** – This budget is currently being reviewed for 2016/17 following the decision of the Urgency Panel to approve the award of a contract for IMD service delivery to telent Technology Services Ltd. We have already identified a number of cost pressures related to the IMD Transformation Programme. The additional time and effort required to finalise the contract with telent required us to utilise higher volumes of support from Spirit Acuity and from our legal advisers DAC Beachcroft over a 6 week period and the cost impacts of this are being assessed. We have also had to source additional temporary IT resources to enable our existing staff to engage in an intensive period of transition planning with telent and to provide interim cover for staff absence, ensuring that essential services to the business can be maintained. Further work is required to assess whether the costs can be contained within the existing IMD budget.
- 3.6 **Operational Support, Special Projects** – absence of a key staffing resource has meant that the Authority has had to put in place interim arrangements for project management support to the SCC Project. Because of the urgency of securing this resource it has been sourced from a specialist IT consultancy under a waiver from Contract Standing Orders. The initial contract is for 6 months and will cost £50,000 which will be funded from the corporate contingency budget as this is forward planning; the impact is not included in the table at 2.5.

#### 4. **MONITORING OF SAVINGS**

- 4.1 Appendix 5 shows the savings required to be made in 2016/17 and the following two financial years. This illustrates the levels of savings that need to be achieved in those years, rather than the cumulative savings including those already achieved.
- 4.2 The Bridging the Savings Gap project, which is addressing the most challenging elements of the implementation of the savings, is now fully underway and has already concluded implementation of a number of the savings required. Work is continuing toward achieving the remaining savings targets.

#### 5. **CAPITAL PROGRAMME COMMENTARY**

- 5.1 **General Property Schemes** – The slippage from 2015/16 has been added to the current year's budget. It is not yet clear whether the £220,000 Fuel Tanks Scheme will still be required, being dependent on final decisions the Integrated Transport Function Joint Fuel project for which funding is being provided from the Fire Transformation Grant held by Surrey County Council. It is possible that local funding may be required for some aspects of the project.
- 5.2 **Breathing Apparatus Chambers** – At their meeting on 26 May 2016 the Policy & Resources Panel approved a variation to the Capital Programme of £300,000 to support the required works to the Service's four Breathing Apparatus chambers in 2016/17.
- 5.3 **Sustainability** - The slippage from 2015/16 has been added to the current year's budget.
- 5.4 **Fire Appliances** – A decision has been taken to specify the inclusion of foam for the 3 appliances ordered in 2016/17. Under the approved delegations set out in Financial Regulations, £60,000 has been transferred from the Fleet Ancillary Vehicles scheme, where savings have been identified, to fund this unplanned spend.
- 5.5 **Fleet Ancillary Vehicles** – The ancillary vehicles programme includes £17,000 slipped from the 2015/16 scheme to fund the delayed purchase of the Fire Safety Trailer and has had £60,000 transferred to the Fire Appliances scheme (see paragraph 5.5 above).
- 5.6 **Fleet Cars and Vans** – The Cars and Vans scheme includes £24,000 slipped from the 2015/16 programme to fund two payments for cars that were delivered after the 2015/16 year end. The projected cost of the 2016/17 programme includes the additional purchase of two Principal Officer cars (£70,000) and a RDS Support Officer car (£17,000). The Capital Programme has been varied to fund the RDS Support Officer car (£17,000) with a revenue contribution. The purchase of two Principal Officer cars (£70,000) can be funded from the overall Capital Programme underspend. The proposals for variations to the Capital Programme in this paragraph are within the delegated powers of the Chief Fire Officer and the Treasurer to approve. The scheme is projected to be on budget.

5.7 **BA & Ancillary Equipment** The user specification is taking longer than expected to prepare and the maturity of the market is still developing, meaning that there is a high probability that part of this scheme (£750,000) will slip into 2017/18.

## 6. **RESERVES**

6.1 The table in Appendix 4 shows the planned use of reserves for 2016/17, it takes into account of the 2015/16 unaudited underspend. The planned transfer into the Improvement & Efficiency earmarked reserve is the 2016/17 Transition Grant.

6.2 To date the following have been released into the Revenue Budget: £113,000 for sprinkler installations, £15,000 for the Emergency Services Network Health Check and £52,000 for Safer Business Training project. At this point there is no indication that the planned use of reserves will change, other than should the Capital Programme underspend in 2016/17 the use of the Capital Receipts Reserve will decrease in the same period.

6.3 The Authority has established an IMD Transformation Reserve of £2m. In the IMD Transformation Report to Urgency Panel on 8 July 2016 this is shown along with the IMD Revenue Budget as a source of funding for IMD over the lifetime of the new outsourced contract with telent and helps establish a total of £4.473m available to invest in the new IMD Strategy. This is expected to be proposed for approval in February 2017 and it is recommended that in advance of this the Authority approves the drawdown of up to £350,000 from the IMD Transformation Reserve to fund IMD projects due for delivery in 2016/17 where the costs are not built into the new contract with telent.

6.4 These costs relate to two areas:

- SHQ Relocation – the original business case for this project assumed that IMD costs would be minimal with any cost of new equipment being covered by provision for cyclical refresh built into the IMD Strategy. Timing issues mean that the new IMD Strategy and associated funding will not be in place until later in 2016/17 and it is clear that there will be some costs relating to the provision of new network connections for the shared HQ site in Lewes and associated equipment and project management. In addition the Programme Board has agreed that new PCs, laptops and telephones should be purchased for the move as existing equipment is beyond its recommended life. This approach will reduce both risk and the project management costs. In effect this will mean bringing forward refresh activity and spend that would have been incurred in future years.
- Replacement of station end and LAN equipment and MDTs – this is planned refresh of essential operational and network equipment.

## 7. **BORROWING AND INVESTMENT**

7.1 As at the 31 July 2016, the Authority held cash balances of £26.0m which were invested as set out in Appendix 6 in accordance with the Treasury Management Strategy. The Firefighters' Pension top up grant was received on 28 July contributing to the large increase in funds (£8.5m).

East Sussex Fire Authority  
2016/17 Revenue Budget – Objective Analysis

Appendix 1

	Original Budget £'000	Revised Budget £'000	Projected Outturn £'000	Variance £'000	Variance %	Variance last report £'000
Training and Assurance	2,049	2,039	2,039	0	0	0
Resources/Treasurer	7,584	7,642	7,682	40	0.5	0
Planning and Improvement	1,157	1,137	1,112	(25)	(2.2)	0
<b>Total Deputy Chief Fire Officer</b>	<b>10,790</b>	<b>10,818</b>	<b>10,833</b>	<b>15</b>	<b>0.1</b>	<b>0</b>
Human Resources and Organisational Development	868	910	910	0	0	0
Safer Communities	19,473	19,559	19,429	(130)	(0.7)	0
Operational Support	3,583	3,571	3,639	68	1.9	0
<b>Total Assistant Chief Fire Officer</b>	<b>23,924</b>	<b>24,040</b>	<b>23,978</b>	<b>(62)</b>	<b>(0.3)</b>	<b>0</b>
CFO Staff	831	729	729	0	0	0
Treasury Management	1,368	1,368	1,368	0	0	0
Non Delegated costs	402	401	401	0	0	0
Corporate Contingency	270	408	408	0	0	0
Transfer To/From Reserves	847	668	668	0	0	0
<b>Total Corporate</b>	<b>3,718</b>	<b>3,574</b>	<b>3,574</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total Net Expenditure</b>	<b>38,432</b>	<b>38,432</b>	<b>38,385</b>	<b>(47)</b>	<b>(0.1)</b>	<b>0</b>
Financed By:						
Council Tax	(24,280)	(24,280)	(24,280)	0	0	0
Business Rates	(7,273)	(7,273)	(7,273)	0	0	0
Revenue Support Grant	(6,196)	(6,196)	(6,196)	0	0	0
Transition Grant	(97)	(97)	(97)	0	0	0
S31 Grants	(217)	(217)	(217)	0	0	0
Collection Fund Surplus/Deficit	(369)	(369)	(369)	0	0	0
Council Tax						
<b>Total Financing</b>	<b>(38,432)</b>	<b>(38,432)</b>	<b>(38,432)</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total Over / (Under) Spend</b>	<b>0</b>	<b>0</b>	<b>(47)</b>	<b>(47)</b>	<b>(0.1)</b>	<b>0</b>

Capital Scheme	Original Budget as agreed CFA Feb 2016	Revised Budget	Projected Outturn	Variance	Variance	Variance Last Report
	£'000	£'000	£'000	£'000	%	£'000
<b>Property Major Schemes</b>						
Newhaven Fire Station	49	49	49	0	0.0	0
Service HQ Relocation	624	624	624	0	0.0	0
<b>Subtotal</b>	<b>673</b>	<b>673</b>	<b>673</b>	<b>0</b>	<b>0.0</b>	<b>0</b>
<b>Property General Schemes</b>						
General Schemes	705	733	733	0	0.0	0
Breathing Apparatus Chambers	0	300	300	0	0.0	0
Sustainability	155	197	197	0	0.0	0
<b>Subtotal</b>	<b>860</b>	<b>1,230</b>	<b>1,230</b>	<b>0</b>	<b>0.0</b>	<b>0</b>
<b>Information Management</b>						
IMD Strategy SCC	607	607	607	0	0.0	0
<b>Fleet &amp; Equipment</b>						
Fire Appliances	935	995	898	(97)	(9.7)	0
Ancillary Vehicles	556	513	513	0	0.0	0
Cars & Vans	185	226	296	70	31.0	0
BA & Ancillary Equipment	750	750	750	0	0.0	0
<b>Subtotal</b>	<b>2,426</b>	<b>2,484</b>	<b>2,457</b>	<b>(27)</b>	<b>(1.1)</b>	<b>0</b>
<b>Total</b>	<b>4,566</b>	<b>4,994</b>	<b>4,967</b>	<b>(27)</b>	<b>(0.5)</b>	<b>0</b>

**N.B.** Revised Budget includes Policy & Resources approvals.

Capital Scheme	Original Budget as agreed by CFA Feb 2016 £'000	Revised Budget £'000	Projected Outturn £'000	Variance £'000	Variance %	Variance last Report £'000
<b>Property Major Schemes</b>						
Newhaven Fire Station	3,560	3,560	3,560	0	0.0	
Service HQ Relocation	650	650	650	0	0.0	
<b>Subtotal</b>	<b>4,210</b>	<b>4,210</b>	<b>4,210</b>	<b>0</b>	<b>0.0</b>	<b>0</b>
<b>Property General Schemes</b>						
General Schemes	2,976	2,976	2,853	(123)	(4.1)	0
Breathing Apparatus Chambers	0	300	300	0	0.0	0
Replacement Fuel Tanks	220	220	220	0	0.0	0
Sustainability	420	420	420	0	0.0	0
<b>Subtotal</b>	<b>3,616</b>	<b>3,916</b>	<b>3,793</b>	<b>(123)</b>	<b>(3.1)</b>	<b>0</b>
<b>Information Management</b>						
IMD Strategy SCC	2,027	2,027	2,027	0	0.0	0
<b>Fleet &amp; Equipment</b>						
Fire Appliances	5,165	5,255	5,265	40	0.8	0
Aerial Appliances	680	680	680	0	0.0	0
Ancillary Vehicles	1,457	1,397	1,397	0	0.0	0
Cars & Vans	1,321	1,338	1,408	70	5.2	0
BA & Ancillary Equipment	750	750	750	0	0.0	0
<b>Subtotal</b>	<b>9,373</b>	<b>9,390</b>	<b>9,500</b>	<b>110</b>	<b>1.2</b>	<b>0</b>
<b>Total</b>	<b>19,226</b>	<b>19,543</b>	<b>19,530</b>	<b>(13)</b>	<b>(0.1)</b>	<b>0</b>

**N.B.** Revised Budget includes Policy & Resources approvals.



East Sussex Fire Authority  
2016/17 Reserves Projections

Appendix 4

Description	Opening Balance 01/04/16 £'000	2016/17 Planned Transfers In £'000	2016/17 Planned Transfers Out £'000	2016/17 Forecast Transfers In £'000	2016/17 Forecast Transfers Out £'000	Projected Closing Balance 31/03/17 £'000
<b>Earmarked Reserves</b>						
Improvement and Efficiency	1,804	97	(797)	97	(797)	1,104
Sprinklers	187		(113)		(113)	74
Insurance	249					249
Community Fire Safety	145		(145)		(145)	0
Breathing Apparatus	750		(750)		(750)	0
Mapping Solution	69					69
ESN Health Check	15		(15)		(15)	0
Safer Business Training	140		(52)		(77)	63
IMD Transformation	2,000		(600)		(600)	1,400
Capital Programme Reserve	4,631	750		750		5,381
<b>Total Earmarked Reserves</b>	<b>9,990</b>	<b>847</b>	<b>(2,472)</b>	<b>847</b>	<b>(2,497)</b>	<b>8,340</b>
<b>General Fund</b>	<b>3,142</b>					<b>3,142</b>
<b>Total Revenue Reserves</b>	<b>13,132</b>	<b>847</b>	<b>(2,472)</b>	<b>847</b>	<b>(2,497)</b>	<b>11,482</b>
Capital Receipts Reserve	6,438	515	(2,564)	515	(2,564)	4,389
<b>Total Capital Reserves</b>	<b>6,438</b>	<b>515</b>	<b>(2,564)</b>	<b>515</b>	<b>(2,564)</b>	<b>4,389</b>
<b>Total Usable Reserves</b>	<b>19,570</b>	<b>1,362</b>	<b>(5,036)</b>	<b>1,362</b>	<b>(5,061)</b>	<b>15,871</b>



East Sussex Fire Authority

Appendix 5

Monitoring of Savings 2016/17 - 2018/19

Summary showing Changing the Service Phases 1 and 2 and other operational savings

	Budget			Current Forecast			Variance		
	2016/17	2017/18	2018/19	2016/17	2017/18	2018/19	2016/17	2017/18	2018/19
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<b>Phase 2 Savings</b>									
Removal of a pump from Hove	(932)	0	0	(932)	0	0	0	0	0
Riding at Standard	(280)	(560)	(280)	(280)	(560)	(280)	0	0	0
<b>Total Phase 2 Savings</b>	<b>(1,212)</b>	<b>(560)</b>	<b>(280)</b>	<b>(1,212)</b>	<b>(560)</b>	<b>(280)</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total Facing the Challenge</b>	<b>(75)</b>	<b>(73)</b>	<b>0</b>	<b>(75)</b>	<b>(73)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total non-operational savings</b>	<b>(439)</b>	<b>(376)</b>	<b>(173)</b>	<b>(439)</b>	<b>(376)</b>	<b>(173)</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total additional savings</b>	<b>(138)</b>	<b>0</b>	<b>0</b>	<b>(138)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total all other savings</b>	<b>(652)</b>	<b>(449)</b>	<b>(173)</b>	<b>(652)</b>	<b>(449)</b>	<b>(173)</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total Savings</b>	<b>(1,864)</b>	<b>(1,009)</b>	<b>(453)</b>	<b>(1,864)</b>	<b>(1,009)</b>	<b>(453)</b>	<b>0</b>	<b>0</b>	<b>0</b>

N.B. Above table shows in-year savings, not cumulative

**East Sussex Fire Authority  
Investment as at 31 July 2016**

**Appendix 6**

<b>Counterparty</b>	<b>Type</b>	<b>Amount £'000</b>	<b>Term</b>	<b>Rate %</b>
Lloyds/HBOS	Fixed	2,000	3 months	0.65
Lloyds/HBOS	Notice	2,000	175 days	0.80
Santander	Notice	4,000	95 days	0.90
Barclays	Notice	3,000	100 days	0.69
Standard Life	MMF	4,000	Instant Access	0.52
Insight	MMF	4,000	Instant Access	0.50
Deutsche Bank	MMF	4,000	Instant Access	0.51
JP Morgan	MMF	3,000	Instant Access	0.44
<b>Total Current Investments</b>		<b>26,000</b>		

**EAST SUSSEX FIRE AUTHORITY**

**Date** 8 September 2016

**Title of Report** Integrated Risk Management Plan (IRMP) 2017/18-2019/20

**By** Gary Walsh, Chief Fire Officer

**Lead Officer** Dawn Whittaker, Deputy Chief Fire Officer  
Liz Ridley, Assistant Director Planning & Improvement

**Background Papers** None

**Accompanying documents** Integrated Risk Management Plan Consultation Draft

**Appendices** (A) Area Profile  
(B) Update on previous IRMP

**Implications**

<b>CORPORATE RISK</b>	✓	<b>LEGAL</b>	✓
<b>ENVIRONMENTAL</b>		<b>POLICY</b>	✓
<b>FINANCIAL</b>	✓	<b>POLITICAL</b>	✓
<b>HEALTH &amp; SAFETY</b>		<b>OTHER (please specify)</b>	✓
<b>HUMAN RESOURCES</b>		<b>Service Delivery</b>	
<b>EQUALITY IMPACT ASSESSMENT</b>		<b>CORE BRIEF</b>	

**PURPOSE OF REPORT** To seek approval for the 2017/18 – 2019/20 Integrated Risk Management Plan (IRMP) and consultation process.

**EXECUTIVE SUMMARY** The next IRMP, which details our strategic direction for the period of the next three years 2017/18 – 2019/20, is now ready for Fire Authority approval and public/stakeholder consultation.

Due to the short timescales between Fire Authority meetings an eight week consultation period has been recommended.

**RECOMMENDATION** Members are asked to:

- i) approve the draft IRMP and associated appendices;
- ii) approve the proposals included in the draft IRMP and detailed in this report at 2.3; and
- iii) approve the eight week consultation period and Plan.

## 1. **INTRODUCTION**

- 1.1 The current Integrated Risk Management Plan (IRMP) takes us to 31 March 2017 and the draft IRMP for the period 2017/18 – 2019/20 is now ready for consideration by the Fire Authority.
- 1.2 A programme of pre-consultation, engagement activities was held in April 2016 to seek feedback on our new Purpose and Commitments and the future direction of the IRMP. Staff, stakeholders, partners and members of the public responded via face to face discussions and an online survey. The feedback received has been considered by the Corporate Management Team (CMT) and at a Members' Seminar, and has helped shape the strategic direction now outlined within the draft IRMP 2017/18-2019/20.
- 1.3 At the Members' Seminar in July, a new Purpose and set of Commitments was finalised and the IRMP now shows a clear way forward, in terms of priorities and strategy, to underpin those Commitments.
- 1.4 The costs of the consultation are funded from within existing budgets.
- 1.5 There are costs associated with some of the proposals being consulted on. Should Members determine to approve these proposals, following consultation, at their meeting in December 2016, funding will need to be considered through the budget setting process for 2017/18 onwards, as part of the MTFP.

## 2. **IRMP FUTURE DIRECTION**

- 2.1 In the last IRMP the Fire Authority stated that, by 2020, the Authority aimed to be able to show that:
  - we have a transformed Service providing effective and efficient prevention, protection and response services which are sustainable
  - our fire stations are equipped and staffed in the most appropriate ways to tackle risks in their local areas
  - our Service is taking advantage of the significant advances in safety and firefighting technology
  - our work with other fire and rescue services, other emergency services, local organisations and local communities is giving us more capacity to deliver our services
  - there is stronger community engagement and local involvement, with elected Members of the Fire Authority leading and setting priorities and decision making, ensuring that there is more public scrutiny of our services and how we deliver them
  - greater use is being made of the rapid changes in communications technology, particularly the rise in the use of social media websites, which can provide important safety information quickly and effectively.

2.2 This IRMP will take us through the next three years to March 2020 and shows how we aim to reach those goals, which have not changed. Our IRMP must ensure that our strategies, projects and day to day business will underpin our Commitments and ensure that we fulfil Our Purpose.

2.3 Our main areas of interest for the next three years that have been identified accordingly in the draft IRMP attached, are as follows:

#### 2.3.1 **Review Service-Wide Attendance Standards**

Since late 2015, we have been reporting against the Department for Communities and Local Government's average response times, which allows the public to benchmark performance against national data.

The next step will be to undertake a comprehensive review of our attendance to life threatening incidents taking into account the success of the Service's reduction of false alarms.

Feedback received during pre-consultation engagement with our staff and stakeholders showed support for developing new variable standards based on either risk by area or by local fire station duty type.

We will now carry out some sample analysis to determine how each of those approaches will look and any proposals for the way forward will be brought to the Fire Authority for approval. Consultation will be undertaken when new attendance standards and associated targets have been identified.

#### 2.3.2 **Demand Management Strategy**

Whilst overall demand on fire and rescue service resources has reduced over recent years, we will undertake more targeted work to ensure that we continually review and improve efficiencies across the Service.

We will be reviewing our attendance to all incident types but specifically targeting all non-life threatening incidents. By reducing the demand on our Service for calls that are not deemed appropriate to attend, we will free up our resources to undertake meaningful community safety work that will make people safer in our communities.

Using a blend of incident and enforcement data, we propose to deliver locally devised plans which focus on protection and prevention initiatives to reduce risk, which in turn will further reduce demand on our services.

When assessing demand, we must also take into account the impact placed on our partners and other blue light services and consider where joint initiatives may help alleviate the pressures of providing emergency response across blue light services. Areas for investigation will include, for example, water safety, false alarms and immediate emergency care responding, and will be key focal points for future shared working practises between services.

### **2.3.3 Immediate Emergency Care Responding (IECR)**

IECR involves fire and rescue staff supporting the local ambulance service by responding to certain pre agreed medical calls, where fire and rescue resources are closer than ambulance resources, in order to improve patient outcomes during time-critical medical emergencies. These call types will only include Red 1 calls where the patient requires an urgent response, for example where heart function has stopped, breathing has stopped or if there is major bleeding.

Our firefighters are already trained in first aid and frequently respond to emergencies where people are suffering life threatening injuries. IECR will provide our firefighters with enhanced immediate emergency care and additional life-saving equipment in order to fulfil this role and support the ambulance service where it needs it most. There are a range of options available to deliver IECR which range from sending front line appliances, dedicated response vehicles or mobilising the nearest senior officer.

Each of the options for delivering IECR has a financial impact on the Service, for example, the purchase of equipment and delivery of training, all of which could be funded from existing budgets. For example, the cost to provide IECR through a variety of methods across duty systems would be £61,100 start up and £97,927 for the first year, including project management. There are many benefits to the various options, all of which are being considered by officers who are reviewing the impact of national IECR trials being undertaken under the auspices of the NJC National Employers.

### **2.3.4 Planning for Growth**

Over the next few years, East Sussex is required by Government to deliver around 20,000 more homes as part of the national housing strategy and to meet the demands of a growing population in the UK.

Initial plans are being drawn up by the individual planning authorities across the County detailing the type, number and location of dwellings to be built. Additional homes and residents will place demand on existing infrastructure and public services and, therefore, all local authorities will need to consider these impacts as part of future plans.

We will be submitting considerations to the planning authorities during 2016/2017 to ensure the sustainability of our services in the future. As the planning authorities' plans become further developed we will provide an operational assessment of the impact on the Service across its prevention, protection and response services to ensure that the Fire Authority can continue to deliver its statutory duties.

### **2.3.5 Water Safety**

Each year the Service is involved in a number of rescues and body recoveries from water. Some of these incidents are as a result of flooding but most are as a result of accidents. Not only do we have a significant length of coast but also numerous inland rivers, lakes and reservoirs such as Arlington; as well as these bodies of water, domestic pools and even baths can present a risk for the very young and elderly.



Drowning in the UK accounts for more accidental fatalities every year than fires in the home or cycling on the road and many more people suffer life changing injuries in water related incidents. In recognition of this, in February 2016, the UK published its first national Drowning Prevention Strategy.

During 2015 at least 10 people lost their lives in East Sussex as a result of drowning and this number may increase as some inquests have yet to determine cause of death.

The Service has a proven record of raising safety awareness, demonstrated by the outcomes from both fire prevention and road safety work, and we are committed to working with other agencies to ensure the risks associated with water are better understood and that the number of drownings are reduced. We will, therefore, be considering both our prevention activities and support to other agencies to address this risk to the public, and will be publishing a Water Safety Strategy in the near future.

### **2.3.6 Protection**

We will continue to reduce risk to the public, businesses and firefighters through improving how we protect buildings and their occupants. We will re-evaluate how we deliver firefighter safety and business fire safety and look to ensure a balance between the numbers of targeted premises we inspect and the advice and support we give to premises owners. We will also consider how we can make better use of operational firefighters to undertake fire safety inspections of buildings where appropriate, cost effective and where it can make a real difference.

### **2.3.7 Human Resource Planning**

We will continue to resource the Service to its operational staffing establishment providing prevention, protection and response services to the people within the communities of East Sussex and the City of Brighton & Hove.

We will continue to expand our volunteer service, supporting areas such as Safe & Well visits, joint Fire & Rescue/Police community volunteering, public health and road safety.

We will target and attract talented people into the service, promoting a positive image of the service amongst potential applicants, particularly from under-represented groups. This will focus on ensuring we adopt effective clear, consistent and transparent policies, practices and processes for recruiting, selecting and developing staff.

We will continue to develop workforce and succession planning models making the best use of talent across the service, together with the delivery of schemes such as apprenticeships and improved firefighter recruitment.

Further to this we will continue to ensure our firefighters are equipped with the necessary skills and training enabling them to respond to emergency situations both safely and effectively.

- 2.3.8 Each of these areas is described in more detail in the accompanying plan.
- 2.3.9 The appendices to the IRMP provide further context in terms of the risk profile of our Service area, incident history and progress on previous IRMP actions for Members' consideration and to enable officers to progress consultation.

### 3. **CONSULTATION**

- 3.1 It is proposed that the consultation period for this IRMP be eight weeks, commencing on Monday 12<sup>th</sup> September 2016 and closing on Monday 7<sup>th</sup> November 2016. The results of the consultation will be reported to the Fire Authority meeting on Thursday 8<sup>th</sup> December 2016.
- 3.2 Previous Government guidelines in 2013 stated: *'The timing and length of a consultation should be decided on a case-by-case basis; there is no set formula for establishing the right length. In some cases there will be no requirement for consultation, depending on the issue and whether interested groups have already been engaged in the policy making process.'*
- 3.3 Updated advice in 2016 states: *'Judge the length of the consultation... taking into account the nature and impact of the proposal.'*
- 3.4 It is anticipated that the number of responses to the consultation will be lower than in previous years due to the high-level, strategic nature of this IRMP and the fact that there are no contentious proposals being put forward. It is also the case that we have conducted a programme of pre-consultation engagement and, therefore, a lot of our stakeholders, including staff and the public, will already be familiar with some of the subject matter and, indeed, have already given feedback on its development.
- 3.5 If the consultation were longer it would not allow adequate time to collate and consider the consultation responses in order to present them to the Fire Authority on 8<sup>th</sup> December 2016 and therefore, include in reports to the Fire Authority any impacts particularly on the Authority's Medium Term Financial Plan.

- 3.6 ESFRS has been running consultations for IRMPs and Service Reviews for many years and has found the following trends in responses to be typical:
- Interested parties respond very quickly, sometimes using more than one method of communication
  - Any media coverage is usually immediate and will raise the public's interest very quickly after information is released
  - People who attend the focus groups, forums and staff meetings tend to respond straight after information has been received and discussed
  - Once initial meetings and communications have been sent, reminders do elicit further interest but at a very much lower level than the first responses
  - During the last 2 or 3 weeks of the consultation period there is very little interest and requests for information have usually died down completely
  - Regardless of the timescale there will always be people who respond after the deadline resulting in their responses being too late to be included in the resulting report. This number is, however, usually very low e.g. the Hastings Review received 3 responses after the consultation had closed.

### 3.7 **Expert Advice**

Over the past few years we have worked very successfully with Opinion Research Services (ORS) on consultation and, having asked their advice on holding an 8 week process, they offered the following:

*'...we are currently undertaking a consultation for a group of councils that is likely to be far more controversial than yours and they are only out for eight weeks. Similarly, Hereford & Worcester are out to consultation at the moment on merging three (fire) stations into a new 'emergency services hub' and they, too, are out for eight weeks. They would have gone for six but for the school holidays.'*

- 3.8 It is felt that our proposed combination of consultation methods, each providing early opportunities to provide information to all audiences, using multiple channels and various communication styles, will allow stakeholders sufficient time to provide a considered response within an 8 week consultation period.

## 4. **CONSULTATION METHODS**

- 4.1 It is essential that we conduct a wide ranging consultation process to attract as many responses as possible both on line and via non-digital methods. The consultation information will be available on the Service's website from Monday 12<sup>th</sup> September 2016 and staff, stakeholders and the public will all be informed of its location and the opportunities to respond and comment on the IRMP as soon as possible after that date. The following formats will be used to engage staff, stakeholders, local businesses and the public:

- Online questionnaire hosted by ORS (printable on request)
- Staff presentations conducted in house
- A stakeholder forum conducted in house
- Direct mailing to businesses, community groups, parish councils, landlords and recent Service users (people who have had incidents that we attended), encouraging participation in the survey and the stakeholder forum if appropriate
- Member involvement; we will provide leaflets and info packs to Members for use in surgeries and meetings and any interactions as appropriate

## 5. **COMMUNICATIONS**

5.1 A robust communications campaign, publicising our main messages, will support the consultation process and promote participation.

### 5.2 **Objectives**

There are a number of key objectives:

- To publicise our plans
- To encourage participation in the consultation
- To set out the next steps
- To help the public, staff and stakeholders understand that we are facing new challenges

5.3 It should be recognised that this IRMP contains a number of questions which the public may not immediately be concerned that they have an impact on the service to the public. We will need to carefully monitor the number of responses and adjust our strategy accordingly. For example, we may need to invest in advertising in local media to increase publicity and the number of responses.

### 5.4 **Increasing reach**

We will make information readily available in a range of formats. As previously indicated by the Fire Authority, there is a preference for free or low cost options which have a proven record of success. According to Ofcom, 81% of adults in the UK have broadband and 73% of those use social media. We will take advantage of this strength by using digital communications. This will be supported by other forms of communication such as local media which, broadly speaking, will reach those not online. We will use stakeholder groups such as specialist charities to seek the views of those groups deemed to be harder to reach through our usual methods.

### 5.5 **Digital Communication**

The website will be updated once the consultation is open with information about how people can take part, including a link to the online survey. It will also host a range of publicity materials such as posters, leaflets and links to Fire Authority papers, etc. A social media campaign will be launched using Facebook and Twitter. We will use Facebook advertising to target members of the public who do not already follow our work. We will promptly answer any questions raised and signpost people to further information.

### 5.6 **Media engagement**

The media is a very powerful route to a wide range of audience groups. We have a positive relationship with local media and will seek coverage for our consultation by issuing press releases and offering media interviews. There will be media monitoring in place to help assess common themes of concern or interest and these will be used to shape communications as the consultation progresses.

5.7 **Stakeholder engagement**

In order to support stakeholder engagement we will produce the following supporting materials

- Posters
- Flyers

We will directly email a number of key stakeholders including, but not limited to, Councils including Parish Councils, charities and support groups and partners

5.8 We will support face to face engagement by Fire Authority Members and ESFRS staff by producing a pack for use at any events they are attending.

5.9 Libraries will be sent a copy of the consultation along with posters and flyers for display purposes.

5.10 Following collation and analysis, the consultation results will be reported to the Fire Authority on Thursday 8<sup>th</sup> December 2016, where the IRMP will be agreed or amended accordingly. The three year plan will then come into effect on 1<sup>st</sup> April 2017 and the Authority will receive an annual action plan update.



**EAST SUSSEX FIRE AUTHORITY**

**Date** 8 September 2016  
**Title of Report** Annual Performance Outcome Report 2015/16  
**By** Gary Walsh, Chief Fire Officer  
**Lead Officer** Liz Ridley, Assistant Director Planning & Improvement  
**Lead Member** -

**Background Papers** None

**Appendices** Appendix A – Annual performance outcome report 2015/16

**Implications**

<b>CORPORATE RISK</b>		<b>LEGAL</b>	
<b>ENVIRONMENTAL</b>		<b>POLICY</b>	
<b>FINANCIAL</b>		<b>POLITICAL</b>	
<b>HEALTH &amp; SAFETY</b>		<b>OTHER (please specify)</b>	
<b>HUMAN RESOURCES</b>		<b>CORE BRIEF</b>	
<b>EQUALITY IMPACT ASSESSMENT</b>			

**PURPOSE OF REPORT** To present the annual performance results for 2015/16

**EXECUTIVE SUMMARY** This report provides the Fire Authority with details of East Sussex Fire & Rescue Service’s performance for the period April 2015 – March 2016. The Service met its target in 68.2% of its Performance Indicators for 2015/16, which is a slight reduction on last year where it met 71%.

**RECOMMENDATION** That the Fire Authority notes the report.

## 1. **INTRODUCTION**

- 1.1 The Annual Performance Outcome Report for 2015/16 is attached as Appendix A and summarises the 2015/16 performance outcomes. The report provides a single view of performance which allows elected Members, Auditors and members of the public to hold the Service's senior managers and staff to account in terms of the provision and performance of their Fire & Rescue Service for 2015/16.
- 1.2 The report provides a comparison against last year's performance, whether or not the target was achieved and the direction of travel from the previous year in a simple Red, Amber, Green traffic light portrayal.
- 1.3 East Sussex Fire & Rescue Service's performance is normally compared against the results for Fire & Rescue Services in the rest of England on a scale of best to worst performance based on DCLG results 2014/15. The national results for 2015/16, however, have not yet been published.
- 1.4 The report highlights a slight decline on last year's performance as 68.2% of performance indicators meeting the approved targets as opposed to 71% for the previous year, 2014/15.

## 2. **MAIN ISSUES**

- 2.1 Primary Fires are 4.6% under target (57 incidents) but have increased by 3.1% (36) since 2014/15, from 1,151 to 1,187 fires, and reduced by 24.9% (393) since the 2009/10 baseline.
- 2.2 34% of the primary fires attended in 2015/16 did not require any form of firefighting action by our crews and a further 22% were dealt with by small firefighting means, e.g. a portable extinguisher, or were allowed to burn out under the supervision of the crew.
- 2.3 Accidental dwelling fires are 3.5% over target (19 incidents) and have increased by 2.8% (15) since 2014/15 from 538 to 553 fires but reduced by 1.6% (9) since the 2009/10 baseline of 562. Cooking appliances were responsible for 276 (50%) of the accidental dwelling fires and 341 (62%) of them occurred in the kitchen.
- 2.4 43% of the accidental dwelling fires attended in 2015/16 did not require any form of firefighting action by our crews and a further 30% were dealt with by small firefighting means, e.g. using a portable extinguisher, or allowing the fire to burn out under the supervision of the crew. Reduced firefighting means include, for example, such methods as using a bucket of water, disconnecting a fuel supply, or removing an item from a heat source.
- 2.5 Deliberate Primary Fires excluding vehicles fires are 3% under target (5 incidents) but have increased by 23% (29) since 2014/15 from 125 to 154 fires; and reduced by 46% (135) since the 2009/10 baseline of 289.
- 2.6 The performance outcome summary is set out in Appendix A, attached as a separate document.



**EAST SUSSEX FIRE AUTHORITY**

**Date** 8 September 2016

**Title of Report** Immediate Emergency Care Responding – Future Options

**By** Gary Walsh, Chief Fire Officer

**Lead Officer** Mark O'Brien, Assistant Director Operational Support & Resilience

**Background Papers** “Emergency Medical Response”, presentation to Fire Authority Members Seminar; February 2016.

**Appendices** NONE

**Implications**

<b>CORPORATE RISK</b>		<b>LEGAL</b>	✓
<b>ENVIRONMENTAL</b>		<b>POLICY</b>	✓
<b>FINANCIAL</b>	✓	<b>POLITICAL</b>	✓
<b>HEALTH &amp; SAFETY</b>		<b>OTHER (please specify)</b>	
<b>HUMAN RESOURCES</b>		<b>CORE BRIEF</b>	
<b>EQUALITY IMPACT ASSESSMENT</b>			

**PURPOSE OF REPORT** To inform Members of the proposal for East Sussex Fire & Rescue Service to undertake Immediate Emergency Care Responding on behalf of South East Coast Ambulance Trust.

**EXECUTIVE SUMMARY**

Each year, ambulance services across the UK respond to approximately 60,000 cases of suspected cardiac arrest. Resuscitation is attempted by ambulance staff in less than half of these cases. The reasons for not attempting resuscitation are that, either the victim has been dead for some time, or they have not received early “cardio pulmonary resuscitation” (CPR) before the arrival of the ambulance service.

Ambulance trusts in the UK are coming under increased pressure to provide a timely response to such incidents due to the consistent increase in emergency medical calls of around 6% per annum. At the same time, fire and rescue services (FRSs) are operating within a context of an average 40 % reduction in demand on response services over the last decade.

As a consequence, many fire and rescue services are engaging in “emergency medical response” which involve fire and rescue staff supporting the local ambulance service by responding to a pre-agreed category of medical calls, where fire and rescue resources, with the equipment and skills, are closer than ambulance resources, in order to improve patient outcomes affected by time-critical medical emergencies.

Following discussions between Officers and South East Coast Ambulance Trust (SECAMB), it is a shared view that by supporting SECAMB in this way, the Service could enhance its value to the communities of East Sussex and Brighton & Hove and improve patient outcomes in certain medical emergencies.

However, it is clear that should the Authority agree to provide a scheme in support of SECAMB, then the majority of costs will need to be borne by the Authority. The Authority may, therefore, determine that the proposal to use Fire Authority resources should be a matter for public consultation.

The purpose of this report is to outline to the Fire Authority the issues, implications and costs of the Service providing an immediate emergency care response (IECR) capability; and to seek Authority approval to commence a two year pilot, subject to public consultation via the 2017/18–2019/20 IRMP which will be considered as another report on this agenda, and for this to be funded from within existing budgets and reserves.

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**RECOMMENDATIONS:** That the Fire Authority –

- i) notes the contents of the report;
  - ii) provides direction to officers on the need to consult the public as part of the 2017/18–2019/20 IRMP public consultation process;
  - iii) subject to recommendation ii), approves the proposal to introduce a pilot scheme at selected shift, day-crewed and retained stations alongside volunteers from other staff groups (Flexible Duty Officers and Locality Managers) to respond to medical emergencies involving cardiac arrest, breathing difficulties and/or major bleeding (Red 1 calls);
  - iv) approves additional training to ensure staff involved in the scheme are trained to the appropriate Immediate Emergency Care – Responder standard;
  - v) approves the purchase of the necessary additional equipment to undertake IEC-R;
  - vi) approves start-up funding and project management costs for the two year scheme, to be drawn down from the Improvement & Efficiency reserve; and
  - vii) approves yearly operating costs to be met from within existing budgets.
-

## 1. **INTRODUCTION**

- 1.1 Each year, ambulance services across the UK respond to approximately 60,000 cases of suspected cardiac arrest. Resuscitation is attempted by ambulance staff in less than half of these cases. The reasons for not attempting resuscitation are that, either the victim has been dead for some time, or they have not received early “cardio pulmonary resuscitation” (CPR) before the arrival of the ambulance service.
- 1.2 It is a matter of fact in these cases that the speed of response means the difference between life and death. For every minute that a person in cardiac arrest does not receive basic life support (i.e. CPR), their chance of survival decreases by 10%. The administration of high quality CPR can almost double survival rates, from 5% chance of survival to 9% chance of survival. Survival rates can be increased further with timely defibrillation (that is the stopping of fibrillation of the heart by administering a controlled electric shock, to allow restoration of the normal rhythm) to up to 50% chance of survival.
- 1.3 Ambulance trusts in the UK are coming under increased pressure to provide a timely response to such incidents due to the consistent increase in emergency medical calls of around 6% per annum. At the same time, fire and rescue services (FRSs) are operating within a context of an average 40% reduction in demand on response services over the last decade.
- 1.4 In light of this disparity between the operational demands on each agency, many FRSs are looking to see if they can provide increased utilisation of operational staff in order to attempt to ensure the best chance of survival for the casualty by augmenting the ambulance service response to medical emergencies.
- 1.5 Such support has commonly been termed “emergency medical response” and involves fire and rescue staff supporting the ambulance service through responding to pre-agreed medical calls, where fire and rescue resources are closer than ambulance resources, in order to improve patient outcomes during time-critical medical emergencies.
- 1.6 As a result, across the UK 36 FRSs are collaborating with local ambulance trusts in providing some form of emergency medical responding scheme by attending “Red 1” life threatening calls (heart attacks, breathing difficulties, major bleeding) and / or “Red 2” calls (those calls which are serious but not immediately life threatening). In all cases, this capability provided by the fire and rescue service does not replace the response from the local ambulance service but enhances the response to ensure the best chance of survival for the casualty.
- 1.7 Following discussions between officers from the Service and SECamb, it is a shared view that by our staff and resources supporting SECamb, that the Service could enhance its value to the communities of East Sussex and Brighton & Hove and improve patient outcomes in certain medical emergencies.
- 1.8 The purpose of this report is, therefore, to outline to Fire Authority Members the issues, implications and costs of the Service providing an immediate emergency care response capability; and to seek Authority approval to commence a two year pilot, subject to public consultation via the 2017/18 – 2019/20 IRMP public consultation process, and for this to be funded from within existing budgets.

## 2. **NATIONAL AND REGIONAL CONTEXT**

- 2.1 The Association of Ambulance Chief Executives (AACE) has supported ambulance trusts working with community first responders (volunteer members of the public trained in CPR and the use of automatic external defibrillators (AEDs)) for over 15 years, and welcomes the support of partner agencies from the other blue light services in contributing to improved patient outcomes. AACE recognises that, due to the dispersal of fire and rescue resources and the fact that, through successful prevention strategies, FRS resources are less utilised than that of ambulance trusts, FRSs may have the capacity to engage in emergency medical responding.
- 2.2 The Chief Fire Officers Association (CFOA) has endorsed community first responding in the fire and rescue service and has a designated national lead to provide advice, guidance and support. In addition, CFOA, along with AACE and the National Police Chiefs Council (NPCC), has signed a joint consensus statement which supports joint working and closer collaboration in relation to emergency medical responding. The consensus statement also provides guidance and principles of medical response schemes and these have been considered jointly by officers and SECamb colleagues in the discussions to date.
- 2.3 In 2015, the national employers, under the auspices of the NJC, and in conjunction with the Fire Brigades Union, agreed to investigate the possibility of widening the role of the Fire and Rescue Service. To this end a number of workstreams were created to look at potential areas of work for introduction at national level. One of these workstreams is emergency medical response. Fire and Rescue Authorities were invited to run trials of this type of work and 36 Fire and Rescue Authorities are now running these trials which are due to end by February 2017. An independent report of the trials has been commissioned by the NJC which is expected to be completed before the end of 2016. It is the intention that the final report on the trials will evaluate whether EMR is compatible with the work of the fire and rescue service, include a full analysis to see whether lives have been saved as a result, and explore operational issues that need to be addressed, such as training and procedures.
- 2.4 Within the South East region, Surrey Fire and Rescue Service has been part of these formal national trials since September 2015. The scheme operating in Surrey involves sending wholetime resources from 8 stations across the County to Red 1 calls in a co-responding capacity. As of May 2016, Surrey FRS is now also responding to Red 2 calls from selected stations; however, it is understood that its response to Red 2 calls has placed high demands on the Service.
- 2.5 Kent FRS has been running a co-responding scheme with retained duty staff at 7 stations since 2004. In January 2016 they commenced a further roll-out along the lines of the national NJC trials, although not formally a part of them involving 6 more wholetime, day-crewed and retained stations, and through utilising front line appliances, community safety staff and flexible duty system (FDS) response officers.

- 2.6 West Sussex FRS has in the past undertaken co-responding from Shoreham fire station and, at this time, their plans are to train all new wholetime firefighter trainees to the IECR standard for implementation of an emergency medical responding scheme in due course.
- 2.7 Royal Berkshire, Oxfordshire and Buckinghamshire FRSs launched a co-responding partnership with South Central Ambulance Service (SCAS) in Autumn 2015 with the aim of ensuring a fully integrated blue light partnership to respond to community needs by getting appropriately trained persons on the scene as quickly as possible.
- 2.8 At this time therefore, ESFRS is the only FRS in the South East region not engaged in some form of medical response partnership with the local ambulance service.

### 3 **TYPES OF EMERGENCY MEDICAL RESPONSE**

#### 3.1 Community First Responder.

A Community First Responder (CFR) is a person available to be dispatched by an ambulance control centre to attend medical emergencies in their local area involving cardiac arrest or breathing difficulties. They can be members of the public, who have received basic training in life saving interventions such as defibrillation, off-duty ambulance staff, or professionals from a non-medical discipline who may be nearby or attending emergencies, such as firefighters or security officers. Community First Responders are found in the emergency healthcare systems across the UK, including within the SECAMB region. Community first responders require no prior training or experience, they are community funded, providing their time voluntarily.

#### 3.2 Co-Responder / Immediate Emergency Care Responders

The aim of a co-responder is to preserve life until the arrival of a suitably qualified ambulance resource (single paramedic and or dual crewed ambulance). Co-responder vehicles are equipped with oxygen, automatic external defibrillation (AED) equipment and first aid equipment. The person will be dispatched by an ambulance control centre to attend medical emergencies in the local area involving cardiac arrest, breathing difficulties, major bleeding or other conditions which may compromise life.

#### 3.3 First Responder

First Responder schemes comprise individuals in a community who, when a medical emergency occurs, can be called upon by the ambulance service to provide medical assistance until an ambulance arrives. Whilst this is similar to the role of the Fire Service in a Co-Responder role they are slightly different. First responders may have additional training and equipment to provide a slightly higher level of care; they may also belong to a partner emergency service and they may operate in some hazardous environments to support the work of colleagues as well as attend Red 1 calls to deliver lifesaving treatment where an ambulance is a greater distance away than a fire service resource.

### 3.4 Fire and Rescue Service – Immediate Emergency Care Responders

Approaches, response arrangements and levels of training may be different, but most FRSs are, in fact, providing a similar service with a different use of terminology across different ambulance trust areas. Across the SECamb region, the accepted terminology for the mobilisation of FRS resources in support of emergency medical calls is “Immediate Emergency Care Response” (IEC-R). This is the terminology used to describe both the operational response arrangements and the level of training required to provide that response.

## 4. **SOUTH EAST COAST AMBULANCE POSITION**

4.1 In 2013/2014 SECamb received 862,466 calls. Of these, 5,863 were Red 1 – life-threatening conditions where speed of response may be critical in saving life or improving the outcome for the patient, for example, heart attack, trauma, serious bleeding. The NHS Ambulance service target is to respond to 75% of these calls in 8 minutes. SECamb met this target on 76.8% of occasions for Red 1 calls and 73.9% for Red 2 calls (those calls which are serious but not immediately life threatening). Red 2 calls cover a much broader range of conditions and, subsequently, account for 256,413 of the total.

4.2 Although response times were met, in certain areas people suffering from cardiac arrest had to wait over 8 minutes. An analysis conducted by SECamb identified late attendance to Red 1 and Red 2 calls in the following retained and day-crewed station areas over the last 12 month period.

<b>Station Area</b>	<b>Red 1 calls attended late</b>	<b>Red 2 calls attended late</b>	<b>Total calls in area</b>
STC	1	38	83
Rye	20	406	859
Broad Oak (Brede)	2	12	33
Barcombe	1	37	73
Herstmonceux	3	47	86
Pevensey	32	207	725
Forest Row	4	81	137
Mayfield	10	140	361
Wadhurst	12	231	334
Burwash	4	69	126
Hailsham	33	612	1,712
Seaford	21	586	1,911
Lewes	19	476	1,561
Uckfield	28	655	1,319
Newhaven	10	225	791
Bexhill	34	801	3,686
Battle	39	680	1,146
Crowborough	No Data	No Data	No Data

- 4.3 A similar analysis across wholetime shift areas has not yet been fully completed, however, the latest data provided by SECamb indicates that they are attending approximately 80 Red 1 calls per month across our area and a significant number of these are attended outside of the 8 minute response standard.
- 4.4 Based on this analysis and pre-project discussions (including presentation to the Corporate Management Team), SECamb have taken the view that ESFRS resources are likely to be able to respond to medical calls potentially saving the lives of patients with life threatening, Red 1, medical emergencies across the Service area. They have, therefore, now asked that the Service to consider introducing an IEC-R response scheme in partnership and based, as far as practicable, on the operational models and MoU in operation across Surrey, Kent and West Sussex FRS areas.
- 4.5 In particular, the data shows that the stations which would make the most impact in assisting SECamb and communities under any scheme are likely to be:
- Retained – Wadhurst and Rye  
 Day Crewed – Battle and Uckfield  
 Shift – no specific data available although indications are that support in the Brighton & Hove area would be a priority.
- 4.6 It is estimated at this stage that, if ESFRS were to provide 100% IEC-R capability and coverage from all stations, the Service would be attending approximately 30 calls per month based on the current SECamb IEC-R model of response.
- 4.7 This analysis forms the basis of the proposed pilot stations / response options identified later in the report. However, final decisions on best locations and response types will be made (subject to Authority approval of the proposals) following further analysis with SECamb officers and subject to consultation with the trade unions.

5. **REQUIREMENTS TO ENABLE AN INDIVIDUAL TO RESPOND AS AN EMERGENCY CARE RESPONDER**

- 5.1 Depending on any finally agreed scheme, there may be a variety of different requirements placed on staff, and the Service, to satisfy SECamb clinical and risk governance arrangements.
- 5.2 To enable a volunteer member of ESFRS to respond to Red 1 calls as part of the response to IEC-R level incidents, staff should:
- Be competent in role
  - Be first aid at work qualified and in date
  - Be oxygen therapy and AED qualified and be in date
  - Hold a current driving licence
  - Be willing to lone work
  - Be “Immediate Emergency Care – Responder” qualified
  - Pass an enhanced Disclosure and Barring Check
  - Have up to date Hepatitis B inoculation
  - Undertake “SECamb Live iLearn” packages as required
  - Maintain a personal operator’s log detailing training and calls
  - Undertake refresher training as required

6. **CURRENT POSITION (OR SERVICE READINESS)**

6.1 Over the last two years, the Service has invested in additional training and equipment to enhance and improve the Service’s capability in to first aid and casualty care. This has been done, both to ensure the Service complies with necessary health and safety legislations (Health & Safety (First Aid) Regulations 1981), and to ensure that our staff can provide a higher level of casualty care to those members of the public that the Service will come into contact with through normal day to day activities, and through responding as part of the Service’s statutory duty (i.e. casualties involved in fires, road traffic collisions, or other emergencies).

The Service first aid risk assessment has resulted in the following disposition of staff with varying levels of training and equipment provision:

<b>Workplace location</b>	<b>Minimum number of trained first aiders</b>	<b>In addition</b>
Shift fire stations	All staff to be Emergency First Aid at Work (EFAAW) trained and, where practical, 50% to be First Aid at Work (FAAW)	All staff to be oxygen and AED trained, 50% to be first aid at work trained and seek for 40% of each watch to be IEC trained
Day-Crewed fire stations	All staff to be Emergency First Aid at Work (EFAAW) trained and, where practical, 50% to be First Aid at Work (FAAW)	All staff to be oxygen and AED trained. 50% to be first aid at work trained and seek to have 40% of each watch to be IEC trained
Retained fire stations	All staff to be Emergency First Aid at Work (EFAAW) trained and, where practical, 50% to be First Aid at Work (FAAW)	All staff to be oxygen and AED trained. 50% of staff to be trained to FAAW and seek to have 40% of each watch to be IEC trained
Service Training Centre	Where possible all instructors to be FAAW and fire ground technicians to be EFAAW trained	All operational staff to be oxygen and AED trained. Seek for all instructors to be IEC trained
Service Headquarters	Where possible 6 staff to be trained to FAAW through the building	
Sussex Control Centre	All staff to be Emergency First Aid at Work (EFAAW) trained and, where practical, 50% to be First Aid at Work (FAAW)	



- 6.2 In addition all rescue appliances will have been fitted with automatic external defibrillators (AEDs) and immediate emergency care (trauma) kits, by the end of September this year (2016). This will supplement the oxygen therapy equipment already carried on all appliances.
- 6.3 The Service Training Centre is delivering the immediate emergency care operators' (IEC) course to station staff who have volunteered for the additional training. This course is following an agreed SECamb syllabus and assessment criteria. At this time, 144 staff are trained to this level; however, due to this being a voluntary skill set at this time, numbers vary between watches and stations. A further 50 staff will have been trained by the end of 2016 across all sections of the workforce.
- 6.4 These recent improvements were designed to enhance the Service's own capabilities and this level of staff training and equipment provision clearly provides a sound base for further developing a capability and moving towards the necessary IEC-R standards (subject to Authority approval of the proposals).
- 6.5 Both in terms of equipment provided and the level of training, there would need to be further enhancements to meet the full IEC-R standards required by SECamb. For example an additional 2 days training will need to be completed by IEC trained staff to allow them to be classed by SECamb as an immediate emergency care responder (IEC-R). Additionally, existing IEC (trauma care) kits on appliances will need to be upgraded to ensure staff have the equipment to deliver the full range of IEC-R interventions. These additional enhancements will incur costs and these are included within the response options and costs models detailed in paragraph 7 below.

## **7. RESPONSE OPTIONS AND ASSOCIATED COST COMPONENTS**

- 7.1 In line with schemes across fire and rescue services there are a number of different ways in which the Service response to medical emergencies could be provided.
- 7.2 Broadly these are as follows:
1. Utilising wholetime on-duty staff with the full crew responding on front line appliances.
  2. Utilising wholetime on-duty staff with a trained IEC-R responder "dropping off" the appliance crew when crewing permits to be individually mobilised to a Red 1 call responding in an existing Service vehicle. This may be an existing "special appliance" allocated to the station, (for example, a land rover) or an existing station van, suitably modified to allow the vehicle to respond under emergency conditions (blue lights and audible warning devices, etc).
  3. Utilising operational staff who are not allocated to crewing appliances (Flexible Duty Response Officers, RDS Support Officers, Locality Managers, Business Safety Officers etc.) responding in existing provided response vehicles or modified Service vehicles as in 2 above.
  4. Utilising retained duty staff (RDS) responding with a full crew on front line appliances
  5. Utilising individual RDS staff responding from work or home in a dedicated IEC-R response vehicle provided by the Service.

7.3 There are costs associated with setting up and operating all of the above options. The various cost components are as follows:

#### 7.4 **Training**

7.5 The current IEC course requires candidates to have completed a three day first aid at work course, to have undertaken set pre-course reading, to have completed a one day Oxygen Therapy, AED and IEC introduction course, followed by two days' IEC training. This is a total of 6 days to achieve the base level of IEC operator.

7.6 In addition, as noted above, to go from being an IEC operator to an IEC – Responder, and, therefore, be available to be used by SECAMB under a medical response scheme, would require a further two days training.

7.7 Depending on the final decisions on which staff groups volunteer and are utilised, the training needs (and actual costs) will vary. For example, a number of operational staff may only require the two day IEC-R top up. Other staff groups, for example FDS officers, may require the full eight days as they will, in the main, be starting from a lower level.

7.8 These variable training factors have been anticipated as far as possible and costs are reflected in the options detailed below.

#### 7.9 **Hepatitis B vaccinations**

7.10 Hepatitis B is an infection of the liver caused by a virus spread through blood and body fluids. It is a requirement of SECAMB that any staff responding on their behalf to a medical emergency must be inoculated against the virus. The course of injections to protect the responder against the virus costs £155.00 per person.

#### 7.11 **Disclosure and Barring Service Checks**

7.12 Advance disclosure and barring service checks (DBS) are a requirement of SECAMB for all persons who will undertake the primary care of a patient, and that includes IEC-R responders. This cost is £44.00 per person.

#### 7.13 **Vehicles**

7.14 Each of the options outlined above places a different requirement in relation to vehicles.

- 7.15 For example, RDS staff using dedicated IEC-R vehicles in order for them to be able to respond in a time effective manner from home or from work, will require the purchase of new, additional, Service vehicles. These are likely to cost in the region of £13,000 each when fully configured as a response vehicle (i.e. purchase cost, vehicle tracker, warning lights and audible warning devices, appropriate high conspicuity markings, etc). In addition, a nominal figure of £2,500 per annum has been allocated to each vehicle to cover fuel, servicing, and wear and tear.
- 7.16 For those options which are predicated on the use of existing vehicles (fire appliances, station based specialist vehicles) a marginal cost has been calculated to allow for additional fuel only at this stage.
- 7.17 **IEC-R equipment**
- 7.18 The full cost of an IEC-R kit, including O2 and AED, is approximately £2,500. Full kits will need to be provided to support all response options outlined above, other than those options which are based on using main fire appliances; i.e. RDS in dedicated vehicles, mobile operational officers, etc.
- 7.19 In those cases where main front line appliances are used as the response vehicle, the existing IEC trauma kits carried on those appliances will simply need to be upgraded to full IEC-R standard. This will cost approx. £200 per appliance.
- 7.20 There will be ongoing equipment replacement costs (for example, replacement pads for the AEDs cost £25.00 for each use). Further discussion is on-going with SECamb in terms of the provision and replacement of consumable items used during medical response calls.
- 7.21 **Call out costs**
- 7.22 The option of using RDS staff responding to alerted medical calls will incur “pay as you go” costs of turn out fees plus one hour on average per call per person.
- 7.23 **General**
- 7.24 While some of the cost components of each response option will be the same (e.g. Hepatitis B inoculations for responders), there will be some cost components which are specific to particular response option (e.g. response by RDS staff will attract payment on an hourly basis in line with normal turnout fees applicable to RDS staff attending alerted fire calls).
- 7.25 This means that the initial start-up costs, plus the ongoing annual operating costs of each response option will be different. This is reflected in the pilot scheme proposals and costs detailed later in this report.

## 8. **MOBILISATION AND CONTROL OF RESOURCES**

- 8.1 In line with the approach across the rest of the region, any mobilisation and resource control issues will be developed and agreed through the development of the MoU with SECamb. Understandably, if the Authority agrees to move forward with a pilot scheme, SECamb would require, as far as possible, for the mobilisation and resource control arrangements to be the same as they are across Surrey, Kent and West Sussex.
- 8.2 To avoid delay in mobilisation, calls are communicated directly to the FRS IEC-R (crew or individual) from SECamb control centre. This is undertaken through the provision of a hand held Airwave radio from SECamb to the responder which enables communication, mobilisation and tracking of the medical response. In conjunction with this, SECamb control would inform SCC who would then also mobilise the pump via the MDT terminal on the appliance, or the individual via a pager.
- 8.3 The officer in charge of the appliance and the individual IEC-R responder will book themselves available for calls, as per the MoU, when available, via the handheld device.

## 9. **BENEFITS TO COMMUNITY AND SERVICE**

- 9.1 Should the Authority agree to implement a pilot scheme in line with the options presented in this paper, the following benefits could be realised:
- Improved clinical outcomes for the public in East Sussex and the City of Brighton & Hove, by ensuring lifesaving actions are being delivered within 8 minutes of a medical emergency.
  - Any scheme would further embed joint emergency service interoperability principles through developing further the understanding of the role of SECamb and vice versa.
  - Such a scheme would raise the positive profile of the Authority and ESFRS within the community, demonstrating how it is able to diversify as a lifesaving organisation in supporting medical emergencies and work closely with other blue light services.
  - Operational teams will gain additional skills and experience in casualty care, which they will be able to translate into day to day fire service operations.
  - The proposals would be welcomed by staff, increasing their sense of contributing to the community; this is likely to also improve RDS recruitment and retention, maintaining service delivery in rural communities.
  - These proposals are in line with the forthcoming duty to collaborate and will evidence ESFRS working more collaboratively with other emergency services to improve efficiency, within a context of falling demand and diminishing utilisation of resources.
  - ESFRS would be able to demonstrate further effective use of public finance and assets.

## 10. **RISKS AND ISSUES**

### 10.1 **Costs**

10.2 At this time there is no additional funding from SECamb, or centrally, to fund this proposal. The NJC trials are set to conclude in February 2017 and it is likely that those trials will make recommendations on future practice and funding. SECamb has indicated that they will be able to offer some support to the Service in covering costs of equipment and replacement consumables and may be able to provide support to deliver elements of the initial and refresher training as detailed in paragraphs 7.4 – 7.8 above.

10.3 The reality, therefore, is that the start up and running costs associated with each response option, and as detailed in this report, would need to be met from within existing Service budgets.

10.4 It is recommended, therefore, that, should the Authority agree to implement an IEC-R scheme on a pilot basis, the initial start-up costs would be funded from the Improvement & Efficiency Reserve. Ongoing annual operating costs over the two year pilot period would be funded from some limited flexibility within the existing budgets e.g. RDS budget.

10.5 Members may wish to ensure that any agreed scheme must be managed within an agreed budget envelope. If, due to increased demand, unplanned equipment or vehicle costs, or other increases in the cost components, the overall scheme becomes too expensive to maintain, the scheme will be ceased or scaled back by Officers managing the overall scheme.

### 10.6 **Impact on core services**

10.7 There is the potential of an impact on operational fire appliances, Locality Managers, Business Safety Officers and FDS officers to undertake core business due to them being in attendance at medical calls.

10.8 These risks will need to be monitored carefully and it will be the intention that the Service learns from best practice and that the necessary controls are captured within the final MoU with SECamb.

### 10.9 **Impact on Service departments**

10.11 Whilst the final training requirements are yet to be determined, and it is likely that SECamb will be able to provide training support, there will be an impact on the Service Training Centre in terms of additional instructor days to provide courses to staff groups identified in the pilot proposals in order to provide upskilling to the required IECR level.

- 10.12 Similarly, there will be impacts on other Service departments, particularly Engineering (vehicles and equipment) and Operations (policy development and project implementation). It is, therefore, also recommended in this report that, should the Authority give approval to enter into a two year pilot scheme, a dedicated Project Manager will be appointed.
- 10.13 **Legal Considerations**
- 10.14 ESFRS staff who are appropriately trained and assessed and who respond on behalf of SECAMB will be covered by the NHS litigation authority liabilities to third parties scheme, as long as they deliver care as per training and competence levels.
- 10.15 The MoU between SECAMB and ESFRS will ensure clinical governance for emergency medical responding is covered, robust and auditable.
- 10.16 Since 2002 there have been no cases of firefighters in the UK being sued, or legally challenged due to their actions at a medical emergency.
- 10.17 **Risks to scheme viability**
- 10.18 At this time, any scheme will require volunteer members of staff. There is, therefore, a risk that insufficient volunteers come forward to participate in the scheme. It is proposed that should approval be given then there will be a communications strategy ensuring all information is available and provided in sufficient realistic time, thus ensuring staff are well informed prior to making a formal request for volunteers.
- 10.19 Initial discussions with the representative bodies have identified support from the Fire Officers' Association and the Retained Firefighters' Union (subject to adequate funding, training and mobilisation arrangements).
- 10.20 Whilst the Fire Brigades' Union has indicated support in principle, they have stated that they would want to await the outcomes of the national trials (detailed above) and any subsequent national negotiations before entering into any formal consultation locally on the introduction of an IEC-R scheme.
- 10.21 There is, therefore, a risk that, should the outcomes of the trials be delayed or the resulting national negotiations not be in-line with the national FBU position, the local FBU officials may advise their members not to engage in any local scheme.
- 10.22 It is very much hoped that this will not be the case and it is the intention of Officers to fully engage with officials of all representative bodies in the development of any scheme following the determination of the Fire Authority.
- 10.23 **Public Consultation**
- 10.24 Due to the fact that there is no funding available from SECAMB and that, therefore, the majority of initial and ongoing investment will need to be found from within existing Service budgets, the Fire Authority may wish to consult the public, seeking their view on whether there is public support for using fire service funding in support of another agency.

10.25 The Authority may wish to undertake such public consultation as part of the 3 year Strategic IRMP public consultation process for 2017/18 to 2019/20 as discussed elsewhere on this agenda.

## 11. **PILOT SCHEME PROPOSAL**

11.1 Based on the above detail and considerations, and subject to the Authority decision regarding the need for public consultation, the recommendation of Officers is that the Service takes forward a pilot IEC-R scheme on the following basis:

11.2 That the costs associated with each element of the proposed scheme have been based on a number of assumptions and have included as many factors as possible to give as accurate costing as possible. For example, cost including initial and refresher training, costs for fuel due to increased calls, cost of turnout fees for RDS staff, costs of new vehicles and ongoing revenue costs, and life cycle replacement costs for these vehicles over the period covered.

11.3 That the scheme is funded for a two year pilot scheme to include the project development phase, and for this to commence in April 2017.

11.4 That the Project Manager will be in post from 1 April 2017 with the expectation that all components of the approved scheme would be implemented by the end of December 2017.

11.5 In relation to the funding mechanism, it is recommended that, subject to Authority approval, the start-up costs identified below, plus the Project Manager costs, are drawn down from the Improvement & Efficiency Reserve during 2017/18. In addition, it is recommended that the funding for the operational cost of each component, as they come on line, is met from existing budgets.

11.6 The report assumes full year operational costs in each year of the scheme, including in 2017/18, recognising that the components would come on line at different times but ensuring that there is sufficient flexibility built in.

### 11.7 **Wholetime Shift Response**

11.8 It is proposed to utilise volunteer wholetime shift staff from one station in the City (to be determined) to respond to Red 1 calls, day and night, on the front line appliance.

11.9 Each watch would only “go live” as a declared asset once 40% of the watch had volunteered to become a designated IEC – Responder and had received the necessary training. The existing IEC kit on the appliance would also need to be upgraded to IEC-R standard as detailed above.

11.10 Due to the potential demand on ESFRS resources in the City, should an asset be made available as an IEC-R response capability, this component would be carefully managed and monitored, potentially with one pump being available per day on a rotational basis. This detail will be further discussed during the development of any subsequent MoU. Alternatively, subject to crewing levels, the response model may be based on an extra crew member dropping off the appliance to respond to medical calls utilising an existing station vehicle. Costs for this approach would be slightly higher due to the need for a full IEC-R kit to be provided with the station vehicle. This option has not been costed at this stage.

11.11 The indicative start up, year 1, and year 2 costs are as follows:

<b>Response Option</b>	<b>Start-up costs</b>	<b>Year one (operational costs)</b>	<b>Year two</b>
<b>Wholetime Shift</b>			
Whole time shift appliance based in the City	£4,962	£4,400	£5,885

11.12 **Operational Officers**

11.13 It is proposed to utilise volunteer officers made up of 6 FDS Response Officers (spread across the Service area), 4 Locality Managers (Hastings area), and 3 RDS Support Officers (across Wealden, Lewes and Rother), to respond to Red 1 calls day and (in relation to FDS officers) overnight.

11.14 Vehicles are already provided for these posts, so the material costs in relation to this component are training (additional training for some and full initial training for others) and equipment costs. Each vehicle will need to be provided with a full IEC-R kit.

11.15 The indicative start up, year 1, and year 2 costs are as follows:

<b>Response Option</b>	<b>Start-up costs</b>	<b>Year one (operational costs)</b>	<b>Year two</b>
<b>Operational Officers</b>			
Flexi duty officers x 6 totals	£15,758	£4,500	£7,637
Locality managers totals	£982	£5,135	£5,135
Retained duty support officers totals	£3,396	£4,500	£5,097
<b>TOTAL</b>	<b>£20,136</b>	<b>£14,135</b>	<b>£17,869</b>

11.16 **RDS Response**

11.17 It is proposed to utilise volunteers RDS staff at Wadhurst and Rye community fire stations to respond to Red 1 calls, day and night, using dedicated response vehicles.



11.18 The substantive cost in relation to this element of the proposed scheme is in relation to the purchase of two dedicated response vehicles; full IEC-R equipment provision for each vehicle; training (initial and refresher) and the on-going cost of call out fees when staff are mobilised. For example, the cost of call out plus one hours pay is approximately £21 (including on costs).

11.19 The indicative start up, year 1, and year 2 costs are as follows:

<b>Response Option</b>	<b>Start-up cost</b>	<b>Year one (operational costs)</b>	<b>Year two</b>
<b>RDS</b>			
RDS staff from 2 stations in dedicated cars	£33,242	£13,228	£18,366

11.20 **Day Crewed Response**

11.21 It is proposed to utilise volunteer Day Crewed staff at Battle and Uckfield to respond to Red 1 calls during day shift periods utilising the front line appliance at those stations.

11.22 Each watch on each station would only “go live” as a declared asset once 40% of the watch had volunteered to become a designated IEC – Responder and had received the necessary training. The existing IEC kits on each appliance would also need to be upgraded to IEC-R kits as detailed above.

11.23 The indicative start up, year 1, and year 2 costs are as follows:

<b>Response Option</b>	<b>Start-up cost</b>	<b>Year one (operational costs)</b>	<b>Year two</b>
<b>Day-Crewed</b>			
Day-Crewed X 2 stations	£2,760	£11,164	£11,164

## 11.24 Overall Scheme Costs

11.25 The indicative overall costs to start up and deliver the above blended approach across the Service area on a two year pilot basis will be as follows:

<b>Response option</b>	<b>Start-up costs</b>	<b>Year 1 (operational costs)</b>	<b>Year 2</b>
<b>RDS using response cars from 2 locations</b>	£33,242	£13,228	£18,366
<b>Day-Crewed from two stations using front line appliance during station based hours</b>	£2,760	£11,164	£11,164
<b>Whole time appliance based in the city</b>	£4,962	£4,400	£5,885
<b>RDS Support Officers x 3</b>	£3,396	£4,500	£5,097
<b>Locality Managers Hastings x 4</b>	£982	£5,135	£5,135
<b>Flexi Duty Officers x 6</b>	£15,758	£4,500	£7,637
<b>Option Totals</b>	<b>£61,100</b>	<b>£42,927</b>	<b>£53,287</b>
<b>Project Management</b>		<b>£55,000 (Station Manager level plus on costs)</b>	<b>£55,000</b>
<b>Scheme Total</b>	<b>£61,100</b>	<b>£97,927</b>	<b>£108,287</b>

## 12. TIMELINES FOR IMPLEMENTATION AND REVIEW

- 12.1 As noted above in sections 11.3 to 11.6, subject to Fire Authority approval, the outcomes of any public consultation, and the development of the final operating and cost model, it is suggested that implementation for the pilot project would take two years with effect from 1 April 2017.
- 12.2 It is anticipated that from this date to the first ESFRS resources being mobilised under the IEC-R scheme would take approximately 3 months, with a phased approach across the workgroups identified above during the following 3 to 12 months. For the purposes of costings, however, it is assumed that the all response options will operate over the full two-year period of the pilot.
- 12.3 A comprehensive review and evaluation process would be built into the project, building on the best practice currently being identified through the NJC trials and other local SECamb operated schemes. Regular updates would be provided to CMT and the Authority as necessary.

## Agenda Item No. 947

### EAST SUSSEX FIRE AUTHORITY

<b>Date</b>	8 September 2016
<b>Title</b>	ESFRS Firefighters' Pension Scheme – Discretions Policy
<b>By</b>	Gary Walsh, Chief Fire Officer
<b>Lead Officer</b>	Vicky Chart, Assistant Director Human Resources & Organisational Development Vikki Boundy, Pensions & Payroll Manager
<b>Purpose of report</b>	To seek approval of the ESFRS Firefighters' Pension Scheme – Discretions Policy.

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### Background Papers

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<b>Appendices</b>	FPS, NFPS, and FPS 2015 Employer Discretions Policy
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### Implications:

<b>CORPORATE RISK</b>		<b>LEGAL</b>	√
<b>ENVIRONMENTAL</b>		<b>POLICY</b>	
<b>FINANCIAL</b>	√	<b>POLITICAL</b>	
<b>HEALTH &amp; SAFETY</b>		<b>OTHER (please specify)</b>	
<b>HUMAN RESOURCES</b>	√	<b>CORE BRIEF</b>	
<b>EQUALITY IMPACT ASSESSMENT</b>			

**EXECUTIVE SUMMARY** The Firefighters' Pension Scheme 2015 (FPS 2015), Firefighters' Pension Scheme (FPS) and New Firefighters' Pension Scheme (NFPS) are statutory schemes. The rules and regulations governing the schemes are laid down by the Government.

There are some provisions of the Schemes that are discretionary. Discretionary powers allow employers such as East Sussex Fire & Rescue Service (ESFRS) to choose how, or if, they apply these provisions.

This attached draft policy document aims to summarise the discretions that ESFRS exercises as an employer in relation to the Firefighters' and New Firefighters' Pension Schemes and has been updated to reflect the new regulations which came into force from 1st April 2015.

## **RECOMMENDATION**

The Fire Authority is asked to approve the draft ESFRS Discretions Policy for the employer discretions available under the Firefighter Pension Schemes.

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### **1. INTRODUCTION**

- 1.1 The Firefighters' Pension Scheme 2015 (FPS 2015), Firefighters' Pension Scheme (FPS) and New Firefighters' Pension Scheme (NFPS) are statutory schemes. The rules and regulations governing the schemes are laid down by the Government.
- 1.2 There are some provisions of the Schemes that are discretionary. Discretionary powers allow employers such as East Sussex Fire & Rescue Service (ESFRS) to choose how, or if, they apply these provisions.
- 1.3 This Discretions Policy summarises the discretions that ESFRS can exercise as an employer in relation to the Firefighters' and New Firefighters' Pension Schemes and has been updated to reflect the new regulations from 1st April 2015.
- 1.4 Full detail about each of the discretions is set out in the Appendix to this report.

### **2. POLICY REVIEW AND IMPLEMENTATION**

- 2.1 A scheme employer must prepare a written statement of its discretions policy in relation to the exercise of its functions. There is an on-going obligation to keep the discretions policy under review and it is recommended that this is carried out by the Payroll and Pension Manager on a periodic basis.
- 2.2 The Chief Fire Officer currently has delegated powers in consultation with the Assistant Director Resources / Treasurer to exercise any of the pension discretions.
- 2.3 In formulating and reviewing its policies, the Authority must have regard to the extent to which the exercise of their discretionary powers, unless properly limited, could lead to a loss of confidence in the public service and must be satisfied that the policy is workable, affordable and reasonable, having regard to the foreseeable costs.
- 2.4 In considering the exercise of any discretion the Authority, as the employer, will assess each case on its merits and this will include any financial impact on the Authority or the Fund.
- 2.5 Where the exercise of any discretion is being requested as part of a redundancy process or severance package then the financial and other implications should be considered as part of the wider business case. The business case to support a redundancy/severance package must set out the full cost (including any costs of redundancy, additional pension and pension strain) and the forecast savings. The general expectation will be that break-even will be achieved within 3 years.
- 2.6 Consultations have taken place with the relevant representative bodies. There were no concerns raised in respect of the proposed discretions policy.

## **ESFRS FPS, NFPS & FPS 2015 Employer Discretions Policy**

### **Aim**

The Firefighters' Pension Scheme 2015 (FPS 2015), Firefighters' Pension Scheme (FPS) and New Firefighters' Pension Scheme (NFPS) are statutory schemes. The rules and regulations governing the schemes are laid down by the Government.

There are some provisions of the Schemes that are discretionary. Discretionary powers allow employers such as East Sussex Fire & Rescue Service (ESFRS) to choose how, or if, they apply certain provisions.

This document aims to summarise the discretions that East Sussex Fire & Rescue Service exercises as an employer in relation to the Firefighters' and New Firefighters' Pension Schemes and has been updated to reflect the new regulations from 1<sup>st</sup> April 2015.

### **Scope**

This policy applies to all employees of East Sussex Fire & Rescue Service who are in, or are eligible to join, or have been a member of the Firefighters' Pension Scheme 2015, Firefighters' Pension Scheme and/or New Firefighters' Pension Scheme.

### **Policy Provisions**

The discretions have been grouped under the following headings:

- Joining East Sussex Fire & Rescue Service (ESFRS).
- During your employment with ESFRS.
- Leaving your employment with ESFRS.
- Adjustments to your pension rights following ill health.
- Loss of pension rights as a result of a fraudulent activity, dismissal or conviction of certain offences.
- Re-employment following retirement.
- Following your divorce.
- Following your death.

The pension discretions within this policy were approved by the Corporate Management Team on 7<sup>th</sup> August 2015.

All pension discretions will be reviewed at least on a 4 yearly basis, or as and when circumstances change.

## **Joining East Sussex Fire & Rescue Service**

### **How much will it cost and when will it be deducted?**

*(Deduction of Pension Contributions - Regulation G2A(3) of the FPS, Part 11, Rule 3, Paragraph 2 of the NFPS)  
(Member contributions – Regulation 110 (5) & (7) of the FPS 2015)*

You will pay between 10% and 14.5% (FPS 2015), 11% and 17% (FPS) or between 8.5% and 12.5% (NFPS) of the monthly pensionable pay you receive. This will be deducted on your regular pay day. The rate you pay depends on the band you fall into.

Assessment of pay bandings takes place on an annual basis each April following the reassessment of the national bandings.

Certain reductions in pensionable pay, as defined in the regulations, during a period of leave (for example but not restricted to, child related leave, reserved forces service leave or sick leave) will be disregarded when making this assessment. The CFO in consultation with the Assistant Director Resources / Treasurer may consider other circumstances when this may apply, as and when they arise.

Your pension contributions will however be reassessed during the course of the year if you change role, or your role is re-graded. Your contributions may also be reassessed if there is another significant change to your salary during the course of the year. If your contribution rate changes as a result, your contributions will be adjusted at the point at which the change occurs.

If you are a part time or retained firefighter your rate will be based on the whole-time pay for your role although you will only pay contributions on the pay you actually earn.

### **What elements of my pay are pensionable?**

*(Determination of Pensionable pay- Regulation G1 (1)(a) of the FPS, Chapter 1, Rule 1 (1a&b)  
(Pensionable Pay – Regulation 17 of the FPS 2015)*

Pension contributions must be paid on all elements of your pay as determined in relation to your role, in line with the regulations, other than any temporary allowances or emoluments. This also includes amounts paid for Continual Professional Development.

Only sums that are liable for income tax may be specified as pensionable.

## **I was a member of another Fire & Rescue Service, without a break in service, can I combine my scheme membership?**

*(Receipt of a transfer value- Regulation F8 of the FPS, Chapter 4, Rule 12 of the NFPS)*

If you have transferred from another Fire & Rescue Service in England and have not had a break in service, meaning you have remained in the same pension scheme, your service should transfer automatically.

If you have benefits in different schemes (including firefighters' pension schemes in other parts of the UK) you can choose to transfer these benefits into the FPS 2015. You will need to obtain a "transfer value" of these benefits and dependent upon the type of former scheme as to whether this would buy you pension or service, details of which would be sent to you after the information has been received.

If you do have benefits in other schemes you can look into this option by contacting the Orbis Pensions Team who will arrange for you to receive this information.

## **Can I transfer my previous pension into the FPS 2015, FPS or NFPS?**

*(Acceptance of a transfer value- Regulation 141 of the FPS 2015, F7(1), (2) & (3) of the FPS, Part 12, Rule 10, paragraph 1 of the NFPS) and (Extension of period for a scheme member to elect to transfer previous pension rights- Regulation F9(2) of the FPS, Part 12, Rule 9, Paragraph 2 of the NFPS)*

The FPS has been a "closed" scheme since April 2006; you cannot therefore transfer your benefits into the FPS.

You are however able to transfer previous pension into the NFPS, if you are a protected or tapered protected member of the scheme. Your request to transfer must be made within 12 months of starting scheme membership.

You are also able to transfer previous pension into the FPS 2015. Your request to transfer must be made within 12 months of starting scheme membership.

The CFO in consultation with the Assistant Director Resources / Treasurer will consider an extension on a case by case basis if it is clear that you were unable to meet the normal time period due to circumstances beyond your control.

## **What date is used to calculate a cash equivalent transfer value?**

*(Selection of 'the guarantee date' for statement of cash equivalent transfer value entitlement – Regulation 135(4) of the FPS 2015, Part 12, Rule 3, paragraphs 1&2 of the NFPS)*

The date of calculation (known as 'guarantee date') for the FPS 2015 and NFPS is set out in the Government Actuaries Department (GAD) transfer guidance.

The 'Transfer of Benefits' pack can be obtained by contacting the Orbis Pensions Team.

## **During your employment with East Sussex Fire & Rescue Service**

### **Can I purchase additional membership?**

*(Allowing a part-time regular firefighter to purchase pro-rated additional service- Part 11, Rule 5, paragraph 5 of the NFPS), (Allowing a retained or volunteer firefighter to purchase additional service- Part 11, Rule 5, paragraph 6 of the NFPS), (Refusal to accept a firefighter's election to purchase increased benefits without undergoing a satisfactory medical- G6(4)(b) of the FPS).*

### **This is only available to protected and tapered protected members of the FPS and NFPS.**

If you are a current member of either the FPS or NFPS, and will not be able to accrue 30 years' pensionable service by age 55 in the FPS or 40 years' pensionable service by age 60, in the NFPS, you can purchase additional service by the payment of additional contributions. The additional contributions would be based on factors provided by the Government Actuaries Department (GAD).

To pay additional contributions, you must choose to do so, (called "making an election" at least 2 years before normal pension age (55 in the FPS or 60 in the NFPS).

The NFPS also allows you to purchase additional membership by lump sum. If you choose to pay by lump sum you must make your election to do so within 12 months of first becoming a member.

You will be required to undergo a satisfactory medical at your own expense.

### **Can I stop making additional contributions if I can no longer afford it?**

*(Discontinuance of payment of additional contributions to purchase additional service due to financial circumstances- G7(3) of the FPS, Part 11, Rule 8, paragraph 1 of the NFPS), (Timing of recommencement of payment of additional contributions should be no greater than 6 months from point of discontinuance- Part 11, Rule 9, paragraph 4(c) of the NFPS)*

### **This will only apply to you if you are a protected or tapered protected member of the FPS or NFPS.**

You will be expected to complete your contract to purchase additional membership, unless you can provide evidence of financial hardship. The CFO in consultation with the Assistant Director Resources / Treasurer will consider your circumstances on a case by case basis to decide whether or not you can stop making your additional contributions.

If you are allowed to stop making additional contributions and want to restart paying your additional contributions again, then this must be within 6 months of originally stopping the payment of additional contributions.

The CFO in consultation with the Assistant Director Resources / Treasurer will consider each request on a case by case basis.



## **Can I purchase additional Pension?**

*(Amount of accrued added pension – Regulation Schedule 1 Part 1, Paragraph 4 & 7 (3), Schedule 1 Part 1, Paragraph 8 of the FPS 2015)*

The FPS 2015 operates a scheme where you can purchase additional pension for your retirement (but East Sussex Fire and Rescue Service will not share the cost of this). You can pay additional contributions to purchase up to £6,500 of additional pension. Any additional pension you purchase is payable each year in retirement and is payable on top of your normal FPS 2015 benefits.

If at any point it appears that you will exceed this limit East Sussex Fire and Rescue Service will cancel your election to pay for additional pension.

Any additional pension contributions that are less than £10 per month would require agreement from the CFO in consultation with the Assistant Director Resources / Treasurer.

You can also pay for additional pension by lump sum.

Any additional contributions are taken from your pay, which you will receive tax relief on.

## **Can I pay contributions following an authorised leave of absence on reduced or no pay?**

*(Extension of period for a scheme member to elect to pay contributions in respect of a period of absence – Regulation Part 11, Rule 9, paragraph 4(c) of the NFPS) (Payment by the Fire & Rescue Service of the employer's pension contributions (otherwise payable by the firefighter) due to a period of unpaid leave of absence- Regulation F2(5) of the FPS, Part 10, Rule 4, paragraph 3 of the NFPS). (Deduction and Payment of Contributions – Regulation 114 (3) of the FPS 2015).*

You can choose to pay contributions for the whole or part of the period of your absence and keep your full benefits in respect of the period you have paid.

For the period to count towards your scheme membership you must pay both the employee and employer contributions that would have been paid if you had been at work. If you choose to do this you must inform East Sussex Fire & Rescue Service, in writing, within 6 months of your return to work. This may be paid by lump sum or deduction from your salary.

If you are a protected or tapered protected member of the NFPS and/or FPS the 6 month time limit may be extended if it is clear that you were unable to meet the normal time period due to circumstances beyond your control.

The 6 month time limit may be extended if it is clear that you were unable to meet the normal time period due to circumstances beyond your control.

You can request an extension from the CFO who will consider each request in consultation with the Assistant Director Resources / Treasurer on a case by case basis. If the extension is approved he/she will forward your request together with his/her agreement to pension services.

## **Can I pay contributions if I have had a period of unpaid additional maternity or adoption leave?**

*(Extension of time limit in which an election to pay pension contributions in respect of unpaid additional maternity or adoption leave must be made- Regulation G2A(3) of the FPS, Part 11, Rule 4, paragraph 3 of the NFPS) (Deduction and payment of contributions – Regulation 114(3) of the FPS 2015)*

If you are a protected or tapered protected member of the NFPS or FPS you can choose to pay contributions for the period of your unpaid additional maternity or adoption leave.

If you are a member of the FPS 2015 you can choose to pay contributions for the period of your unpaid additional maternity, paternity (until April 2016), and adoption and shared parental leave.

For the period to count towards your scheme membership you must choose to do this within 30 days of either a) the day on which you return to work, or b) if you do not return to work, the day you cease to be employed. This may be paid by lump sum or deduction from your salary.

If you are a protected or tapered protected member of the NFPS and/or FPS the 30 day time limit may be extended if it is clear that you were unable to meet the normal time period due to circumstances beyond your control.

You can request an extension from the CFO who will consider each request in consultation with the Assistant Director Resources / Treasurer on a case by case basis. If the extension is approved he/she will forward your request together with their agreement to pension services.

## **If I die without giving notice of my decision to pay contributions for my unpaid additional maternity or adoption absence within the time limit can these contributions be deducted from my death grant?**

*(Deduction of contributions in respect of unpaid additional maternity or adoption leave from the death grant, without giving notice within the election time limit- Regulation Part 11, Rule 4, paragraph 6 of the NFPS)*

If this were to happen, the Fire & Rescue Service would deduct the contributions from the death grant, but only in cases where there was a financial gain to a spouse, civil partner, nominated partner or children's beneficiary.

## **If I am in the reserve forces and on leave of absence, how will contributions be deducted from my reserve forces pay?**

*(Sums due in respect of reserve forces leave- Regulation 16 & 17 of the FPS, Part 7, Rule 2 of the NFPS) (Deduction and payment of contributions – Regulation 114 (2) of the FPS 2015).*

Your membership of the pension scheme continues throughout your reserve forces leave of absence. Contributions will still be paid on your reserve forces pay.

### **If I opt out of the pension scheme, would I be able to re-join without having to undergo a medical?**

*(Requirement that an optant-out must undergo a satisfactory medical in order to re-join the scheme- Regulation G3(6) of the FPS, Part 2, Rule 6 of the NFPS) (Opting out after the first three months – Regulation 16 (2) (b) of the FPS 2015). (Opting into the scheme – Regulation 12 (5) of the FPS 2015)*

Should you choose to opt out of the FPS, as this is now a closed scheme, there is no option for you to re-join however if you are a protected or taper protected member you would have the option to join the NFPS. If you do not have protection, then you would have the option to join the FPS 2015.

If you opt out of the NFPS and are a protected or taper protected member and wish to re-join, this option is available. If you do not have protection, then you would have the option to join the FPS 2015.

If you chose to opt out of the pension scheme after the first three months, you will be taken out with effect from the first day of the first pay period following the date on which your option to opt out is exercised, unless a later pay period is considered appropriate.

When re-joining the NFPS or FPS 2015 it is deemed that if you are fit for service then you are fit to join the pension scheme and there will be no requirement for you to undergo a medical.

You will be opted into the scheme with effect from the beginning of the first pay period following the date of your option, unless a later date is considered appropriate.

Should you be thinking of opting out of either pension scheme, you may wish to seek independent financial advice before making a decision.

### **Can I allocate part of my pension to provide for a dependant?**

*(Allocation of pension for a dependant other than a spouse, civil partner or nominated partner- Regulation Part 3, Rule 11, paragraphs 2(b) and 3 of the NFPS) (Allocation election – Regulation 72 (3)(b) & (4) of the FPS 2015)*

Subject to a satisfactory medical, at your own expense, you may allocate up to one third of your pension entitlement to a spouse, civil partner or nominated partner in the NFPS.

Or,

You may ask the CFO to allocate up to one third of your pension entitlement to any other person who is substantially dependant on you. The CFO in consultation with the Assistant Director Resources / Treasurer will consider each request on a case by case basis.

For further information and the relevant Allocation form please contact Orbis Pension Team.

### **Will I receive an annual benefit statement each year?**

*(Date of issue of annual benefits statements and relevant date for the pension illustration- Regulation Part 15, Rule 4 of the NFPS)*

During your employment you will receive an annual benefit statement (ABS) setting out your estimated projected pension benefits as at the 31<sup>st</sup> March of each year. This will be sent out by the Orbis Pensions Team by September of that year.

## **Leaving your employment with East Sussex Fire & Rescue Service**

### **If I have had a period of unpaid leave and do not return to work, what date is used as my last day of service?**

*(Last day of service following unpaid leave- Regulation Part 2, Rule 4 of the NFPS)*

Should you decide to not return to work following a period of unpaid leave, your last day for pension purposes will be the same as your official date of leaving East Sussex Fire & Rescue Service. The period of unpaid leave will show on your pension's record as a break in service.

### **If I leave employment, can I transfer my pension to another pension provider? If so is there a time limit to do so and will there be a cost?**

*(Extension to 12 month time limit after leaving to transfer to another pension provider- Regulation F9(5) of the FPS) (Charging a member for a 3<sup>rd</sup> or more cash equivalent transfer value in a 12 month period- Regulation Part 12, Rule 3, paragraph 6 of the NFPS).*

If you leave your employment with the Fire & Rescue Service with 3 or more months service, but are not eligible for immediate payment of a pension because you are not old enough, as an alternative to deferring the payment of your pension benefits you can ask for your pension rights be transferred to another pension provider.

The Fire & Rescue Service has chosen not to set a time limit by which you must ask for a transfer, and there will be no cost to you for the Orbis Pensions Team to provide this information to your new provider.

It should be noted that you are under no obligation to transfer once you have requested to investigate a transfer out of the scheme. It is recommended that if you are not sure of your options that you seek independent financial advice.

## **What happens if I leave or retire before I have completed repayments for previous service?**

*(Deduction from an award any outstanding balance of payments in respect of previous service- Regulation Schedule 6, Part 1, paragraph 1(4) of the FPS)*

If you are repaying by regular instalments, an amount for previous service and subsequently leave or retire the Fire & Rescue Service will ask you to pay any outstanding monies. If you are retiring, this amount will be deducted from your commuted lump sum (This is called commutation).

## **If I leave can I request early payment of my deferred pension benefits?**

*(Refusal of a firefighter's request for early payment of a deferred pension where it is likely to be less than the GMP at State Pension Age (SPA)- Regulation Part 3, Rule 5 of the NFPS)*

### **FPS**

There is no option under the FPS to apply for early payment of your deferred pension benefits.

### **NFPS**

The Fire & Rescue Service would not normally approve early access to your deferred benefits, unless through the grounds of ill health.

However there may be exceptional or compassionate grounds where this may be considered and each case will be considered on a case by case basis and depending on the circumstances of the case by the CFO in consultation with the Assistant Director Resources / Treasurer.

### **FPS 2015**

If you wish, you can give written notice to the Fire & Rescue Service, via the pensions team, that you would like to receive your deferred pension at or after age 55 and before deferred pension age (which is the same as your state pension age, with a minimum of 65). In these circumstances, however, the pension would be subject to an early retirement reduction based on factors provided by the Scheme actuary.

## **Can I take partial retirement?**

*(Partial Retirement Option – Regulation 63 (5) of the FPS 2015)*

Under the FPS 2015 there is an option for "partial retirement" once you have reached age 55 if you wish to draw your pension but continue your employment as a firefighter without a break and build up additional pension.

Your FPS 2015 pension would be paid (subject to an early payment reduction if you have not reached age 60). A new pension record would be set up and you will build up a pension based on your continuing membership. This second pension will become payable, on similar terms to your first pension, when you retire.

The date on which you take "partial retirement" is subject to appropriate notice to the Fire & Rescue Service and agreement by the CFO in consultation with the Assistant Director Resources / Treasurer.

## **Can I commute (known as giving up) more than two and a quarter times my pension for a lump sum?**

*(Commutation general provision – Regulation B7 2(i) of the FPS)*

In the FPS to be eligible to commute (give up) your pension for a lump sum more than two and a quarter times your pension, you must;

- Have retired with 30 years' service;
- Have been awarded an ill health retirement;
- Have retired at normal retirement age

The Fire & Rescue Service will not automatically allow you to commute for a lump sum more than two and a quarter times your pension in other circumstances.

Each case will be considered on a case by case basis depending on the circumstances of the case and must be supported by a business case. It would also be subject to approval by the CFO in consultation with the Assistant Director Resources / Treasurer.

## **If my employer initiates my retirement on the grounds of the efficiency of the service will I be entitled to payment of my pension?**

*(Employer initiated retirement – Regulation 62 (1) & (2) of the FPS 2015, Part 3, Rule 6 of the NFPS)*

If you are retired on the grounds of business efficiency and are aged between 55 and 60 in the NFPS (if you are a protected or taper protected member) or FPS 2015, you will receive unreduced pension benefits.

A retirement under business efficiency may have a cost attached to it and therefore must be supported by a business case. It would be subject to approval by the CFO in consultation with the Assistant Director Resources / Treasurer.

## **If I am referred to the Independent Qualified Medical Practitioner (IQMP) but choose not to submit myself to an examination can I still be certified as being permanently disabled?**

*(Determination of award without an IQMP opinion if the firefighter wilfully or neglectfully fails to submit themselves to medical examination- Regulation H1(3) of the FPS, Part 8, Rule 2, Paragraph 6 of the NFPS).*

If you have been referred to the IQMP through the sickness absence policy, but you 'wilfully' or 'neglectfully' fail to attend for examination where applicable, the Fire & Rescue Service would not grant access to your pension on the grounds of ill health, as there would not be sufficient evidence of permanent disablement.

You must note however that your contract of employment may still be terminated.

**Will my pension be reduced if I contributed to my condition by my own default?**

*(Reduction to the level of ill-health pension where a firefighter contributed to infirmity by own default- Regulation K3(1) of the FPS)*

The Fire & Rescue Service have the right to reduce the level of an ill-health pension to not less than half of the full amount where a firefighter has contributed to their condition by their own default.

The CFO in consultation with the Assistant Director Resources / Treasurer will consider each ill health retirement where this has been considered to be the case, on a case by case basis.

**If I am in the reserve forces and I am on leave of absence and I am permanently disabled during my forces period, will I be entitled to my firefighter's pension?**

*(Payment of a pension, for a serviceman injured during his forces period- Regulation I2(3) & 3 of the FPS)*

Should you be certified as being permanently disabled at the end of your reserve forces period an ill-health award would be payable.

To be eligible to an ill health pension, you must have at least 2 years' pensionable service.

In all other cases, an ill health gratuity would be payable.

In a case where the permanent disablement was caused by an injury received during your forces period, the Fire & Rescue Service may, in exceptional circumstances, if the armed forces are making payment of an injury pension, choose to pay you a pension at the rate of 1/12<sup>th</sup> of your average pensionable pay, rather than an injury gratuity.

Each case will be considered on a case by case basis.

**If my pension is small, can I take it as a lump sum?**

*(Commutation of a small pension- Regulation 167 (3) of the FPS 2015, B8, E5 and E7 of the FPS, Part 3, Rule 10 of the NFPS)*

If upon retirement your pension is deemed to be small under the HM Revenue and Customs limits (less than 1% of your Life Time Allowance (LTA)), the Fire & Rescue Service would look to pay your pension in full (this is known as "commutation") and make payment as a one off lump sum. No further payments would then be made under the pension scheme for you or your spouse.

The Pensions Team would automatically provide you with further details upon retirement if this was applicable to you. Please note that consideration would be taken of any other pensions payable to you.

### **When and how is my pension payable?**

*(Payment of an award at other reasonable intervals if impracticable to pay at the standard monthly periods- Regulation L3(1) of the FPS, Part 14, Rule 3, paragraph 2(b) of the NFPS)*

*(Delay to payment of an award to the extent necessary for determining any question as to the F&RS liability- Regulation L3(1) of the FPS, Part 14, Rule 3, paragraph 2(a) of the NFPS).*

Your pension is payable monthly, in advance if you are a member of the FPS, or, in arrears if you are a member of the NFPS and FPS 2015, in accordance with the pension regulations.

If your pension is less than £100 per annum, your pension will be payable in advance each year. The first payment will be made at the point of retirement, followed by subsequent payments each April following pension increase, where applicable.

The Fire & Rescue Service have the right to delay or suspend payment, should they ever require confirmation that you continue to be eligible for payment.

### **What supporting documents are needed, before payment of mine or my dependant's pension benefit is made?**

*(Requiring a person who is or may be entitled to a pension or lump sum under the scheme to provide the F&RS' with supporting evidence as to identify and continuing entitlement to any payment under the scheme- Regulation Part 15, Rule 3 of the NFPS)*

If a payment is due to you or your dependant , under either the FPS, NFPS or FPS 2015, a request will be made to see any certificates or legal documents (for example, Birth, Marriage or Death Certificate) to support making payment.

### **What happens if I become incapable of managing my own affairs?**

*(Payment of award to a person incapable of managing his/her own affairs- Regulation L5(2) of the FPS, Part 14, Rule 5, Paragraph 2 of the NFPS).*

Should you become incapable of managing your own affairs, in the first instance the Pensions Team would ask to see Power of Attorney documents. Should this document not be available then consent would need to be sought from the CFO in consultation with the Assistant Director Resources / Treasurer to make payment of your benefits to the person providing your care, or such other person as they may determine.

### **Adjustments to your pension following ill health**

Both the FPS, NFPS & FPS 2015 has two tiers of ill-health provision.

- The Lower Tier pension is payable where you are certified as being permanently disabled for the performance of the duties of your role as a firefighter.
- The Higher Tier pension is payable where, additionally, you are also certified as being permanently disabled from duties for any other 'regular employment'.



'Regular employment' means employment over 30 hours a week on average over a 12 month period.

A 'Lower Tier' ill health pension is only payable if you have at least 3 months service.

A 'Higher Tier' ill health pension is only payable if you have at least 5 years' service.

### **If new medical evidence is presented will my entitlement be reassessed?**

*(Discretion to agree with person concerned that the IQMP should be given the opportunity to review their medical opinion if new evidence is presented within appropriate timescales- Regulation 153 (1), (4) & (5) of the FPS 2015, Part 8, Rule 3, paragraph 1 of the NFPS)*

Should any further medical evidence be presented, whether that be to show improvement or worsening of a condition, the Fire & Rescue Service reserve the right to reassess your entitlement to an ill health pension.

### **Can I appeal against the decision made by the Fire & Rescue Service on an issue of a medical nature?**

*(Notice of Appeal – Regulation 155 (2) of the FPS 2015)*

*(Extension to time limit for an appeal against the authority's decision based on medical advice- Regulation Part 8, Rule 4, paragraph 4 of the NFPS)*

*(Extension to 28 day time limit (14 days in the FPS), not exceeding 6 months from the date of issue of documents at date of notification- Regulation Schedule 9, Part 1, paragraph 1(2) of the FPS, Annex 2, paragraph 1(2))*

You must appeal any decision made by the Fire & Rescue Service of permanent disablement within:

- 14 days of notification if you are a member of the FPS
- 28 days of notification if you are a member of the NFPS and FPS 2015

The Fire & Rescue Service does not normally agree to an extension to the time limit for an appeal against their decision.

However, there may be exceptional or compassionate grounds where this may be considered by the CFO in consultation with the Assistant Director Resources / Treasurer and if so each case would be considered on a case by case basis depending on the circumstances.

If it is agreed that the time limit will be extended, this will be by no more than 6 months from the date of notification.

**If I am certified as being permanently disabled, will my entitlement be reassessed?**

*(Review of ill-health award or early payment of retirement pension – Regulation 68 (1) & (2) of the FPS 2015)*

*(Intervals as the F&RS think proper to reassess as to whether a retired member has become capable of carrying out any duty appropriate to the role from which they were retired on health grounds or any other regular employment- Regulation K1(1), (2) & (3) of the FPS, Part 9, Rule 1, paragraph 1 & 2 of the NFPS)*

An ill health award payable before State Pensionable Age (SPA) and for less than 10 years must be subject to review as set out by recommendation of the Independent Qualified Medical Practitioner (IQMP).

As part of the review the IQMP will assess:

For those retired from active service:

- Whether you have become capable of carrying out any duty appropriate to the role from which you were certified as being permanently disabled; or
- In cases of a higher tier ill health, whether you have become capable of carrying out any regular employment.

For those who had their deferred benefits brought into pay early:

- Whether you have become capable of undertaking any regular employment.

Careful consideration will be taken of the IQMP's recommendation and depending on the outcome of this review the Fire & Rescue Service will adjust your entitlement accordingly, and will look to seek recovery of any overpayment.

**Following a review if I am found to be capable of carrying out the duties appropriate to the role I was found to be permanently disabled from, would I be offered employment in that role?**

*(Consequences of an ill health review – Regulation 69 (3) of the FPS 2015)*

*(Requirement to decide whether to make an offer of employment, if a person is found capable of the duties of their formal role- Regulation K1A(2) of the FPS, Part 9, Rule 3, paragraph 3(b).*

If the IQMP recommends that you are now capable of carrying out the duties of your previous role, there is no automatic entitlement to be offered employment by the Fire & Rescue Service.

Each case will be referred to the CFO for consideration in consultation with the Assistant Director Resources / Treasurer and will depend on the circumstances at the time.

## **If my appeal goes to the Medical Appeal Board, does the Fire & Rescue Service pay for this?**

*(Payment to the Fire & Rescue Service such sum as they think fit where a person's appeal was found to be 'frivolous, vexatious or manifestly ill-founded Or where the appellant withdraws appeal within days before the date appointed for interview or medical examination - Regulation Schedule 9, Part 1, paragraph 8(2&2A) of the FPS, Annex 2, paragraph 10(2&3) of the NFPS).*

The Fire & Rescue' Service would not expect you to pay the cost for referral to the Medical Appeal Board.

However, if your claim is found to be "frivolous, vexatious or manifestly ill-founded", or if you withdraw your appeal within days of the interview, or medical examination, and a cost is incurred the Fire & Rescue Service would look to seek recover this cost from you.

## **Loss of pension rights as a result of fraudulent activity, dismissal or conviction of certain offences.**

### **If I am dismissed from the Fire & Rescue Service, can I request early payment of my deferred pension benefits?**

*(Disallowing early payment of a deferred pension because of a firefighter's dismissal-Regulation Part 9, Rule 4 of the NFPS)*

If you are dismissed from the Fire & Rescue Service you will be entitled to a deferred pension payable:

- at age 60, if you are a member of the FPS
- at age 65, if you are a member of the NFPS
- State Pension Age, with a minimum of 65 , if you are a member of the FPS 2015

You will not be entitled to early payment of your benefits.

However there may be exceptional or compassionate grounds where this may be considered by the CFO in consultation with the Assistant Director Resources / Treasurer. Any such case would be considered on a case by case basis and would depend on the circumstances of the case.

### **Are my pension benefits affected if I am convicted of an offence?**

*(Withdrawal of pension in whole or in part, permanently or temporarily, on a firefighter's conviction of certain offences- Regulation K5(1) of the FPS, Part 9, Rule 5 of the NFPS)*

If you are convicted of one of the following offences:

- Treason; or
- One or more offence under the Official Secrets Act 1911-1989 for which a prison sentence of at least 10 years is to be served.

The Fire & Rescue Service will, in exceptional circumstances, seek to reduce in whole or part the value of your pension benefits where it is considered appropriate.

Each case will be referred to the CFO for consideration and considered on a case by case basis in consultation with the Assistant Director Resources / Treasurer depending on the circumstances of the case.

### **Can payment be reinstated following whole or partial withdrawal?**

*(Restoring a pension withdrawn or to apply it for the benefit of any dependant of the pensioner- Regulation K5(5) of the FPS, Part 9, Rule 5, paragraph 4 of the NFPS)*

If the Fire & Rescue Service has reduced in whole or part your pension, they may, in exceptional or compassionate circumstances, reinstate payment to you or for the benefit of any dependant.

Each case will be referred to the CFO for consideration and considered on a case by case basis in consultation with the Assistant Director Resources / Treasurer depending on the circumstances of the case.

### **Are my pension benefits affected if I am convicted of a fraudulent offence?**

*(Forfeiture: relevant monetary obligations and relevant monetary losses – Regulation 174 of the FPS 2015)*

*(Set off – Regulation 175 of the FPS 2015)*

*(Forfeiture by a person who has been convicted of an offence under section 34(6) of the Fire & Rescue Services Act 2004- Regulation Part 9, Rule 6 of the NFPS) (Withholding sums due in respect of an award to a firefighter where there has been a loss to the F&RS as a result of fraud, theft or negligence in connection with his/her employment- Regulation L5(6))*

If you leave your employment with the Fire & Rescue Service due to a fraudulent offence, theft or negligence or, if you commit an offence by conducting an act (or an omission) as a result of which you are injured or become ill, for the purpose of obtaining an award, for you or another person, the Fire & Rescue Service will, in exceptional circumstances, seek to reduce the value of your pension benefits.

Each case will be referred to the CFO for consideration and considered on a case by case basis in consultation with the Assistant Director Resources / Treasurer depending on the circumstances of the case.

## **Re-employment following retirement from East Sussex Fire & Rescue Service**

### **Do I still receive my pension if I am re-employed by the Fire & Rescue Service?**

*(Abatement of pension on re-employment as a firefighter- Regulation K4 of the FPS, Part 9, Rule 3, paragraph (1) of the NFPS)*

*(Withdrawal of the whole or part of a pension paid to a firefighter during any period of re-employment as a regular firefighter, retained firefighter, volunteer firefighter, or in any capacity by any Fire & rescue authority-Regulation Part 9, Rule 3, paragraphs 1,2 and 3 of the NFPS)*

In the FPS or NFPS, your annual pension may be adjusted or suspended throughout your re-employment with the Fire & Rescue Service, or if you are re-employed in any other capacity by East Sussex Fire & Rescue Service. The reduction is on a £ for £ basis. This is to make sure that you are not receiving any more than the value of pay you would have received when you left your former employment.

## Following your divorce

### **If my Ex-spouse's pension is small, can they take it as a lump sum?**

*(Commutation of a pension credit- Regulation Part 6, Rule 2 of the NFPS)*

If your ex-spouse's pension is deemed to be small under the HM Revenue and Customs limits (less than 1% of your Life Time Allowance (LTA)), the Fire & Rescue Service would pay their pension in full (this is known as "commutation" and make payment as a one off lump sum. No further payments would then be made under the pension scheme.

The Pensions Team would automatically provide them with further details upon payment if this was applicable. Please note that consideration would be taken of any other pension credit payable to them.

### **If my ex-spouse dies and a post-retirement death grant is payable, who will it be payable to?**

*(Payment of post-retirement death grant in respect of a pension credit member to such person or persons as the Fire & Rescue Service think fit- Regulation Part 6, Rule 5, paragraph 2 of the NFPS)*

Under the FPS:

There is no provision to make a nomination; therefore payment will be made to their estate. It is therefore recommended that they make provision in their will.

Under the NFPS and FPS 2015:

Where it is clear, having taken account all circumstances, payment is made in accordance with their nomination. If no nomination has been made, then payment is made to their estate.

Where there is doubt this will be referred to the CFO for consideration in consultation with the Assistant Director Resources / Treasurer or grant of probate will be obtained.

### **NFPS & FPS 2015 -Death Grant Nomination form**

The Death Grant Nomination form can be obtained by contacting the Orbis Pensions Team.

## Following your death

### **If an overpayment of my pension occurs due to late notification of my death, what happens?**

*(Recovery of all or part of an overpayment following a pensioner's death of which the Fire & Rescue Service were not informed- Regulation Part 14, Rule 3, paragraph 5 of the NFPS)*

The Fire & Rescue Service would look to seek recovery of any overpayment of £100 or more.

**If my spouse cohabits or remarries following my death will their pension stop?**

If you are a member of the FPS then surviving spouses or civil partner's pension entitlement will cease upon remarriage.

If you are a member of the NFPS or FPS 2015 the pension will not cease upon cohabitation or remarriage.

**If my spouse's marriage or civil partnership subsequently terminates, will they be able to reinstate their pension?**

*(Reinstatement of all or part of a spouse's or civil partner's pension following the termination of marriage or civil partnership- Regulation C9 of the FPS)*

The Fire & Rescue Service would not automatically reinstate a spouse's pension.

Each case will be referred to the CFO for consideration and considered on a case by case basis in consultation with the Assistant Director Resources / Treasurer depending on the circumstances of the case.

**If I was paid a gratuity, other than an injury gratuity, how will this be paid to my spouse?**

*(Where the deceased received a gratuity, other than an injury gratuity, survivors' benefits are payable from the first anniversary of his death or such earlier date as the fire authority, in the circumstances of the case, think fit. Option to pay in instalments rather than as a single lump sum- Regulation L3(7)&(8) of the FPS)*

Payment of a gratuity would normally be paid as a single lump sum from the first anniversary of your death.

However, there may be extenuating circumstances, where the CFO in consultation with the Assistant Director Resources / Treasurer would consider for payment to be made by instalments, following a request by your surviving spouse.

**If I am living apart from my spouse at the time of my death, will this affect what is payable?**

*(Increase in level of spouse's or civil partner's award where the firefighter and spouse/civil partner were living apart at the date of death- Regulation C8(6)&(7) of the FPS)*

If you are living apart at the time of your death your spouse would be entitled to a benefit payable at the rate of 1/160<sup>th</sup> of your average pensionable pay at the date of death (which is known as a requisite benefit). Unless they have remained financially dependent on you, whereby, a higher benefit may be payable.

The Fire & Rescue Service may increase the amount payable, in extenuating or compassionate circumstances. This would be considered by the CFO in consultation with the Assistant Director Resources / Treasurer on a case by case basis depending on the circumstances of the case.

**Is there provision to make payment to a dependent relative, following my death?**

*(Award of dependent relative's gratuity- Regulation E3 of the FPS)*

The Fire & Rescue Service does not normally approve payment to a dependent relative, other than that set out by the pension scheme.

However, there may be exceptional or compassionate grounds where this may be considered by the CFO in consultation with the Assistant Director Resources / Treasurer. Each case would be considered on a case by case basis depending on the circumstances of the case.

**If I have made a nomination for payment of my death grant, can I be assured this is who it will be paid to?**

*(Recipient of death grant- Regulation Part 5, Rule 1, paragraph 10 of the NFPS)*

If you are a member of the FPS:

There is no provision to make a nomination; therefore payment will be made to your spouse, or civil partner. It is therefore recommended that if you are not married, or in a civil partnership, that you make provision in your will.

If you are a member of the NFPS and FPS 2015:

Where it is clear, having taken account of all circumstances, payment is made in accordance with your nomination. If no nomination has been made, then payment is made to your spouse, nominated partner or civil partner.

Where there is doubt this will be referred to the CFO for consideration in consultation with the Assistant Director Resources / Treasurer or grant of probate will be obtained.

**NFPS & FPS 2015 -Death Grant Nomination form**

The Death Grant Nomination form can be obtained by contacting the Orbis Pensions Team.

**If there is a death grant payable following my death that is less than the amount specified in the Administration of Estates (Small Payments) Act 1965, who is the amount payable to?**

*(Payment of sums less than the amount specified in the Administration of Estates (Small Payments) Act 1965 – Regulation 169 of the FPS 2015, L5(3) of the FPS, Part 14, Rule 6, paragraph 2 of the NFPS).*

If a death grant payment is due under either the FPS or NFPS that is less than the amount specified under the above Act, (which is currently £5,000), there would be a requirement for the Legal Personal Representative to complete a Form of Indemnity, before payment would be made. The Form of Indemnity would be provided by the Orbis Pensions Team.

In all other cases, unless there is a nomination in place, a Grant of Probate would be required.

**If my spouse is convicted of my manslaughter, will they still be entitled to payment of their spouse's benefit?**

*(Withholding all or part of a survivor's pension, permanently or temporarily, where the deceased's spouse, civil partner or nominated partner is convicted of manslaughter of the deceased- Regulation 171 (2) of the FPS 2015, Part 4, Rule 1, paragraph 3 of the NFPS)*

If your spouse is convicted of your manslaughter, the Fire & Rescue Service will, in exceptional circumstances, seek to reduce the value of their spouse's pension benefits to an amount considered appropriate.

Each case will be referred to the CFO for consideration in consultation with the Assistant Director Resources / Treasurer and this will depend on the circumstances of the case.

**If there is a death grant payable, will this be paid to them?**

*(Withholding payment of a death grant, where the recipient has been convicted of murder or manslaughter of the deceased- Regulation 173 of the FPS 2015, Part 5, Rule 1, paragraph 11 of the NFPS)*

If the recipient of your death grant has been convicted of your murder or manslaughter, your death grant will not be paid to them.

**If my spouse or child has made a false declaration to claim a dependant's benefit will the payment be suspended and recovered?**

*(Surviving partner's pension and eligible child's pensions: Suspensions and recovery – Regulation 101(2) & (3))*

If your surviving partner and/or child made a false declaration, or deliberately suppressed a material fact in connection to the benefit awarded, the Fire & Rescue Service will suspend payment of the pension and would seek to recover any overpayment.

**If my death grant was not paid and their conviction was quashed on appeal, can payment now be made?**

*(Payment of any death grant not paid in full, to a person whose conviction for murder or manslaughter of the deceased has been quashed- Regulation Part 5, Rule 1, paragraph 12 of the NFPS)*

If a death grant has not been paid due to these circumstances, and the conviction has subsequently been quashed, the case will be referred to the CFO in consultation with the Assistant Director Resources / Treasurer.

**If my child is under 18 who will the pension be paid to?**

*(Payment of Pensions under Part 6 'Death Benefits' – Regulation 100 (2))*

If your child is under the age of 18, and is due payment of a child's pension, this will be paid to their legal guardian.

If there is no surviving parent, then supporting guardianship documentation will be required.



**If my child is permanently disabled will their pension be payable for life?**

*(Cessation of child's pension where the Fire & Rescue Service are satisfied that the child is no longer permanently disabled or the child's pension should not have been awarded- Regulation D5(4)(c) & 3(a) of the FPS, Part 4, Rule 7, paragraph 9 of the NFPS).*

Should you die and leave a permanently disabled child, the Fire & Rescue Service will determine the eligibility of their pension at this point. The Pensions Team will ascertain through your child's GP, whether their condition requires reassessing and at what intervals.

If it is found that your child is no longer deemed as being permanently disabled the Fire & Rescue Service would cease payment of the child's pension.

However there may be exceptional or compassionate grounds where this may be considered, and agreed to by the CFO in consultation with the Assistant Director Resources / Treasurer. Each case would be considered on a case by case basis depending on the circumstances of the case

**If at the time of my death, my child is left with no surviving parents who would their child's pension be payable to?**

*(Recipient of any sum payable to a minor – Regulation L5(1) of the NFPS, Part 14, Rule 5, paragraph 1 of the NFPS)*

Should you die and your child be left with no surviving parents, the Fire & Rescue Service would make payment to their legal guardian. The Pensions Team would require evidence of guardianship.

It is therefore recommended that you seek legal advice and make provision for this in your will.

**If my child is 17 or over and decides to take a break in full time education, would payment of their child's pension continue?**

The Fire & Rescue Service would cease payment if your child is 17 or over and they are no longer in full time education.

**If they then returned to full time education, would their pension be reinstated?**

*(Award of children's benefit to a child age 17 or over, where there has been a break in full time education- Regulation D(5) & (3)(b) of the FPS)*

The Fire & Rescue Service would not automatically reinstate a child's pension.

Each case would be referred to the CFO for consideration in consultation with the Assistant Director Resources / Treasurer. Each case would be considered on a case by case basis depending on the circumstances of the case.

**If payment of my child's pension is at a flat rate following my death, is there provision for this to be increased?**

*(Substitution of a higher amount of child's flat rate award where neither child's parent is alive- Regulation E9(6) of the FPS)*

The Fire & Rescue Service would not automatically increase the flat rate entitlement to your child upon your death, in the event that there are no surviving parents.

However, there may be exceptional or compassionate grounds where this may be considered, by the CFO in consultation with the Assistant Director Resources / Treasurer. Each case would be considered on a case by case basis depending on the circumstances of the case.

**If an adjustment needs to be made to my child's pension as there is a further eligible child or it subsequently appears that they are not eligible, will the amount be adjusted?**

*(Provisional awards of eligible child's pensions: later adjustments – Regulation 102 (2) & (3))*

If a child to whom no payment has been made or a child born after your death becomes eligible to a child's pension benefit, the Fire & Rescue Service will adjust the payments being made and recover any overpayment accordingly from the existing child.

**If my child is convicted of my manslaughter or murder, will they still be entitled to payment of their pension benefit?**

*(Withholding all or part of a child's pension, permanently or temporarily, where the child is convicted of manslaughter of the deceased- Regulation 172 (2) of the FPS 2015, Part 4, Rule 7, paragraph 5)*

*(Forfeiture of Pensions: offences committed by other persons – Regulation 172 (1) & (5))*

If your child is convicted of your manslaughter, the Fire & Rescue Service will, in exceptional circumstances, seek to reduce the value of their pension benefits to an amount considered appropriate.

If your child is convicted of your murder, the Fire & Rescue Service must seek to withhold the value of their spouse's pension benefits.

Each case will be referred to the CFO for consideration in consultation with the Assistant Director Resources / Treasurer. Each case would be considered on a case by case basis depending on the circumstances of the case.

Written by: Payroll & Pensions Department (VB)

Approved by: