

EAST SUSSEX FIRE AUTHORITY

Minutes of the meeting of the East Sussex Fire Authority held at County Hall, St Anne's Crescent, Lewes BN7 1UE at 10:30 hours on Thursday, 7 December 2017.

Present: Councillors Barnes (Chairman), Deane, Dowling, Earl, Elford, Galley, Lambert, Morris, O'Quinn, Osborne, Penn, Scott, Sheppard, Smith, Taylor, Theobald (Vice-Chairman) and Tutt.

Also present:

Mrs D Whittaker (Chief Fire Officer), Mr M Andrews (Interim Deputy Chief Fire Officer), Mr M O'Brien (Interim Assistant Chief Fire Officer), Mr A Ghebre-Ghiorgis (Monitoring Officer), Mr D Savage (Treasurer/Assistant Director Resources), Mrs L Ridley (Assistant Director Planning & Improvement), V Boundy (Payroll & Pensions Manager), J Morris (FireWatch Project Manager), C Fry (IRM Co-ordinator), A Blanshard (Clerk to the Fire Authority).

6 INTERESTS

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

7 APOLOGIES FOR ABSENCE

- 7.1 Apologies were received from Councillor Peltzer Dunn.

8 URGENT ITEMS AND CHAIRMAN'S BUSINESS

- 8.1 At the request of the Chief Fire Officer/Chief Executive Officer (CFO/CEO), the Chairman permitted Principal Officers to make oral updates to the Fire Authority.

- 8.2 Sussex Control Centre Update

9 TO CONSIDER PUBLIC QUESTIONS, IF ANY

- 9.1 There were none.

10 TO CONSIDER PUBLIC PETITIONS, IF ANY

- 10.1 There were none.

11 NON-CONFIDENTIAL MINUTES OF THE MEETING HELD ON 7 SEPTEMBER 2017

- 11.1 **RESOLVED** – That the non-confidential minutes of the meeting held on 7 September 2017 be approved and signed by the Chairman. (Copy in Minute Book).

12 CALLOVER

- 12.1 Members reserved the following items for debate:

- 13 Governance Review Proposal
- 15 Temporary Promotions and Pensionable Pay
- 17 FireWatch Project
- 18 Review of Attendance Standards Consultation
- 19 Grenfell Tower Incident Response and Impact

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

13 GOVERNANCE REVIEW PROPOSAL

- 13.1 The Fire Authority received the report of the Interim Assistant Chief Fire Officer (IACFO) on the options and outline scope for an independent review of the governance arrangements of the East Sussex Fire Authority. (*Copy in Minute Book*).
- 13.2 East Sussex Fire Authority had requested that a review be undertaken into the political and organisational governance arrangements in place across the Authority and in relation to East Sussex Fire and Rescue Service.
- 13.3 The overarching purpose of the review would be to explore the application and effectiveness of the Authority's current governance practice, structures and procedures. It would also provide an opportunity to assess if the existing Authority and Panel structures remained fit for purpose and whether the governance arrangements were well designed and properly executed.
- 13.4 It was proposed that the review be conducted by a 3rd party external organisation in order to provide capacity, expertise and more importantly independence. The suggested key lines of enquiry for the review, which had been considered and refined by the Member Reference Group and the Scrutiny & Audit Panel, were included in the Report. The IACFO informed Members that if they were agreed by the Fire Authority then it would be in accordance with these that the review would be conducted.
- 13.5 The Member Reference Group would be consulted on the final tender document and on the selection of the contracted provider. Members requested that they also receive sight of the proposed tender documents in advance of publication.
- 13.6 If the Authority agreed to the appointment of a 3rd party external organisation to conduct the review, then there would be an unfunded cost associated with this appointment. Initial indications were that the likely cost would be circa £20/25K. It was recommended that this be drawn from the Improvement & Efficiency Reserve.
- 13.7 Members asked if the cost estimate was the top end cost. He was informed that the cost was hard to pinpoint exactly, but that it was a reasonable estimate based on the work required.

- 13.8 Members asked for confirmation of the timescale and the anticipated start date. They were advised that if agreed work would commence immediately to turn the scope into a tender document, this would be circulated to Members with final approval given by the Scrutiny and Audit Panel. The Tender document would then be published. It was anticipated that the appointment of an external partner would be quick and that the initial report could be presented to the Scrutiny and Audit Panel in May 2018. The report would then be presented to the Fire Authority at its AGM in June 2018.
- 13.9 As outlined in the Report, delivery of any action plan resulting from the review would then be monitored by the Scrutiny & Audit Panel, with a formal follow up review to be conducted by the provider at an agreed point in time.
- 13.10 A concern was expressed that there appeared to be an imbalance between the representation of Brighton & Hove City Council and East Sussex County Council on the Member Reference Group. Members agreed that it was more important that geographic representation be balanced than the political representation as this review was apolitical in its nature. Members agreed that they would aim to remain apolitical in matters such as this.
- 13.12 **RESOLVED** – That the Fire Authority:
- i) noted the content of the Report;
 - ii) agreed the broad scope of the proposed review; and
 - iii) directed officers to progress on the basis of the proposed way forward outlined in the Report.

14 FIRE REFORM AND INSPECTION OF FIRE & RESCUE SERVICES

- 14.1 The Fire Authority received the Report of the Interim Assistant Chief Fire Officer which provided an update on the Government's reform agenda for Fire and Rescue Services, specifically in relation to the Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) inspection regime and to outline the progress made by ESFRS. (*Copy in Minute Book*).
- 14.2 The report outlined the emerging developments following the announcement by the Home Office that Her Majesty's Inspectorate of Constabulary was to be expanded to take on the role of Inspectorate of Fire and Rescue Services in England.
- 14.3 The inspections, anticipated to be based on those used for Police Forces, would consider how efficient and effective Fire & Rescue Services (FRS) were, highlighting good practice and identifying areas for improvement.
- 14.4 The methodology would be piloted in three FRS between January and April 2018. Inspections of remaining FRS would then take place before the end of 2019.

14.5 East Sussex Fire & Rescue Service was undertaking preparations in advance of inspection. Including liaising with West Sussex and Surrey to identify potential areas of collaboration.

14.6 **RESOLVED** – That the Fire Authority noted the Report.

15 TEMPORARY PROMOTIONS AND PENSIONABLE PAY

15.1 The Fire Authority considered the Report of the Assistant Director Human Resources & Organisational Development which sought Member approval for the continued application of scheme rules relating to temporary promotions and pensionable pay. (Copy in Minute Book).

15.2 The Authority was advised by the CFO that there was an amendment to the recommendation of this Report. The recommendation should have requested that Members endorse that the Fire Authority continues to treat temporary and acting up as pensionable pay.

15.3 Members queried the financial implications that might arise following a legal challenge to Cheshire FRA regarding the payment of pensionable pay. The Treasurer gave Members some context and background to the complexities of the Firefighter Pension Schemes, a national scheme that is administered locally. The HO (formerly DCLG) Fire Pensions Team no longer give guidance on the application of the Scheme, and this was the case following the Norman v. Cheshire judgement.

15.4 However, a sector group was established and suggested actions that FRAs should take. The Authority also took its own legal advice. An approach was then agreed through the Authority and financial provision made to cover both the ongoing revenue cost (£95,000) of additional employer's contributions, but also the retrospective cost going back six years for those allowances now determined to be pensionable (£540,000). These figures have since been revised down as better information has been received. As part of the arrangement, affected firefighters were also required to pay their employee's contributions.

15.5 Members asked whether temporary promotions were being used instead of permanent career progression. It was agreed that the matter of temporary promotions did need to be addressed. The two current interim Principal Officers in post meant that there was a pyramid effect of back-filling substantive posts. The process of appointing permanent staff to Principal Officer roles was underway and once complete this would see some reduction to acting-up staff.

15.6 The CFO then added that the other contributory factor adding to the number of temporary posts in the service was the levels of sickness. The CFO agreed to ask HR Officers to provide more detail on both these matters, including all staff from Chief Fire Officer to Firefighters and Support Staff, and produce a report which would be presented to the Scrutiny and Audit Panel.

15.7 **RESOLVED** – That the Fire Authority:

- i) endorsed that East Sussex Fire and Rescue Service continue to treat temporary and acting up as pensionable pay; and
- ii) that a report detailing the number of temporary and acting-up positions in East Sussex Fire and Rescue Service be produced by Human Resources and presented to a future Scrutiny and Audit Panel.

16 AUTUMN BUDGET STATEMENT UPDATE

16.1 The Fire Authority received the Report of the Assistant Director Resources / Treasurer summarising the main items of interest to the Authority within the Chancellor's Autumn Budget Statement. At this stage there was limited direct impact upon the Fire Authority.

16.2 **RESOLVED** – That the Fire Authority noted the contents of the Report.

17 FIREWATCH PROJECT

17.1 The Fire Authority considered the Report of the Assistant Director Human Resources & Organisational Development detailing the progress of the FireWatch Project and seeking Members approval for the provision of additional funding required to complete its implementation.

17.2 Members were given a brief overview and progress update of the FireWatch project by the FireWatch Project Manager. Members were informed that the project was progressing well and meeting requirements of both our HR and IT Strategies. The introduction of FireWatch was essential for enabling the Authority's People Strategy and would introduce further options for systems integration.

17.3 Members were informed that FireWatch, which is used by a third of fire services nationally, was an Integrated Management System, bespoke to our requirements as a fire service. As the system is modular, based on business requirements, it can be installed to suit the service's needs. It was currently used for Learning and Development management, real time crewing, Sussex Control Centre, on call Officers, station based training and most recently HQ support staff. The modular system means that the benefits grow the more we use it.

17.4 The FireWatch Project Manager used the systems function regarding Retained Availability as an example. This was a central requirement for the service and was a big change. It allowed retained availability to be managed using one procedure. It could be accessed online and from mobile phones and could be viewed on display screens at all Fire Stations as well as at the Sussex Control Centre. As FireWatch was used by both East and West Sussex it would be integrated with 4i when the new system at the SCC was live and would allow officers to see live availability across both services.

17.5 **RESOLVED** – That the Fire Authority:

- i) noted the progress of the FireWatch project to date and the benefits that have been delivered;

- ii) approved additional funding of £456,600 from the Improvement and Efficiency Reserve necessary to complete FireWatch implementation;
- iii) noted that the release of funding for the Self Service and Retained Duty System Pay modules is dependent on the delivery of a clearer benefits Realisation Plan that identifies cashable and non-cashable efficiencies; and
- iv) noted that periodic reports on project delivery will be made to the Scrutiny & Audit Panel.

18 REVIEW OF ATTENDANCE STANDARDS CONSULTATION

- 18.1 The Fire Authority considered the Report of the Interim Assistant Chief Fire Officer seeking Members approval for the proposed Attendance Standards Review consultation process.
- 18.2 The Interim Assistant Chief Fire Officer outlined the consultation proposals and clarified to Members that they were being asked to agree to public consultation on the monitoring and reporting of response figures, not to changes in response times.
- 18.3 The Fire Authority were reminded that since departing from the National Standards of Fire Cover, ESFRS had locally set its own attendance standards. Since 2004 there had been several different standards. Following a number of operational policy changes, these standards were no longer fit for purpose. Since 2015, ESFRS had been reporting against the Home Office's average response times, these had been adopted to allow the public to benchmark performance against national data.
- 18.4 The draft consultation had been presented to Members at their Seminar on 17 November 2017, following suggestions made by Members on this first reading changes had been made to the consultation document, Appendix C to the Report, and these were reflected in the paper before the Fire Authority.
- 18.5 The ADP&I briefed Members on the consultation methods that would be used including online forums, online surveys, stakeholder panels, community roadshows and paper questionnaires. All Members would be sent a complete consultation pack and would be sent extras as required. She explained to Members that the response rates to ESFRS consultations were usually high, but that officers were increasing the consultation to ensure the best response possible.
- 18.6 Members sought reassurance that ESFRS was doing its utmost to ensure that all the hard to reach groups across the County would be reached. The ADP&I confirmed that the consultation database contains over 500 local organisations, including contacts for hard to reach groups in our area.
- 18.7 The CFO suggested that if Members knew of any particular groups please could they let the ADP&I know so that they might be added to the consultation database.

18.8 A discussion followed regarding the final option for the target times to be consulted on, outlined in paragraphs 5.1 and 5.2 of the Report. Members felt it important that any targets proposed were achievable and voiced some concerns about “stretch” targets and whether these inadvertently may lead to misunderstandings by the public of ESFRS achievements.

18.9 **RESOLVED** – That the Fire Authority:

- i) agreed that the consultation be conducted on the targets detailed at paragraph 5.1 of the report, subject to review by the Scrutiny & Audit Panel if the target is regularly exceeded;
- ii) approved the draft plan for consultation;
- iii) approved the proposed 8 week consultation period; and
- iv) approved the consultation and communications plan.

19 GRENFELL TOWER INCIDENT RESPONSE AND IMPACT

19.1 The Fire Authority considered the Report of the Interim Deputy Chief Fire Officer (IDCFO) which summarised the ESFRS response to the tragic fire at Grenfell Tower in London and the longer term impact and proposed plan to manage any risk associated with the potential outcome of the inquiries associated with the fire.

19.2 The IDCFO informed the Fire Authority in the days immediately following the fire, ESFRS acted quickly to provide public reassurance, conducting joint inspections on blocks of high rise flats and NHS premises. These inspections found that whilst a number had been renovated, including the application of cladding, none were identified as having Aluminium Composite Material (ACM) in the panels.

19.3 The IDCFO explained that it was anticipated that the requirements of fire safety might change and that it was essential ESFRS took a proactive approach to managing the risks with existing resources and that we look to shape the way we deliver services in the future. With current resources, ESFRS can respond effectively.

19.4 Members were reminded of the sprinkler match funding project that the Service was involved in and informed of its progress to date. Sprinklers were the most effective way to ensure that fires are suppressed or even extinguished before fire crews can arrive. An investigation by the National Fire Chiefs Council (NFCC) into the effectiveness and reliability of sprinkler systems indicated that they operate on 94% of occasions and that they then extinguish or contain the fire on 99% of occasions.

19.5 The IDCFO explained that following Grenfell the importance of this project had been emphasised. Members had already agreed to commit £400,000 to match fund sprinkler initiatives and officers were seeking an additional £200,000. The Fire Authority were urged to agree to the requested additional funding reinforcing the Authority’s commitment to ensuring the safety of residents and reducing the risk to our Firefighters.

19.6 Members thanked ESFRS for the hardwork and the quick response that was detailed in the Report. It was generally felt that the tragedy at Grenfell Tower would hopefully lead to change in how high rise premises were built and refurbished in the future.

19.7 **RESOLVED** – That the Fire Authority:

- i) noted the report;
- ii) approved the review of Business Fire Safety and alignment with Safer Communities subject to final costs;
- iii) approved the evaluation of a new risk based inspection tool to better identify premises of high risk where the vulnerability of residents is considered;
- iv) approved an additional £200,000 funding from reserves to support the Sprinkler Match Funding project; and
- v) requested that a letter be sent to central government urging a legislative change requiring that the installation of sprinklers be made mandatory for both new build and re-furbished high-rise premises.

20 **EXCLUSION OF PRESS AND PUBLIC**

20.1 **RESOLVED** – That item no. 21 be exempt under paragraphs 3 and 4 of Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 and accordingly is not open for public inspection on the following grounds: it contains information relating to the financial or business affairs of any particular person (including the authority holding that information), and any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority and employees of the authority.

The meeting concluded at 12:57 hours.

Signed

Chairman

Dated this

day of

2018