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## FIRE AUTHORITY

**Minutes of the meeting of the FIRE AUTHORITY held at Council Chamber, County Hall, East Sussex County Council, St Anne's Crescent, Lewes at 10.30 am on Thursday, 8 September 2022.**

Present: Councillors Galley (Chairman), Lambert (Vice-Chair), Azad, Dowling, Evans, Geary, Hamilton, Maples, Marlow-Eastwood, Peltzer Dunn, Powell, Redstone, Scott, Taylor, Theobald, Ungar and West

Also present: D Whittaker (Chief Fire Officer/ Chief Executive), D Norris (Deputy Chief Fire Officer), M Matthews (Assistant Chief Fire Officer), A Ghebre-Ghiorghis (Monitoring Officer), D Savage (Assistant Director Resources/Treasurer), L Ridley (Assistant Director Planning & Improvement), J King (Assistant Director People Services), M Lloyd (Assistant Director Safer Communities), L Woodley (Deputy Monitoring Officer) and A Blanshard (Senior Democratic Services Officer)

### **108       Declarations of Interest**

There were none.

### **109       Apologies for Absence**

Apologies were received from Councillor Osborne.

### **110       Notification of items which the Chairman considers urgent and proposes to take at the end of the agenda/Chairman's business items**

The Chairman notified the Fire Authority of the strike ballot being undertaken by the Fire Brigades Union (FBU); this was a five week process. The FBU had rejected a 2% pay award but discussions were continuing nationally, and the Chair of the National Joint Council (NJC) was regularly updating Fire Authority Chairs and Chief Fire Officers with the progress of talks.

### **111       To consider any public questions**

There were none.

### **112       To receive any petitions**

There were none.

### **113       Non-confidential Minutes of the Previous Meeting**

**RESOLVED** – That the minutes of the meeting held on 9 June 2022 be approved and signed by the Chairman.

### **114       Callover**

Members reserved the following items for debate:

## **Unconfirmed minutes – to be confirmed at the next meeting of the Fire Authority**

- 178 Annual Performance Outcome Report 2021/22
- 179 Revenue Budget & Capital Programme Monitoring 2022/23
- 180 Strategic Service Planning & Medium Term Financial Plan 2023/24
- 181 Core Code of Ethics

**RESOLVED** – The Fire Authority agreed that all remaining reports on this Agenda be approved in full.

### **115 Annual Performance Outcome Report 2021/22**

The Fire Authority considered the report of the Assistant Director Planning & Improvement (ADP&I) presenting Members with the annual performance results for 2021/22. In total there were twenty-one indicators, but only sixteen had comparable data due to the Covid-19 pandemic. Eight of the top-level indicators improved or met the target set in 2021/22 and eight showed a decline against the previous year.

The ADP&I presented the report to Members, highlighting that comparison would remain difficult with the years affected by the Covid-19 pandemic, however, there was already a noticeable direction back to pre-pandemic levels. There had been an increase in both the number of incidents and the levels of staff sickness. There had been a reduction in serious fires and the Service was performing as expected with regards to containing a fire to the room of origin. The report contained detail on both complaints and compliments and richer detail with regards to information presented on a District level.

Members thanked the ADP&I and her team for the complex report and the updates contained within. They were keen to highlight that when dealing with statistics it was easy to forget that a small numeric change could reflect significantly in a percentage figure, the language used occasionally made the figures seem more concerning than they were. A lengthy discussion followed, Members queried what were the improvements that were so successful in Eastbourne and Rother and sought clarity on increases in Accidental Dwelling Fires (ADF) despite the significant outreach work being undertaken. The Assistant Director Safer Communities (ADSC) explained that the Covid-19 pandemic had changed and impacted how the Service had to work. The Annual Assessment of Risk was used to target those groups that were most in need of safety advice especially in the prevention of ADFs, the improvements in Eastbourne and Rother demonstrated the success of targeted initiatives.

Members sought clarity regarding attendance at Automatic Fire Alarms (AFAs) and response times. The ADSC reminded the Authority that they had taken the decision not to attend AFAs, as it was still early days it would be a while before the figures would be available on this change. The Control officers provided challenge to calls, under a nationally recognised process, to establish that it was indeed a false alarm, if there was any doubt the Service would attend. The Service had consulted with the public on how they would like to see response standards reported, there were two ways of measuring; an 'on station' response and an 'on-call' response.

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There was a question regarding the number of vehicles, whether the increasing number of Electric Vehicles (EV) presented an increased risk due to the batteries. The Assistant Chief Fire Officer (ACFO) agreed that this was a well known risk, lithium batteries burned in a specific and difficult to control way, the National Fire Chiefs Council (NFCC) had provided national guidance and additional local guidance had been put in place. The Chief Fire Officer (CFO) added that Members could assist in the management of this risk by ensuring that their planning colleagues considered EV fires when granting permission to build underground car parks or the fitting of charging points in existing.

The Assistant Director People Services (ADPS) provided members with some reassurance that the Service was addressing the increase in staff sickness figures. During the pandemic staff sickness had reduced dramatically and was now showing a return to pre-pandemic levels. There were several factors influencing the figures, including NHS waiting times, ill-health retirements, and delays of occupational health appointments. Work was underway to improve Occupational Health facilities and the Service had introduced wellbeing hubs, wellbeing champions, and Mental Health first aiders. The CFO added that this was a national point of focus as sickness in fire and rescue services was difficult to manage due to the nature of the work we do. There were injuries that people could work with in other careers that they could not in the fire service. However, back and Musculo-skeletal injuries had been overtaken by mental health as a cause of absence. The sector had lightened equipment and de-manualised other equipment to reduce “wear and tear” and the resulting physical injuries. Staff were exposed to incidents and situations that can cause significant mental health problems and societal issues including suicide. The Service was encouraging conversations and that it was OK to say that you are not OK. The Service had improved its response to trauma, but the nature of what crews attend would always be an issue. The increased retirement age would also have an impact, and potentially there would be increased long-term sickness, being a firefighter was a difficult job at 50 and even tougher at 60.

Members requested that a presentation be made to a future Members Seminar regarding wellbeing. It was further proposed by Cllr Galley, seconded by Cllr Geary, that an additional recommendation be added to this report requesting a further widescale review of wellbeing and sickness across the Service. The Fire Authority approved this additional recommendation.

**RESOLVED** – The Fire Authority approved:

- i. the performance results and progress towards achieving the Service’s purpose and commitments;
- ii. the performance results and remedial actions that had been taken to address areas of under performance in the priority areas; and
- iii. a request for a further widescale review of wellbeing and sickness with an update provided to the Scrutiny & Audit Panel

**116 Revenue Budget & Capital Programme Monitoring 2022/23**

The Fire Authority received the report of the Assistant Director Resources/Treasurer (ADR/T) presenting Members with the findings of the Month 4 monitoring undertaken on the Revenue and Capital Budget 2022/23 and Capital Programme 2022/23 to 2026/27. It was agreed by the Fire Authority, in consultation with the Monitoring Officer, that this item could be discussed simultaneously with item 180 – Strategic Service Planning & Medium Term Financial Plan 2023/24 as there were many overlaps that would affect this report.

The ADR/T explained that the current year forecast was for a Revenue overspend of £446,000 due to pressures including being over establishment with Firefighters and costs of overtime in the Safer Communities Directorate and Training. There was an underspend/slippage of 40% regarding the Capital Programme, this affected both fleet/engineering and estates. There were worldwide supply chain disruptions affecting both programmes, both in terms of availability of vehicles and the cost of materials for estates projects. Officers described work taking place to prioritise projects and Members supported an approach that committed to a smaller number of projects, delivered them in full and then moved on to the next tranche rather than trying to deliver more than was possible at once.

The ADR/T highlighted several risks affecting the organisation these included additional pay awards and inflationary pressures on non-pay spend above the 2% budgeted. There were national pay negotiations ongoing for all staff. The offer to Green book had been £1,925 per person, currently in consultation, and the 2% offer made to Grey/Gold book staff had been rejected. Recent public sector pay awards more generally, for example to police and NHS staff had been around 5-6%. It was expected that risks resulting from both pay and non-pay inflation may be in the region of £1,300,000 to £2,000,000 on top of the forecast Revenue overspend.

Members were deeply concerned by the inflation figures and that these were predicted to rise further. There was no indication of when the rises would end, and that the Authority were clearly not in times of “business as usual” in terms of budget setting. Members were keen that the Service continue to seek additional funding from central Government.

The ADR/T explained that this year the Finance team were working closely with other departments to get more accurate budget forecasts. The Senior Leadership Team (SLT) had agreed some actions including management of vacancies and oversight of overtime claims. They would also be reviewing options to manage non-pay related spending including expenses, travel, hire of external venues and printing costs. The ADR/T reminded Members that the Authority had some contingency within the Revenue budget and reserves which it could use to fund unplanned spend in the current financial year.

The ADR/T explained that the Authority has been well managed financially and this put it in a good position when compared to some other Fire

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Authorities, to tackle the financial challenges ahead. Because of the uncertainty surrounding both funding and costs a full update of the Medium Term Financial Plan (MTFP) was not possible this year. Instead, the paper provided an illustration of the potential funding gap the Authority faced in 2023/24. This was the third year in a row that a one year settlement had been received from Government. It was unclear what this year's settlement would look like, figures were not due until late December 2022, but the messaging from Government indicated that Local Authorities would not get any additional help on either pay or price inflation. The funding scenarios had been reviewed and were based on cash +2% (for Settlement Funding Assessment) and the spending assumptions included the full year impact of forecast pay awards for 2022/23. There was also an assumption that a pay increase of 4% for all staff for would be necessary in 2023/24. The "illustrative scenario" for next year was a potential funding gap of £3,000,000. Members were reminded that  $\frac{3}{4}$  of the Authority's expenditure was staffing with the majority of that being frontline. The ADR/T stated that if the funding gap was of the scale that had been modelled then efficiencies alone would not be sufficient to deliver a balanced budget and that the Authority would need to revisit its IRMP and consider reductions in the service it provided. For the purposes of illustration the cost of running a full-time pumping appliance was around £0.9m - £1.0m.

The Star Chamber process for this year was requiring department heads to identify unavoidable pressures, new bids and potential savings. The messaging was stark, the Authority must prioritise and be clear about where to invest, officers would be bringing back proposals to the Fire Authority at their meeting in December 2022.

The ADR/T confirmed that they were continuing, through several channels, to lobby Government regarding funding. Officers held regular meetings with the local MPs and had been very clear with them about the situation that the Authority faced. They Chairman had written to the Fire Minister and the NFCC had made submissions to Government. Officers were doing all they could but were aware too of the wider context and that all Fire Authorities were in the same position.

Members supported the suggestion that, it might be wise to reduce the number of Capital projects underway at one time, instead to seek to initiate fewer but ensure completion of those underway. The ADR/T confirmed that there was progress being made on the Capital Programme with work commenced on site. Works at Seaford to accommodate the HVP had been completed and builders were onsite at Hove and would then be starting Bohemia Road and the first of the multipurpose training hubs. Planning was progressing at Preston Circus; contractors had been appointed and they were working on updated costings.

The Authority were grateful to the ADR/T for the information and clarity and were understanding of the likely need for them to re-visit the Integrated Risk Management Plan. Support was expressed for continued lobbying for a fair and equitable funding settlement including increased council tax flexibility.

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The Authority recognized that it was possible that they may have to consider the “core Service offer” at this challenging time.

**RESOLVED** – The Fire Authority agreed to note:

- i. the risks to Revenue Budget and the projected overspend;
- ii. the risks to the Capital Programme;
- iii. the reduced net forecast drawdown from reserves;
- iv. the grants available and spending plans;
- v. the monitoring of savings taken in 2022/23; and
- vi. the current year investments and borrowing.

### **117 Strategic Service Planning & Medium Term Financial Plan 2023/24**

The Fire Authority considered the report of the Assistant Director Resources/Treasurer (ADR/T) providing Members with an update on the Authority’s financial planning position in advance of the start of the Service Planning and Budget Setting process for 2023/24 onwards. It was agreed by the Fire Authority, in consultation with the Monitoring Officer, that this item could be discussed simultaneously with item 179 – Revenue Budget & Capital Programme Monitoring 2022/23 as there were many overlaps that would affect this report. The key discussion points on this report are covered in the minutes for the previous item.

The Fire Authority agreed to accept an additional recommendation to this report, proposed by Cllr Galley and seconded by Cllr Maples, which stated:

“The Fire Authority requests a report to a future meeting outlining the range of options available to deal with the risk factors raised in the report.”

**RESOLVED** – The Fire Authority agreed to:

- i. note the report and its assessment of the potential funding gap for 2023/24;
- ii. consider and commented upon the risks set out in section 4.6 and the assumptions set out in the report;
- iii. consider their policy preferences for Council Tax should the Government set the referendum threshold higher than the 2% currently included in the MTFP;
- iv. approve the planning assumption that the Protection Grant would continue at its current level and to build this into the MTFP; and
- v. request a report to a future meeting outlining the range of options available to deal with the risk factors raised in the report.

### **118 Core Code Of Ethics**

## **Unconfirmed minutes – to be confirmed at the next meeting of the Fire Authority**

The Fire Authority considered the report of the Assistant Director People Services (ADPS) providing Members with an update on progress in implementing the national Core Code of Ethics Fire Standard that had been developed in partnership with the National Fire Chiefs Council (NFCC), Local Government Association (LGA) and the Association of Police and Crime Commissioners (APCC). The Core Code of Ethics had been introduced in May 2021 and was designed to help employees of Fire and Rescue Services act in the best way towards each other and while serving the public. Those who govern fire and rescue services are asked to demonstrate their commitment to the Core Code of Ethics by championing its use.

The Service had long been committed to ensuring staff had clear guidance on expectations regarding behaviour, including the Service values of Proud, Accountable, Integrity, and Respect. This had been further enhanced with the creation and implementation of the Leadership and Behaviour Framework and rolling reviews.

Members thanked the ADPS for the update and were pleased to see that there was significant reference to equality, diversity and inclusion in the code.

**RESOLVED** – The Fire Authority agreed to:

- i. note the progress of the Service in implementing the National Code of Ethics;
- ii. note the move into business as usual as set out in section 4; and
- iii. confirm its commitment to the Code of Ethics.

### **119 Exclusion of the Press & Public**

### **120 Request to Write-Off Overpayment**

The Fire Authority considered the report of the Assistant Director People Services (ADPS) seeking Member approval to write off an overpayment that had been made to a current pensioner. An overpayment had been identified and the write-off figure was greater than that which could be delegated to the Chief Fire Officer & Chief Executive. Therefore, it was necessary for the Fire Authority to be asked to authorise this amount.

**RESOLVED** – The Fire Authority approved the write off in line with paragraph 12.8 of the Authority's Financial Regulations.

The meeting concluded at 12.28 pm

Signed

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Chairman

Dated this

day of

2022