

SCRUTINY & AUDIT PANEL

Minutes of the meeting of the SCRUTINY & AUDIT PANEL held at County Hall, St Anne's Crescent, Lewes, East Sussex, BN7 1UE at 10.00 am on Thursday, 19 January 2023.

Present: Councillors Lambert (Chair), Azad, Galley, Maples and Scott

Also present: D Whittaker (Chief Fire Officer & Chief Executive), D Norris (Deputy Chief Fire Officer), M Matthews (Assistant Chief Fire Officer), L Woodley (Deputy Monitoring Officer), D Savage (Assistant Director Resources/Treasurer), L Ridley (Assistant Director Planning & Improvement), M Lloyd (Assistant Director Safer Communities), A Avery (Finance Manager), G O'Reilly (Protection Group Manager), E Curtis (Communications & Marketing Manager), H Thompson (EY), A Blanshard (Democratic Services Manager), R Smith (Democratic Services Officer)

25 Declarations of Interest

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

26 Apologies for Absence

Apologies had been received from Councillors Redstone and Theobald. Councillor Galley had been appointed to attend as substitute for Councillor Redstone for this meeting.

27 Notification of items which the Chair considers urgent and proposes to take at the end of the agenda/Chair's business items

Councillor Scott thanked East Sussex Fire and Rescue Service (ESFRS) for their response to the recent incidents that had occurred across the county, highlighting the flooding and large fire that had occurred in Hastings. The Chief Fire Officer (CFO) and Assistant Chief Fire Officer (ACFO) emphasised the importance of partnership working when dealing with such incidents, as well as the need for both individuals and organisations to take measures to mitigate the risks before incidents occur. The ACFO assured the Panel that learning points from the incidents would be considered and that their thanks would be passed to those involved.

28 Non-Confidential Minutes of the last Scrutiny & Audit Panel meeting held on 10 November 2022

RESOLVED – That the minutes of the meeting held on 10 November 2022 be approved and signed by the Chair.

29 Callover

Members reserved the following Agenda items for debate:

Unconfirmed minutes – to be confirmed at the next meeting of the Scrutiny & Audit Panel

- 30 External Audit Update
- 31 Auditor's Annual Report 2021/22
- 32 Corporate Risk Register Quarter 3 2022-23
- 33 Performance Report for Quarter 2 2022/3
- 34 Implementation Update on the 'nil response' to automatic fire alarms (AFAs) actuating in commercial premises
- 35 Integrated Risk Management Plan progress update

30 External Audit Update

The Panel considered the report of the Assistant Director Resources/Treasurer (ADR/T) which provided an update on Public Sector Audit Appointments' (PSAA) proposals for appointing the external auditor to the Authority for accounts for the five-year period from 2023/24 and the fee scale consultation for 2022/23.

Members sought clarification regarding what was meant by 'opted-in bodies'. The ADR/T informed the Panel that these were organisations that had opted-in to the PSAA scheme for the appointment of their external auditors.

RESOLVED – The Panel noted:

- i. the appointment of Ernst & Young LLP (EY LLP) as the Authority's auditors for the period 2023/24 – 2027/28; and
- ii. the fee scale determined by PSAA for 2022/23.

31 Auditor's Annual Report 2021/22

The Panel received a report from the Assistant Director Resources/Treasurer (ADR/T) which invited the Panel to consider and approve, on behalf of the Fire Authority, the Auditor's Annual Report 2021/22.

The Panel welcomed Helen Thompson of Ernst & Young (EY), the Authority's external auditor, to the meeting. Members noted that the report had been submitted on time and that the value for money assessment reflected that the proper arrangements that were in place. The ADR/T confirmed that the report would be published on the ESFRS website and be publicly available.

Members thanked EY and the ADR/T for their work in producing the report.

RESOLVED – That the Panel considered and approved, on behalf of the Fire Authority, the Auditor's Annual Report 2021/22.

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32 Corporate Risk Register Review Quarter 3 2022-23

The Panel considered a report from the Assistant Director Resources/Treasurer (ADR/T) which provided a review of the Corporate Risk Register for the third quarter of 2022-23. It detailed the corporate risks identified and how they had been or were being mitigated.

The Panel thanked the ADR/T for the report and asked whether dates for actions listed in the Corporate Risk Register could be included. The Deputy Chief Fire Officer (DCFO) advised that it would be possible to include dates where appropriate and this would be investigated for future reports.

The Panel queried Corporate Risk 10 – Risk of loss of live fire training at Service Training Centre, and the potential impact this could have on the Service. It was noted that consideration had to be given to residents and businesses located nearby to the Training Centre and that the ability of training to take place could be affected by weather conditions, such as wind direction. Members were informed that significant improvement works were being planned to the Live Fire Training Units and that this was included in the Capital Programme. The Assistant Chief Fire Officer (ACFO) added that the staff at the Training Centre work closely with their partners to inform them of when live fire training is due to take place, and that this enabled these sessions to be postponed when necessary.

Members asked whether it was necessary to consider so many risks and pointed out that there appeared to be some duplication, highlighting Corporate Risk 1 – Health and Safety non-compliance and Corporate Risk 14 – Health and Safety Compliance. The DCFO informed the Panel that work was ongoing to review, and where appropriate, rationalise the risks and that for the example given it could be expected that this would be reflected in future reports.

The Panel was informed that there was flexibility to identify additional risks to be included in the Corporate Risk Register, and queried whether flooding was considered. The DCFO assured Members that for events such as flooding or wildfires a debrief would always be held to identify learning points and risks.

RESOLVED – That the Panel agreed the Q3 Corporate Risk Register, including changes made since Q2.

33 Performance Report for Quarter 2 2022/3

The Panel considered the report of the Assistant Director Planning & Improvement (ADPI) which presented the results and direction of travel of quarter 2 2022/23 from quarter 2 2021/22, and the projected end of year results for 2022/23.

Members queried why, with regards to Road Traffic Collisions (RTCs) attended by ESFRS over a five year period, the age of 33 of the fatalities was

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not recorded. They were informed that it is not always possible to gather this information at the scene of the incident and that whilst information is shared by Sussex Police, this can be imperfect information and age ranges were not always included. The Panel were informed that suitable information sharing was however taking place as part of the work of the Sussex Safer Road Partnership in their prevention activities. The Assistant Chief Fire Officer (ACFO) assured Members that they were able to gather information that was of particular interest, such as use of seatbelts or involvement of motorcycles, which enabled targeted campaigns to take place.

The Panel noted the large increase in the number of attendees at business safety engagement events and were informed that the increase in resource available, which was granted previously by the Fire Authority, had enabled the Service to engage directly with businesses.

The Panel discussed the potential introduction of alternative healthcare provision for staff that had experienced delays for treatment from the National Health Service (NHS). Members stated that staff were an important asset to the Service and agreed that there was a need to utilise private healthcare in order to support individuals return to work whilst the NHS was experiencing pressures to the service it provided. The Deputy Chief Fire Officer (DCFO) acknowledged that staff were facing increasing challenges following periods of sickness, informing the Panel that the main causes of absence were musculoskeletal and mental health. The Panel noted that NHS waiting times had increased and that mental health support in particular was taking longer to access. The DCFO informed the Panel of measures that the Service had put in place to support staff. These included regular meetings with Occupational Health (OH) to ensure patterns and emerging trends were acted upon, moving to a new provider for physiotherapy, continued development of the wellbeing hub and investment in training mental health first aiders and wellbeing champions. It was also noted that there had been renewed provision of manual handling training which had had a positive impact on the number of injuries, quarterly complex case meetings to address blockers to progress, and an audit of the Ill Health Retirement process.

RESOLVED – That the Panel:

- i. considered the performance results and progress towards achieving the Service's purpose and commitments as contained in Appendix 1;
- ii. considered the performance results and remedial actions that had been taken to address areas of under performance in the Fire Authority's priority areas; and
- iii. noted that work was ongoing to develop the new performance report that would be in place for the start of the year 2023/24.

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34 Implementation Update on the 'nil response' to automatic fire alarms (AFAs) actuating in commercial premises

The Panel received a report from the Assistant Director Safer Communities (ADSC) which provided an update following a six-month review into the implementation and impact of the Integrated Risk Management Plan (IRMP) decision to stop responding to certain fire alarm activations.

Members were informed that following the decision to implement a 'nil response' to Automatic Fire Alarms (AFAs) actuating in commercial premises presented to the Scrutiny and Audit Panel in July 2021, the first stage towards full implementation had been introduced in April 2022. The Panel were reminded that the first stage had been to stop responding to low-risk commercial premises during the hours of 9am-5pm Monday to Friday and had been accompanied by a comprehensive communication strategy to ensure that responsible persons understood their legal obligations. Members noted that the initial change had resulted in 269 calls during these hours which resources had not been sent to, which they would have been previously, and that outside of these hours the Service had continued to mobilise resources to AFAs which had resulted in 543 mobilisations. Of these, five of the calls were to a fire and two were a fire requiring two or more pumps.

The Panel asked what businesses were doing to prevent unwanted calls and were informed by the Group Protection Manager that the Service had undertaken community engagement events to ensure that businesses were aware of the changes and encourage them to take part in training to ensure that staff understood the need to identify fire and then notify the fire brigade. Training had also been carried out to make businesses aware of what their legal responsibilities were, as well as ensuring they were aware that their fire alarm systems were their responsibility. Members were informed that these messages were being taken into the community when staff carried out Home Safety Visits as well as Business Safety Visits.

Members queried what measures were going to put in place to ensure that staff time and capacity would be used effectively if calls reduced. They were informed that management would be investigating ways in which staff could be used differently, for example by using retained staff to crew high volume pumps. It was also highlighted that the reduction in attendance at false alarms would assist with the green agenda due to the reduction in diesel use. The Assistant Chief Fire Officer (ACFO) also highlighted that by reducing attendance to false alarms the Service would have increased capacity to assist the police and ambulance services when necessary. The Panel asked whether there would continue to be capacity to attend a major incident in a timely manner and were informed that a Logistics Officer is on-call 24/7 to advise Joint Fire Control and assist with standby moves to maximise cover in the event of an incident.

Members thanked Officers for the work they were doing to reach out to businesses and communities, highlighting a presentation that had been held at a Mosque in Bexhill as an example.

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RESOLVED – That the Panel noted:

- i. that after successful implementation of the risk-based staged approach, the Service would move to the full implementation of the decision made by the Fire Authority in September 2020 that would result in a 'nil attendance' to Automatic Fire Alarm (AFA) calls in low risk commercial properties 24/7;
- ii. that cost recovery charging remained a future option for consideration following the completion of the Government consultation on the Fire Safety Order and other legislation related to false alarm charging and any subsequent outcomes; and
- iii. that an appropriate communications strategy, internal and external, would be developed to ensure that affected premises had time to review their risk assessments, train their staff and inform their alarm monitoring services and maintainers. There would also be communications to staff and the public about the actual and perceived risk.

35 Integrated Risk Management Plan progress update

The Assistant Director Safer Communities (ADSC) introduced a report which provided an update on the latest position in terms of delivery of the Integrated Risk Management Plan (IRMP) and the associated revenue and capital savings. It was highlighted that there were seven workstreams which were broken down into 29 packages. Members were informed that nine of these work packages had been completed with the remaining in progress and on target to be completed.

The Panel queried the Government grant settlement and were informed by the Assistant Director Resources/Treasurer (ADR/T) that details of the provisional settlement were released in December 2022 and gave an indication of the budget for 2023/24, but the situation beyond 2024/25 remained uncertain. Members were also advised that information surrounding council tax and business rates income had not been confirmed at this stage.

RESOLVED – That the Panel noted:

- i. the status of the IRMP delivery; and
- ii. the latest forecast IRMP savings profile

36 Protection Update

The Panel received a report of the Assistant Director Safer Communities (ADSC) which provided an update on areas of work nationally and locally impacting the Protection Department. Since the Grenfell Tower Incident (GFI) in July 2017 there had been significant change that directly impacted the way

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statutory responsibilities to enforce the Regulatory Reform (Fire Safety) Order 2005 (FSO) and provide advice under the Fire and Rescue Services Act 2004 (FRSA) continued to be delivered as required by legislation and expected by the community. To fund the changes grants had been allocated by the Government to both industry and to the Fire and Rescue Service (FRS) which were to be used to upskill staff and deliver new burdens such as the regional Building Safety Regulator team.

RESOLVED – That the Panel noted the content of the report and did not request any further information from officers.

The meeting concluded at 11.22 am

Signed

Chair

Dated this

day of

2023