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## ADDITIONAL / TO FOLLOW AGENDA ITEMS

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### NOTTINGHAMSHIRE AND CITY OF NOTTINGHAM FIRE AND RESCUE AUTHORITY

#### ANNUAL GENERAL MEETING OF THE AUTHORITY

**Date:** Friday, 23 May 2014                      **Time:** 10.30 am

**Venue:** Fire and Rescue Services HQ, Bestwood Lodge, Arnold Nottingham NG5 8PD

**Constitutional Services Officer:** Carol M Jackson   **Direct Dial:** 0115 8764297

#### AGENDA

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**NOTTINGHAMSHIRE**  
**Fire & Rescue Service**  
*Creating Safer Communities*

Nottinghamshire and City of Nottingham  
Fire and Rescue Authority

# **POLICY AND STRATEGY COMMITTEE OUTCOMES**

Report of the Chair of the Policy and Strategy Committee

**Date:** 23 May 2014

**Purpose of Report:**

To report to Members the business and actions of the Policy and Strategy Committee meeting of Friday 25 April 2014.

## **CONTACT OFFICER**

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Chief Fire Officer

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## 1. BACKGROUND

As part of the revised Governance arrangements the Authority has delegated key responsibilities for policy and strategy to the Policy and Strategy Committee. As part of those delegated responsibilities, the Chair of the Policy and Strategy Committee and the Management lead report to the Authority on its business and actions as agreed at Fire and Rescue Authority meeting on 1 June 2007.

## 2. REPORT

- 2.1 The minutes of the Policy and Strategy Committee meeting of Friday 25 April 2014 are attached to this report at Appendix A.
- 2.2 The Committee was firstly asked to consider a report which informed Members of the plan to be implemented by the External Auditors for their audit of accounts for the 2013/14 financial year. It was resolved to note the contents of the report.
- 2.3 A further report was presented to Members on the suitability of the current Indemnities to Members and Officers Policy, and provided recommendations for enhancing the robustness of that policy. It was resolved to:
  - (1) adopt a scale of indemnity and request that the Business Risk Manager provide a draft;
  - (2) establish a decision-making panel, consisting of the Clerk to the Authority, the Chair of the Finance and Resources Committee and two additional members from the Committee, for the granting of indemnities;
  - (3) task the Business Risk Manager with developing a proposal for the panel identified in (2) above, alongside a complimentary scheme of delegation for Authority and appeals process;
  - (4) adopt the general conditions applying to indemnities as outlined in 2.8 of the report;
  - (5) task the Business Risk Manager with the day-to-day management of any claim where an indemnity has been requested and/or granted;
  - (6) task the Business Risk Manager with drafting a standard indemnity offer letter.
- 2.4 Consideration was given to a report which presented the draft consultation document on reductions in the operational fleet, which included budget proposals, for public consultation, highlighting key areas of information around the consultation process and the financial challenges being faced by the Authority. The Committee requested an addition to the document of a pie chart detailing how the Authority's budget is made up, in addition to making suggestions regarding circulation of the document. It was resolved to support

the Chief Fire Officer to implement the consultation process and task him with presenting a report to the Fire Authority meeting in September 2014 identifying options for reductions in operational resources.

- 2.5 An update on the funding framework for the Prince's Trust was the focus of a further report presented to the Committee. On the basis of discussion it was resolved to implement Option 1 as outlined in the report and to task the Chief Fire Officer with working to deliver Option 2 through collaboration with the Police. Additionally it was resolved to receive further update reports on the national review and collaboration activity, as well as the Finance and Resources Committee receiving updates through the revenue monitoring report.
- 2.6 The Committee also considered a report regarding the settlement of the long running issues in relation to the retained fire fighters' admission to the fire fighters pension scheme, and it was resolved to note the contents of the report.
- 2.7 In respect of the final items on the agenda, the Committee was asked to consider exclusion of the public from the meeting in accordance with Section 100A(4) of the Local Government Act 1992. This was agreed and the Committee went on to consider reports regarding progress on the re-location of Central Fire Station and collaboration opportunities.

### **3. FINANCIAL IMPLICATIONS**

All financial implications were considered as part of the original reports submitted to the Policy and Strategy Committee.

### **4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS**

All human resources and learning and development implications were considered as part of the original reports submitted to the Policy and Strategy Committee.

### **5. EQUALITIES IMPLICATIONS**

An equality impact assessment has not been undertaken because this report is not associated with a policy, function or service. Its purpose is to update the Fire Authority on the outcomes of Committee business.

### **6. CRIME AND DISORDER IMPLICATIONS**

There are no crime and disorder implications arising from this report.

## **7. LEGAL IMPLICATIONS**

There are no legal implications arising directly from this report.

## **8. RISK MANAGEMENT IMPLICATIONS**

The Service's performance in relation to matters addressed through Policy and Strategy Committee is scrutinised through a range of audit processes. The Service needs to continue to perform well in these areas as external scrutiny through Comprehensive Performance Assessment and auditors' judgement is key to future Service delivery.

## **9. RECOMMENDATIONS**

That Members note the contents of this report and the business undertaken by the Policy and Strategy Committee.

## **10. BACKGROUND PAPERS FOR INSPECTION (OTHER THAN PUBLISHED DOCUMENTS)**

None.

Councillor Darrell Pulk  
**CHAIR OF POLICY AND STRATEGY COMMITTEE**



**NOTTINGHAMSHIRE & CITY OF NOTTINGHAM FIRE & RESCUE AUTHORITY -  
POLICY & STRATEGY**

**MINUTES of the meeting held at Fire and Rescue Services HQ, Bestwood Lodge,  
Arnold Nottingham NG5 8PD on 25 April 2014 from 10.02 am - 11.52 pm**

Councillor Darrell Pulk	(Chair)
^ Councillor Jon Collins	
^ Councillor Brian Grocock	
Councillor Chris Barnfather	
Councillor Michael Payne	
Councillor David Smith	(as substitute for Councillor Brian Grocock)
Councillor Gordon Wheeler	
Councillor Malcolm Wood	(as substitute for Councillor Jon Collins)

Members absent are marked ^

**29 APOLOGIES FOR ABSENCE**

Councillor Jon Collins – non-Council business.  
Councillor Brian Grocock – non-Council business.

**30 DECLARATIONS OF INTERESTS**

None.

**31 MINUTES**

**The Committee confirmed the minutes of the meeting held on 31 January 2014 as a correct record and they were signed by the Chair.**

**32 EXTERNAL AUDIT PLAN 2013/2014**

Neil Timms, Strategic Director of Finance and Resources, presented the report of the Chief Fire Officer, informing the Committee of the plan to be implemented by the External Auditors for their audit of the accounts for the 2013/14 financial year.

John Cornett, Audit Director for KPMG, highlighted the following:

- (a) following an initial assessment of the Nottinghamshire Fire and Rescue Services' (NFRS) financial statements, auditors highlighted the Local Government Pensions Scheme Triennial Valuation as a key audit risk for 2013/14. There is a risk that data

provided to the actuary for this exercise is inaccurate which might affect the actuarial figures in the accounts;

- (b) other audit risks and issues considered include fraudulent revenue recognition. The External auditors however, did not consider this to be a significant risk for fire authorities.

**RESOLVED to note the contents of the report.**

### **33 REVIEW OF INDEMNITIES FOR MEMBERS AND OFFICERS**

John Buckley, Chief Fire Officer, presented his report to the Committee on the suitability of current indemnities to members and officers and summarised recommendations to enhance the robustness of that policy. The Committee previously considered a review of Indemnities for Members and Officers at its meeting on 31 January 2014 (minute 24). John Buckley highlighting the following:

- (a) following a review of the current policy it was decided that there are a series of reasonable and desirable changes and clarifications that could be made that would provide a greater degree of certainty for both the Authority and the individual seeking the indemnity;
- (b) it is proposed that the Authority adopt a hybrid scale of the following three options: the Authority might offer an indemnity in all cases it is legally permitted to do so; it could refuse to issue indemnities in all cases; the Authority could decide to consider each and every request for an indemnity on its merits. The Authority could, therefore, decide to offer an indemnity at any point up to the accusation of negligence but could refuse to offer an indemnity to the point of recklessness;
- (c) it is further suggested that a discretionary band is introduced where the Authority considers the nature of the allegations and the facts before deciding on whether to grant an indemnity;
- (d) proposals for the scheme include limiting the indemnity to a sum of £5 million, which is also the limit of the Authority's Officials Indemnity Insurance, but may vary the sum, depending on the individual circumstances of the allegations;
- (e) following a discussion, members agreed with the establishment of a decision-making panel but suggested that it include the Clerk to the Fire Authority, the Chair of Finance and Resources Committee – Councillor Malcolm Wood, and up to two additional members from the membership of the Policy and Strategy Committee. This would enable members to input in the initial discussion on the remit of the panel. Once the panel has briefed the Committee at its next meeting, the plans will then be discussed by the full Fire Authority.

**RESOLVED to**

- (1) adopt a scale of indemnity and request that the Business Risk Manager provide a draft;**
- (2) establish a decision-making panel, consisting of the Clerk to the Authority, the Chair of the Finance and Resources Committee and two additional members from the Committee, for the granting of indemnities;**



- (3) **task the Business Risk Manager with developing a proposal for the panel identified in (2) above, alongside a complimentary scheme of delegation for Authority and appeals process;**
- (4) **adopt the general conditions applying to indemnities as outlined in 2.8 of the report;**
- (5) **task the Business Risk Manager with the day-to-day management of any claim where an indemnity has been requested and/or granted;**
- (6) **task the Business Risk Manager with drafting a standard indemnity offer letter.**

### **34 CONSULTATION ON REDUCTIONS IN THE OPERATIONAL FLEET**

John Buckley, Chief Fire Officer, presented his report on the draft consultation document on reductions in the operational fleet which includes budget proposals, for public consultation, highlighting the following information:

- (a) the consultation process will include media awareness and engagement, deliberative focus groups with directly affected stakeholders, on street and market place engagement, visits to businesses and meetings and briefings with staff and their representatives;
- (b) the consultation document identifies the financial challenges being faced by the Authority with a shortfall of £2.4 million between 2015 and 2017.

Following questions and comments from the Committee, the following information was provided:

- (c) the Committee were pleased with the Consultation document however, suggested that all the leaders of District Councils are directly informed of the document and the budget proposals. Prior to circulating the consultation document, a pie chart detailed how the Authority's budget is made up would need to be included.

**RESOLVED to support the Chief Fire Officer to implement the consultation process and task him with presenting a report to the Fire Authority meeting in September 2014 identifying options for reductions in operational resources.**

### **35 PRINCE'S TRUST UPDATE**

John Buckley, Chief Fire Officer, presented his report on the Prince's Trust, providing the Committee with an update on the funding framework, highlighting the following:

- (a) NFRS has been a delivery partner for the Prince's Trust programme for over ten years delivering 15 teams annually. Under the previous funding levels, NFRS received £3,100 per learner however, with the national reduction in funding for learners from partner colleges; NFRS can now only expect an income of approximately £1,800 per learner. This means that for the academic year 2013/14 and 2014/15 the delivery team programme will operate in deficit;
- (b) NFRS has recently held discussions with Nottinghamshire Police to consider the provision of staff for Prince's Trust team delivery and financial support. Successful collaboration with the Police could reduce the annual deficit to £20,000 whilst delivering 15 teams. NFRS could consider reducing their employee base should this option be pursued.

Following questions and comments from the Committee, the following was highlighted:

- (c) the Committee expressed support for the Prince's Trust programme and agreed to lobby members of Parliament given the huge benefits the programme provides to society;
- (d) in searching for alternative funding sources, NFRS will engage local business leaders to see if there are any seconding opportunities available, including the Chief Officers Forum and the D2N2 Local Enterprise Partnership (LEP).

**RESOLVED to**

- (1) implement option 1 and task the Chief Officer to work to deliver option 2 through collaboration with the Police;**
- (2) receive further update reports on the national review and collaboration activity;**
- (3) receive updates to the Finance and Resources Committee through the Revenue monitoring report.**

**36 RETAINED FIRE FIGHTERS PENSION SETTLEMENT**

Neil Timms, Strategic Director of Finance and Resources presented the report of the Chief Fire Officer to the Committee on the settlement of the long running issue in relation to retained firefighters' admission to the firefighters pension scheme, highlighting the following:

- (a) since 2006 retained firefighters have been able to join the new firefighters pension scheme however, prior to this retained duty system (RDS) staff were unable to join the 1992 scheme as entry was restricted to whole time staff only. Following a number of successful legal challenges a settlement has been reached which sets out the terms under which RDS personnel may retrospectively access the 1992 scheme;
- (b) as a result, the Fire Fighters' Pension Scheme (England) (Amendment) Order 2014 gives RDS employees who were employed between 1 July 2000 and 5 April 2006 access to the pensions scheme;
- (c) the immediate burden upon the Authority is an administrative one as former employees able to claim under the scheme must be identified by the end of May 2014. The Department for Communities and Local Government (DCLG) have stated that this is not a new burden and will therefore be an Authority liability to cover the cost of retrospective payments. Leicestershire County Council has offered to oversee the administrative work at a cost of £9,000.

**RESOLVED to note the contents of the report.**

**37 EXCLUSION OF THE PUBLIC**

**The Committee decided to exclude the public from the meeting during consideration of the remaining agenda items in accordance with Section 100A(4) of the Local Government Act on the basis that, having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, as defined in Paragraphs 1 and 3 of Part 1 of Schedule 12A to the Act.**

**38**    **EXEMPT MINUTES**

**The Committee confirmed the exempt minutes of the meeting held on 31 January 2014 as a correct record and they were signed by the Chair.**

**39**    **RELOCATION OF CENTRAL FIRE STATION - PROGRESS REPORT**

Neil Timms, Strategic Director of Finance and Resources presented the report of the Chief Fire Officer, updating the Committee on the progress of the sale of the existing Central Fire Station and the purchase of an alternative site.

**RESOLVED to note the contents of the report.**

**40**    **COLLABORATION OPPORTUNITIES**

John Buckley, Chief Fire Officer, presented his report to the Committee highlighting the opportunity to access transformational funding from Government and seeking approval to engage in collaboration projects.

**RESOLVED to approve the recommendations in the report as recorded in a separate exempt minute.**

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