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Nottinghamshire and City of Nottingham Fire and Rescue Authority - Meeting of the Authority

Date: Friday, 22 September 2023 **Time:** 10.30 am

Venue: Joint Fire / Police HQ, Sherwood Lodge, Arnold, Nottingham, NG5 8PP

Members are requested to attend the above meeting to be held at the time, place and date mentioned to transact the following business

A handwritten signature in black ink, appearing to read "M. J. [unclear]". The signature is written in a cursive style.

Clerk to the Nottinghamshire and City of Nottingham Fire and Rescue Authority

<u>Agenda</u>	<u>Pages</u>
1 Apologies for Absence	
2 Declarations of Interest	
3 Minutes Of the meeting held on 14 July 2023 (for confirmation)	to follow
4 Chair's Announcements	
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- 9 Annual Report of Information Governance 2022/23** 41 - 50
Report of the Chief Fire Officer
- 10 Exclusion of the Public**
To consider excluding the public from the meeting during consideration of the following item in accordance with Section 100A of the Local Government Act 1972 (under Schedule 12A, Part 1, Paragraphs 3) 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.
- 11 Replacement Mobilisation System Contract Award** 51 - 60
Report of the Chief Fire Officer

Any councillor who is unable to attend the meeting and wishes to submit apologies should do so via the Personal Assistant to the Chief Fire Officer at Fire Services Headquarters on 0115 8388900

If you need any advice on declaring an interest in any item above, please contact the Governance Officer shown on this agenda, if possible before the day of the meeting.

**Governance Officer: Catherine Ziane-Pryor
0115 8764298
catherine.pryor@nottinghamcity.gov.uk**

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<https://committee.nottinghamcity.gov.uk/ieListMeetings.aspx?CIId=224&Year=0>

If you would like British Sign Language interpretation at the meeting, please contact the Service at least two weeks in advance to book this, either by emailing enquiries@notts-fire.gov.uk or by text on SMS: 0115 824 0400



NOTTINGHAMSHIRE
Fire & Rescue Service
Creating Safer Communities

Nottinghamshire and City of Nottingham
Fire and Rescue Authority

STATEMENT OF PAY POLICY

Report of the Chief Fire Officer

Date: 22 September 2023

Purpose of Report:

To present a Pay Policy statement for approval by the Fire Authority, in line with the requirements of the Localism Act 2011.

Recommendations

That Members approve the Statement of Pay Policy attached at Appendix A.

CONTACT OFFICER

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1. BACKGROUND

- 1.1 The Localism Act 2011, Section 38(1), places a requirement on 'relevant authorities' to prepare pay statements for each financial year.
- 1.2 The Fire Authority is a 'relevant authority' as defined by Section 43(1) of the Act.
- 1.3 Pay statements must articulate an authority's own policies towards a range of issues relating to the pay of its workforce, particularly those of its senior officers and its lowest paid employees.
- 1.4 The pay statement must be agreed by the Fire Authority annually and be published and accessible.

2. REPORT

REQUIREMENTS OF THE LOCALISM ACT

- 2.1 The basis for Section 38(1) of the Act reflects the recommendations of the Hutton Report on Fair Pay in the Public Sector, published in March 2011. The Act drew on these recommendations to emphasise the need for accountability, transparency, and fairness in the setting of local pay and placed a requirement on elected Members to take a greater role in determining pay, and that such decisions should be set clearly within the context of the pay of the wider workforce.
- 2.2 To this end, pay policy statements must be considered by the full Authority and may not be delegated to a sub-committee. Any meetings at which pay policy is established, must be open to the public.
- 2.3 Additionally, the full Authority should be offered the opportunity to vote before large salary packages are offered in respect of new appointments. The threshold for these packages is to be set at the value of £100k and to include bonuses, fees and allowances and any benefits in kind.
- 2.4 The published policy statement must specifically include the approach to the publication of, and access to information relating to, the remuneration of Authority-appointed Officers.
- 2.5 The statement must also set out the policy on remuneration for highest and lowest paid employees and establish the relationship between the remuneration of its Chief Officers and other employees. The Authority does not currently use a pay multiple to establish a differential between the highest and lowest paid employees, and it is not intended that such a pay multiple be established within the current pay policy as pay is determined through robust evaluation processes and in-line with National Joint Council agreements applicable to all members of staff.

- 2.6 The policy must also set out the approach to other elements of remuneration, including bonuses, performance related pay and severance payments.
- 2.7 The policy also needs to set out the position taken on re-engagement of Chief Officers in receipt of a pension, (including under a contract for services) and any abatement measures in place across the workforce.
- 2.8 Details of severance payments, including redundancy, must also be explicit within the policy.
- 2.9 The Statement of Pay Policy is attached at Appendix A to the report.

PAY POLICY 2022-23

- 2.10 If agreed, the proposed Statement of Pay Policy 2023 will be published and made available to the public.
- 2.11 The policy provides a summary of pay policy and practices across the Service, and in particular, details the pay policy for the Chief Fire Officer and other Principal Officers.
- 2.12 The main changes to the previous Statement of Pay Policy are as follows:
 - Reference to the gender pay reporting outcomes which have been introduced from April 2017 under the Gender Pay Gap Reporting Regulations 2017, (Paragraph 1.6) which shows a gender pay difference in median pay of 7.78% (was 9.49%).
 - Updates to pay information relating to mean average pay and pay multiples, (Paragraphs 1.8 and 1.9). Mean average pay is now £35,199 per annum.
 - Confirmation of national annual pay awards applied in 2022/23, (Paragraphs 2.4, 3.2, 4.2).
 - Increase in national annual rates of pay for Chief Fire Officers based on population band, (Paragraph 2.2.1, 2.2.2)
 - Confirmation that there were two compensation payments agreed in 2022-23, (Paragraph 6.3) as a result of compulsory redundancy.
 - Confirmation that there were no settlement payments made in 2022-23, (Paragraph 6.4).
 - Confirmation that there were two instances of early payment of pension payments to LGPS members during 2022-23, (Paragraph 6.8) as a result of compulsory redundancy.

3. FINANCIAL IMPLICATIONS

- 3.1 The financial impacts of this pay policy are reflected in the budgets of the Authority approved by the Fire Authority. These budgets are monitored by the Finance and Resources Committee on a quarterly basis.
- 3.2 In 2022/23, the Authority funded two exit payments totalling £155k from its revenue budget, including £72k pension strain payments.

4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS

- 4.1 The Service already has in place a number of policies and agreements in relation to pay and remuneration, appointments and severance payments. However, the provisions of the Localism Act 2011 place a requirement on all public bodies to publish such information as a single Pay Policy and make it accessible to external scrutiny.
- 4.2 There are no learning and development implications arising from the report.

5. EQUALITIES IMPLICATIONS

- 5.1 There are no direct equalities implications arising from the report, as this is a statement of current pay policy and practice. An equality impact assessment forms part of the policy development process.
- 5.2 The outcomes from the gender pay gap audit and equal pay review are reported through the Human Resources Committee.

6. CRIME AND DISORDER IMPLICATIONS

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

7. LEGAL IMPLICATIONS

The Localism Act places a statutory duty on Authorities to publish an annual Statement on Pay Policy. The publication of the Pay Policy meets this obligation.

8. RISK MANAGEMENT IMPLICATIONS

As the Localism Act places a statutory duty on the Fire Authority, the Authority must be in a position to publish its agreed position on pay and remuneration each year. Failure to do so may lead to legal challenge.

9. COLLABORATION IMPLICATIONS

There are no collaboration implications arising from this report.

10. RECOMMENDATIONS

That Members approve the Statement of Pay Policy attached at Appendix A.

11. BACKGROUND PAPERS FOR INSPECTION (OTHER THAN PUBLISHED DOCUMENTS)

None.

Craig Parkin
CHIEF FIRE OFFICER



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APPENDIX A

PAY POLICY 2023



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INTRODUCTION

This statement of Pay Policy is provided in line with Section 38(i) of the Localism Act 2011 and is authorised by the Nottinghamshire and City of Nottingham Fire Authority.

Purpose

The purpose of this statement is to provide transparency to the pay policy adopted by the Nottinghamshire Fire and Rescue Service. The period covered by the review is the financial year April 2022 to 31 March 2023.

Accountability

The Combined Fire Authority is responsible for establishing the pay policy for the employees of the Nottinghamshire Fire and Rescue Service.

The Combined Fire Authority is directly responsible for reviewing the pay structure for Principal Officers including the Chief Fire Officer, Assistant Chief Fire Officer roles.

The Chief Fire Officer has delegated responsibility to establish appropriate gradings and salaries, for all other employees of the Nottinghamshire Fire and Rescue Service.

Pay Negotiating Bodies

The Authority applies the annual pay settlements negotiated by:

- The National Joint Council for Local Government Services.
- The National Joint Council for Local Authority Fire and Rescue Services.
- The National Joint Council for Brigade Managers of Local Authority Fire and Rescue Services.

The Authority undertakes negotiations with its recognised representative bodies on local agreements, which affects the terms and conditions of its employees, and which may include agreement of local allowances.

The Representative Bodies recognised for negotiating purposes are:

- The Fire Brigade's Union.
- The Fire Officers Association.
- UNISON.
- Fire Leaders Association.
- Fire and Rescue Services Association, (formerly the Retained Firefighters Union).

Section One - General Pay Policy

- 1.1 The Authority applies the pay scales adopted by the respective national Joint Councils for all its employees up to the level of Principal Officer.
- 1.2 The Authority has adopted the principle of applying the Living Wage rate as the minimum starting point for all substantive appointments. This is subject to annual review by the Centre for Research in Social Policy. From April 2016, the Service also adheres to the National Living Wage rate (for employees over 23) where this is higher than the Living Wage. Please note that the national minimum wage rates apply to some apprenticeship roles.
- 1.3 Local pay arrangements for Principal Officers are established through the provisions of the NJC for Brigade Managers of Local Authority Fire and Rescue Services and are reviewed biennially by the Fire Authority. Further details are set out in Section 2
- 1.4 The number and level of roles within the Service are determined by the Fire Authority on advisement from the Chief Fire Officer.
- 1.5 Pay policy reflects the different roles, duties and responsibilities undertaken by Service employees. This is reflected in pay differentials between different groups of workers and between workers in the same pay group. The pay bands established are based on nationally applied role maps, (operational employees) or grading bands established through a job evaluation process, (support employees).
- 1.6 Pay policy reflects adherence to the principle of “equal pay for work of equal value”. The Service has committed to undertake an independent equal pay audit on a 3-yearly basis, as a means of identifying any gender pay issues. In line with its duty under the Equality Act 2010, (Specific Duties and Public Authorities) Regulations 2017, the Service also undertakes a gender pay gap audit. As of 31 March 2023, this showed that the mean average difference in pay between female and male employees was 12.52% and the mean median difference in pay was 7.78%. This represents an improvement on previous figures. Whilst pay rates are applied consistently according to job role, irrespective of gender, this differential reflects the fact that there are more men employed with senior, (higher paid) roles than women. The challenge for the service is to develop more women into managerial roles, particularly operational roles where women are under-represented. This requires more women to apply for and be successful in attaining operational roles, and to go onto apply for promotion.
- 1.7 In applying its policy, the Authority will work to eliminate any elements which may, directly or indirectly, discriminate unfairly on the grounds of sex, race, colour, nationality, ethnic or national origin, age, marital status, having dependants, sexual orientation, gender reassignment, religion or belief, trade union activity, disability, or any other factors. Part-time workers receive the

same pay and remuneration as full-time workers undertaking the same job role on a pro-rata basis.

Generic Pay Information

1.8 Mean Average Pay

The mean average pay is calculated based on salary for Fire-fighters, Control, and support employees. It does not include the On-Call Duty System Fire-fighters who are paid according to turnouts, (please refer to section 3.6).

The mean average pay for 2022-23 is £37,266, (as at 31/03/23). This compares to a mean average of £35,199 in 2021-22.

1.9 Pay Multiples

The idea of publishing the ratio of the pay of an organisation's top earner to that of its median earner, has been recommended in order to support the principles of Fair Pay, (Will Hutton 2011) and transparency.

The current ratio is 4.55:01 which compares to 5.02:1 in 2021-22. This will be monitored each year within the Statement of Pay Policy.

Section Two - Pay Policy for Principal Officers

2.1 General Principles

2.1.1 National pay awards negotiated by the National Joint Council for Brigade Managers of Local Authority Fire and Rescue Services, are applied by the Authority on an annual basis. This represents a cost-of-living increase.

2.1.2 In addition, a review of Principal Officer pay is undertaken on a two-yearly basis by the Combined Fire Authority. This is managed through the Policy and Strategy Committee and is approved by the full Combined Fire Authority.

2.1.3 This review is undertaken by the Clerk to the Fire Authority and Treasurer to the Fire Authority, who are appointed by the CFA to report to the Authority on the methodology applied and to make recommendations on Principal Officer pay. The last pay review was undertaken in 2021 and recommended no increase in pay for Principal Officers.

2.1.4 Principal Officer roles covered by the review include the Chief Fire Officer, Assistant Chief Fire Officers.

2.2 Establishing the Pay of the Chief Fire Officer

2.2.1 The National Joint Council for Brigade Managers of Fire Authorities, establishes a minimum salary for Chief Fire Officers based upon population size as follows:

- Population band 1: up to 500,000
- Population band 2: 500,001 – 1,000,000
- Population band 3: 1,000,001 – 1,500,000
- Population band 4: 1,500,000 and above (except London)
- Population band 5: London

2.2.2 The population size for the Nottinghamshire Fire and Rescue Service is 1.1m. The minimum payment for the Chief Fire Officer is therefore based upon Population Band 3, which establishes a minimum rate of pay for 2022-23 at £123,189.

2.2.3 The base salary for the Chief Fire Officer role at Nottinghamshire Fire and Rescue Service is currently £165,581 within the range £156,866 to £174,296 per annum. Please refer to paragraph 2.3.1 for further details of pay policy on appointment.

2.2.4 The Chief Fire Officer is provided with a car limited to a purchase cost of 30% of their salary. This includes VAT and any cost associated with fitting home chargers for plug-in vehicles etc.

Also, the vehicle must have:

- A hybrid, electric or other alternatively fuelled, low emission engine.
- All wheel drive capability.
- Integrated phone connectivity.
- Satellite navigation.
- High level safety ratings and features in line with the fleet strategy such as parking sensors, protective mats etc.

2.2.5 Pension: The Service makes an employer contribution of 28.8% (2015 scheme), depending on individual membership. This is in accordance with the contribution made to all members of the Firefighter's Pension Scheme. The employee contribution for 2022-23 is either 11% or 14.5% depending on pensionable pay.

2.3 Local Pay Review

2.3.1 In 2013 the CFA revised the payment for Principal Officers from a single pay point to a 3-point model based upon length of service, as follows:

- Year One of appointment: 90% of full pay.
- Year Two of appointment; 95% of full pay.
- Year Three of appointment: 100% of full pay.

Progression through the pay band is subject to a review of performance.

2.3.2 The CFA has also revised the methodology for the review of Principal Officer pay based upon a comparator for the role of Chief Fire Officer. The review compares the pay levels of comparable Fire and Rescue Authorities in the same Family Group of 18 Fire and Rescue Services, and establishes an average median pay point as a benchmark salary, which is considered by the Combined Fire Authority when reviewing Principal Officer pay on a 2-yearly basis.

2.3.3 A pay review was undertaken in 2021, which resulted in no increase in local pay arrangements. The next pay review is scheduled for 2023 for application from January 2024.

2.4 National Pay Review

The national pay review undertaken by the NJC for Brigade Managers of Fire and Rescue Services, applied an increase of 3.5%, with effect from 1 January 2023.

2.5 Other Principal Officer Pay

The Authority has established a policy stating Principal Officer roles below that of Chief Fire Officer, would be paid as a proportion of the locally agreed Chief Fire Officer base pay rate as follows:

- Assistant Chief Fire Officer - 75%.

2.6 Publication of Principal Officer Pay

Details of Principal Officer Pay are published on the Nottinghamshire Fire & Rescue Service internet site.

2.7 Principal Officer – internal pay comparators

2.7.1 In 2022-23, the lowest paid role within the Service was £21,575 (fte), which reflects the Authority's commitment to the living wage, the highest paid role within the Service is £165,581. The Service does not have a policy of direct correlation between the highest and lowest paid roles i.e., it does not apply a pay multiple in establishing Principal Officer pay.

* This does not include apprenticeship rates.

2.7.2 The ratio of pay between the highest paid employee of the fire service and a median salary is set out in paragraph 1.9.

2.7.3 The pay, (including rota allowances) of the most senior officer below Principal Officer, (Area Manager) is 71% of Assistant Chief Fire Officer pay and 43.9% of Chief Fire Officer pay.

2.7.4 The pay of the most senior support role, (at salary maximum) below Principal Officer, (Area Manager – Support) is 55.6% of Assistant Chief Fire Officer pay and 44% of Chief Fire Officer pay.

It should be taken into account that the salaries of Principal Officers and other flexi-duty officers, reflects a requirement to provide duty cover on a 24/7 rota basis.

2.8 Re-engagement

Principal Officers are subject to the same re-engagement provisions as other Service employees. These are set out in more detail in Section 5.

2.9 Severance Payments

Principal Officers are subject to the same severance arrangements as other Service employees. These are set out in more detail in Section 6.

2.10 Other allowances

2.10.1 Principal Officers are provided with a car limited to a purchase cost of 30% of the full CFO base salary. This includes VAT and any cost associated with fitting home chargers for plug-in vehicles etc.

Also, the vehicle must have:

- A hybrid, electric or other alternatively fuelled, low emission engine.
- All wheel drive capability.
- Integrated phone connectivity.
- Satellite navigation.
- High level safety ratings and features in line with the fleet strategy such as parking sensors, protective mats etc.

2.10.2 Pension: (i) The Service makes an employer contribution of 28.8%, (2015 scheme) depending on individual membership. This is in accordance with the contribution made to all members of the Firefighter's Pension Scheme. The employee contribution for 2022-23 is either 11% or 14.5% depending on pensionable pay.

(ii) For Principal officers not eligible for the Firefighter Pension schemes, the provisions of the Local Government Pension Scheme will apply: the Service makes an employer contribution which equates to 19% for all members of the Local Government Pension Scheme. The employee contributes between 5.5% and 12.5% of pensionable pay depending on their salary band.

2.10.3 Business mileage is reimbursed using fuel cards.

2.10.4 Subsistence allowances: reimbursement of expenses when working away from the base location.

2.10.5 All employees are members of a corporate health scheme, which provides cash-back for dental, optical and consultancy fees, and access to consultations and counselling support. This is at a cost of £51.96 per employee per annum. Principal Officers are also members of this scheme.

Section Three - Pay Policy for Fire-fighters

- 3.1 This policy applies to Whole-time and On-Call Firefighters.
- 3.2 National pay awards negotiated by the National Joint Council for Firefighters of Local Authorities Fire and Rescue Services, are applied by the Authority on an annual basis. This represents a cost-of-living increase. A 5% pay award was applied by the NJC for Local Authority Fire and Rescue Services from 1 July 2023.
- 3.3 Pay is based upon the role undertaken and the stage of competence of each individual i.e., trainee, in development and competent.
- 3.4 A formal assessment of individuals is undertaken at each stage of development before moving to the next salary level. Maintenance of competence is a requirement at all levels of the Service and is reviewed annually.
- 3.5 Progression between roles is subject to a competitive selection process.

On Call Duty System

- 3.6 Employees employed on the On-Call Duty System, are paid an annual Retaining Fee and receive subsequent payments based on attendance at incidents and other activity – these include attendance at drill nights, disturbance fees, turnout fees, attendance fees, training fees, other authorised NFRS duties and compensation for loss of earnings. All payments are made in line with nationally agreed pay scales and rates.

3.7 Other allowances and payments

Pension contributions: the Service makes an employer contribution of 28.8% (2015 scheme), depending on individual membership. This is in accordance with the contribution made to all members of the Firefighter's Pension Scheme. The employee contribution for 2022-23 is either 11% or 14.5% depending on pensionable pay.

Flexible duty payment: under national conditions of service, a flexible duty payment is made to Station Managers, Group Managers and Area Managers who provide flexible duty cover on a 24/7 rota basis, and who are available to attend emergency incidents when required and provide Duty Officer cover. This is paid at an allowance of 20% of base salary.

Area Manager rota payment: under local arrangements, Area Managers are paid a rota payment equating to 11.67% of salary.

Acting up: an allowance is paid on a daily basis where employees temporarily undertake the duties of a higher graded role. This is paid at the rate applicable to the role being undertaken. Employees must be qualified to undertake the higher-level role.

Overtime rates: paid for roles below Station Manager. This is paid at time and a half or double time on a public holiday or time may be granted in lieu at the appropriate enhanced rate.

Detachments: paid when operational employees are required to provide cover at other stations. Paid at 2 hours overtime rate.

Recall to duty: paid at a minimum of three hours at double time rates.

Continuous Professional Development Payment (CPD): under national conditions of service, a CPD payment is approved annually on an individual basis for employees with more than 5 years of service, (since attaining competence in role).

This is paid as an annual payment of £1052 (whole-time employees), and £263, (retained). The payment made to retained duty system employees is paid on pro-rata basis, (minimum 25% of full value).

The payment is made by initial application and authorised at a senior management level. To be eligible, an individual must demonstrate evidence of CPD over and beyond that required for competence and have a good attendance, performance, and disciplinary record.

Additional Responsibility Allowance (ARAs): may be paid where employees perform duties outside of the national role map. At NFRS, two levels of payment are applied. The lower level is paid at £250 per annum and the higher level at £500 per annum. There are 53 higher level ARAs and 1 lower level in payment at the current time. Payments are conditional upon individual's performing additional duties / responsibilities and maintaining competence in these areas, this may include taking professional or vocational qualifications.

National Resilience Payment: a local payment is made for employees volunteering for crewing of the High-Volume Pump, Enhanced Command Support Vehicle which form part of the national resilience network. Volunteers are available on an on-call basis and could be required to operate outside of the county to respond to national emergencies. Current payments

are £500 per annum and there are 22 employees receiving this payment, and 1 receiving a higher-level co-ordinators allowance of £1000. The payment is funded by national grant.

Local Resilience Payment: a payment to provide Business Continuity Support at short notice. Current payment is £2873 per annum.

Special Response Team: a local payment is made for employees volunteering for this tactical response team. Volunteers are available on an on-call basis. Current payments are £500 per annum and there are 45 employees receiving payments and 2 receiving £1000 for co-ordinating activity.

Incident Liaison Officers: a local payment is made for employees volunteering to be Incident Liaison Officers at Special Response incidents. Volunteers are available on an on-call basis. Current payments are £500 per annum and there are 7 employees receiving payments.

Messing Allowance: paid to station personnel who are responsible for catering arrangements on fire stations.

Spoilt Meals: paid when prepared meals are uneaten, as a result of attending an emergency call-out.

Kit Carrying Allowance: business mileage rate, as per national conditions paid to compensate operational employees who are required to transfer fire kit in their own vehicles.

Travel Allowance: a local allowance to cover additional travel costs when an operational employee is compulsorily transferred to another work base. A payment is made of the difference in mileage undertaken and is paid for 3 years, (compulsory transfer) or 18 months, (promotion).

Essential Car User: a lump sum is paid to employees who are required to use their own vehicles to undertake their job role. This is based on nationally determined allowances. The allowance may be off set against leasing arrangements for a vehicle, the balance of which is paid by the employee.

Business mileage: is reimbursed in line with nationally agreed rates.

Subsistence allowances: reimbursement of expenses when working away from the work base location.

Reimbursement of medical fees: this only applies to employees whose service commenced before November 1994. The reimbursement of fees cover dental, optical and prescription fees and are paid at NHS rates.

Health scheme membership: all employees are members of a corporate health scheme which provides cash-back for dental, optical and consultancy fees and access to MRI, PET scans and counselling support. This is at a cost of £51.96 per employee per annum.

Section Four - Pay Policy for Support Roles

- 4.1 This policy applies to employees covered by the NJC for Local Government Services and includes all non-operational support staff.
- 4.2 National pay awards negotiated by the National Joint Council for Local Government Services, are applied by the Authority on an annual basis if applicable. This represents a cost-of-living increase. This was 4.04% from 1 April 2022.
- 4.3 The Authority has a locally agreed grading structure, which uses nationally recognised salary points, (spinal column points) across 9 grading levels. Each level is comprised of 5 salary points. Movement between grades is through a competitive selection process.
- 4.4 A job evaluation process, based on the national model, assesses all roles and allocates an appropriate grade according to the duties and responsibilities undertaken. Employees may apply for a review of their grade where permanent, substantial, and material changes have increased the level of duties and responsibilities attached to their role. Any substantive changes to grade must be authorised by the Chief Fire Officer and reported to the Authority.
- 4.5 On an annual basis, employees progress incrementally through their respective grade until they reached the maximum point of their grade. Progression is subject to satisfactory performance.
- 4.6 **Other Allowances and Payments**

Pension contributions: the Service makes an employer contribution which equates to 19% for all members of the Local Government Pension Scheme. The employee makes a contribution of between 5.5% and 12.5% of pensionable pay depending on their salary band.

Overtime: this is paid at the rate of time and a half for all grades and at double time on Sunday's, (after completion of 37 working hours per week). Employees receive double time, (plus time off in lieu) for working on public holidays. Time in lieu may be taken as an alternative to payment.

Acting Up: an allowance is paid if an employee is required to work at a higher-level role for a period of more than one month.

Honorarium: a discretionary payment may be made for duties undertaken outside of the normal job requirements, for an extended period of time. The maximum payable is £1800. Any payments above £1800 must be approved by the Fire Authority.

Stand by: employees required to attend work outside of normal office hours or to be on-call, are paid an allowance depending on the nature of the arrangements.

Essential Car User: a lump sum is paid to employees who are required to use their own vehicles to undertake their job role. This is based on nationally determined allowances.

Business mileage: is reimbursed in line with nationally agreed rates.

Disturbance: paid when an employee is required to move work location. Actual additional mileage is paid for a period of 4 years.

Subsistence Allowances: reimbursement of expenses when working away from the work base location.

Health Scheme: All employees are members of a corporate health scheme which provides cash-back for dental, optical and consultancy fees, and access to MRI, PET scans and counselling support. This is at a cost of £51.96 per employee per annum.

Section Five - Policy on Re-engagement and Pension Abatement

- 5.1 The Service does not normally operate a re-engagement, Policy.
- 5.2 Abatement of pension is applied when employees who retire from Service with pension benefits from the Firefighter's Pension Scheme, are successful in attaining another job within the Service through a competitive process. This means that they may not earn more in the new role than in their previous role when pension and salary are combined. This complies with the provisions of the Firefighter's Pension Scheme 1992 but does not apply to members of the Firefighter's Pension Scheme 2015.
- 5.3 The Service operates a Flexible Retirement Policy for employees in the Local Government Pension Scheme, which allows employees to take their pension benefits and be re-employed on reduced hours or at a lower grade without abatement of pension. This complies with the provisions of the Local Government Pension Scheme. There were 2 flexible retirement arrangements agreed during 2022-23.
- 5.4 In circumstances in which employees who have taken retirement benefits from the LGPS, (either as former NFRS employees or employees of another public-sector organisation) apply for a support role with the Nottinghamshire Fire and Rescue Service as part of a competitive selection process and are successful, no abatement of pension is applied.

Section Six - Exit Payments

- 6.1 In the event of redundancy, the Service applies statutory redundancy payments under the provisions of its Redundancy Procedure. This applies to both compulsory and voluntary redundancy situations.
- 6.2 In addition, members who are members, or who are eligible to be members of the Local Government Pension Scheme, may be awarded an additional compensation payment under the provisions of the Discretionary Compensation Payments Scheme. This payment is based upon age and length of service. A Discretionary Compensation Payments Board assesses each application to determine whether there are any exceptional personal circumstances to enhance the compensation element of the award. This applies to both compulsory and voluntary redundancy situations. A cap of 66 weeks' pay is applied in normal circumstances. This can be increased to up to 104 weeks in exceptional circumstances.
- 6.3 All recommendations for enhanced payments are subject to agreement by the Human Resources Committee. There were two compensation awards agreed as part of redundancy arrangements in 2022-23.
- 6.4 In exceptional cases, the Chief Fire Officer is authorised to agree a compensation payment as part of a compromise agreement when the employment of an employee is terminated by the Service, or in settlement of a claim. Such agreements are subject to confidentiality clauses. There was no such settlement in 2022-23.

Early Payment of Pension Benefits

- 6.5 Under the provisions of the Local Government Pension Scheme, employees aged over 55 who are made redundant or who are retired from Service on the grounds of efficiency, are awarded early payment of pension benefits.
- 6.6 In this case, a charge is made against the Fire Authority by the pensions fund, this is referred to as actuarial strain.
- 6.7 There were two early payments made in 2022-23 linked to redundancy.

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Nottinghamshire and City of Nottingham
Fire and Rescue Authority

UPDATE ON THE 'AREAS FOR IMPROVEMENT' FROM THE 2021 HMICFRS INSPECTION

Report of the Chief Fire Officer

Date: 22 September 2023

Purpose of Report:

To present Members with an update on the Service's response to the 'areas for improvement' that were identified following the 2021 inspection of Nottinghamshire Fire and Rescue Service by His Majesty's Inspectorate of Constabulary and Fire & Rescue Services.

Recommendations:

That Members note the progress to address the improvements required and continue to support the approach of the Chief Fire Officer for addressing the 'areas for improvement.'

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1. BACKGROUND

- 1.1 As part of the national reform agenda for the fire and rescue service, His Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) undertakes independent inspections of all 44 English fire and rescue services (FRSs). All FRSs have now been inspected twice. Round 1 was undertaken 2018/19 and Round 2 undertaken 2021/22.
- 1.2 At the meeting of the Fire Authority in September 2022, Members were presented the report from HMICFRS following the Round 2 inspection of Nottinghamshire Fire and Rescue Service (NFRS) in 2021.
- 1.3 Accompanying the report, Members were presented with a paper detailing four 'areas for improvement' (AFIs) that had been highlighted by HMICFRS. AFIs are reported where an inspection identifies an aspect of a FRS's practice, policy or performance that falls short of the expected standard.
- 1.4 It was agreed that scrutiny and monitoring of progress of these actions would be facilitated through the Fire Authority Committee structure, with progress reports being presented to Members.

2. REPORT

- 2.1 Each AFI has been allocated to a lead officer with clear milestones and expected outcomes. Within the Service, progress against these timelines is monitored and reported through the monthly Community Risk Management Plan Assurance Board (CRMP AB), chaired by the Chief Fire Officer.
- 2.2 Since the HMICFRS report was published in July 2022, the Service has undertaken a gap analysis against areas of work that were already being progressed under the current Community Risk Management Plan (CRMP). This has assured that work to address the AFIs was either already planned or has now been included in the Service's annual delivery planning.
- 2.3 The four AFIs reported against NFRS are:
 - AFI 1 – the Service should make sure it effectively monitors, reviews and evaluates the benefits and outcomes of any collaboration activity.
 - AFI 2 – the Service should assure itself that its risk-based inspection programme prioritises the highest risks and includes proportionate activity to reduce risk.
 - AFI 3 – the Service should assure itself that staff understand how to get well-being support.

- AFI 4 – the Service should ensure that, when responding to a 999 call, mobile data terminals (MDTs) are reliable to allow staff to access risk information.

AREA FOR IMPROVEMENT 1

- 2.4 NFRS has identified improvements in the Service's approach to evaluation. This has included a review of an evaluation framework to embed in Service activity, and engagement with the wider sector to identify best practice.
- 2.5 Evaluation criteria are incorporated into the Year Two Annual Delivery Plan, Service projects and future collaborations. Evaluation then forms part of internal governance as those programmes are reviewed. Further to this, a Community Safety Committee update in January 2023 outlined that a PhD student from Nottingham Trent University has been engaged to undertake an external evaluation of the Service, with reporting to identify improvements due at the end of 2023.
- 2.6 The Service has recruited a Programme Manager to set up and manage the programme office. This role will ensure the change programme and work initiatives are suitably scoped to ensure their benefits are realised and evaluated.
- 2.7 Following the implementation of the above areas, this AFI is anticipated to be closed early 2024.

AREA FOR IMPROVEMENT 2

- 2.8 The Risk Based Inspection Programme (RBIP) is the method by which the Service ensures that its fire protection activities are targeted at the highest risk premises.
- 2.9 A Community Safety Committee update in January 2023 outlined that a PhD student from Nottingham Trent University has been engaged to undertake an external evaluation of the RBIP. The report is due at the end of 2023.
- 2.10 The RBIP is live, but with a technical fault impacting the data sources it draws from. This has led to a small number of discrepancies in calculating the risk rating of premises – those considered to be high and very high.
- 2.11 The RBIP is anticipated to be fully functional by November 2023. Further evaluation against the AFI will be completed after the external report is received, with anticipated closure in early 2024.

AREA FOR IMPROVEMENT 3

- 2.12 The Service provides information on well-being and employee support provisions on MyNet (the intranet) however, feedback from HMICFRS and the internal staff survey highlighted that some employees were unaware of the support available. The inspection from HMICFRS also highlighted concerns

raised by operational crews that there was a lack of consistency in post-incident support.

- 2.13 The Service has undertaken a review of the Well-being Strategy and Post Critical Incident Support (PCIS) procedure, to update and formalise support mechanisms. There has been subsequent training on PCIS processes to middle and supervisory managers.
- 2.14 MyNet well-being and support provision information has been made more prominent and referenced frequently on internal communications. These include personal health portals and employee benefits.
- 2.15 An independent survey commissioned via Derby University is assessing mental health provision. Briefings on mental health information have been undertaken, which included a call for employee mental health advocates and the creation of a new Mental Health Network. Subsequent training is plotted for Mental Health Advocates.
- 2.16 This AFI will be closed in January 2024, with the roll out of the revised Post-Incident Support Policy, reporting from Derby University and the implementation of the Well-being Communications Plan.

AREA FOR IMPROVEMENT 4

- 2.17 The requirement for accurate risk information and reliability of MDTs was an AFI highlighted by HMICFRS in the 2019 inspection. That AFI was closed in June 2022. This new AFI seeks to ensure that the Service continues to assure and improve the reliability of MDTs and access to risk information.
- 2.18 The Service has rolled out new MDTs to the full fleet of fire appliances. The new devices offer greater resilience, functionality and useability for crews as well as improving the reliability issues experienced previously.
- 2.19 The MDT replacement programme is being carried out in conjunction with Leicestershire and Derbyshire Fire and Rescue Services as part of the tri-service collaboration.
- 2.20 To enhance the resilience and availability of risk information for crews, the Service's ICT department has commenced user engagement as part of the scoping and procurement of a secondary mobile device. This AFI is anticipated to be closed early 2024.

3. FINANCIAL IMPLICATIONS

- 3.1 The cost of the MDT replacement is funded from a £100k capital project.
- 3.2 Costs relating to the remaining AFIs have been contained within existing budgets.

4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS

- 4.1 Scoping is ongoing regarding the potential for a post to support organisational evaluation.
- 4.2 Training and development of staff was required to assure the embedding of well-being and post-incident procedures. This was contained within the current annual training cycle.

5. EQUALITIES IMPLICATIONS

An equality impact assessment has not been undertaken because the information contained in this report does not relate to a change in policy or procedure.

6. CRIME AND DISORDER IMPLICATIONS

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

7. LEGAL IMPLICATIONS

- 7.1 The Fire and Rescue Services Act 2004 places a duty on NFRS in respect of the delivery of its services to communities.
- 7.2 The Local Government Act 1999 places a statutory duty on NFRS to '*secure continuous improvement in the way in which its functions are exercised*'. The reporting of Service Delivery's performance ensures that the Service is focusing on key objectives as set by the Fire Authority and continuous improvement. This ensures that Members can apply effective scrutiny to be satisfied that statutory obligations are being met.
- 7.3 The Police and Crime Act (2017) Chapter 4 Section 11, outlines that the English inspectors must inspect, and report on the efficiency and effectiveness of, fire and rescue authorities in England.

8. RISK MANAGEMENT IMPLICATIONS

- 8.1 It is incumbent on the Service to demonstrate continuous improvement and learning as a result of the outcome of HMICFRS inspections.
- 8.2 The MDT replacement programme will help to mitigate the risks associated with health, safety and welfare by ensuring operational risk information is available to crews at incidents.

9. COLLABORATION IMPLICATIONS

- 9.1 Where possible, the Service is seeking to work with the well-being team from Nottinghamshire Police to share activities and messaging.
- 9.2 The MDT replacement is being delivered in conjunction with Leicestershire and Derbyshire Fire and Rescue Services as part of tri-service collaboration arrangements.
- 9.3 Discussions with Nottinghamshire Police and regional FRSs continue in relation to their experience of HMICFRS inspections and how NFRS can learn from that preparation for future inspections.

10. RECOMMENDATIONS

That Members note the progress to address the improvements required and continue to support the approach of the Chief Fire Officer for addressing the 'areas for improvement'.

11. BACKGROUND PAPERS FOR INSPECTION (OTHER THAN PUBLISHED DOCUMENTS)

None.

Craig Parkin
CHIEF FIRE OFFICER



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IMPLEMENTATION OF 'RESOURCING TO RISK'

Report of the Chief Fire Officer

Date: 22 September 2023

Purpose of Report:

To present Members with updates relating to the deployment of resources to address current and future requirements in the Service.

Recommendations:

That Members note the contents of this report.

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1. BACKGROUND

- 1.1 At the Fire Authority meeting in February 2023, Members voted to “*task the Chief Fire Officer to swiftly work up and implement proposals at Ashfield fire station to address the identified gap in resourcing to risk faced by the community.*”
- 1.2 At the Fire Authority meeting in July 2023, Members supported and endorsed the approach of the Chief Fire Officer in the proposed deployment of resources to risk and agreed to receive further updates from this workstream at full meetings of the Fire Authority.
- 1.3 The Service’s Community Risk Management Plan (CRMP) details how the Service will aim to make the best use of resources to deliver its commitments to communities.

2. REPORT

- 2.1 The delivery of the changes to crewing at Ashfield fire station is being led by the Assistant Chief Fire Officer for Service Delivery, through a project board approach.
- 2.2 The project aims to see the reinstatement of 24-hour, wholetime crewing, at Ashfield by the end of November 2023 and is currently on target for the completion of the required changes within this timeframe.
- 2.3 Proactive engagement with staff, representative bodies, and internal and external stakeholders is being prioritised to ensure that progress is maintained, and necessary changes are implemented with minimum impact or disruption to those affected.
- 2.4 The current wholetime ridership level presented a risk to the ability to crew the additional posts required to facilitate the changes at Ashfield fire station, however a number of steps have been taken to improve the ridership, including the advertisement of transferees from other Services for personnel who are already On-Call firefighters in Nottinghamshire Fire and Rescue Service, and to external applicants who wish to relocate.
- 2.5 These additional firefighter roles entering the Service will both support the ridership level and allow the facilitation of the release of posts to support the wider achievement of CRMP commitments, as highlighted in the July report.
- 2.6 The Service has also progressed plans to undertake a large intake of new firefighters in 2024, with the aim of recruiting 40 new firefighters within the year. Positive action and engagement events are underway to recruit a diverse and representative group of future firefighters, with recruitment days opening in late September 2023.

- 2.7 Mitigations to the risks highlighted in the July report to Fire Authority, in relation to the higher frequency of crewing appliances with four personnel, have been progressed. These include refreshed incident command training, a review of degradation procedures and incorporation of crewing levels in to training scenarios.
- 2.8 As part of wider Service plans to improve dignity and accessibility of the estate, further works are planned for Ashfield fire station in 2023/24 that will see facilities improved for personnel working at this location.
- 2.9 A range of evaluation criteria have been developed to monitor performance both in the Ashfield area, and Service-wide, related to the changes which are being implemented. These areas will be monitored through the Service's established governance structures and reported to the Community Safety Committee as part of the Service Delivery performance update.
- 2.10 Further updates, and pertinent evaluation reporting, will be presented to the December Fire Authority meeting, and future meetings, to inform Members of progress against the changes.

3. FINANCIAL IMPLICATIONS

There are no financial implications arising from this update report. All associated costs for this report are covered within the agreed annual budget for 2023/24 and any future associated costs will be contained within the medium-term financial strategy.

4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS

- 4.1 Through the project approach, the Service is proactively engaging with the workforce, and representative bodies, to ensure a transition that maintains staff well-being and engagement, through a well-established consultation and policy framework.
- 4.2 There are no learning and development implications arising from this report.

5. EQUALITIES IMPLICATIONS

- 5.1 An equality impact assessment (EIA) was completed as part of these proposals and reported to the July Fire Authority meeting.
- 5.2 The EIA is being used, and reviewed, by the project board to support the implementation of plans for the resourcing to risk.

6. CRIME AND DISORDER IMPLICATIONS

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

7. LEGAL IMPLICATIONS

- 7.1 The Fire and Rescue Services Act (2004) places a statutory duty on authorities to make provisions for firefighting, fire safety and responding to road traffic collisions and other emergencies.
- 7.2 The Secretary of State, under Section 22 of the Fire and Rescue Services Act (2004) has the power of intervention if the Secretary of State considers that a fire and rescue authority is failing, or is likely to fail, to act in accordance with the Framework prepared under Section 21 of the Act.
- 7.3 Sections 10 to 13 of the Local Government Act 1999 (c. 27) (best value inspections) apply in relation to a fire and rescue authority's compliance with Section 21(7) of the Act as they apply in relation to a best value authority's compliance with the requirements of Part 1 of that Act. Fire and rescue authorities must have regard to the Framework in carrying out their functions.
- 7.4 The Authority has a statutory responsibility to consult on changes to fire cover. Consultation was conducted in accordance with HM Government Code of Practice on Consultation and the outcomes of this consultation were reported to the CFA meeting in February 2023.

8. RISK MANAGEMENT IMPLICATIONS

The Service's corporate risk register highlights risks that are associated with the contents of this report:

Risk	Implications
Employee Engagement	The changes to duty systems and the proposals to change crewing models, present the risk of damaging employee engagement and industrial relations. Early, proactive engagement with affected personnel and representative bodies, along with an effective communications plan and a consultative approach will assist in mitigating this risk.

Risk	Implications
Preventable Deaths	The Service is reallocating risk based on independent modelling and feedback from consultation that will aim to ensure that the right resources are prioritised in the right location, ultimately with an aim of creating safer communities.
Availability of Resources	<p>This risk is mitigated in part by the proposals in this report by ensuring the best use of resources across the Service and ensuring a 24/7 wholetime response is available in the Ashfield area.</p> <p>Risks presented by the level of wholetime ridership are being mitigated through a focussed recruitment of additional firefighter roles to the Service, including the immediate steps outlined within this report.</p>
Corporate Reputation	This risk is presented through the proposals for change and public interest in these changes. A full communications plan and proactive engagement with this workstream will assist in mitigating this risk.

9. COLLABORATION IMPLICATIONS

Any proposed changes to the crewing at Ashfield fire station have been fully communicated with colleagues from affected Fire and Rescue Services.

10. RECOMMENDATIONS

That Members note the contents of this report.

11. BACKGROUND PAPERS FOR INSPECTION (OTHER THAN PUBLISHED DOCUMENTS)

None.

Craig Parkin
CHIEF FIRE OFFICER

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CHANGES TO ESTABLISHMENT ANNUAL REPORT

Report of the Chief Fire Officer

Date: 22 September 2023

Purpose of Report:

To report permanent changes to the establishment from September 2022, in line with the delegated authority assigned to the Chief Fire Officer.

Recommendations:

That Members note the report.

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1. BACKGROUND

- 1.1 At its meeting on 22 July 2022, the Fire Authority assigned delegated powers to the Chief Fire Officer to permanently amend the establishment, as follows:
 - i. Scheme of Delegation 1(d) – the Chief Fire Officer shall be empowered, in consultation with the Chair of the Authority, to appoint, establish and disestablish and manage all staff positions within agreed budgets Establishing Scheme approved by the Fire and Rescue Authority and in accordance with Personnel regulations, but shall not appoint staff at the level of Deputy Chief Fire Officer, Assistant Chief Fire Officer, or to act in the statutory roles of Treasurer or Monitoring Officer without the approval of the Fire and Rescue Authority
- 1.2 As part of this delegated authority, the Chief Fire Officer may implement grading changes to Green Book, (Support) roles on the recommendation of the Joint Job Evaluation Panel. The job evaluation, (“JE”) process is that set down in the National Joint Council for Local Government Services, with locally agreed variations and is undertaken by a joint panel consisting of management and UNISON representatives.
- 1.3 Submissions may be received from management or directly from employees. Previously, any changes which impact upon the staffing budget were reported to the Human Resources Committee.

2. REPORT

- 2.1 The report sets out the changes to the permanent establishment since August 2022. Please note that any post deletions which have resulted in a redundancy, have been reported to the Authority in line with the provisions of the Discretionary Compensation Payments Policy.

POST DELETIONS

- 2.2 Six posts have been deleted from the Green Book (support) establishment as a result of restructuring activities, either as part of the Futures 25 Phase One outcomes, undertaken in the financial year 2022-23 or due to posts becoming vacant and providing an opportunity to review how resources can be used more effectively, to meet organisational needs. Any savings arising from the establishment changes are set out within the financial implications section of the report.

2.3 The following table sets out these changes:

Department	Date	Job Role	Reason	
Prevention	13/12/22	District Engagement & Partnership Officer (vacant post)	Restructure	Part of savings from Phase One of Futures 25 review.
Risk Assurance and Operational Training	31/03/23	Training Delivery Manager	Redundancy	Part of savings from Phase One of Futures 25 review.
Risk Assurance and Operational Training	31/03/23	0.6 Workplace Assessment Coordinator	Redundancy	Part of savings from Phase One of Futures 25 review.
Strategic Support and ICT	01/04/23	Head of Digital Transformation (vacant post)	Restructure	Part of the savings used to fund the establishment of a Business Intelligence Manager role.
Procurement and Resources	01/04/23	Site Supervisor/Maintenance Operative (vacant post)	Restructure	Funding diverted to create an Estates Administrator role.
Strategic Support and ICT		0.5 GIS Analyst role	Restructure	Funding diverted to create a Business Intelligence Apprentice role.

2.4 The redundancies arising from the deletion of the Training Manager and Workplace Assessment Coordinator roles, were approved by the Authority at its meeting on 24 February 2023.

2.5 There have been no deletions from the operational establishment during the period.

NEW POSTS

2.6 Six posts have been created within the Green Book (support) establishment as follows:

Department	Date	Job Role	Reason	
Strategic Support	October 2022	Business Intelligence Manager	Restructure	Funded from deletion of Head of Digital Transformation post.
Futures 25 Programme	February 2023	Communication and OD Officer	Support for Futures 25 programme	Funded from Futures 25 ear-marked reserve to April 2024 (£39k).
Strategic Support	February 2023	Business Intelligence Apprentice	Restructure	Funded from deletion of 0.5 GIS Analyst post.
Prevention	February 2023	2 x Specialist Home Safety Operatives	Funding realignment	Transfer of budget from On-call to Prevention team budget (£70k).
Procurement and Resources	March 2023	Estates Administrator	Restructure	Funded from deletion of Site Supervisor/Maintenance Operative post.

2.7 The majority of new posts have been created by diverting existing budgets to areas where new or additional demands have been identified. One post has been created to support the Futures 25 change programme and is resourced from an earmarked reserve.

2.8 There have been no additional substantive posts created within the operational establishment during the period.

REGRADED POSTS

2.9 Four posts have been re-graded on the recommendation of the Joint Job Evaluation Panel, arising from a permanent increase in duties and responsibilities attached to those roles. These are:

Department	Effective Date	Job Role	Reason	
People and Organisational Development	February 2023	HR Services Manager	Regrade	Regraded from Grade 5 to Grade 6
People and Organisational Development	February 2023	Senior HR Administrator	Regrade	Regraded from Grade 3 to Grade 4
People and Organisational Development	March 2023	Equality Development Officer	Regrade	Regraded from Grade 5 to Grade 6
Risk Assurance and Operational Training	April 2023	Digital Learning Co-ordinator	Regrade	Regraded from Grade 5 to Grade 6

3. FINANCIAL IMPLICATIONS

- 3.1 The newly created posts have been fully funded from within existing budgets, in line with the requirements of the Scheme of Delegation approved by Fire Authority, (see Paragraph 1.1).
- 3.2 After £101k of savings from the deleted posts was diverted to fund the newly created posts, set out in Paragraph 2.6, a net saving of £174k was made which has contributed towards the savings targets included in the Futures 25 Efficiency Strategy.
- 3.3 A further £39k funding from the Futures 25 earmarked reserve and £70k transfer from on-call budgets was used to fund the newly created posts.

4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS

Human resources implications are set out within the report.

5. EQUALITIES IMPLICATIONS

An equality impact assessment has not been undertaken, as the report does not reflect a change in policy or service provision.

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 from this report.

8. RISK MANAGEMENT IMPLICATIONS

The Job Evaluation Scheme reduces the risk of successful equal pay claims, by applying a jointly agreed and validated job analysis system to the grading structure.

9. COLLABORATION IMPLICATIONS

There are no collaboration implications arising from this report.

10. RECOMMENDATIONS

That Members note the report.

11. BACKGROUND PAPERS FOR INSPECTION (OTHER THAN PUBLISHED DOCUMENTS)

None.

Craig Parkin
CHIEF FIRE OFFICER



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ANNUAL REPORT OF INFORMATION GOVERNANCE 2022/23

Report of the Chief Fire Officer

Date: 22 September 2023

Purpose of Report:

To update the Fire Authority on information governance at Nottinghamshire Fire and Rescue Service for the year 2022/23.

Recommendations:

That Members note the contents of this report.

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1. BACKGROUND

- 1.1 Data protection and public sector transparency are continued priorities for the United Kingdom (UK) government – and Nottinghamshire Fire and Rescue Service (NFRS). In May 2018 new data protection requirements entered UK law (the Data Protection Act 2018 and the General Data Protection Regulation). Risks from non-compliance include significant fines from the Information Commissioner and potential harm to the reputation of NFRS.
- 1.2 NFRS shares information with other agencies to reduce fire risks and to protect communities. Members are aware of the continued need for multi-agency working and the role of technology in delivery of public services, including during the pandemic. These factors demand an ongoing focus on staff awareness and risk controls.
- 1.3 In 2017, the Policy and Strategy Committee agreed that NFRS would provide an Information Governance report annually to the full Fire Authority, covering:
- Overview of Freedom of Information requests;
 - Overview of Environmental Information requests;
 - Data protection areas of interest;
 - Report on Regulation of Investigatory Powers Act (RIPA) activity or inactivity.
- 1.4 This annual report covers Information Governance for April 2022 to March 2023.

2. REPORT

FREEDOM OF INFORMATION

- 2.1 The Freedom of Information Act 2000 provides public access to information held by NFRS. It does this in two ways:
- NFRS must publish certain information about activities, for example, financial information and service performance;
 - Members of the public can request any information NFRS holds. There are limited reasons to refuse such requests, for example, national security or a high cost to comply with the request.
- 2.2 Transparency, and having the ‘right to know’, is widely acknowledged as a key part of ensuring public confidence and trust from communities.
- 2.3 Between April 2022 and March 2023, NFRS received 132 Freedom of Information requests. The previous year, NFRS received 104 Freedom of Information Requests. This accounts for a 21.2% increase over the year and this trend is expected to increase for the 2023/24 financial year based on

current data (62 requests received compared to 42 for the same time period which marks a 25.8% increase).

- 2.4 Of the 132 requests received, 112 (84.8%) were completed and the information disclosed, 4 (3.0%) were part disclosed and part withheld, 10 (7.5%) were refused in their entirety. The remaining 6 (4.7%) were withdrawn or unable to source the information for a response. None of the requests received in 2022/23 were deemed vexatious.

Figure 2.4.1: Volume comparison of FOI requests across the NFRS in the financial years 2021/22, 2022/23 and 2023/24.

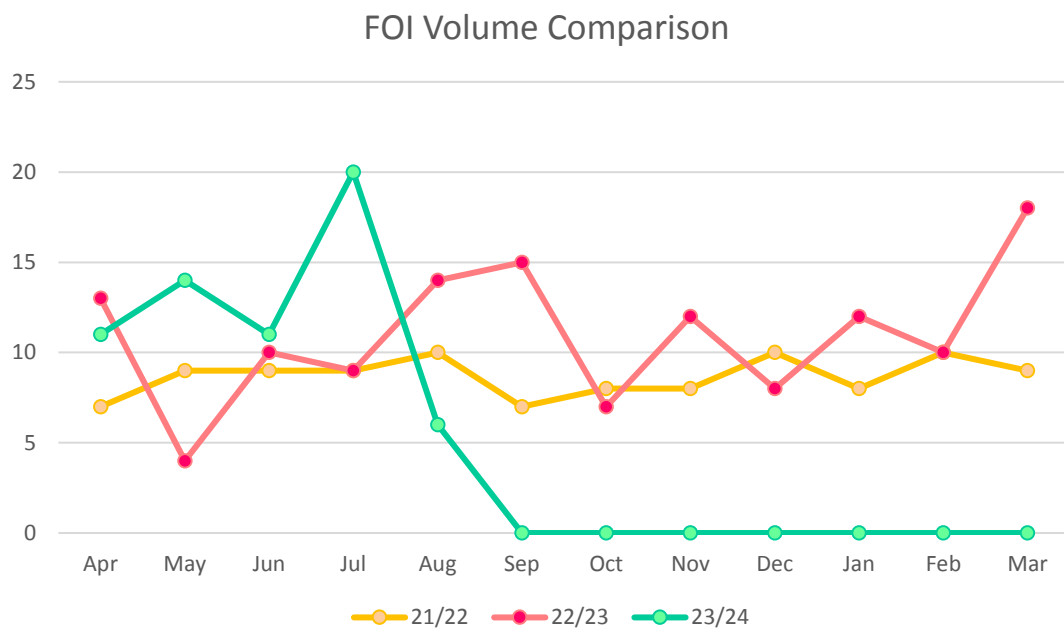


Figure 2.4.2: Volume comparison numerical breakdown of FOI requests across the NFRS in the financial years 2021/22, 2022/23 and 2023/24.

Month	Financial Year		
	21/22	22/23	23/24
Apr	7	13	11
May	9	4	14
Jun	9	10	11
Jul	9	9	20
Aug	10	14	6
Sep	7	15	-
Oct	8	7	-
Nov	8	12	-
Dec	10	8	-
Jan	8	12	-
Feb	10	10	-
Mar	9	18	-

2.5 In the financial year 2022/23 NFRS received Freedom of Information requests that covered a wide range of information.

Figure 2.5.1: Category type of FOI requests across the NFRS in the financial year 2022/23.

Category Type	Total
Finance and Spending	12
Fire Safety	8
Governance	2
Incidents and Emergency	36
Other	37
Procurement	11
Staffing and Employment	26
Grand Total	132

2.6 Of the 132 Freedom of Information requests, 92 (70%) were replied to within 20 working days. This accounts for a 15% drop from the previous financial year and is outside the Information Commissioner’s target of 90%. This downturn was anticipated due to a three-month Data Protection Officer (DPO) establishment vacancy, however, the current compliance for the 2023/24 financial year which stands at 100%.

2.7 NFRS publishes information about service performance and finance of on the [NFRS public website](#) as well as a disclosure log of freedom of information replies.

ENVIRONMENTAL INFORMATION REQUESTS

2.8 The Environmental Information Regulations 2004 sit alongside the Freedom of Information Act to ensure public access to environmental information held by public bodies.

2.9 The Regulations affect NFRS in two ways:

- NFRS must make environmental information available proactively. For example, publish on the website policies, plans and programmes relating to the environment;
- Members of the public can request environmental information NFRS hold. There are limited reasons to refuse such requests, for example, national security or it would cost too much to comply with the request.

2.10 No information requests received April 2022 - March 2023 were classified as Environmental Information requests.

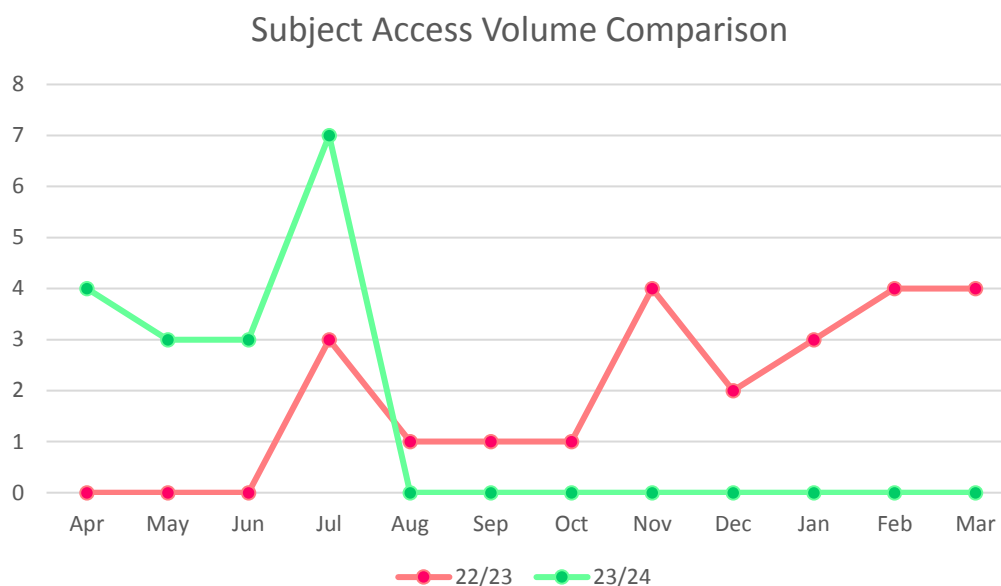
DATA PROTECTION

- 2.11 Responsibilities for correct use of personal information about individual members of the public and members of staff are set out in the Data Protection Act 2018 and the UK General Data Protection Regulation (GDPR).
- 2.12 Under Article 37 of the UK GDPR a DPO shall be designated where the processing is carried out by a public authority or body, except for courts acting in their judicial capacity. As a Public Authority, NFRS has appointed a DPO in line with the UK GDPR.

Title: Information Governance and Data Protection Officer
Contact Tel: 0115 8388871
Contact Email: DataProtection@notts-fire.gov.uk

- 2.13 The information shall be processed under Article 13 and 14 and provided in writing, or by other means, including, where appropriate, by electronic means and is commonly referred to as a Privacy Notice. NFRS has put in place a Privacy Notice accessible via the NFRS public website [Cookie and Privacy statement - NFRS \(notts-fire.gov.uk\)](#). Increased training is under consideration to ensure staff are able to make individuals aware of the information and provide guidance on how to access it.
- 2.14 Part of NFRS's obligations under the UK GDPR is to respond to the rights of the data subjects to which NFRS processes their personal data. The right of access by the data subject for their personal data held by NFRS comprises part of this obligation. For the financial year 2022/23, NFRS received 23 requests for information from a data subject, of those requests 13 (60.9%) were completed within the statutory timeframe of one month or where NFRS has extended the deadline due to complexity by a further 2 months.

Figure 2.14.1: Volume comparison of subject access requests across the NFRS in the financial years 2022/23, and 2023/24.



** This includes those requests closed until further information is provided or where the request is awaiting finalisation.*

- 2.15 The UK GDPR introduces a duty on all organisations to report certain personal data breaches to the Information Commissioner’s Office. NFRS must do this within 72 hours of becoming aware of the breach, where feasible. No incidents recorded by NFRS were deemed high risk that required the Information Commissioner’s Office (ICO) to be notified in the year 2022/23.
- 2.16 Work continues to support NFRS GDPR compliance. This included ongoing mandatory data protection eLearning for all staff. For the Data Protection course, there were 704 users with 697 completions (99%) and 7 non completions (1%).
- 2.17 Further work is being undertaken to revamp the Data Protection Hub within NFRS SharePoint. The overall aim is to provide NFRS employees with practical and clear information regarding their legal obligations under UK data protection laws.
- 2.18 The implementation of the Data Management Fire Standard is underway and the NFRS is focusing on 10 key areas for data protection which are:
- Leadership and Oversight;
 - Policies and Procedures;
 - Training and Awareness;
 - Individual Rights;
 - Transparency;
 - Record of Processing and Legal Basis;
 - Contracts and Data Sharing;

- Risks and Data Protection Impact Assessments;
- Records Management and Security;
- Breach Response and Monitoring.

2.19 NFRS has completed a gap analysis and incorporated changes to future and existing work-streams. The outcome of the work being undertaken will show that NFRS sets high standards for privacy and leads by example, to promote a positive attitude to data protection across the Service, minimise the risks of what the Service does with personal data by putting in place appropriate and effective policies, procedures, and measures.

2.20 Due to the importance of protecting the information NFRS uses, including personal information, work is continually undertaken to keep NFRS cyber security measures up to date. The ICT Security department is in the process of renewing the Cyber Essentials Plus certification for NFRS scheduled for September 2023.

2.21 NFRS ICT policies and procedures help ensure continual maintenance of NFRS cyber security and the protection of information and data within NFRS ICT systems, including for remote access and home working.

REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA)

2.22 NFRS is authorised by the Regulation of Investigatory Powers Act 2000 (RIPA) to undertake some types of covert investigation for the prevention or detection of crime, the prevention of disorder, or in the interests of public safety.

2.23 Investigatory actions under RIPA for NFRS could include, for example, false persona used to get information in closed social media groups about events with a high fire risk, unannounced photographs from an unmarked vehicle or non-identified staff to check use of a premises with a fire safety prohibition notice.

2.24 There were no applications for covert investigations at NFRS under RIPA from April 2022 to March 2023.

3. FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS

All NFRS staff are required to complete Data Protection training every two years, with an awareness activity in the alternate year to help manage information risks. Quarterly completion checks run for new and returning staff.

5. EQUALITIES IMPLICATIONS

An equality impact assessment has not been undertaken because this is an information report with no recommended changes.

6. CRIME AND DISORDER IMPLICATIONS

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

7. LEGAL IMPLICATIONS

This report is designed to give the Fire Authority assurance that NFRS is meeting its legal duties under Freedom of Information Act 2000, Data Protection Act 2018 and the General Data Protection Regulation, and Regulation of Investigatory Powers Act 2000 (RIPA).

8. RISK MANAGEMENT IMPLICATIONS

- 8.1 The Information Governance and Data Protection Officer (IGDPO) role helps ensure NFRS meets its legal obligations under the Data Protection Act 2018 and Freedom of Information Act 2000.
- 8.2 Work across the Service ensures NFRS meet duties under Data Protection law. Measures include privacy impact assessments for new uses of data, privacy notices, information sharing agreements, training for all staff, and audits of data protection measures. These measures help NFRS protect personal information and help make sure personal information is available when needed. This reduces the risk of non-compliance with data protection requirements, reducing the risk of reputational damage to NFRS and reducing the risk of fines under the UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018 (DPA 2018).
- 8.3 Procedures are in place to help identify any data loss or near miss, with clear incident response and risk assessment processes. As it is a 24-hour service NFRS ensures DPO advice is available within the statutory window of 72 hours to report a serious personal data breach. Bank holidays and DPO leave are covered Monday – Friday in collaboration with Derbyshire Fire & Rescue Service and South Yorkshire Fire & Rescue Service.
- 8.4 Regular RIPA training is provided for all NFRS staff potentially involved in applying or authorising covert surveillance under RIPA. This reduces the risk of non-compliance and reduces the risk of prejudicing the value of any evidence gathered under RIPA.

9. COLLABORATION IMPLICATIONS

- 9.1 The DPA 2018 and UK GDPR include the duty for notification of serious personal data breaches to the Information Commissioner. NFRS has a nil-cost Service Level Agreement with Derbyshire Fire & Rescue Service and South Yorkshire Fire & Rescue Service ensuring bank holiday and absence cover for information breach reporting to the Information Commissioner (where needed within 72 hours).
- 9.2 The Information Governance and Data Protection Officer is a member of Nottinghamshire Information Officers Group.

10. RECOMMENDATIONS

That Members note the contents of this report.

11. BACKGROUND PAPERS FOR INSPECTION (OTHER THAN PUBLISHED DOCUMENTS)

None.

Craig Parkin
CHIEF FIRE OFFICER

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