



## **NOTTINGHAMSHIRE & CITY OF NOTTINGHAM FIRE & RESCUE AUTHORITY**

**MINUTES of the meeting held at Fire and Rescue Services HQ, Bestwood Lodge, Arnold Nottingham, NG5 8PD on Friday 26 July 2019 from 10:30am to 11:10am**

### **Membership**

#### Present

Councillor Michael Payne (Chair)  
Councillor Toby Neal (Vice Chair)  
Councillor Andrew Brown  
Councillor John Clarke  
Councillor Sybil Fielding  
Councillor Vaughan Hopewell  
Councillor Jawaid Khalil  
Councillor John Longdon  
Councillor Salma Mumtaz  
Councillor Shuguftah Quddoos  
Councillor Mike Quigley MBE  
Councillor Nick Raine  
Councillor Parry Tsimbirdis  
Councillor Stuart Wallace  
Councillor Jonathan Wheeler  
Councillor Jason Zadrozny

#### Absent

Councillor Gul Nawaz Khan  
Councillor Sue Saddington

#### Also in attendance

Paddy Tipping, Nottinghamshire Police and Crime Commissioner

### **Colleagues, partners and others in attendance:**

Connie Green - Solicitor  
Craig Parkin - Deputy Chief Fire Officer  
Ian Pritchard - Assistant Chief Officer  
Charlotte Radford - Treasurer to the Authority  
Catherine Ziane-Pryor - Governance Officer

## **11 APOLOGIES FOR ABSENCE**

Councillor Sue Saddington - leave  
Councillor Gul Nawaz Khan - personal  
John Buckley (Chief Fire Officer)  
Becky Smeathers (Head of Finance)  
Malcolm Townroe (Clerk and Monitoring Officer)

## **12 DECLARATIONS OF INTERESTS**

None.

## **13 MINUTES**

The Authority Members confirmed the minutes of the meeting held on 7 June 2019 as a correct record and they were signed by the Chair.

## **14 CHAIR'S ANNOUNCEMENTS**

Councillor Michael Payne informed the Authority that whilst John Buckley, Chief Fire Officer, was recovering from a minor operation, he continues to maintain contact and Craig Parkin will deputise in his absence.

With regard to collaboration, the planning application for the Joint Police and Fire Service Headquarters has been submitted to Gedling Borough Council.

The Joint Derbyshire and Nottinghamshire Control Centre went live at the beginning of July. Councillors have requested that members are able to visit the Centre so this will be arranged for September.

The Audit of the Authority's Accounts has been delayed due to the capacity of the Auditors, Ernst and Young. This is not an isolated issue and has impacted many Local Government organisations. The Chair has already written to Ernst and Young to express the disappointment of the Authority at how the Service has been let down. The issue has also been raised with Central Government and a request made that Ernst and Young are penalised for tendering for a contract that they could not meet. It is hoped that Central Government will intervene and ensure that nothing like this happens again.

On 15 July 2019, the Deputy Chief Officer attended a meeting in London with the National Joint Council (NJC) employers as part of the consultation and negotiations relating to the annual pay award for firefighters and broadening the role. There was a consensus that a pay award be made of 2%, as budgeted for by this Authority and that the negotiations on broadening the role of firefighters should be restarted to maintain an active dialogue with the employees' representatives. It is noted that the pay settlement will be at a local cost but that Central Government does have a role.

The Fire Brigade's Union won its case regarding the 2015 pension scheme on the basis that implementation discriminated on age. The dispute will now go to tribunal for remedy and members of the Authority will be kept informed.

Councillor Andrew Brown supported the Chair's action with regard to the External Auditors of Ernst and Young, and that the company must not be allowed to continue without penalty.

## **15 ANNUAL GOVERNANCE STATEMENT 2018/19**

Charlotte Radford, Treasurer to the Authority, presented the report that is submitted annually to the Authority.

The report updates members on all forms of internal and external assurance and how issues previously identified have been addressed.

Craig Parkin, Deputy Chief Fire Officer, informed the Authority that Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) will be consulting on an approach to governance inspections of Authorities where these have been identified as Services meeting a certain criteria. Members will receive more information when it is available.

**RESOLVED to approve the Annual Governance Statement 2018/19.**

**16 FINAL ACCOUNTS 2018/19**

Charlotte Radford, Treasurer to the Authority, introduced the report that presents the unaudited Final Accounts for 2018/19 and thanked the members of the Finance Team for their very hard work.

It is noted that following the outcome of the firefighter's pension court case, there will be financial ramifications that will affect the Service, but also the Local Government Pension Scheme.

Paddy Tipping, Police and Crime Commissioner, suggested that in future years the accounts could be presented in a more condensed format.

Once audited, the accounts will be submitted to the Authority for final approval.

**RESOLVED to:**

- (1) approve the unaudited Statement of Accounts for 2018/19, as attached to the report at Appendix A;**
- (2) note the financial results for the 2018/19 year for Nottinghamshire Fire Safety Limited, as attached to the report at Appendix B.**

**17 PAY POLICY**

Craig Parkin, Deputy Chief Fire Officer, presented the Pay Policy Statement for approval by the Authority, in line with the requirements of the Localism Act 2011. Once approved, the Policy will be published on the Service website.

The HMICFRS inspection acknowledged the pressure on the on-call system nationally, including pay remuneration. Consideration of the on-call system is an ongoing piece of national work through the National Fire Chief's Council and will include consideration of availability issues.

**RESOLVED to approve the Statement of Pay Policy attached as Appendix A to the report.**

**18 HER MAJESTY'S INSPECTORATE OF CONSTABULARY AND FIRE AND RESCUE SERVICES FINDINGS**

Representatives of the Fire Brigades Union (FBU) submitted a question that was considered and responded to following the presentation of the report and prior to questions from Authority members.

Craig Parkin, Deputy Chief Fire Officer, introduced the report that presents the outcomes from the recent inspection by HMICFRS. A further report detailing how the Service is responding to the inspection report will be presented to the Authority at the September meeting.

Overall, the Service was assessed as 'requires improvement' with the following 'good' areas:

- protecting the public through fire regulation;
- responding to national risks.

Assessment findings in several areas reiterated the information that the Service had provided to inspectors, this is an acknowledgement that the Service has a good level of self-awareness.

The 'requires improvement' assessment of the people strand is disappointing as the Service placed great emphasis on developing the right culture, values and wellbeing within the workforce. It was stressed that the Service is not complacent and is already undertaking activities in order to strive for service improvements.

Representatives of the FBU asked the following question:

"The HMIC report highlighted several areas for improvement, one area is that the service should ensure staff are appropriately trained in safety-critical skills.

Currently Approved to Ride trainees are being used on retained appliances, these trainees have had very little training and are not trained for all types of incidents. Approved to Ride trainees are currently supernumerary on a normally crewed appliance.

The service has now been trailing the use of alternatively crewed appliances for over 6 months, crews of less than 4 are being mobilised to incidents with approved to ride trainees form part of these crews. In light of the HMIC report, does the Fire authority feel that is appropriate to be mobilising crews with Firefighters that have not completed any training for certain incident types?"

The Chair of the Authority welcomed the engagement by the FBU and responded to the question. It was stated that the arrangements had been thorough consultation with representative bodies prior to implementation of the alternative crewing trial, and that policies are subject to periodic review to ensure they are achieving the desired outcomes by appropriately serving communities. Officers welcomed continued discussion and engagement with the FBU.

Comments from members of the Authority included:

- (a) the reference within the inspection report to the monitoring of working hours, where whole-time firefighters also work at on-call fire stations and its impact on the team and public safety;
- (b) a need for an action plan to address the issues raised from the inspection which prevented the Service achieving good or outstanding. It is disappointing that such an action plan has not been submitted to this meeting, particularly as senior officers were aware of the embargoed content of the inspection report prior to its publication;

- (c) the comment of the inspectors that reliance on reserves to keep the Service financially afloat is not sustainable, has been raised by members of the Authority to be addressed;
- (d) reference to the need for further savings to be identified to prevent the future draw on reserves, pending future spending settlement announcements. It is vital that all elements of the Service and Authority work together to find the required savings;
- (e) the financial implications stated within the covering report as 'none'. It was queried as to whether this applies only to the presenting of the inspectors findings presented within this current report, as opposed to the financial impact likely to result from action required to improve assessment ratings;
- (f) whilst the new government has prioritised the Police force and provided funding for 20,000 additional officers, it is hoped that this will not be at the cost to the Fire Service, and that the value of all emergency services is recognised by Central Government.

Questions from members of the Authority were responded to as follows:

- (g) a more detailed response to the inspector's findings and an action plan will be presented to the members of the Authority in September. While the draft report was made available to Service Management by the HMICFRS at an earlier date, this was done so on the basis that the report remained embargoed and that it was for the checking of accuracy only. In consultation with the Chair, it was considered appropriate to present this report to members of the Authority at the earliest opportunity but then to submit a more considered detailed response in September which would enable time for thorough consideration of the inspectors findings alongside other streams of work required from the wider reform agenda;
- (h) With regards to the observation made by members that the financial implications within the covering report are stated as 'none', this is reference to the presentation of the inspectors findings, as opposed to any financial implications that will result from improvement activity required in response to those findings;
- (i) the use of reserves not being a sustainable practice is supported and is already reflected within the budget strategy. However, reserves have been used to implement the long-term changes necessary to achieve the required savings as implementing changes to staffing cannot be done immediately. There appears to be a conflict between HMICFRS saying that reserves should not be relied upon, whilst Central Government is advising that Local Government Authorities should draw on reserves to deliver change. There needs to be further clarity on this point. Significant savings have been made including a reduction of six appliances and a substantial reduction in workforce, with the main cost to the budget being salary. Central Government, through the Framework document suggest that reserves should be 5% of the budget. This is a very challenging area and one which will be the subject of a forthcoming comprehensive spending review;
- (j) with regards to the hours worked by on-call staff, this does not specifically differentiate between those full-time firefighters with on-call roles, and on-call firefighters who have other full-time employment. There needs to be a balance of hours being monitored and care taken to ensure on-call appliance availability;
- (k) the 10 minute response time was originally only applied to fires within domestic properties but this was broadened to include all incidents. There is an ongoing debate nationally as to

what response times should be. Opinions vary particularly when budget shortfalls are taken into consideration.

**RESOLVED to:**

**(1) note the report;**

**(2) agree to receive a report to the September Fire Authority meeting demonstrating the progress against the identified areas for improvement.**

**19 EXCLUSION OF THE PUBLIC**

**RESOLVED to exclude the public from the meeting during consideration of the remaining items in accordance with Paragraphs 1 and 3 of Section 100A(4) of the Local Government Act 1972 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.**

**20 REDUNDANCY PAYMENTS: PRINCE'S TRUST**

Craig Parkin, Deputy Chief Fire Officer, presented the report.

Members of the Authority expressed their sadness at the current and unavoidable position and acknowledged with thanks, the excellent work undertaken by loyal and dedicated employees.

**RESOLVED to approve the recommendations as set out in the exempt report.**