

Public Document Pack



Nottinghamshire and City of Nottingham Fire and Rescue Authority Policy and Strategy Committee

Date: Friday, 4 February 2022 **Time:** 10.00 am

Venue: Nottinghamshire Fire and Rescue Service Headquarters - Nottinghamshire Fire and Rescue Service Headquarters, Bestwood Lodge Drive, Arnold, Nottingham, NG5 8PD

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

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 12 November 2021 (for confirmation)	3 - 8
4 Adoption of National Fire Standards Report of the Chief Fire Officer	9 - 14
5 Collaboration Update Report of the Chief Fire Officer	15 - 20

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 967 0880

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:

Cath Ziane-Pryor
0115 8764298
catherine.pryor@nottinghamcity.gov.uk

Agenda, Reports And Minutes For All Public Meetings Can Be Viewed Online At:-
<https://committee.nottinghamcity.gov.uk/ieListMeetings.aspx?CId=219&Year=0>

If you would like British Sign Language interpretation at the meeting, please contact the service at least 2 weeks in advance to book this, either by emailing enquiries@notts-fire.gov.uk or by text on sms: 0115 824 0400



**Nottinghamshire and City of Nottingham Fire and Rescue Authority
Policy and Strategy Committee**

**Minutes of the meeting held at Nottinghamshire Fire and Rescue Service
Headquarters on 12 November 2021 from 10.02 am - 10.50 am**

Membership

Present

Councillor Michael Payne (Chair)
Councillor Sybil Fielding
Councillor Toby Neal (minutes 11-13)
Councillor Roger Jackson
Councillor Tom Hollis (substitute for Councillor Jason Zadrozny)

Absent

Councillor John Lee
Councillor Jason Zadrozny

Colleagues, partners and others in attendance:

Craig Parkin	Deputy Chief Fire Officer
Malcolm Townroe	Clerk and Monitoring Officer to the Authority
Becky Smeathers	Head of Finance and Treasurer to the Authority
Catherine Ziane-Pryor	Governance Officer

9 Apologies

Apologies were received from

Councillor Jason Zadrozny (Councillor Tom Hollis in attendance as a substitute)
Councillor John Lee
John Buckley, Chief Fire Officer

10 Declarations

No declarations of interests were made but it was noted that both Councillor Sybil Fielding and Becky Smeathers, Head of Finance and Treasurer to the Authority, are heavily involved in the Pensions Board, from which a report is submitted today.

11 Minutes

The minutes of the meeting held on 2 July 2021 (not 7 July 2021 as stated in error on the agenda) were confirmed as a true record and signed by the Chair.

12 Local Firefighter Pension Annual Report 2020/21

Becky Smeathers, Head of Finance and Treasurer to the Authority, presented the report which informs members of the activities of the Local Firefighter Pension Board and Scheme Manager up to 31 October 2021.

The following points regarding current pension issues were highlighted and questions from members responded to:

- a) following McLeod's finding that the 2015 firefighters pension scheme is age discriminatory, the case has been settled out of court and the Local Government Association (LGA) and Fire Brigades Union (FBU) have negotiated a memorandum of understanding and a framework agreement for handling immediate detriment cases;
- b) affected members of the 2015 pension scheme can be separated into two categories:

category one, members continuing to work up to retirement;
category two, members who have already retired and need a retrospective adjustment to their pensions;
- c) the Final Remedy Legislation should come into place in October 2023 but the courts have indicated that employers have a duty to address the age discrimination with immediate effect. Immediate Detriment is already being applied to category one members. Work to identify members in category two will start shortly;
- d) there is a risk that when the legislation finally comes into effect, it may slightly differ from the current proposal around which the framework was formulated, but if this is the case, the figures for any affected members will be reviewed;
- e) Central Government have provided a £63,000 grant, the majority of which is likely to be required by West Yorkshire Pension Fund (WYPF), which provides pension services to 21 Fire and Rescue Authorities, to update the pension system as currently calculations for individual cases are done by hand;
- f) there is concern regarding the required timescales for identifying people affected, which is predicted to be between 20 and 30 members, so NFRS are working to identify cases and forward them to WYPF;
- g) previously pension schemes included 1995, 2006, and then 2015, with some members nearing retirement, being moved onto the new scheme. However, as this took place on different dates, it was found to be discriminatory. All currently serving pension scheme members will change to the 2015 pension scheme as of 1 April 2022;
- h) there will be a financial impact on NFRS Payroll and HR as it has been necessary to authorise payroll overtime to complete the 'additional' work, the cost of which is predicted to be within the region of £5-6k but the ongoing costs cannot yet be quantified. An additional administrator in HR may be appointed to support the

work (dependent on budget approval), with additional costs to NFRS from WYPF likely to be £2-3K, which in the circumstances, can be considered reasonable;

- i) nationally, it is not clear how the tax implications will be refunded in some cases. However, the framework expects Fire Authorities to make good any payments to retired members to cover the tax variation element. Members will receive an update once the position of NFRS in reclaiming tax and interest payments has been clarified;
- j) promotion can have an impact on pension benefit and so whilst there is uncertainty on the impact, there has been a slowdown in staff applying for promotion. This is predicted to continue until the pension situation is clarified, so there has also been an operational impact;
- k) as employer rates increased by 9%, and the cost of the scheme varied more than 2%, a review of the 2015 scheme cost cap mechanism has been undertaken and the results are out for consultation with the aim to prevent any unfair burden on the tax payers;
- l) as a result of the 'Matthews and O'Brien case' regarding discrimination of part-time workers, current and former employees engaged since 2000 onwards, could buy back pensions and join the 2015 scheme. There is a challenge that this is discriminatory on age, and it proposed that employees should be able to backdate membership from the date their employment started, and not just from 2000. The LGA and Central Government are now in discussions. It should be noted that if agreed, there will be a huge impact on the Authority due to GDPR requirements whereby the authority no longer holds information on employees from this period. A creative approach is required to identify those affected and those who will be eligible for the extra pension. It is likely to be a complex process as many staff transitioned from part-time to whole time. There is also likely to be an impact on when current affected staff may leave. It is not yet known how many individuals will be affected;
- m) Fire Service pensions operate differently to local authority pensions in that they are unfunded and so there are no pension fund investments. NFRS pays out between £8 - £10 million per year in pensions, but this is claimed back from Central Government;
- n) through the LGA, NFRS does benchmark the cost of administering pensions and has changed suppliers to more cost-effective options. Having previously appeared mid ranking on administration costs, the Service can now expect to be within the lower cost rankings against other services. The internal administration cost for pensions can be calculated and reported to the committee at a future meeting;
- o) Central Government has provided an additional grant of £2.3 million to cover costs of increased employer superannuation contributions following the 2016 revaluation, but the increased cost totals nearer £2.5 million, and so the service has to fund the difference. Whilst costs are increasing, the grant, which isn't guaranteed long-term, remains stagnant;
- p) nationally, £800 million is paid out in pensions annually, but only £300 million per year, is coming in as contributions.

Members of the committee;

- q) expressed concern at the additional and unknown costs, both currently and in future, including the potential necessity to increase staffing to help enable the 62 day response requirement to be met;
- r) acknowledged the complexity of the task ahead;
- s) welcomed that the FBU has embraced a collaborative approach and negotiated a memorandum of understanding and contributed to and agreed the formulation of the framework;
- t) suggested that it may be beneficial to share some previous committee reports on pensions with newly appointed members to the authority to provide the background to the current position of different schemes running concurrently.

Resolved

- 1) to take note of the activity of the pension board and pension scheme manager along with the update on current pension issues;**
- 2) to approve the adoption of the framework for managing immediate detriment issues, as attached as appendix C to the report;**
- 3) to record the huge thanks and appreciation of the Chair, Chief Fire Officer and the Authority to the pensions administrators, West Yorkshire Pension Fund, particularly Helen Scargill, for their hard work and support, and for a formal letter of thanks to be sent from the Authority.**

13 Constitution Update

The Chair introduced the report which outlines the need to revise the current constitution to ensure it remains compliant with legislation, financial regulation and can meet the current and future needs of the Authority.

It is proposed that a draft revised constitution is produced by small working group consisting of the Chair, Chief Fire Officer, Clerk to the Authority and the Chief Fire Officer's Executive Support Officer identifying any elements in need of alteration or amendment. Members of the Policy and Strategy Committee will be asked to consider a final draft version prior to it being submitted to the Full Fire Authority meeting for approval.

Resolved

- 1) to approve the commencement of a review of the Authority's constitutional framework documents;**
- 2) for a working group to be established consisting of the Chair of the Authority (or vice-chair in the absence of the Chair), the Chief Fire Officer, the Clerk to the Authority, and the Chief Fire Officer's Executive Support Officer, to undertake the review;**

3) for an update report to be brought to a future meeting of the Policy and Strategy Committee.

14 Exclusion of the public

RESOLVED to exclude the public from the meeting during consideration of the remaining items in accordance with 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.

15 exempt minutes

The exempt minutes of the meeting held on 2 July 2021 were confirmed as a true record and signed by the Chair.

This page is intentionally left blank



NOTTINGHAMSHIRE
Fire & Rescue Service
Creating Safer Communities

Nottinghamshire and City of Nottingham
Fire and Rescue Authority
Policy and Strategy Committee

ADOPTION OF NATIONAL FIRE STANDARDS

Report of the Chief Fire Officer

Date: 04 February 2021

Purpose of Report:

To provide an update to Members on the work of the National Fire Chiefs Council Fire Standards Board and to outline the Service's strategic intent and progress on adoption of National Fire Standards.

Recommendations:

It is recommended that Members endorse the Service's approach to the adoption of National Fire Standards.

CONTACT OFFICER

Name: Craig Parkin
Deputy Chief Fire Officer

Tel: 0115 8388900

Email: craig.parkin@notts-fire.gov.uk

Media Enquiries Contact: Corporate Communications Team
(0115) 967 0880 corporatecomms@notts-fire.gov.uk

1. BACKGROUND

- 1.1 The Fire Standards Board (FSB) has been established by the National Fire Chiefs Council (NFCC) to oversee the identification, development, and maintenance of professional standards for fire and rescue services in England.
- 1.2 Standards are produced in consultation with fire and rescue services and cover a variety of activities including strategic, cultural, enabling and service delivery elements.
- 1.3 To date eight standards have been produced, with a further seven standards planned to be released in 2022.
- 1.4 Adoption is not mandatory however the standards are considered to be best practice and the expectation from Her Majesty's Inspectorate of Constabularies and Fire and Rescue Services (HMICFRS) is that Services are using them as a tool to promote continuous improvement. The standards have been, and will continue to be used as part of the inspection criteria.

2. REPORT

- 2.1 The Fire Standards Board released the first standard in February 2021. To date eight fire standards have been published covering the following areas:
 - Code of Ethics;
 - Community Risk Management Planning;
 - Emergency Response Driving;
 - Operational Competence;
 - Operational Learning;
 - Operational Preparedness;
 - Prevention;
 - Protection.
- 2.2 Initially standards were released as stand-alone documents, however following feedback the FSB has developed an implementation tool for each standard to support Services to undertake a self-assessment and identify the actions required to be compliant against the standard.
- 2.3 As with a number of other NFCC products, the Fire Standards provide a high-level outline of what Services should be doing to maintain professional standards, however it is for individual Services to determine the best way to achieve the desired outcomes.
- 2.4 Nottinghamshire Fire and Rescue Service (NFRS) has taken the strategic decision to adopt all fire standards. It has identified that central monitoring and reporting of progress is required and reports are now produced for scrutiny by the Chief Fire Officer at Performance and Programme Board on a six-monthly basis.

- 2.5 The first progress report was presented in September 2021 and provided a summary of progress relating to three fire standards. The outturn of the self-assessment indicated the Service was broadly compliant with the standards examined, with six actions identified in total to achieve full compliance. Performance and Programme Board will assume responsibility for monitoring completion of actions, with priority being given to those actions that present the greatest improvement opportunity to the Service.
- 2.6 The standards are designed to complement legal and other requirements placed on the Service, and it is therefore unlikely that significant high-risk gaps will be identified throughout the self-assessment process.
- 2.7 Although the initial progress report to Performance and Programme Board has centred around three standards, Members should be assured that work is progressing against all of the published standards.

3. FINANCIAL IMPLICATIONS

- 3.1 It is likely that financial implications associated with adoption of some Fire Standards will arise. Any significant finance or resource implications will form part of the ongoing business planning process, with reports provided to Members where appropriate for scrutiny and monitoring.
- 3.2 The trial self-assessment process with the three standards which has taken place has not identified any significant implications beyond those already identified as part of routine business planning and development activities.

4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS

A number of the standards have human resource and learning and development implications. Where there are new activities which arise as part of the GAP analysis process, these will be addressed by the Strategic Leadership Team.

5. EQUALITIES IMPLICATIONS

An equality impact assessment has not been undertaken because the Fire Standards themselves are subject to an equality impact assessment as part of the development and consultation process.

6. CRIME AND DISORDER IMPLICATIONS

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

7. LEGAL IMPLICATIONS

- 7.1 A number of Fire Standards align with legal duties which the Service must comply with. These include duties under the Health and Safety at Work Act, Driving Standards Legislation and duties under the Fire and Rescue Services Act.
- 7.2 Although the Fire Standards are not a legal duty in their own right, they will form the basis of sector good practice, and therefore act as a measure of reasonableness for the standards the Service is expected to maintain.

8. RISK MANAGEMENT IMPLICATIONS

- 8.1 The HMICFRS inspection process is evolving to use the Fire Standards as the benchmark against which Services will be inspected. Effective self-assessment and centralised governance and reporting structures enables prioritisation of activities and ensures effective organisational awareness of compliance against standards and areas for development.
- 8.2 Fire Standards will form the basis of what is considered reasonable for Fire and Rescue Services. Failure to comply with Fire Standards may have implications on the expectations of the Inspectorate.
- 8.3 There is an expectation that Services will seek to meet sector defined standards. There is a reputational risk both to public, partners, and other stakeholders of failing to do so.

9. COLLABORATION IMPLICATIONS

- 9.1 The Fire Standards are being developed in collaboration with the fire sector. NFRS will actively participate with stakeholder groups and consultations to ensure the Service is able to influence and shape the standards before they are released.
- 9.2 There may be collaboration and shared learning opportunities that arise as Fire Standards are adopted. These will be managed locally by departmental managers as part of their sphere of responsibility and Service's collaboration framework.

10. RECOMMENDATIONS

It is recommended that Members endorse the Service's approach to the adoption of National Fire Standards.

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

None.

John Buckley
CHIEF FIRE OFFICER

This page is intentionally left blank



NOTTINGHAMSHIRE
Fire & Rescue Service
Creating Safer Communities

Nottinghamshire and City of Nottingham
Fire and Rescue Authority
Policy and Strategy Committee

COLLABORATION UPDATE

Report of the Chief Fire Officer

Date: 04 February 2022

Purpose of Report:

To present Members with an update on the Service's Joint Headquarters Programme.

Recommendations:

That Members note the contents of this report.

CONTACT OFFICER

Name:	Candida Brudenell Assistant Chief Fire Officer
Tel:	0115 967 0880
Email:	candida.brudenell@notts-fire.gov.uk
Media Enquiries Contact:	Corporate Communications corporatecomms@notts-fire.gov.uk

1. BACKGROUND

- 1.1 The Joint Headquarters Programme Board meets on a regular basis to oversee each of the projects identified as being required to deliver a successful joint Police and Fire Headquarters in 2021/22.
- 1.2 The Board regularly reports on progress to the Collaboration Delivery Board and Strategic Collaboration Board.

2. REPORT

JOINT HEADQUARTERS (JHQ) PROGRAMME

- 2.1 Issues relating to supply-chain delays, and subsequent impacts, have led to the delay of 'practical completion' on the Joint Headquarters new build project. This saw a delay of completion from 20 December 2021, as planned, to 20 January 2022.
- 2.2 On 10 January 2022, the Fire Investigation team co-located in the refurbished accommodation now shared with the Crime Scene Investigation team, vacating their previous accommodation at Mansfield Fire Station.
- 2.3 On 17 January 2022, the Nottinghamshire Fire and Rescue Service (NFRS) People and Organisational Development (POD) team moved from Bestwood Lodge to Sherwood Lodge. They have occupied the ground floor of the new building, along with colleagues from the Police Human Resources team.
- 2.4 The relocation of Pulp Friction from Bestwood Lodge to Sherwood Lodge will take place at the beginning of February. This will see them take up residence in the newly fitted restaurant facilities within the new-build premises at Sherwood Lodge.

A summary update on the eight key projects is provided for Members below:

- 2.5 **The New Build Development and Redevelopment project (P1)**
This project has experienced some delays due to supply chain issues and subsequent impacts on development. The new build element of the JHQ reached 'practical completion' on 20 January 2021 and was marked with the formal 'hand-over of keys' ceremony on this date. The development works on the current Sherwood Lodge building are now underway and are due for completion by June 2022.
- 2.6 A number of areas of development continue on the Sherwood Lodge site including additional car parking at the previous country park site to offer more spaces for staff and visitors, installation of a new higher-power generator for the site to offer more resilience, and continuing grounds work to improve accessibility.

- 2.7 Whilst the builders, Henry Brothers, have formally handed over the new-build project. They will remain responsible for ‘snagging’ and remedial works in the first 12 months of occupation.
- 2.8 Work has now started on preparing the area vacated by the Police Human Resources team where the Police and Fire Finance teams will be collocated from mid-February.
- 2.9 **The Legal Framework (P2) and Finance (P3)**
These projects have been closed as the legal framework and financial aspects for the Joint Headquarters have been finalised and reported to Strategic Collaboration Board and Members previously.
- 2.10 The financial costs of the Programme continue to be monitored closely however they are currently within budget and due to complete within the predicted spends. Members are reminded that the Service has a capped liability for contributions to the programme and therefore there is no risk of an over-expenditure for the Authority.
- 2.11 **Human Resources and People (P4)**
Work continues to progress for the necessary processes to ensure a smooth transition of personnel between the current Fire Headquarters and the new JHQ. These include vetting processes, a revised equality impact assessment, reasonable adjustments and workforce engagement including employee forums and joint meetings.
- 2.12 Regular joint employee meetings and staff engagement sessions are held to facilitate two-way communication. Steps are being taken to establish this as part of the long-term governance for JHQ and will feed into the Service’s Collaboration Delivery Board.
- 2.13 **Estates Development (P5)**
A review of both Estates Teams was undertaken to explore potential further opportunities for collaboration. The review reported that, at this stage, there was limited scope for further collaboration and this workstream was closed.
- 2.14 The Service will continue to work closely with the Police to explore opportunities where closer working can bring efficiencies that improve our delivery of services to communities.
- 2.15 **Decant from Bestwood Lodge (P6)**
Work is continuing on the disposal options for the Bestwood Lodge site including necessary legal and planning preparations.
- 2.16 Work is underway to relocate the Service’s Incident Command Training team to Mansfield station, which will also see the re-allocation of current space at the station to facilitate an upgrade to training facilities. Work also continues on the relocation of the Service’s stores to Highfields Fire Station to facilitate the vacation of Bestwood Lodge.

2.17 **ICT Project (P7)**

Work has been facilitated to enable the People and Organisational Development Team and the Fire Investigation Team to work effectively from the JHQ site. Work continues on the wider estate infrastructure to ensure a smooth transition for personnel.

2.18 **Fire Investigation and CSI Colocation (P8)**

The move of the Fire Investigation team was completed on 10 January with minimal disruption to the team.

2.19 The two teams continue to meet regularly to discuss ways-of-working, opportunities and to form stronger relationships between the two teams.

3. FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS

There are no human resources or learning and development implications arising from this report.

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 NFRS has a statutory duty under the Policing and Crime Act 2017 to consider collaboration with other emergency services to improve efficiency and effectiveness. The Authority's strategy assists in discharging its statutory duties.

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'. Collaboration has the potential to allow NFRS to secure improvements in the way that functions are delivered to communities.

8. RISK MANAGEMENT IMPLICATIONS

There are no risk management implications arising from this report.

9. COLLABORATION IMPLICATIONS

The collaboration implications are considered within the body of this report.

10. RECOMMENDATIONS

That Members note the contents of this report.

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

None.

John Buckley
CHIEF FIRE OFFICER

This page is intentionally left blank