Nottinghamshire & City of Nottingham Fire & Rescue Authority

MINUTES of the meeting held at Joint Fire / Police HQ, Sherwood Lodge, Arnold, Nottingham, NG5 8PP on 22 July 2022 from 10.31 am - 11.48 am

Membership

Present	Absent
Councillor Michael Payne (Chair)	Councillor John Clarke
Councillor Patience Uloma Ifediora (Vice Chair)	Councillor Tom Hollis
Councillor Callum Bailey	Councillor Jason Zadrozny
Councillor Steve Battlemuch	Commissioner Caroline Henry
Councillor Robert Corden	
Councillor Eddie Cubley	
Councillor Sybil Fielding	
Councillor Nicola Heaton	
Councillor Gul Nawaz Khan	
Councillor Johno Lee	
Councillor Nick Raine	
Councillor Mike Quigley MBE	
Councillor Dave Trimble	
Councillor Roger Upton	
Councillor Jonathan Wheeler	

Colleagues, partners and others in attendance:
Craig Parkin – Chief Fire Officer
Becky Smeathers – Head of Finance and Treasurer to the Authority
Malcolm Townroe – Clerk and Monitoring Officer to the Authority
Candida Brudenell – Assistant Chief Fire Officer
Catherine Ziane-Pryor – Governance Officer

11 Apologies for Absence

Councillor John Clark - other County Council business
Councillor Tom Hollis
Councillor Jason Zadrozny – leave
Commissioner Caroline Henry

12 Declarations of Interest

None.

13 Minutes

The minutes of the meeting held on 27 May 2022 were confirmed as a true record and signed by the Chair.

14 Chair's Announcements

a) Former Councillor and Fire and Rescue Authority member Vaughan Hopewell.
It was with sadness that the Chair informed the meeting that former Councillor and Fire and Rescue Authority member Vaughan Hopewell, had passed away on 18 June 2022. Vaughan was a popular Councillor and well-respected by all political groups, particularly for his dedication to communities and good sense of humour. The sympathies of the Chair and members of the Authority are extended to his family, friends and colleagues.

Those in attendance respected a minute's silence in memory of Vaughan Hopewell.

b) Heat Wave and High Service Demand.
The extreme heat of the past few days and heightened emergency response demands on the Service has emphasised the valuable service provided. Some fires are suspected to have been deliberately set and there have even been incidents of firefighters being attacked whilst attending, which is absolutely outrageous. Fire and Rescue Service employees undertake heroic work, particularly on the front line with the requirement to wear protective kit and equipment during a 40°C heat wave whilst fighting fires. Control Room staff were also extremely busy and worked exceedingly hard.

Action: The Chair expressed thanks and gratitude on behalf of the whole Authority and requested that the Chief Fire Officer ensure that staff receive a formal acknowledgement appreciating the outstanding and valuable work they undertake, particularly in such challenging circumstances.

c) New Joint Service Headquarters Official Opening.
The official opening of the new Joint Service Headquarters is scheduled for Thursday 28 July 2022, the details of which have been circulated to members.

d) New Incident Command Training Suite.
A new Incident Command Training Suite has been established at Mansfield Fire Station as just one element of Service improvement. An opening date is yet to be confirmed.

e) Reform White Paper Consultation.
Members of the Authority are reminded that the Reform White Paper Consultation closes on 26 July 2022, so there is still time if members wish to respond as individuals.

f) HMICFRS Inspection report.
Following Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) inspection at the end of 2021, the formal report will be issued on 27th of July 2022 and will be circulated to members.

g) The National Joint Council Pay Award.
The National Joint Council has proposed a pay award of 2%, on which Trade's Unions have consulted members, and unsurprisingly it has been rejected. It is too early to gauge the impact on the Service, but resilience planning is in process.

Members of the Authority commented;

h) the national pay offer is out of the control of the Authority, but it would not be unreasonable to place on record that members feel that the offer of 2% in current circumstances of significant rises of inflation and the cost of living is unacceptable. Industrial action is not wanted, so this situation needs to be resolved;

   The Chair responded that whilst in London he had been making the exact same point to the interim Secretary of State who had indicated that they did understand the issues around pay and that recommendations would be put forward that suggested something is done. Frustration is understood, especially coming from the public sector, but employees and employers need to come together in discussion;

i) it is noted that the military is no longer available to provide cover as it had in previous disputes.

j) a 2% pay offer is disrespectful, particularly following the national appreciation of our emergency services during the height of the pandemic. It's not surprising that firefighters feel undervalued and it's a concern that this will impact on staff morale. The Service needs to be properly funded;

   The Chief Fire Officer added that the Service still has the ability to request military assistance, although this was usually related to national incidents such as flooding, as the military firefighting appliances no longer exist. Business continuity arrangements are in place should firefighters withdraw their service, but service would be at a significantly reduced capacity. The Fire Chiefs Council is lobbying Central Government and urging caution as firefighters understandably feel undervalued in their role.

15 Committee Membership

Resolved to approve the following changes to membership of Authority Committees:

i. Councillor Eddie Cubley replaces Councillor Jonathan Wheeler on the Human Resources Committee;

ii. Councillor Jonathan Wheeler replaces Councillor Eddie Cubley on the Personnel Committee.

16 Annual Governance Statement 2021/22

Becky Smeathers, Head of Finance and Treasurer to the Authority, presented the report.

The following points were highlighted:

a) this report is usually submitted alongside the Statement of Accounts, but given the delay in submitting the Audit, and with it being a statutory requirement to report how the Service has complied to its Code of Governance, it is being presented now;

b) the Statement is attached to the report and includes an analysis of the effectiveness of the Governance Arrangements;

c) the Service continues to develop following Covid and will continue to develop further following the recent extreme heat which has led to some areas of business continuity being reviewed;

d) assessments of budget monitoring and efficiency processes are set out, along with the significant future issues identified which may impact on the Service;

e) the External Audit opinion was received by the Finance and Resources Committee at its meeting in June, for which the external auditors' opinion concluded substantial assurance with regard to the Governance arrangements which are considered well developed, evolving and fit for purpose, including standards, policies, strategies, planned and reviewed budget.

Members of the Authority commented that with so much changing so rapidly, even since the beginning of the year, it is important to closely monitor and respond where necessary where there may be impacts on the Service.

Resolved to approve the Annual Governance Statement 2021/22.

17 Annual Statement of Assurance 2021/22

Candida Brudenell, Assistant Chief Fire Officer, presented the Annual Statement of Assurance 2021/22, seeking approval from the Authority to publish the statement which sets out how the Service has performed against the year three strategic actions of the Integrated Risk Management Plan (strategic plan), including specific information relating to the past year.

The following points were highlighted:

a) the Service has launched a new public website which is even easier to use and more accessible;

b) the key achievements of the past year are listed as either holding steady or improving and productivity has returned to pre-Covid levels;

c) recognition of the Service included:

   i. National Fire Chiefs Council acknowledging the work of the Service during Covid to support communities and the East Midlands Ambulance Service;

   ii. OFSTED stating that the Service had made significant progress in meeting the requirements to provide the accessible firefighter partnership programme;

   iii. the Service has been awarded a gold standard and placed amongst the top 100 employers list within the UK with regard to inclusion in the workplace LGBT+;

d) a summary of the range of key achievements against the Strategic Plan 2019 to 2022 are listed in the report and presented as an easy access infographic within the Statement document;

e) citizens should feel assured that the Service is performing well and operating with transparency and accountability.

Members' questions were responded to as follows:

g) the height of the pandemic did impact on Service activity as the Service responded to additional social priorities whilst the demand for normal response reduced, but the Community Safety Committee will consider the comparative information with previous year's activity;

h) itis an ongoing challenge to make citizens understand that the Service is no longer just a fire brigade but undertakes much broader roles, including prevention work and its cost effectiveness, which is evidenced by the work of the National Fire Chiefs Council and Nottingham Trent University with regard to the value for money of preventative investment;

g) with regard to collaboration, to improve community outcomes the Service has been working with Nottingham Trent University on several strands of work including the examination of how effectively the Service is targeting and conducting safe and well visits. The results were reported to Community Safety Committee and stated that the Service is correctly targeting the CHARLIE profile of vulnerable citizens. This approach and nationally valuable work was noted by HMICFRS;

h) with regard to the Cadet Scheme, discussions around finance are ongoing. An update will be available at the September member's seminar.

Members' comments included:

i) the style of the easy-to-read and understandable document is welcomed as being accessible to more citizens, regardless of the language they speak;

j) there's a lot for the Service to feel proud about and this needs to be more readily shared with our communities;

k) there needs to be consistency of reporting figures in each format presentation, even if the complete information is included elsewhere in the document;

n) we need to promote the broad activity of the Service more thoroughly to our communities so they can better understand the value of the Service;

o) the Worksop Station staff provided a good turnout and presence at Worksop Pride event and promoted the Service well;

p) the Service will also be attending the Nottinghamshire Pride event in Nottingham on 30 July 2022.

Resolved to approve the Annual Statement of Assurance 2021-22 for publication.

18 Closure of the 'Areas for Improvement' from the 2019 HMICFRS Inspection

Candida Brudenell, Assistant Chief Fire Officer, presented the report which updates Authority members on the progress to address all Areas For Improvement (AFI) identified by Her Majesty's Inspectorate Of Constabulary and Fire and Rescue Services (HMICFRS) inspection in 2019.

All 24 AFI have now been addressed and formal closure is now requested.

The Chair, Councillor Michael Payne, and Councillor Jonathan Wheeler, the Lead Spokesperson for the Opposition, welcomed the closure and congratulated everyone for their work in achieving completion of all AFI, including members who had participated in scrutiny at a level which needs to be maintained.

Resolved to approve the closure of the Areas for Improvement from the 2019 HMICFRS inspection.

19 Statement of Pay Policy

Craig Parkin, Chief Fire Officer, presented the report which is required to be published each financial year.

The following points were highlighted and questions from members responded to:

a) the main changes since the last Statement of Pay Policy are identified in the report and summarised as follows:

   i. a gender pay difference in median pay of 8.2%;
   ii. mean average pay is £35,199 per annum;
   iii. confirmation of the national pay awards;
   iv. a national increase in Chief Officer Pay;
   v. the cost of the corporate health care scheme membership;
   vi. no compulsory redundancy compensation payments made in 2021/22;
   vii. two settlement payments made in 2021/22;
   viii. no early pension payments were made as a result of compulsory redundancy;

b) the Service is committed to paying the living wage, and has been since 2016;

c) with regard to gender and pay, most of the Service's appliances are on-call and not whole-time, this does tend to influence the range of applicants so the Service is aware that further positive work is required to broaden appeal;

d) it is appreciated that gender pay figures are impacted by the lack of female middle managers at the level of Station to Area Manager, but an initiative led by the National Fire Chiefs Council of Direct Entry is being trialled. This Service isn't currently taking part but will consider doing so in the future;

e) race representation is considered with regard to pay and the Ethnic Minority Alliance and BAME Advisory Group can provide guidance on engaging with and responding to BAME communities;

f) information which does not compromise the confidentiality of settlement payments is reported in the budget and can be shared with members;

Members' comments included:

g) the detail of this report is welcomed;

h) it needs to be emphasised that active firefighter roles attract a higher level of pay than the stated median pay level;

i) the gender pay gap for the average and mean pay are respectively 8.2% and 15% which remains too high;

j) the gender pay gap is big but members need more information on the gender representation for the lower wage bracket roles to gain a better understanding;

Resolved to approve the Statement of Pay Policy at Appendix A to the report.

20 Constitutional Update

Malcolm Townroe, Clerk and Monitoring Officer to the Authority presented the report which provides an update on:

i. the ongoing work of the Independent Remuneration Panel, with further information to be submitted to the September 2022 meeting of the Authority;

ii. proposed amendments to the overarching governance arrangements to ensure the constitution remains relevant and up to date. The approved document will be published on the Service's website.

a) Accompanying the covering report are two versions of the scheme of delegation, one of which includes the proposed amendments to update the scheme of delegation track changed.

b) The amendments proposed are:

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 & 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 & Rescue Authority;

ii. Scheme of Delegation Section 2(i) *(Inclusion of powers relating to the newly revised Building Safety Act 2022).*

iii. Scheme of Delegation Section 2(iv) Ex-Gratia Payments. The Chief Fire Officer may determine claims for ex-gratia payments, etc up to £1000 *(previously £250)* in respect of incidents affecting both employees and volunteers whilst they are carrying out

duties at the request of the Fire & Rescue Authority and where damage is caused to their personal belongings;

iv. Scheme of Delegation Section 2(vii) Conversion of Posts. The Chief Fire Officer has delegated authority *in consultation with the Chair of the Authority* to approve the conversion of *uniformed* posts *to non-uniformed posts;*

v. Scheme of Delegation Section 2(viii) Claims against the Authority. The Chief Fire Officer has delegated authority to settle:

- Any claim against the Authority up to a maximum level of £25,000 *(previously £15,000);*
- Any claim against the Authority in excess of £25,000 *(previously £15,000);*

following consultation with the Chair, Vice Chair and Opposition Spokesperson(s).

c) Craig Parkin, Chief Fire Officer, explained that this is part of the process to enable more operational flexibility whilst maintaining accountability and preventing delays. Fire Authority members will maintain scrutiny and delegations will be reported to the relevant committee. Within the pay budget the revised delegation will support the CFO in responding flexibly to the needs of the Service in a timely manner, whilst maintaining member involvement;

d) Becky Smeathers, Head of Finance and Treasurer to the Authority, assured members that with regard to Pensions, where powers are not set by the Firefighter's Pension Scheme, there are some local powers of delegation which have been approved by the Authority. However, where previously some blanket delegations were in place, the LGA has now advised that issues should be dealt with on an individual basis. Revision to the delegations will better enable this so it is intended to submit a revised delegation framework to the Finance and Resources Committee in due course for consideration;

e) the Chair commented that in the simplest of terms, the revision would enable the CFO to undertake the duties which every other Head of Paid Services does within all other Local Authorities;

Due to the presentation of the report shortly prior to the meeting, some members of the Authority requested that consideration of the report is deferred to the next Authority meeting to enable thorough consideration.

Whilst most members supported the recommendations in principle, a short adjournment between 11.38am and 11.44am was called to enable Lead members and Officers to discuss how the Authority should progress regarding this report.

Following an informal discussion between the Chair, Chief Fire Officer, Clerk and Lead Opposition spokesperson, a revision to recommendation 2 was proposed and seconded as follows:

> 'to approve the updated and revised Scheme of Delegation attached as Appendix 1 to this report, subject to a review of the Scheme of Delegation being submitted to the Authority at its December 2022 meeting.'

Members of the Authority requested that all further reports are submitted in a timelier manner to enable Authority members, citizen and Trades Union Representatives to read, digest and effectively respond.

A regular review of the constitution is welcomed.

Resolved:

1) to note the update on the work being undertaken in respect of the Constitutional Framework and by the Independent Remuneration Panel;

2) to approve the updated and revised Scheme of Delegation attached as Appendix 1 to the report, subject to a review being submitted to the Authority at its December 2022 meeting.

21 Committee Outcomes

The report provides the minutes of the following meetings:

Community Safety Committee 01 April 2022; 17 June 2022
Finance and Resources Committee 22 April 2022; 24 June 2022
Human Resources Committee 29 April 2022; 01 July 2022
Policy and Strategy Committee 13 May 2022; 24 June 2022

Resolved to note the report.