



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

**Minutes of the meeting held at Joint Fire / Police HQ, Sherwood Lodge, Arnold,
Nottingham, NG5 8PP on 27 January 2023 from 10.00 am - 10.58 am**

Membership

Present

Councillor Michael Payne (Chair)
Councillor Sybil Fielding
Councillor Patience Uloma Ifediora
Councillor Mike Quigley MBE
Councillor Jonathan Wheeler
Councillor Tom Hollis (Substitute for Councillor Jason Zadrozny)

Absent

Councillor Jason Zadrozny

Colleagues, partners and others in attendance:

Craig Parkin – Chief Fire Officer
Mick Sharman - Acting Assistant Chief Fire Officer
Damien West - Area Manager Head of ICT, Corporate Support
Becky Smeathers - Head of Finance and Treasurer to the Authority
Malcolm Townroe – Clerk and Monitoring Officer to the Authority
Catherine Ziane-Pryor – Governance Officer

15 Statements made by the Chair on behalf the Service and Fire Authority

Councillor Michael Payne, Chair, informed the committee that a statement had been made in support of firefighters who were injured fighting the recent fire that took place in Edinburgh City Centre. Our thoughts are with them and their families.

Today is National Holocaust Memorial Day. On behalf of the Authority and Service we remember the six million Jewish men, women and children, who were murdered by the Nazis and their collaborators, and all victims of Nazi persecution and all subsequent genocides.

The meeting observed a minute's silence.

16 Apologies for Absence

Councillor Jason Zadrozny (Councillor Tom Hollis substituting)
Councillor Tom Hollis for his delayed arrival.

17 Declarations of Interest

None.

18 Minutes

The minutes of the meeting held on 11 November 2022 were confirmed as a true record and signed by the Chair.

19 Framework for Application of Firefighter Pension Scheme Abatement Policy

Becky Smeathers, Head of Finance and Treasurer to the Authority, presented the report which provides a framework for the application of the Abatement Policy for the Firefighters' Pension Scheme by which discretionary abatements will be guided, as requested at the last Committee meeting.

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

- a) Previously a blanket policy had been in place, but following the advice of the LGA, the policy is to be revised and consideration given on an individual basis if there is a clear exceptional benefit to the Service in doing so. This was agreed at the last meeting;
- b) An Abatement Discretions Panel consisting of 3 senior officers is proposed for making decisions which are then reported to the Pension Board, which is a publicly transparent committee meeting three times a year, which in turn reports annually to the Fire Authority;
- c) It is suggested that if the Pensions Board, which includes elected and pension specialist members, identify any issues or concerns, they can raise these with the Authority through the elected member.

Committee members' comments included:

- d) The report is welcomed as providing exactly what the committee had requested, with a clearly explained pathway for decisions, rationale and framework;
- e) These issues are about people's lives and life planning. It's not fair for one Service officer to be expected to take such decisions in isolation so the shared responsibility and consideration of a Panel is welcomed;
- f) The transparency of the proposed framework is welcomed but it should be reviewed in a year's time to ensure the arrangements are appropriate and if more regular reporting of pension abatement decisions is required.

Resolved to approve:

- 1) **the following rationale for making the abatement decisions relating to the firefighters' pension scheme:**
 - **there is an overall financial benefit in doing so (for example avoiding the need to employ alternative staff at higher cost);**
 - **re-employment is required to enable the Service to deliver a statutory or key function or project;**
- 2) **the creation of an Abatement Discretions Panel consisting of an Assistant Chief Fire Officer, Head of People and Organisational Development (or representative) and Head of Finance (acting as delegated Scheme Manager);**
- 3) **decisions of the Abatement Discretions Panel are reported to the Pensions Board and then the Policy and Strategy Committee by way of the Pensions Annual Report.**

20 Manchester Arena Inquiry - Volume 2

Mick Sharman, Acting Assistant Chief Fire Officer, presented the report which summarises Volume 2 of the Manchester Arena Inquiry, focusing on the impact of inadequacies in the planning and preparation by emergency services and in the emergency response.

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

- a) Volume 1 of the enquiry focused on the security arrangements, and Volume 3, which is expected to be published in spring 2023, will focus on the security services and counter terrorism police;
- b) Volume 2 has brought some clarity to response arrangements of emergency services during the incident. Undoubtedly the report is worth reading in full;
- c) Powerful language is used in the damning report, such as 'inadequacy of planning by emergency services in the emergency response', stating that 'the performance of emergency services was far below the standard it should have been' and refers to 'the ineffectiveness of response';
- d) the report identifies several areas as follows:
 - i. All Category 1 responders in attendance that night made mistakes in adhering to, and completing the tasks outlined in the Joint Emergency Services Interoperability Principles (JESIP), which are the principles by which emergency services work together to coordinate a multiagency approach to an incident. These principles weren't applied as robustly as they should have been which has been identified as a failure;
 - ii. Multiple failures in the communications that occurred, particularly between the agencies that responded, and also the particular understanding between the various services. The report identifies inadequate training for fire control room staff;

- iii. There was inadequate training for Fire Control and NILOs (National Inter- agency Liaison Officers), who deal with and share the high level intelligence of an incident, particularly in handling a situation where communications broke down;
 - iv. Poor decision-making highlighted the lack of understanding of partner agencies' capabilities and training, and a lack of understanding of what each service should bring to the incident and how they should work together;
 - v. There was a lack of understanding of Operation Plato which is the national identifier for the response to a marauding terrorist attack;
- e) Prior to the Manchester Arena incident, during the past 3-4 years, NFRS has taken a proactive approach to improve a number of areas that have been identified as failings with this report;
 - f) Volume 1 of the report acted as a catalyst to further energise and focus on the work that the Service has undertaken, but there is still further work to be done, including the review of operational policies and procedures relating to terrorist attacks;
 - g) The National Fire Chiefs Council (NFCC) is considering the report before issuing a collective sector response, including how the sector will learn lessons and move forward, not just as individual Fire and Rescue Services, but as a sector in addressing the recommendations clearly identified in the report;
 - h) NFRS will further consider its own processes and produce a further detailed action plan that will take on board the national recommendations;
 - i) It's very striking that the report highlights relationships and the importance of the Local Resilience Forums (LRFs). Nottinghamshire LRF is proactively taking the report into consideration and has formed a subgroup which is led by NFRS in terms of coordinating a response to volume 2;
 - j) Progress against the recommendations will feed into the Community Risk Management Plan (CRMP) and be reported to members.

The Chair commented as follows:

- k) It's difficult to comprehend 22 people being killed, 1,017 people being injured and the psychological trauma resulting from such an incident taking place in England;
- l) the report has a consistent theme of poor communication between agencies, and a lack of awareness of the capability, including equipment, of the Fire and Rescue Service. Risk aversion, insufficient muscle memory due to lack of training are also referenced, so we all need to know where the standard will be set;
- m) A concern which was first raised during the initial pandemic lockdown, is with regard to the arrangements for responding to significant scale incidents such as the national lock down or the Manchester Arena attack. The accountability mechanism doesn't and hasn't included the engagement and input of elected members who are representatives of the public and to be held accountable for the services that responded;

- n) During the height of the Covid pandemic, operational decisions were driven by the strategic decisions of the LRF with absolutely no accountability and oversight by elected members. During Covid, some decisions were operational emergency response, but also some of those strategic decisions were about removing people's rights or infringing on their ability to go about their day-to-day lives, taken in isolation by operational staff. Central government has accepted that there is a strategic missing link regarding accountability to elected members. It's important to know where accountability of the LRF sits. Current arrangements also leave LRF officers vulnerable;
- o) This is a serious public enquiry for an incident where there was significant loss of life and a huge impact. There is a lot of criticism in the report, not just against the Fire Service, but for all responding services. If the LRF takes the lead, it needs to be accountable;
- p) It is important for members to have the opportunity to feed into the LRF, and it is also suggested that once complete, all locally elected members, including members of Parliament, along with community leaders, are briefed on the work of the LRF to ensure that they comprehend the arrangements and if incidents occur, can provide informed reassurance to communities and citizens on the processes applied, having been determined by the LRF. This would help address one area of criticism following the Manchester Arena incident with regard to communication and understanding;
- q) Once the LRF work concludes in this area, it would be beneficial to receive a report on lessons learned, with a headline briefing and illustration of accountability of the LRF work;
- r) It is a serious concern that the paper reports that the £56,000 Central Government allocated funding specifically dedicated to support preparation to respond to a marauding terrorist attack, will be reduced to just £19,000 in the next financial year. Other Fire and Rescue Services may not have buildings and venues which were open to the threat, but Nottingham and Nottinghamshire do. More clarity needs to be reported to members and citizens, including if and where representations have been made, and the response of the National Fire Chiefs Council.

Craig Parkin, Chief Fire Officer, responded:

- s) The Service is looking to clarify the concerns around the LRF accountability, but the Fire Services Act sets out where the powers of the Authority sit, and where the role of the officers sit with regard to discharging the duties in particularly relating to large-scale emergency responses;
- t) Accountability is reflected in reporting to forums such as these, and the Fire Authority, with powers of intervention by the Secretary of State if the Service does not meet its duties and function as expected, so Central Government also has scrutiny over the Authority. 'Future of Fire Standards' relies on the integration and deployment of the latest technology, whilst HMICFRS requires evidence of learning from incidents and consideration of risk aversion. There is still work to be done with regard to the principles of joint working and ensuring shared knowledge and understanding. 'JESIP', the joint interoperability framework, was established to address identified gaps in collective coordination and communication between services. There is existing National guidance, some of which was followed, some of which hasn't been. Added to which, some

members may be aware that a paper is scheduled to be published focusing on the 'Reform of the Fire Service', including governance, standards and expectations that there will be a suggestion to implement a College of Fire;

- u) At its next inspection, HMICFRS will look in detail at training, competence, people and culture. Overall there is a lot of scrutiny of the Service and how it operates, including scrutiny around the LRFs and its resilience frameworks. It is anticipated there will be scrutiny of where elected members' roles end and operational independence. There is a lot of work ongoing and once officers are provided with more details, a report can be brought before members;
- v) Following significant incidents, Central Government established areas of focus work such as 'New Dimensions', with significant funding to kick-start implementation regarding emergency response to specific incidents such as terrorist chemical, biological, radiological and nuclear (CBRN) incidents. This Service has been involved in this and further national work, including around terrorism;
- w) The Service has a responsibility to identify local risks, which may include those listed above, and ensure that it can respond appropriately within normal operational capability. The additional funding enabled the establishment of this work, but the fire sector should have been building this type of risk into its response capability locally and nationally. The funding and teams debate is ongoing, including whether firefighters should be paid additional marauding terrorist attack (MTA) element.;
- x) In the instance of the Manchester Arena the Police took control to identify and neutralise the threat and gain an understanding of risk. If there had been a building collapse then the Fire Service would take the multiagency lead, but in terrorism cases, the Police take the lead and agencies work assess and identify a joint understanding of risk.

Members of the Committee commented:

- y) It's a concern that the main anger towards emergency services was focused on the Fire Service, but they too, along with paramedics were stopped from entering the scene by the Police until it was determined safe to do so;
- z) Retrospective opinion is easily presented, but it needs to be understood that it is not uncommon for such attacks to include secondary explosive devices aimed at emergency responders arriving on scene, so the Police had to determine the risk of this prior to allowing other services to enter the scene;
- aa) Emergency services have issued a very humbling apology. Services can sometimes find it difficult to be objective on their own operation, which is why the HMICFR review is useful in raising challenging questions.

Resolved to:

- 1) note the contents of this report and endorse the actions being taken by the Service in response to the Manchester Arena Inquiry recommendations;**
- 2) agree to receive further reports to enable monitoring and scrutiny on the implementation of learning.**

21 His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS), Areas for Improvement

Damien West, Area Manager Head of ICT, Corporate Support presented the update report on how the Service is responding to the areas for improvement (AFI) identified during the 2021 HMICFRS inspection.

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

- a) The AFI delegated to the Policy and Strategy Committee (AFI 1) is in regard to 'the monitoring, reviewing and evaluation of the benefits and outcomes of any collaboration activity undertaken by the Service';
- b) The report submitted today is similar to that presented to the Fire Authority in September 2022 and provides a good, positive response, which requires the evaluation of the committee;
- c) As outlined in the report, a gap analysis has been undertaken resulted in the following work streams:
 - i. Review of the Services' evaluation framework;
 - ii. Further engagements with the broader Fire Service Sector to identify best practice and understand areas for improvement. This has been initiated with Kent Fire and Rescue Service and learning will be applied;
 - iii. Continue external evaluation work, such as that undertaken with Nottingham Trent University;
 - iv. Ensure that evaluation criteria are embedded in the Service's culture and incorporated into the year two annual delivery plan and potential future collaborations;
 - v. For internal governance meetings, such as the Service's Community Risk Management Plan Assurance Board, to consider and review evaluations, ensuring that development and learning can occur, with regular updates provided to members of the Fire Authority;
- d) Members will receive progress updates, with the completion target date for all work streams set as June 2024.

Members of the committee:

- e) suggested that specific collaboration evaluation update reports are submitted twice yearly to the Policy and Strategy Committee to ensure the prominence of the work is maintained and members can monitor progress;
- f) expressed interest in gaining an understanding of the assessments of neighbouring Fire and Rescue Services such as Derbyshire, which collaborate with NFRS.

Resolved to:

- 1) note the 'Areas for Improvement' delegated to the Committee for scrutiny and monitoring;**

2) **agree the approach of the Chief Fire Officer for addressing the 'Areas for Improvement';**

3) **note the actions undertaken to date.**

22 Exclusion of the Public

RESOLVED to exclude the public from the meeting during consideration of the remaining item 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.

23 Exempt Minutes

The exempt minutes of the meeting held on 11 November 2022 were confirmed as a true record and signed by the Chair.

24 Resilience Update

Mick Sharman, Acting Assistant Chief Fire officer, presented the report.

Resolved to approve the recommendations as set out in the report.