



Minutes of a meeting of the Leicester, Leicestershire and Rutland Combined Fire Authority held at County Hall, Glenfield on Wednesday, 30 November 2022.

PRESENT

Mr. N. J. Rushton CC (in the Chair)

Mr. N. D. Bannister CC	Mr. R. Hills CC
Cllr. S. Barton	Mr. B. Lovegrove CC
Cllr. Hemant Rae Bhatia	Ms. Betty Newton CC
Cllr. K. Bool	Mr. J. T. Orson CC
Mr. B. Champion CC	Mr. C. A. Smith CC
Cllr. L. Fonseca	Cllr. M. Valand
Mr. D. A. Gamble CC	Cllr. P. Westley
Mr. D. J. Grimley CC	

In attendance

Callum Faint, Chief Fire and Rescue Officer
 Paul Weston, Assistant Chief Fire and Rescue Officer
 Karl Bowden, Interim Assistant Chief Fire and Rescue Officer
 Lauren Haslam, Monitoring Officer
 Amy Oliver, Treasurer
 Gavin Barker, Mazars
 Sam Law, Leicester City Council

47. Apologies for absence.

Apologies for absence were received from Councillor A Byrne, Mr K Ghattoraya CC and Mr S Bray CC.

48. Declarations of Interest.

The Chairman invited members who wished to do so to declare an interest in respect of items on the agenda.

No declarations were made.

49. Urgent Items.

The Chairman had agreed to receive a verbal update from the Chief Fire and Rescue Officer (CFO) on the London Fire Brigade's release of its cultural report, which had been damning. The CFO confirmed that LFRS's workforce actively promoted equality, diversity and inclusion and had restructured the service to ensure that specific staff were available to deal with any issues.

A staff feedback survey was undertaken on an annual basis and there had been a 52% response rate from the last survey. The results from this were still being analysed and would be presented to the next meeting of the CFA, along with the feedback from the HMICFRS inspection.

A query was raised as to whether there was confidence that there were fewer issues in Leicestershire, particularly as individuals would traditionally not feel comfortable in reporting incidents of bullying/racism etc. The CFO reported that the Fire Brigades Union was able to speak on behalf of individuals and an effective whistleblowing policy was in place. The CFO was confident that the culture within LFRS was significantly different to that of the London Fire Brigade, although he acknowledged that disciplinary issues did take place in relation to behaviour. The Senior Management Team regularly visited fire stations and were made aware of any issues and the CFO also posted vlogs to the Service. He stated that staff had challenged the use of certain language in these vlogs and he therefore felt that staff were confident in challenging him where required.

50. Chairman's Announcements.

The Chairman's announcements were circulated in advance of the meeting, a copy of which is filed with these minutes. The announcements covered the following matters:

- Charity Run
- New High Reach Appliance
- Nightclub Fire.

Members' attention was also drawn to a very recent fire at Epic House, Lower Hill Street, Leicester. Video footage captured at the fire was shown to the CFA; this showed the excellent work of the Service and demonstrated how the recommendations of the Grenfell Action Plan were being implemented.

51. Public Participation/ CFA Rules of Procedure Rule 9 - Member Questions.

It was reported that no questions had been received.

52. To confirm the minutes of the meeting of the Combined Fire Authority held on 28 September 2022.

The minutes of the CFA meeting held on 28 September 2022 were considered.

It was moved by Mr. Rushton CC and seconded by Councillor Rae Bhatia that the minutes of the CFA meeting held on 28 September 2022 be taken as read, confirmed and signed.

The motion was put and carried unanimously.

RESOLVED:

That the minutes of the CFA meeting held on 28 September 2022 be taken as read, confirmed and signed.

53. Appointment of Treasurer.

The CFA considered a report of the Solicitor and Monitoring Officer confirming the appointment of a new Treasurer and S112 Officer to the CFA. A copy of the report marked 'Agenda Item 7' is filed with these minutes.

Leicester City Council had appointed a new Director of Finance and S151 Officer, who would also assume the role of Treasurer and S112 Officer to the CFA. Amy Oliver had taken up the role from 21 November 2022. The delegations previously given to the Deputy S151 Officer would ultimately not be reviewed, although it was the intention that this officer (Colin Sharpe) would remain as the named Pension Scheme Manager and would usually attend the Corporate Governance Committee.

The recommendations contained within the report were moved by Mr Rushton CC and seconded by Councillor Rae Bhatia. The motion was put and carried unanimously.

RESOLVED:

To note:

- a) the appointment of Amy Oliver as the Treasurer and S112 Officer to the CFA, in her capacity as Director of Finance and S151 Officer for Leicester City Council; and
- b) that the Deputy S151 Officer (Colin Sharpe) remains as the named Pensions Scheme Manager.

54. Service Delivery Update.

The CFA considered a report of the Chief Fire and Rescue Officer which gave an update on the key service delivery performance for the period 1 July 2022 – 30 September 2022. A copy of the report marked 'Agenda Item 8' is filed with these minutes.

Arising from the discussion, the following points were raised:

- i) Members wished to commend officers on the work achieved around home fire safety checks. A query was raised around whether information was gathered in relation to people who were vulnerable. The Chief Fire and Rescue Officer reported that a number of home visits were made as a result of a referral from a partner organisation and information was shared across partners through First Contact. It was acknowledged that it was not possible to be aware of everyone who might need assistance, but it was known that there were currently 750 vulnerable people within the community who required a home fire safety check. Assurance was given that everyone was eligible to have a home fire safety check and were assessed on a priority matrix. The Service website publicised the home fire safety checks, but it was also agreed that elected members had an important role in promoting them to local residents.
- ii) Community Safety Partnerships were also felt to be a good way of promoting home fire safety checks. The possibility of representatives from these partnerships attending the CFA meetings would be explored.

The recommendation contained within the report was moved by Mr Rushton CC and seconded by Councillor Rae Bhatia. The motion was put and carried unanimously.

RESOLVED:

That the update provided on the key service delivery matters for the period 1 July – 30 September 2022 be noted, in particular:

- a) the continued improvement with prevention and protection over the three-yearly average;
- b) the proactive work being undertaken with businesses in relation to fire safety; and
- c) the positive feedback received from the public when responding to emergency incidents.

55. Day Crewing Plus Update.

The CFA considered a report of the Chief Fire and Rescue Officer which provided an update on the further activity undertaken regarding the withdrawal from the Day Crewing Plus duty system and the proposed transitional plan. A copy of the report marked 'Agenda Item 9' is filed with these minutes.

It was noted that the Service had developed a draft transitional plan along with an indicative timeframe for when stations would transfer to an agreed duty system. In order to ascertain the effectiveness of a new proposed self-rostering duty system, Coalville station would begin a pilot commencing in February 2023.

The recommendation contained within the report was moved by Mr Rushton CC and seconded by Councillor Rae Bhatia.

RESOLVED:

That the report and proposed transitional arrangements as the Service moves away from Day Crewing Plus be noted.

56. Industrial Action Update.

The CFA considered a report of the Chief Fire and Rescue Officer on the latest information regarding Industrial Action (including strike action) by the Fire Brigades Union (FBU). A copy of the report marked 'Agenda Item 10' is filed with these minutes.

Members were reminded that this was a national issue and was not something which could be resolved locally. The FBU had now submitted letters to employers which set out a trade dispute with them on the issue of pay and had also notified all employers of the intention to ballot FBU members for strike action. It was anticipated that the ballot would commence on 5 December and would close on 23 January 2023. Subject to the outcome of the ballot, the FBU would be required to give 14 days' notice of any intended strike action. LFRS had a business continuity plan in place so that statutory functions could continue to be met during any strike action.

The recommendation contained within the report was moved by Mr Ruston CC and seconded by Councillor Rae Bhatia. The motion was put and carried unanimously.

RESOLVED:

That the update and preparations for industrial action be noted.

57. Statement of Accounts and Annual Governance Statement 2021/22 and External Audit Update.

The CFA considered a report of the Treasurer seeking approval for the Authority's Annual Statement of Accounts and Annual Governance Statement 2021/22 and providing the Audit Completion Report from the External Auditor (Mazars) which detailed the audit work and recommendations. A copy of the report marked 'Agenda Item 11' is filed with these minutes.

It was noted that the external audit of the financial statements had progressed well and an unqualified opinion had been issued currently. The Treasurer would make any technical changes that could be required as the outstanding audit work was completed; any changes would be reported to the CFA.

The recommendations contained within the report were moved by Mr Rushton CC and seconded by Councillor Rae Bhatia. The motion was put and carried unanimously.

RESOLVED:

That:

- a) the External Auditor's Audit Completion Report (ISA 260 report) to those charged with Governance and the recommendations contained within it be noted;
- b) the Statement of Accounts 2021/22, subject to any technical changes that may be required following completion of outstanding audit work, be approved;
- c) the Annual Governance Statement 2021/22 be approved;
- d) the letter of representation submitted by the Treasurer be approved; and
- e) the Treasurer be authorised to make any technical changes that may be required following the conclusion of outstanding audit work, such changes to be reported back to the CFA.

58. Firefighters' Pension Scheme - Category 2 Immediate Detriment.

The CFA considered a report of the Scheme Manager which detailed the current approach to the Firefighters' Pension Scheme – Category 2 Immediate Detriment, which had been presented to the Local Pension Board at its meeting on 10 November. A copy of the report marked 'Agenda Item 12' is filed with these minutes.

At its last meeting, the Local Pension Board had considered whether the immediate detriment remedy should now be offered to these members in advance of the expected national implementation in October 2023. Following discussion, the Board agreed with the recommendation of the Scheme Manager and the Chief Fire and Rescue Officer not to make such an offer. This was largely due to the significant tax charges that would be incurred on any advanced remedy payments. The risks of not proceeding were noted, particularly that the FBU could support a legal claim on the grounds that the CFA was failing to implement the immediate detriment remedy at this time and also that an individual member could institute legal proceedings without such support.

It was also agreed that the recommendations should be revisited if the national position were to change significantly and that an urgent meeting would be convened.

The recommendations contained within the report were moved by Mr Rushton CC and seconded by Councillor Rae Bhatia. The motion was put and carried unanimously.

RESOLVED:

That:

a) the update be noted and any comments be made to the Scheme Manager and/or Chief Fire and Rescue Officer; and

b) the potential risks to the CFA of not offering the Category 2 immediate detriment remedy for retired members at this present time be noted.

59. Date of Next Meeting.

The next meeting of the Leicester, Leicestershire and Rutland Combined Fire Authority will be held on 8 February 2023 at 10.00am.

60. Exclusion of the Press and Public.

It was moved by Mr Rushton CC and seconded by Councillor Rae Bhatia that under Section 100(A) of the Local Government Act 1972 the public be excluded from the meeting on the grounds that it will involve the likely disclosure of exempt information during consideration of the following items of business as defined in the paragraphs of Schedule 12A of the Act detailed below:

- Training Facility – Service Leadership and Development Centre: Project Update
- 999 Call Handling and Fire Engine Mobilising System
- Staff Re-engagement, as defined in Paragraph 3; and

That, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

The motion was put and carried unanimously.

RESOLVED:

That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting on the grounds that it will involve the likely disclosure of exempt information during consideration of the following items of business as defined in the paragraphs of Schedule 12A of the Act detailed below:

- Training Facility – Service Leadership and Development Centre: Project Update
- 999 Call Handling and Fire Engine Mobilising System
- Staff Re-engagement, as defined in Paragraph 3; and

That, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

61. Training Facility - Service Leadership and Development Centre: Project Update.

The CFA considered an exempt report of the Chief Fire and Rescue Officer which provided an update on the progress of land acquisition for the Fire Behaviour Unit and training facility. A copy of the report marked 'Agenda Item 16' is filed with these minutes.

The recommendations contained within the report were moved by Mr Rushton CC and seconded by Councillor Rae Bhatia. The motion was put and carried unanimously.

RESOLVED:

That:

a) the process of progressing and prioritising a refined shortlist of sites suitable for fire behaviour training continues, to determine suitability; and

b) a further progress update will be presented to the CFA at its meeting on 9 February 2023.

62. 999 Call Handling and Fire Engine Mobilising System.

The CFA considered an exempt report of the Chief Fire and Rescue Officer which gave an update on ongoing concerns and events regarding the 999 call handling and fire engine mobilising system. A copy of the report marked 'Agenda Item 17' is filed with these minutes.

It was agreed that a further update would be presented to the next meeting of the CFA on 8 February 2023.

The recommendations contained within the report were moved by Mr Rushton CC and seconded by Councillor Rae Bhatia. The motion was put and carried unanimously.

RESOLVED:

That:

a) the content of the report and the increased levels of concern be noted; and

b) a further update be presented to the meeting of the CFA on 8 February 2023.

63. Staff Re-engagement.

The CFA considered an exempt report of the Chief Fire and Rescue Officer seeking approval for the re-engagement of staff who wished to retire and then continue to work on a new fixed term contract. A copy of the report marked 'Agenda Item 18' is filed with these minutes.

The recommendations contained within the report were moved by Mr Rushton CC and seconded by Councillor Rae Bhatia. The motion was put and carried unanimously.

RESOLVED:

a) To approve in principle the re-engagement of retired staff, up to and including Watch Managers, for a fixed term contract of no more than 23 months; and

b) To delegate authority to the Chief Fire and Rescue Officer to explore the tax and legal implications to the authority prior to the start of re-engagement.

1.30 - 2.44 pm
30 November 2022

CHAIRMAN