

Minutes of a meeting of the Leicester, Leicestershire and Rutland Combined Fire Authority held at County Hall, Glenfield on Wednesday, 22 September 2021.

PRESENT

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

Cllr. K. Bool	Mr. B. Lovegrove CC
Mr. G. A. Boulter CC	Ms. Betty Newton CC
Mr. S. L. Bray CC	Mr. J. T. Orson JP CC
Mr. B. Champion CC	Cllr. Elaine Pantling
Cllr. L. Fonseca	Mr. C. A. Smith CC
Mr. K. Ghattoraya CC	Cllr. M. Valand
Mr. D. J. Grimley CC	Cllr. Thalakdar
Mr. R. Hills CC	

In attendance

Callum Faint, Chief Fire and Rescue Officer
 Lauren Haslam, Monitoring Officer
 Colin Sharpe, Deputy Director of Finance, Leicester City Council
 Paul Weston, Interim Assistant Chief Fire and Rescue Officer
 Gemma Duckworth, Democratic Services Officer

33. Apologies for absence.

Apologies were received from Mr N Bannister CC, Councillor S Barton and Councillor R Bhatia.

34. 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.

35. Urgent Items.

There were no urgent items.

36. 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:

- Equality, Diversity and Inclusion
- Whole Time Recruitment
- High Rise Exercise.

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

It was reported that no questions had been received.

38. Minutes of the Previous Meeting.

The minutes of the CFA meeting held on 28 July 2021 were considered.

It was moved by Mr. N. J. Rushton CC and seconded by Councillor E Pantling that the minutes of the CFA meeting held on 28 July 2021 should 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 July 2021 should be taken as read, confirmed and signed.

39. Urgent Action taken by the Monitoring Officer - Recruitment of Assistant Chief Fire and Rescue Officer.

The CFA considered a report of the Monitoring Officer and Chief Fire and Rescue Officer which advised of urgent action taken by the Monitoring Officer, following consultation with the Chair and Vice Chair, to amend the entry criteria for the current recruitment process for the Assistant Chief Fire and Rescue Officer vacancies. The report also sought approval for a permanent change to the selection criteria for the of the Chief Fire and Rescue Officer (CFO) and Assistant Chief Fire and Rescue Officer (ACFO) positions, to remove the requirement for successful applicants to reside within the Leicester, Leicestershire and Rutland area. A copy of the report marked 'Agenda Item 7' is filed with these minutes.

Following the recent ACFO recruitment campaign, an individual had applied who did not currently live within LLR and had raised the fact that although this was the case, they would be able to meet the needs of the Continuous Duty System as they could be at Leicestershire Police Headquarters from their home location within 30 minutes. The Employment Panel had agreed that the timeframe met the requirements of the Continuous Duty System and it had been agreed, following consultation with the Chairman and Vice Chairman of the CFA, to suspend the requirement for successful applicants to reside in LLR for the current recruitment process. The Employment Panel had considered that a permanent change would be positive and could increase the number and diversity of applicants for future recruitment campaigns.

It was proposed that future applicants for the CFO/ACFO posts were required to live within 60 minutes of Leicestershire Police Headquarters; this applied to the Continuous Duty System only.

It was moved by Mr. N. J. Rushton CC and seconded by Councillor E Pantling that:

- a) the urgent action taken by the Monitoring Officer to amend the entry criteria (home location) for the current recruitment to the Assistant Chief Fire and Rescue Officer (ACFO) positions only be noted; and

- b) the selection criteria relating to CFO and ACFO posts be amended with regard to the Continuous Duty System, to remove the requirement for successful applicants to reside within the Leicester, Leicestershire and Rutland area and require them instead to reside within a 60 minute journey of Leicestershire Police Headquarters be agreed.

The motion was put and carried unanimously.

RESOLVED:

That

- a) the urgent action taken by the Monitoring Officer to amend the entry criteria (home location) for the current recruitment to the Assistant Chief Fire and Rescue Officer (ACFO) positions only be noted; and
- b) the selection criteria relating to CFO and ACFO posts be amended with regard to the Continuous Duty System, to remove the requirement for successful applicants to reside within the Leicester, Leicestershire and Rutland area and require them instead to reside within a 60 minute journey of Leicestershire Police Headquarters be agreed.

40. Firefighters' Pension Scheme - Age Discrimination Remedy Update.

The CFA considered a report of the Scheme Manager which provided an update on the developments concerning the age discrimination remedy/immediate detriment related to the Firefighters' Pension Scheme, together with the actions being taken in response. A copy of the report marked 'Agenda Item 8' is filed with these minutes.

It was reported that the CFA and Local Pension Board had received a number of updates about the impact of the age discrimination remedy concerning the Firefighters' Pension Scheme. The CFO had previously provided a background to the remedy and had set out a number of urgent actions taken to mitigate the immediate pressures. The CFO had undertaken four urgent actions and the progress against each of these was detailed.

In February 2021, the implementation of a 'deferred choice underpin' had been announced; this allowed eligible members a choice when they retired of which pension scheme benefits they would prefer to take for the remedy period. From 1 April 2022, all those who continued in service would do so as members of the 2015 scheme, regardless of age.

Significant time and effort continued to be devoted to immediate detriment and the wider pension changes; for example, information was being made available to employees, a roadshow was being planned, the finance team was employing an additional member of staff, urgent cases were being processed, and an information pack and waiver form had been made available to members approaching retirement. West Yorkshire Pension Fund as the scheme administrator was seeing a significant workload increase and there were potential implications for Warwickshire County Council as payroll provider.

The latest Government response was highlighted to the CFA. In terms of next national steps for the Firefighters' Pension Scheme, it was intended that legislation to move

members to the reformed schemes would take effect from 1 April 2022 and legislation to implement the deferred choice underpin would take effect by 1 October 2023.

Following the Employment Appeal Tribunal judgement in February 2021, the FBU had issued court proceedings against two FRAs for an initial three test claimants who had already retired. These claims were due to be heard towards the end of October. The FBU had reported that the current negotiations sought to address the immediate detriment issues and provide a timeframe for the FRAs to follow to process retirements and resolve detriment for those already retired.

It was moved by Mr. N. J. Rushton CC and seconded by Councillor E. Pantling that the Authority notes the update concerning the age discrimination remedy/immediate detriment related to the Firefighters' Pension Scheme.

The motion was put and carried unanimously.

RESOLVED:

That the Authority notes the update concerning the age discrimination remedy/immediate detriment related to the Firefighters' Pension Scheme.

41. Equality Scheme Annual Report 2020-2021.

The CFA considered a report of the Chief Fire and Rescue Officer which sought approval for the draft Annual Equalities report for 2020-21. A copy of the report marked 'Agenda Item 9' is filed with these minutes.

Members were particularly asked to note the increasing success in terms of recruiting a diverse workforce and the proactive training being delivered to the entire workforce.

It was moved by Mr. N. J. Rushton CC and seconded by Councillor E. Pantling that the CFA approves the draft Annual Equalities Report for 2020-21.

The motion was put and carried unanimously.

RESOLVED:

That the CFA approves the draft Annual Equalities Report for 2020-21.

42. Review of Members' Allowances - Independent Remuneration Panel.

The CFA considered a report of the Solicitor and Monitoring Officer which sought approval for the scope of the Review of the Leicester, Leicestershire and Rutland CFA's Members' Allowances Scheme by an Independent Remuneration Panel (IRP). A copy of the report marked 'Agenda Item 10' is filed with these minutes.

The Chairman and Vice Chairman had been consulted and had agreed that there was currently no appetite to increase the Members' Allowances rates other than to continue with indexation and, as such, did not wish for a full review of the Members' Allowances Scheme to be carried out at this time. The IRP had been consulted on the scope of the review and had asked that the full CFA be consulted.

The IRP had met on 6 August 2021 to agree the scope of the Members' Allowances Review. It had been agreed that a full review be undertaken in two years' time and this would consider all members' allowances rates, travel and subsistence rates and the arrangement for indexation. Any comments received from members would be considered by the IRP as part of the review.

It was moved by Mr. N. J. Rushton CC and seconded by Councillor E Pantling that:

- a) an Independent Remuneration Panel should be constituted to review the arrangement for the indexation of Members' Allowance rates to the employee pay award each year; and
- b) a full review of the Members' Allowances Scheme should be undertaken in 2023 and that this will include a review of the
 - i) members' allowances rates and the arrangement for indexation;
 - ii) roles which should receive the Special Responsibility Allowances;
 - iii) Travel and Subsistence Allowances;
 - iv) arrangements in place for Childcare and Dependent Carers' Allowances; and
 - v) Independent Members' Allowances.

The motion was put and carried unanimously.

RESOLVED:

That

- a) an Independent Remuneration Panel should be constituted to review the arrangement for the indexation of Members' Allowance rates to the employee pay award each year; and
- b) a full review of the Members' Allowances Scheme should be undertaken in 2023 and that this will include a review of the
 - i) members' allowances rates and the arrangement for indexation;
 - ii) roles which should receive the Special Responsibility Allowances;
 - iii) Travel and Subsistence Allowances;
 - iv) arrangements in place for Childcare and Dependent Carers' Allowances; and
 - v) Independent Members' Allowances.

43. Date of Next Meeting.

The next meeting of the Leicester, Leicestershire and Rutland Combined Fire Authority will be held on Thursday 2 December 2021 at 10.00am.

44. Exclusion of the Press and Public.

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 paragraph 1 and 2 of Schedule 12A of the Act; and, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information:

- i) Training Facility – Service Leadership and Development Centre: Project Update
- ii) Appointment of the Assistant Chief Fire and Rescue Officer.

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

The CFA considered a report of the Chief Fire and Rescue Officer which provided an update on the progress of land acquisition for the Fire Behaviour Unit and developments intended to facilitate training delivery within the existing estate. A copy of the report marked 'Agenda Item 14' is filed with these minutes.

The CFA was informed that the project team would continue to attempt to secure a favourable land deal at Desford but would also continue to progress discussions over the other three proposed sites as part of contingency arrangements. A further update would be provided to the next meeting of the CFA regarding progress on a preferred site for a Fire Behaviour Unit.

It was moved by Mr. N. J. Rushton CC and seconded by Councillor E Pantling to note that:

- a) the process of progressing and prioritising a refined shortlist of sites suitable for fire behaviour training continues to determine suitability;
- b) assessing the potential to facilitate training delivery within the existing estate has commenced; and
- c) a further progress update will be presented to the CFA at its meeting on 2 December 2021.

The motion was put and carried unanimously.

RESOLVED:

That the CFA notes

- a) the process of progressing and prioritising a refined shortlist of sites suitable for fire behaviour training continues to determine suitability;
- b) assessing the potential to facilitate training delivery within the existing estate has commenced; and
- c) a further progress update will be presented to the CFA at its meeting on 2 December 2021.

46. Appointment of Assistant Chief Fire and Rescue Officer.

The CFA considered a report of the Employment Panel which advised of the outcome of the Employment Panel established to consider the appointment to the two vacant posts

of Assistant Chief Fire and Rescue Officer. A copy of the report marked 'Agenda Item 15' is filed with these minutes.

The report was not for publication by virtue of paragraphs 1, 2 and 10 of Part 1 of Schedule 12A of the Local Government Act 1972.

The Chairman of the Employment Panel informed the CFA that one candidate had been interviewed and the Panel had agreed to recommend that the CFA appoint Paul Weston to the position.

The Employment Panel had considered options for interim arrangements for the remaining vacancy. Option 2 highlighted that two candidates had scored very similarly. Candidate 1 had showed clear potential at the Assessment Centre but lacked the relevant experience and exposure at a strategic level. It was therefore suggested that Candidate 1 be offered a period of temporary promotion to the vacant ACFO role. This option was supported by the CFO and by the Employment Panel. Consideration had also been given to a number of options for the timing of a further recruitment campaign and the Employment Panel had supported Option 3, which was to advertise in September 2022. This would limit the number of changes within the Service, avoided the anticipated HMICFS inspection in Spring 2022 and allowed for a 12 month period for development and exposure for potential candidates.

It was moved by Councillor K. Bool and seconded by Mrs. M. E. Newton CC that:

- a) the appointment of Paul Weston as the Assistant Chief Fire and Rescue Officer be approved;
- b) Option 2 as an interim arrangement for the remaining ACFO vacancy be approved; and
- c) the Chief Fire and Rescue Officer be authorised to progress the appointment of a permanent Assistant Chief Fire and Rescue Officer in September 2022, depending on the national situation and the challenges facing the Leicestershire Fire and Rescue Service.

The motion was put and carried unanimously.

RESOLVED:

That

- a) the appointment of Paul Weston as the Assistant Chief Fire and Rescue Officer be approved;
- b) Option 2 as an interim arrangement for the remaining ACFO vacancy be approved; and
- c) the Chief Fire and Rescue Officer be authorised to progress the appointment of a permanent Assistant Chief Fire and Rescue Officer in September 2022, depending on the national situation and the challenges facing the Leicestershire Fire and Rescue Service.

10.00 – 10.34am
22 September 2021

CHAIRMAN