

LANCASHIRE COMBINED FIRE AUTHORITY

Monday, 23 April 2018 at 10.00 am in Washington Hall - Service Training Centre, Euxton

MINUTES

PRESENT:

F De Molfetta (Chairman)

Councillors

L Beavers	M Khan
P Britcliffe	Z Khan
S Clarke	D O'Toole
D Coleman	E Oades
J Eaton	M Parkinson (Vice-Chair)
N Hennessy	J Shedwick
S Holgate	D Smith
D Howarth	D Stansfield
F Jackson	M Tomlinson
A Kay	G Wilkins

80/17 CHAIRMAN'S WELCOME AND INTRODUCTION

The Chairman advised that there would be a video presentation for the Annual Service Plan item on the agenda and that there was a demonstration of the drone after the meeting for any Members who had not yet seen how it operated.

81/17 APOLOGIES FOR ABSENCE

Apologies were received from County Councillors, I Brown, T Martin and M Perks and Councillor T Williams.

82/17 DISCLOSURE OF PECUNIARY AND NON-PECUNIARY INTERESTS

None received.

83/17 MINUTES OF PREVIOUS MEETING

RESOLVED: - That the Minutes of the CFA held on 19 February 2018 be confirmed and signed by the Chairman.

84/17 MINUTES OF MEETING THURSDAY, 15 MARCH 2018 OF PERFORMANCE COMMITTEE

RESOLVED: - That the Minutes of the Performance Committee meeting held 15 March 2018 be noted.

85/17 MINUTES OF MEETING MONDAY, 19 MARCH 2018 OF PLANNING COMMITTEE

RESOLVED: - That the Minutes of the Planning Committee meeting held 19 March 2018 be noted.

86/17 MINUTES OF MEETING WEDNESDAY, 21 MARCH 2018 OF RESOURCES COMMITTEE

RESOLVED: - That the Minutes of the Resources Committee meeting held 21 March 2018 be noted.

87/17 MINUTES OF MEETING THURSDAY, 22 MARCH 2018 OF AUDIT COMMITTEE

RESOLVED: - That the Minutes of the Audit Committee meeting held 22 March 2018 be noted.

88/17 MINUTES OF MEETING WEDNESDAY, 28 MARCH 2018 OF RESOURCES COMMITTEE

RESOLVED: - That the Minutes of the Resources Committee meeting held 28 March 2018 be noted.

89/17 REVISED COMMITTEE TERMS OF REFERENCE

The Clerk and Monitoring Officer to the Authority presented the report which advised that the Authority was required to undertake an annual review of governance arrangements and include the outcome in its Annual Governance Statement and its Statement of Assurance. The review undertaken last year recommended that the Authority undertake a governance review, to include Committee Terms of Reference, Standing Orders, Scheme of Delegation and Financial Regulations. As such the Committee Terms of Reference had been reviewed and updated, as now considered by Members. It was noted that the updated drafts were consistent with those previously agreed, with the only significant changes being:-

- the transfer of responsibility for approving and signing the annual accounts moving from the Resources Committee to the Audit Committee. This was to reflect the revised year end accounting timescales and requirements. (Monitoring of the financial position would continue to be undertaken by the Resources Committee.)
- reducing the frequency with which the Strategy group met from three times per year to twice a year (which reflected current practice) and amending the wording so that only significant changes to Committee Structure, terms of reference, schemes of delegation etc. were considered by the Group (minor changes, such as this, were reported direct to the Authority.)

It was not considered necessary to amend the Constitutional Standing Orders as they remained relevant for the Authority's obligations and were compliant with legislation and best practice. It was noted that a review of Contract Standing Orders and Financial Regulations had already been undertaken with changes agreed by the Audit Committee in March 2018. The Scheme of Delegation was currently being reviewed with a view to considering the merits of simplifying the content to allow it to be more user friendly for all stakeholders and this would be the subject of a subsequent report.

RESOLVED: - That the Authority approved the amendments to the Terms of Reference for each Committee.

90/17 THE KERSLAKE REPORT AND OPERATIONAL LEARNING

The Assistant Chief Fire Officer presented a report which, following the publication of The Kerslake Report, provided Members with details of Lancashire Fire and Rescue Service's operational assurance.

The Authority had a legal duty to ensure the provision of a safe and effective Lancashire Fire and Rescue Service (LFRS) and to contribute to meeting this duty, LFRS undertook a continual process of Operational Assurance, within which operational readiness and operational performance was routinely assured. This process comprised the Service's 'Operational Assurance Framework' within which a range of assurance activities were undertaken by a dedicated Operational Assurance Team, Area based Officers and the Training and Operational Review Department. The Framework was based upon requirements detailed in the Fire and Rescue Authorities: Health Safety & Welfare Framework Document. The methodology used within the Framework was built around 2 key elements i) operational assurance at incidents and ii) post incident / event learning and support. Thus in practical terms the Framework aimed to provide a process of continuous improvement through a formalised system of audit and review. These measures contributed towards making Lancashire safer and the overall attainment of corporate priorities, specifically: 'Responding' to fires and other emergencies quickly and competently.

In an emergency service context 'assurance' could be described as the actions that are taken to give confidence that policies, procedures, training, equipment etc all come together to deliver safe and effective emergency response. Thus, in an LFRS context, we aim to continually ask '*are we assured that we are operating as safely and effectively as we can be?*'

An active and open learning environment had to be something that was embedded and must therefore be an ongoing feature of the operating environment. As the operational environment continually evolved so therefore must the approaches used. It was important that the Service's assurance processes generated genuine learning from lessons recognised through our own experiences, or from those of others (where we were able to identify improvements that could be made to our own approaches without the need for us to go through that 'learning experience' ourselves).

Embedding assurance meant that LFRS truly did learn from our findings and that we had the confidence that the lessons identified became the lessons learnt, and that this approach was underpinned by robust evidence.

The Framework considered the opportunities to learn and improve which existed before, during and after incidents and joined together all three to create a cohesive and continuous cycle of learning and improvement. Although the incident command system was fundamental to safe and effective emergency response, it did not exist in isolation. To be successful it must be integrated with other factors such as equipment, training and assessment and the gathering of risk information beforehand. LFRS took a rounded approach to operational assurance based around 3 pillars: i) operational preparedness; ii) operational response assurance and iii) operational

learning.

The publishing of the Kerslake Report was a reminder to everyone in the emergency services that we must review and learn from every incident to ensure public safety. LFRS response to the Kerslake Report was outlined in the report. Lord Kerslake had identified a number of areas that went well and a number of major areas for learning including recommendations.

The Chief Fire Officer and wider leadership of LFRS had for many years stressed the need for risk awareness as opposed to risk aversion. This had led to an operational culture that supported staff who assessed risk, after taking into account experience and core knowledge, and interpreting and adapting policies in the context of the situation in front of them.

An integral part of LFRS Operational Assurance Framework was operational learning and a robust process was in place, to ensure that at both a local [Lancashire], regional and national level this was considered in detail, in the context of LFRS own policies and procedures, and where appropriate acted upon.

LFRS would continue to review its service in light of all recommendations arising from the above, and would make further improvements in the service delivered if required. In practical terms, lessons identified become lessons learned, and this would be no different with the Kerslake Report.

In response to Member questions the Assistant Chief Fire Officer confirmed that the greatest area of challenge in the context of a terrorist attack was the initial lines of communication. LFRS had met with counterparts in Lancashire Constabulary and had made subtle adjustments to mobilising arrangements with North West Fire Control.

The Assistant Chief Fire Officer confirmed that the Police were the lead organisation in the context of counter-terrorism and they were cognisant of the expertise of others.

Members were reassured that work was already underway and the Service had, through the Lancashire Resilience Forum with other emergency services and partners, worked jointly to further ensure delays would not happen in Lancashire should a similar incident occur here.

In response to a question regarding the Kerslake report recommendations, the Deputy Chief Fire Officer advised that a former Deputy Chief Fire Officer from Greater Manchester, who was also the former Chair of their local resilience forum acted as advisor to the panel. The Deputy Chief Fire Officer understood that each person involved had been given the opportunity to provide their considered position to the panel to inform their recommendations.

RESOLVED: - That the report be noted and endorsed.

91/17 COLLABORATION WITH POLICE

The Chief Fire Officer presented a report that set out recent progress on collaboration with Lancashire Constabulary, together with explaining the legislative framework

under which this operated. It also outlined the position with the Police and Crime Commissioner (PCC) and the Fire Authority, as well as recent developments to ensure a common understanding for those involved.

Since the introduction of Police and Crime Commissioners in 2012, there had been an increasing pressure from central government for them to have a greater involvement with Fire. This gained greater traction with the long awaited move of Fire to the Home Office on 5 January 2016.

The government had been keen for more collaboration between all emergency services, but this had manifested itself through the greatest emphasis being placed on Fire and Police collaboration. The obligation for blue light services to collaborate was consulted upon between September and November 2015. The government's response to this consultation was published on 26 January 2016 and presented to the Combined Fire Authority (CFA) at its February meeting. There were no great concerns regarding this consultation as Lancashire Fire and Rescue Service (LFRS) was already working productively with the Police. In 2016 LFRS seconded a Group Manager into Lancashire Constabulary to explore collaborative opportunities. This resulted in significant progress on gaining entry to premises for medical emergencies, joint operation and funding for the drone and work of locating vulnerable missing persons. The Police have been resident in Preesall Fire Station since 2010 and more recently had also been using Great Harwood Fire Station. LFRS was also working with North West Ambulance Service (NWAS) on emergency first responding, albeit this was subject to consideration at national level.

Throughout the development of the collaboration agenda the Authority's consistent position had been how to deliver the best outcomes for the communities it served. The Authority's view was that these benefits for its communities could be realised without the need for change to corporate governance. Initially, this was believed to be a common understanding reached with the PCC. Meetings between the Chair, the PCC and officers from both services on 19 October 2015 and 13 June 2016 indicated this.

In fact, following the first meeting in October 2015, a motion was taken to LCC by the Chair, seconded by County Councillor David O'Toole, on 22 October 2015 endorsing a shared belief with the PCC in collaboration based on evidence of successful achievements to date and joint belief that this would not be improved by any change in governance.

On 31 January 2017 the Policing and Crime Act received Royal Assent and embedded into law the main provisions regarding collaboration between emergency services and additional options for governance of fire and rescue services. Provisions in Sections 6 and 7 Schedule 1 enabled PCCs to take on responsibility for the governance of Fire to become Police, Fire and Crime Commissioners. This required a local case to be made in the interests of economy, efficiency and effectiveness for government evaluation. The FRS was obliged to cooperate in providing information to develop a local case irrespective of whether it agreed with the approach or not. In cases of dispute the final arbitrator would be government who would consider the business case.

Where the PCC did not take responsibility for Fire, the legislation enabled them to be

represented on the Fire Authority. Currently, the Authority provided an overview to the PCC on CFA meetings. It had responded positively to the consultation of the proposed amendments to the Fire and Rescue Authority combination order at its CFA meeting in December 2017. It acknowledged the PCC's right to request a position on the Fire Authority and that the Authority would consider any such request in good faith. It had not yet received any formal request from the PCC on requiring representation.

LFRS continued to work with the Police to explore new collaborative opportunities. Workshops capturing these initiatives within a more structured framework provided more auditable evidence of the work that was being undertaken. A framework was agreed and shared with the Chair. The planned initial way forward was to sign a Statement of Intent for Enhanced Collaboration by the Chair and the PCC. Following feedback from the Police this was eventually signed at officer level by the Deputy Chiefs of both Services. Two initial workshops were undertaken by department heads of both organisations. The first was facilitated by Shared Service Architects. The outcomes anticipated were a number of work streams that would be assessed and prioritised and then presented to the Authority. This ongoing work was presented to the Planning Committee on 19 March 2018.

More recently, at a further meeting with the Chair, PCC and two CFA Members on 21 February 2018, the PCC stated there was increased pressure from central government to review governance arrangements regarding Fire. Subsequently he sent an email to the Chief Fire Officer which said he was commissioning some work *"which will produce an Options Report for further discussion with you and other stakeholders. I see the Options Report as being complementary to the work you are already undertaking through your collaborative arrangements as described already. The Options Report will review a range of options to further Police and Fire collaboration in Lancashire, including the status quo, representation on the Fire and Rescue Authority, the governance model (having a Police Fire Crime Commissioner) and finally the single employer model. Through this report I am also keen to develop a further understanding of the scale and impact of collaborative efficiencies and how these can be best harnessed for the people of Lancashire."*

On hearing this development, the Authority confirmed it remained confident that current governance arrangements presented the best way to deliver a fire and rescue service for its communities. The Authority would provide the information required for the work proposed by the PCC, which it believed would evidence that LFRS was already effectively progressing collaborative opportunities within existing structures.

Following the Planning Committee meeting on 19 March 2018 that position was unanimously endorsed and a Task and Finish Group was established to consider this and other matters in more detail. The Authority reaffirmed its commitment to collaboration but remained strongly of the view that current governance arrangements best served LFRS and the communities of Lancashire. This position would inform a motion going before LCC on 24 May 2018.

It was noted that around the country there were a number of PCCs changing their relationship with Fire. Essex was the first FRS to come under control of the PCC. Six further authorities were under consideration. PCC moves towards Fire in Staffordshire, West Mercia (comprising of Shropshire and Herefordshire &

Worcestershire) and Cambridgeshire have been resisted by the Fire Authorities but the business cases, when considered by government, were approved. North Yorkshire and Hertfordshire were still being considered, whilst Northamptonshire was not in dispute and an announcement agreeing the PCC taking control was expected shortly.

There had already been calls for a judicial review in West Mercia on the decision to progress PCCs' governance of Fire. Other business cases may receive similar challenges. In North Yorkshire the FBU had used the interest of the PCC to request a non-voting seat on the Authority. This was viewed favourably by the Fire Authority in return for the FBU support of existing arrangements. However, this had not precluded industrial action on proposed changes within the Service. This was a development that the FBU may seek elsewhere in similar circumstances. The logistics and administration of how this would work, avoiding conflict of interests and managing meetings, or whether other trade unions would also seek similar arrangements, were yet to be determined.

In some other Fire Authorities, most notably Hampshire, they had sought to review and modernise their existing structures to deliver some of the benefits purported to be related to PCC governance. They had reduced costs by reducing the numbers of elected members and streamlined the work going through the Authority to speed up and simplify decision-making. Fewer members more focussed on strategic leadership rather than trying to become immersed in the day to day running of the FRS was viewed by some as a far more productive model.

It was noted that the current CFA governance arrangements amounted to circa £170k, taking into account allowances, conferences and 1.5 FTE support staff. PCC governance arrangements were considerably more expensive and were separate from Lancashire Constabulary.

It was noted that a major impact of the uncertainty created by this work was the future plans to relocate Service Headquarters which was due to be considered this financial year. With opening up of additional and yet to be defined potential options with the Police, this work had now been put on hold. This would mean a delay in possibly moving to more modern, energy efficient buildings.

Councillor M Khan confirmed that as Leader of Blackburn with Darwen Council he had met with a representative of the Police and Crime Commissioner who had reasoned that it was the way forward for the PCC to take on the responsibilities of the Fire Authority. Councillor Khan had confirmed to him that more work could be done collaboratively however, the current governance arrangements worked well for the people of Lancashire given Authority Members were elected representatives who understood the needs of the people. He advised that other meetings were being sought with Council Leaders across Lancashire.

The Authority was unanimous in reaffirming its commitment to collaboration but remained strongly of the view that current governance arrangements best served LFRS and the communities of Lancashire.

RESOLVED: - That the Authority confirmed the narrative was an accurate reflection of the current position.

92/17 ANNUAL SERVICE PLAN

The Deputy Chief Fire Officer presented this year's Annual Service Plan which included a short video. The Annual Service Plan continued to provide Lancashire Fire and Rescue Service with the platform to highlight the priority activities that the Service intended to deliver over the upcoming year.

The year ahead promised further transformation in the way we worked, where it allowed us to improve services for our communities, reduced risk to vulnerable people and provided value for money. The skills, resilience and dedication of our staff enabled the Service to lead the way forward, rather than waiting to be pulled along by the Government's reform agenda.

Our financial position remained stable and secure, with reserves in place to offset the majority of financial challenges that lay ahead. We had an excellent track record of efficiency savings and would continue to look for ways to be more efficient, allowing us to keep re-investing in service improvements.

This year's Annual Service Plan was endorsed by the Planning Committee at its meeting held 13 March 2018. The Plan was now available to the public electronically via the LFRS website and staff had been provided with copies, in order to promote staff engagement and wider knowledge of LFRS activities.

RESOLVED: - The Authority noted and endorsed the decision of the Planning Committee.

93/17 FIREFIGHTERS' CHARITY

The Chief Fire Officer presented a report that explained the relationship of mutual benefit that existed between the Firefighters Charity and Lancashire Fire and Rescue Service (LFRS).

The Fire Fighters Charity, previously called the Fire Brigades National Benevolent Fund, had been in existence since 1943, with Her Majesty the Queen being Royal patron since 1953. It was the UK's leading provider of services that enhanced quality of life for serving and retired fire service personnel and their families. Its services started with a dedicated free helpline, but most of the support provided was through three centres in Cumbria, Devon and West Sussex. These provided a range of support programmes including physical rehabilitation, together with recuperative and nursing care. They also supported emotional recuperation, which was designed to help those who had suffered injury, illness, stress or bereavement. The Charity had more recently moved into supporting mental health issues, often these were inherent in trauma injuries.

Although staff used all three centres, Jubilee House near Penrith was the most in demand. It was run by a dedicated team of professionals able to cater for a diverse range of needs with intensive physiotherapy often being a key component of any recovery plan. These residential programmes had now moved to seven day working with a variety of duration tailored to individual need. Although it was the individual employee who requested support from the Charity, it was considered by Occupational Health as an additional tool to aid recovery and support early return to work.

Significant numbers of staff benefitted from the services of the Charity. Their residential interventions assisted with early return to full duties, with the vast majority of these requiring the more intensive therapy programmes.

It was difficult to quantify the benefit this brought to the individuals or LFRS but the continued strong performance on relatively low rates of absence, despite what was challenging times, were testimony to the fact that the current approach worked.

There was no cost to LFRS for the Charity's services and only a nominal cost to the individual on some occasions. The Charity received no regular government funding. It had, however, benefitted from the charitable distribution of fines levied due to fixing of LIBOR rates in the City. The Charity was dependent on donations from the fire community and members of the public. Currently, the main ways of fundraising were through 'regular giving' deducted from wages, a Charity lottery and fundraising events, the most pronounced of which were the car washes that took place in March and September each year. Support for all Charity activities was purely on a volunteering basis with individuals using their own time, which was the same arrangement as all other charities.

Given the benefit the Charity provided to the Service there was some discretion regarding the involvement of on duty staff in fundraising activities, particularly when these were combined with a fire safety message or, for example, the offer of a Home Fire Safety Check or checking the safety of vehicle tyres during car washes.

In addition to car washes there were other annual fundraisers, for example the Burnley and Chorley 10k runs, a Fireworks display and fundraisers organised by recruits and UCLan students at the Service Training Centre. These events did much to enhance the reputation of LFRS as a more outward looking, altruistic service, volunteering to support charitable causes. Monies raised were sometimes split 50:50 with local charities. It was important that we supported and promoted such activities that were an important tool in raising morale.

More recently, following the fire at Grenfell Tower, the Fire Fighters Charity provided emotional support in the form of mental health programmes to personnel requesting it. Some of these were arranged so that whole watches could attend together. This level of support and capacity could not be overestimated. It was similar to having a health insurance policy you hoped to never had to use.

The Fire Fighters Charity had also been used by the Service to incentivise responses to the most recent staff survey. After having low levels of returns to previous initiatives, it was hoped that the Service offering to donate £1 for every completed survey would increase submissions and give the Service a clearer picture of the views of its staff.

The efforts and commitment of LFRS was recognised by the Charity. LFRS was highly regarded for its commitment to the Fire Fighters Charity. In the last national Spirit of Fire Awards held in 2015 Lancashire was one of three Fire and Rescue Services to be nominated as Service of the Year. Unfortunately, we were unsuccessful on that occasion. The national awards have been reintroduced this year and LFRS had again been nominated in the Service of the Year Category. We also had two further nominations.

RESOLVED: - That the Authority noted the report and endorsed the current approach.

94/17 MEMBER CHAMPION ACTIVITY - QUARTERLY REPORT

The concept of Member Champions was introduced in December 2007. A review of areas of focus for Member Champions was considered at the Authority meeting in June 2017 where new areas of responsibility were discussed and agreed as follows:

- Community Safety – County Councillor Mark Perks
- Equality, Diversity and Inclusion – Councillor Zamir Khan;
- Health and Wellbeing – County Councillor Tony Martin;
- Road Safety – Councillor Fred Jackson.

Reports relating to the activity of the Member Champions were provided on a regular basis to the Authority. This report related to activity for the period up to March 2018. During this period all have undertaken their respective role in accordance with the defined terms of reference.

Councillor Jackson thanked Members and Officers who had attended Safe Drive Stay Alive campaigns and encouraged those who had not yet attended to do so. The Chief Fire Officer confirmed that Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services would be attending one of these events during the upcoming inspection.

RESOLVED: - That the Authority noted and endorsed the report and acknowledged the work of the respective Champions.

95/17 FIRE PROTECTION REPORTS

A report detailing prosecutions in respect of fire safety management failures and arson related incidents within the period 1 February 2018 to 1 April 2018 was provided.

Under the prosecutions under the Regulatory Reform (Fire Safety) Order it was noted that investigations into 2 premises in the Blackpool area were in the final stages.

Fire protection and business support information was provided and Members noted that there were no arson convictions during the period.

RESOLVED: - That the Authority noted and endorsed the report.

96/17 COMMUNITY FIRE SAFETY REPORTS

This report included information for the 2 Unitary and 12 District Authorities relating to Fire Safety Initiatives and Fires and Incidents of particular interest.

In response to Member questions the Assistant Chief Fire Officer advised that the hot oil unit was demonstrated at community safety events to raise awareness to residents of the dangers of unsafe cooking practices which included the potential for loose clothing to catch fire and practical tips were given to ensure safer practices could be adopted by all.

He confirmed that as part of the Home Fire Safety Check Service risks in the kitchen included advice regarding domestic appliances and the cleaning of filters in tumble driers.

He also confirmed there was a national incident recording system that all Fire and Rescue Services populated which could identify trends such as problems with certain manufacturers and Intelligence Officers had raised matters of concern with Trading Standards.

In relation to the incident of operational interest on 9 March 2018 in Preesall, County Councillor Shedwick gave thanks for the work of the staff from Preesall and Bispham who attended the incident.

In response to a question raised by CC Wilkins whether in light of the Grenfell Fire there was confidence that materials used in new buildings met modern safety standards, the Deputy Chief Fire Officer advised that it was expected that new legislation would come from Dame Judith Hackitt's independent review of Building Regulations and Fire Safety. Early findings had been presented to the LGAs Annual Fire Conference and at the National Fire Chief Council's Spring Conference which outlined a range of failings, including that fire tests on materials were often done in isolation.

RESOLVED: - That the Authority noted and endorsed the report.

97/17 MEMBER COMPLAINTS (STANDING ITEM)

The Monitoring Officer confirmed that there had been no complaints since the last meeting.

RESOLVED: - That the current position be noted.

98/17 DATE OF NEXT MEETING

The next meeting of the Authority would be held on Monday 18 June 2018 at 10:00am at the Training Centre, Euxton.

LFRS HQ
Fulwood

M NOLAN
Clerk to CFA