

# HUMBERSIDE FIRE AUTHORITY

FRIDAY, 10 MARCH 2023

## PRESENT:

### Members

#### **Representing East Riding of Yorkshire Council:**

Councillors Abraham, Davison, Dennis, Green, Jefferson, Smith [in remote attendance] and West

#### **Representing Hull City Council:**

Councillors Chambers, Dad, Neal and Nicola

#### **Representing North East Lincolnshire Council:**

Councillors Lindley, Patrick, Shepherd and Swinburn

#### **Representing North Lincolnshire Council:**

Councillors Briggs (*Chairperson*), Grant and Sherwood [in remote attendance]

### Officers of Humberside Fire & Rescue Service

Phil Shillito - Chief Fire Officer & Chief Executive, Matthew Sutcliffe – Assistant Chief Fire Officer & Executive Director of Corporate Services, Niall McKiniry - Deputy Chief Fire Officer & Executive Director of Service Delivery, Christine Cooper - Executive Director of People and Development [in remote attendance], Kevin Wilson - Executive Director of Finance/Section 151 Officer, Steve Duffield - Area Manager Service Improvement, Jon Henderson - Area Manager Prevention and Protection, Jason Kirby - Area Manager of Emergency Response, Lisa Nicholson - Monitoring Officer/Secretary and Alison Finn - Committee Manager.

### Also in attendance:

#### **Internal Auditor**

Andrew McCullough (presented Minute 19/23)

The meeting was held at Service Headquarters, Hessle.

**13/23 APOLOGIES FOR ABSENCE** - Apologies for absence were submitted from Jonathan Evison (Police and Crime Commissioner) and Councillors Belcher, Fox, McMurray and Waltham MBE.

**14/23 DECLARATIONS OF INTEREST** - There were no declarations of interest.

**15/23 MINUTES - Resolved** - That the minutes of the meeting of the Authority held on 10 February 2023 be approved as a correct record.

**16/23 MINUTES OF THE GOVERNANCE, AUDIT AND SCRUTINY COMMITTEE - Resolved** - That the minutes of the Governance, Audit and Scrutiny Committee meetings held on 20 February 2023 be received.

**17/23 QUESTIONS BY MEMBERS** - there were no questions by Members.

**18/23 COMMUNICATIONS** - The following communications were reported:

The Service had received two requests from HMICFRS:

- (i) asking for details of any disciplinary cases resulting in gross misconduct due to cultural issues, the Service provided a nil return, and

- (ii) asking how the Service utilised DBS checks during the recruitment process.

**19/23 INTERNAL AUDIT PLAN 2023/24** - Andrew McCullough presented the Internal Audit Plan 2023/24.

The Audit Plan for 2023/24 was informed by a risk assessment carried out across Fire Services to ensure that planned coverage of the year focussed on key audit risks and that the coverage enabled a robust annual Head of Internal Audit Opinion to be provided. The key emerging themes were the Macroeconomic and financial environment, increasing wage demands, cyber security and climate change. The Plan would also consider Bullying, Harassment and Discrimination, Enforcement Powers and Priorities, Staff Development and ICT Management Controls.

**Resolved** - That the Internal Audit Plan be approved.

**20/23 TREASURY MANAGEMENT AND CAPITAL EXPENDITURE STRATEGY 2023/24** - The Executive Director of Finance/S.151 Officer submitted a report that set out the Prudential Indicators for Treasury Management and Capital and the Treasury Management Policy Statement for adoption for the financial year 2023/24.

The Authority's Constitution required that the Policy Statement was approved by the full Fire Authority and that responsibility could not be delegated.

The report also outlined the recommended policy to be adopted in respect of creating the Minimum Revenue Provision for 2023/24, in line with the statutory requirements set out in The Local Authorities (Capital Finance and Accounting) (England) (Amendment) Regulations 2008 and 2017.

The suggested strategy for 2023/24 in respect of the treasury management function was based upon the S.151 Officer's views on interest rates, supplemented with leading mark forecasts provided by the Authority's treasury management advisors and support from the treasury management team within Hull City Council. The strategy covered:

- limits in force which will limit the treasury risk and activities of the Authority;
- the Treasury Management and Prudential Indicators;
- the current treasury position;
- prospects for interest rates;
- the borrowing requirement strategy;
- policy on borrowing in advance of need;
- debt rescheduling;
- the investment strategy;
- creditworthiness policy;
- the MRP strategy;
- policy on use of external service providers

The approach outlined within the report was aimed at achieving effective and efficient management of the Authority's financial resources and reflected a prudent approach to the management of financial risk for the Authority.

The Authority forecast to have an under-borrowed position in relation to long-term borrowing of £0.911m at the end of 2022/23 which would save in the region of £10k in interest in each year until the borrowing was taken.

Members were requested to consider and approve the Treasury Management Strategy Statement for 2023/24 onwards. Members were also asked to approve an increase to the Money Market Funds from £1 million each to £2 million each subject to a £6 million maximum.

**Resolved** - (i) That the 2023/24 Treasury Management Strategy Statement be approved, and

- (ii) That the increase to the Money Market Funds from £1 million to £2 million each, subject to a £6 million maximum, be approved.

**21/23 PAY POLICY STATEMENT 2023/24** - The Executive Director of People and Development submitted a report that proposed a Pay Policy Statement for Humberside Fire Authority for 2023/24, as required by the Localism Act 2011, for approval by the Fire Authority.

The Act introduced senior staff pay transparency into local authorities with a requirement that authorities prepared a Pay Policy Statement for each financial year. A statement for Humberside Fire Authority was first produced for 2012/13 and approved by the Fire Authority at its meeting on 17 April 2012 (Minute 3839 refers).

The Authority agreed at that time that the Pay Policy Statement should be reviewed annually by officers and that any proposed amendments would be brought before the full Fire Authority for consideration.

The proposed statement for 2023/24 reflected the pay details for the current Strategic Leadership Team posts. A draft Pay Policy Statement for 2023/24 had been produced in compliance with the legislative requirements and having regard to the DCLG guidance. The proposed Statement complied with the legislative requirements and reflected the structure of the Strategic Leadership Team as agreed by the Humberside Fire Authority on 12 March 2021.

**Resolved –** (i) That the Fire Authority approves the draft Pay Policy Statement for 2023/24;

- (i) That the Chief Fire Officer and Chief Executive be authorised to make factual adjustments to the Policy during the course of 2023/24, for example, in reflection of the impact of any pay awards arising for different employment groups during the year;
- (ii) That any other proposed amendments to the Policy during 2023/24 be brought before the full Authority for consideration;
- (iii) That a review of senior officer (Executive Board and Area Managers) pay be carried out during the financial year 2023/34.

**22/23 PERFORMANCE REPORTING AND SERVICE PERFORMANCE INDICATORS 2023/24** - The Assistant Chief Fire Officer & Executive Director of Corporate Services submitted a report that provided information regarding the reporting of Service level performance for the period 2023/24, monitored and retrospectively reported to Members on a bi-annual basis.

Bi-annual performance reporting provided Members and the public with more meaningful performance information. That was achieved as the longer reporting period enabled more robust trend analysis to be completed, combined with the opportunity to evaluate the impact of Service intervention activities.

The established frequency of bi-annual performance reporting would continue for 2023/24, as detailed in the business planning framework and outlined below:

- (i) April to September performance would be reported to Members in November 2023.

- (ii) The annual performance report, reflective of cumulative performance over the full 12-month period, would be issued to Members in June 2024.

Bi-annual performance reporting would be supplemented by exception reporting of relevant trends / incidents or events to Members at Authority meetings and / or Member Days.

Performance reports would be reflective of the following principle Service activities:

- Key Incident Information
- Protection
- Prevention
- Response
- Environmental
- People
- Public Feedback
- Corporate Responsibilities

Specific Service Performance Indicators (SPI's) that would be reported against included:

- SPI High Severity Fires
- SPI 2.2 Total Deliberate Fires
- SPI 2.3 Accidental Dwelling Fires
- SPI 2.4 Deliberate Secondary Fires
- SPI 2.5 Automatic Fire Alarms (Non-Domestic)

**Resolved** - That Members endorse the approach for the reporting of Service performance for the period 2023/24.

**23/23 STATE OF THE FIRE REPORT 2022** - The Assistant Chief Fire Officer & Executive Director of Corporate Services submitted a report that provided an overview of the key findings from the annual assessment of fire and rescue services in England. It was the fourth of such reports and the first in his role as His Majesty's Chief Inspector of Fire and Rescue Services for Andy Cooke, replacing Sir Tom Winsor. There were several national recommendations and findings from their second round of Service inspections.

The second full cycle of all 44 fire and rescue service (FRS) inspections in England, known as Round 2 inspections, was divided into 3 phases of inspection, known as 'tranches'. In December 2021, HMICFRS published the findings from its 13 Tranche 1 inspections. In July 2022, it published its findings from the second tranche of 15 service inspections. Between March and August 2022, it carried out its third and final tranche of 16 service inspections. Having now inspected all 44 services in England, HMICFRS have published the reports on Tranche 3 inspections alongside the State of Fire 2022 report.

The report referenced the need for urgent reform for fire and rescue services stating, "Society is constantly changing, and public services should adapt accordingly. In too many respects, the fire service hasn't." On 26 July 2022, the White Paper consultation closed; the Government had not yet published its response, but former Fire Minister Lord Greenhalgh publicly said that it had an "oven-ready blueprint for reform".

There had been a lack of progress being made against the six national recommendations established by Sir Tom Winsor in the State of Fire 2019 report. Of those six recommendations only two have been completed.

The report positively reflected upon particular areas of progress:

- The NFCC had continuation of national fire and rescue policy and the Fit for Future initiative.
- Development of the Fire Standards which HMICFRS inspection framework will have due regard of during round 3.
- Revision and the introduction to related legislation including the Fire Services Act 2021 sections one and three, alongside the Building Safety Act 2022.

The Service would appropriately manage against the several national recommendations and findings from their second round of Service inspections detailed in the State of Fire Report 2022.

**Resolved** – (i) That the Service monitors, reviews and actions work as applicable, relating to the identified findings presented in His Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) State of Fire Report 2022, aligned to existing workstreams and those recorded in the Service Improvement Plan;

- (ii) That it be acknowledged that the Service received good ratings against each of the three inspection pillars and the 11 diagnostic areas of work, from the round 2 inspection. Subsequently some of the findings from the State of Fire Report were not directly comparable to those in the Service.
- (iii) That it be acknowledged that the Service has established staff representation on key national working groups, including those highlighted in the report.
- (iv) That all national workstreams and standards detailed in the report are accordingly managed by the Service to ensure compliance and effective performance.

**24/23 HUMBERSIDE FIRE & RESCUE SERVICE – CULTURAL JOURNEY** - The Assistant Chief Fire Officer & Executive Director of Corporate Services submitted a report that outlined the findings into the London Fire Brigade.

An Independent Culture Review commissioned by London Fire Brigade (LFB) identified serious cultural issues within the organisation. The review's author had been clear that the conduct and behaviour of some people at LFB would not be an isolated issue and that all Fire and Rescue Services should take note of the findings and recommendations within the report.

Humberside Fire & Rescue Service was an early adopter of the Core Code of Ethics that were launched by the Fire Standards Board. Prior to their inception the Service had an embedded set of behaviours and principles. The Service was found to be 'good' across the People Pillar of His Majesty's Inspectorate of Constabulary and Fire & Rescue Services inspection in 2022. However, the Service acknowledged that it should seek to continuously improve in that area and was proposing several immediate actions in response to the LFB review.

Whilst there was no evidence to suggest that the systemic problems identified at LFB existed in the Service, the organisation would not be complacent. It was known from previous disciplinary investigations that poor behaviour did occur occasionally despite the work that had been done over the last five years.

The report provided assurance to Members that action had already taken place within the Service since the introduction of the Core Code of Ethics while recognising there was more to do and what was planned to take place since the publication of the LFB report.

The Service was currently out to tender for a third party provider to support the Service with independent rigour. It was envisaged that this work would be completed by late October 2023 which would allow the Service sufficient time to consider any recommendations.

**Resolved** - (i) That Members note the report and take assurance that the Service is continuing to embed its culture and values, and

(ii) that Members support the use of an external provider in aiding the Service through an independent approach to further embed the values and behaviours expected in line with the Core Code of Ethics within the Service.

**25/23 SERIOUS VIOLENCE DUTY** – The Area Manager for Prevention and Protection submitted a report to update Members on the progress of the Serious Violence Duty. The Duty was introduced by the Government in May 2021 to ensure relevant services, including Fire and Rescue Services (FRS) worked together to share data and knowledge and allow them to target their interventions to prevent serious violence together.

The Duty applied to the Fire and Rescue Authority for all Authority areas, including Police, Fire and Crime Commissioners, metropolitan Mayors in their capacity as fire and rescue authorities and in the exercise of those functions. Humberside Fire and Rescue had identified Sarah Wilkinson, Head of Prevention to be the FRS lead in that area. However, the Authority as the duty holder would remain responsible for compliance with the requirements of the Duty. The Authority should therefore, ensure that any suitable representative had responsibility and authority for ensuring full participation with the partnership arrangements.

Emergency Services were already subject to a statutory duty to collaborate with one another, and FRS have a key role in those partnerships, often occupying a very trusted position by community groups. Collaboration with partners could aid early identification and diversion from involvement in serious violence, which were both crucial in reversing the increase in harm, which might be caused by and against young people in the local community.

The duty would ensure that serious violence was made a focus within existing multi-agency arrangements, such as multi-agency safeguarding arrangements or Community Safety Partnerships and would allow for collaboration between a much wider set of partners. That duty would also introduce a requirement for local partnerships to establish their local problem profile and produce a local strategy specifically aimed at preventing and reducing serious violence.

The primary role for the Service in the Duty centres on well-established work that the Service had undertaken with Children and Young People to support early intervention to keep young people safe and

away from violence. There was a clear role for the Service to support that work and that should be explored nationally and locally. Fire played a big role and was probably better established than most agencies; increased trust of FRSs should be used more widely through local partnerships.

The Head of Prevention would be the single point of contact for Humberside Fire and Rescue and was working regionally and nationally within the sector and with partners to ensure compliance.

**Resolved** - That the report be received.

**26/23 SUGGESTED SCRUTINY TOPICS 2023/24** - The Assistant Chief Fire Officer & Executive Director of Corporate Services submitted a report with a list of scrutiny topics, proposed by the Strategic Leadership Team for the Fire Authority to consider and shortlist for the Governance, Audit and Scrutiny (GAS) Committee's Scrutiny programme 2023/24.

The GAS committee set an annual scrutiny programme, looking at a variety of aspects of the Service's work and policy implementation from the point of view of the communities it served, to provide constructive feedback and recommendations to improve the Service. The GAS Committee would programme six scrutiny items for completion during 2023/24.

The Authority was requested to consider the proposed topics of scrutiny put forward and shortlist six for the GAS Committee's Scrutiny Programme 2023/24.

**Resolved** – That the Authority approve the list of scrutiny topics put forward and that the GAS Committee shortlist to six scrutiny items for its 2023/24 Scrutiny Programme.

**27/23 INDUSTRIAL ACTION PLANNING UPDATE** - The Deputy Chief Fire Officer & Executive Director of Service Delivery verbally updated on the industrial action planning that had been undertaken to date. Industrial Action had now been averted following the acceptance by FBU Members of a 7 per cent in year pay increase and a 5 per cent increase next year for grey book staff. The contingency crews recruited to cover for industrial action would be retained and utilised to provide additional resource to the full-time and on-call model when for future events such as extreme weather events where additional staff would be required.

**Resolved** - That the report be received.

**28/23 CHIEF FIRE OFFICER UPDATE** - The Chief Fire Officer/Chief Executive provided a verbal update.

- i. The Chief Fire Officer placed on record his thanks to the local FBU for their engagement during the contingency planning period and agreement with the major incident protocol.
- ii. The Service's Falls team had again been praised and used as an example of good practice.
- iii. The recent Local Government Association (LGA) Conference heard from the new Fire Minister. The subject of Culture was also discussed, including bullying and harassment within the fire and rescue sector. The Chief Fire Officer reiterated that heroism was not an excuse for poor behaviour and that the Service took a zero tolerance towards bullying and harassment.
- iv. Scientists had predicted more volatile weather patterns in the future and the contingency crews recruited in the event of industrial action would be retained to provide a third wave response should they be needed.
- v. The Deputy Chief Fire Officer reported that there had sadly been a fire fatality earlier in the week.

**Resolved** - That the update be noted.

**29/23 EXCLUSION OF THE PRESS/PUBLIC - Resolved** - That the press and public be excluded from the meeting for consideration of the following item on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 3 & 4 of Part 1 of Schedule 12A of the Local Government Act 1972.

In making its decision the Authority confirmed that having regard to all the circumstances it was satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

**30/23 EARLY RETIREMENT APPLICATION** - The Assistant Chief Fire Officer & Executive Director of Corporate Services submitted a report that contained options for the Authority to consider regarding the application for early retirement of a Head of Function.

**Resolved** - That Option A be approved (approval of the application for Early Retirement from the Service in line with the Services' Early Retirement Policy).