



**MEETING OF THE CHESHIRE FIRE AUTHORITY
TUESDAY, 10 DECEMBER 2019**

Time : 10.30 am

Lecture Theatre - Sadler Road, Winsford, Cheshire

SUPPLEMENTARY PACK – ITEMS MARKED “TO FOLLOW”

- 1G Minutes of Performance and Overview Committee** (Pages 1 - 6)
To receive, for information, the minutes of the Performance and Overview Committee meeting held on 27th November 2019.
- 1L Notes of the Pension Board** (Pages 7 - 12)
To receive, for information, the notes of the Pension Board meeting held on 20th November 2019.

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**MINUTES OF THE MEETING OF THE PERFORMANCE AND OVERVIEW COMMITTEE
held on Wednesday, 27 November 2019 at Lecture Theatre - Sadler Road, Cheshire at
10.00 am**

PRESENT: Councillors Phil Harris, Gina Lewis, James Nicholas, Peter Wheeler and Norman Wright

1 PROCEDURAL MATTERS

A minute's silence was held during the meeting to honour the passing of former Member, Councillor Terry O'Neill.

A Record of Meeting

Members were reminded that the meeting would be audio-recorded.

B Apologies for Absence

Apologies for absence were received from Councillors Razia Daniels, Jonathan Parry and independent (non-elected) member Derek Barnett.

C Declaration of Members' Interests

There were no declarations of Members' interest.

D Minutes of the Performance and Overview Committee

RESOLVED:

That the minutes of the Performance and Overview Committee held on Wednesday 4th September 2019 be confirmed as a correct record.

2 FINANCIAL REVIEW - QUARTER 2, 2019-20

The Treasurer introduced a report which provided a review of the Service's forecast financial performance at mid-year and an update on progress against the 2018-19 capital projects.

He informed Members that the Quarter 2 Review was reporting a forecast underspend of £102k in relation to the revenue budget. This meant that there was a cumulative underspend of £177k.

He also reminded Members about the substantial capital programme which was detailed in Appendix 3 to the report.

In view of the timing of capital expenditure and the current level of reserves, the Treasurer recommended that the Authority should use reserves to finance the training centre and defer borrowing to a later date. The funding for Crewe Fire Station would be revisited when feasibility of the project had been concluded.

RESOLVED: That

- [1] the forecast outturn position be noted; and**
- [2] the movement in reserves as set out in Appendix 2 be approved.**

RECOMMENDED: That

- [1] the Fire Authority change the way for the training centre is funded (utilising reserves rather than borrowing) noting the removal of the cost of borrowing from the revenue budget for April 2020.**

3 PROGRAMME REPORT - QUARTER 2, 2019-20

The Chief Fire Officer and Chief Executive provided Members with an update on the Service's programmes and projects. He referred Members to Appendix 1 to the report which contained a health report for the Quarter 2, 2019-20.

He provided Members with an update on several programmes/projects which included: the replacement of Chester Fire Station; the replacement of Crewe Fire Station; the Sadler Road Training Centre project; the Operational Training Group Review and the sprinkler campaign.

Members emphasised the importance of installing sprinklers in public buildings such as schools and assisted living facilities. A Member queried whether Sanctuary Housing in Chester had sprinklers installed within their premises. The Head of Protection and Organisational Performance confirmed that Sanctuary Housing had committed to installing sprinklers. He stated that sprinkler installation costs had significantly risen but this had not deterred Sanctuary Housing's commitment.

RESOLVED: That

- [1] the Programme Report – Quarter 2 2019-20 be noted.**

4 PERFORMANCE REPORT - QUARTER 2, 2019-20

The Head of Protection and Organisational Performance introduced the report which provided Members with an update on the Service's performance against the key performance indicators (KPIs) for Quarter 2, 2019-20. Appendix 1 to the report contained the corporate performance scorecard reflecting the Quarter 2 position against targets set and the year-on-year direction of travel for the Service's KPIs.

Members were referred to Appendix 2 of the report which contained a detailed description of each KPI, including a summary of current performance and any actions taken to improve performance.

The Head of Protection and Organisational Performance highlighted that officers had recommended a 25% reduction in the target for Safe and Well visits delivered to properties of heightened risk because of difficulties securing the necessary targeting data. Despite struggling to access data, he informed Members that performance at platinum addresses was above target.

The Service Delivery Manager provided further details concerning the Service's current performance for on-call availability. A Member requested further clarification regarding the on-call availability and on-call recruitment target. The Service Delivery Manager explained that the Service was under establishment and despite increased recruitment, the new recruits were required to undergo extensive training before being fully competent. Until the recruits were competent, they would not be able to provide on-call availability.

RESOLVED: That

[1] the Performance Report – Quarter 2, 2019-20 be noted.

5 HMICFRS INSPECTION ACTION PLAN - HEALTH REPORT

The Head of Protection and Organisational Performance introduced the report which enabled Members to review the performance against the action plan created in response to the identified "Areas for Improvement" from the inspection report published by Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS).

He informed Members that the action plan was monitored by the Service Management Team on a quarterly basis. It was agreed that Members would scrutinise performance against the action plan at the Performance and Overview Committee on a six monthly basis relying upon the health report.

Members were reminded that the inspections reports for tranche 1 and 2 had been released, with tranche 3 were awaiting publication. The Organisational Performance team had conducted an analysis of each tranche to identify good practice in other services for the Service Management Team to consider.

The Head of Protection and Organisational Performance reported that the Service had made good progress against all of the actions within the report and that the recent staff survey results show improvements concerning the areas within the "people" section of the inspection report.

RESOLVED: That

[1] the HMICFRS Action Plan – Health Report be noted.

6 INTERNAL AUDIT PROGRESS REPORT - QUARTER 2, 2019-20 AND FOLLOW-UP REPORT

Anne Marie Harrop (the Auditor), a representative from Mersey Internal Audit Agency (MIAA) was in attendance at the meeting to present the quarterly progress summary of the 2019-20 Internal Audit Plan, attached as Appendix 1 to the report.

She informed Members that during Quarter 2 the reports were completed concerning: Volunteers Safety Central Review; HMICFRS – Phase 1 Gap Analysis; and the Follow-Up.

Members observed that the Volunteers Safety Central Review had obtained a substantial assurance rating and the HMICFRS – Phase 1 Gap Analysis but showed no major concerns at present.

The Auditor had requested a deferral for the report on professional standards until next year as the standards had not been released. She assured Members that a report would be produced when appropriate.

She highlighted the Follow-Up report attached as Appendix 2 to the report, which identified a number of recommendations that needed to be concluded.

RESOLVED: That

[1] the Internal Audit Progress Report – Quarter 2, 2019-20 and Follow-Up Report both be noted.

7 ANNUAL HEALTH, SAFETY AND WELLBEING REPORT 2018-19

The Health, Safety and Wellbeing Manager introduced the report which provided an update on the management of health and safety in the Service. He highlighted to Members the key achievements of the Service during 2018-19.

Members were concerned about the slight increase in recorded attacks on staff in recent years. The Health, Safety and Wellbeing Manager informed Members that the data included verbal attacks as well as physical. Most attacks recorded were verbal and there were no injuries from physical attacks. The Chief Fire Officer and Chief Executive also commented that Cheshire Fire and Rescue Service results were good compared to other fire and rescue services.

Members queried how firefighters dealt with obstructive parking whilst on duty. The Health, Safety and Wellbeing Manager advised that campaigns, leaflets and social media advertisement were used to target areas of concern. He also informed Members that occasionally, firefighters would physically move cars that obstructed access.

RESOLVED: That

[1] the Annual Health, Safety and Wellbeing Report 2018-19 be noted.

8 ANNUAL ROAD SAFETY REPORT 2018-19

The Deliberate Fire Reduction and Road Safety Manager introduced the report which appended the Authority's Annual Road Safety Report 2018-19, containing details of interventions delivered by the Service. He highlighted the achievements of the Service at events throughout the year which included the success of the school pavement signs outside schools within Cheshire East.

A Member raised concerns with maintenance of the school pavement signs. The Deliberate Fire Reduction and Road Safety Manager explained that the signs were the responsibility of the Cheshire East enforcement officer, who would remove them after the school had closed to ensure they were not damaged. He also advised that the signs were filled with water so they were not likely to be stolen.

Members queried how many fatalities within Cheshire were motorway related. The Deliberate Fire Reduction and Road Safety Manager stated that so far this year there were approximately 6 motorway-related fatalities from a total of 34.

A Member queried how the use of black boxes had impacted the number of incidents involving young drivers. The Deliberate Fire Reduction and Road Safety Manager informed Members that black boxes did not necessarily target a specific demographic. However, during the "thinkdrivesurvive" programme black boxes were discussed and were considered to be effective at encouraging better driving and reducing the chances that a driver would succumb to peer pressure whilst driving.

Members thanked and congratulated the Deliberate Fire Reduction and Road Safety Manager and his team for their work and proactive commitment to road safety.

RESOLVED: That

[1] the Annual Road Safety Report 2018-19 be noted.

9 INTERIM BONFIRE REPORT

The Deliberate Fire Reduction and Road Safety Manager provided Members with a verbal interim update on the preventative and operational activities of the Service during the bonfire period. He confirmed that a full report would be presented to the Committee at its next meeting.

He reported that there had been a 20% reduction in incidents recorded during the bonfire period compared with the previous year. He highlighted that the unitary areas saw a reduction in secondary deliberate fires, with the exception of Warrington. He explained that the decrease in incidents was likely due to the popularity of organised displays and some major retailers no longer sold fireworks.

Members commended the work of the prevention staff and firefighters over the bonfire period as well as their partnership work with the police and housing association to identify hotspot areas to target.

RESOLVED: That

[1] The verbal interim bonfire report be noted.

10 ANNUAL "ON THE STREETS" YOUTH WORK REPORT 2018-19

The Fire Cadet Manager introduced the report which provided Members with an update on the work undertaken by the 'On the Streets' (OTS) team over the past 12 months. She explained that the programme was delivered in areas with high levels of arson, small deliberate fires and anti-social behaviour.

The Fire Cadet Manager summarised the local engagement that had occurred with the OTS teams in each of the unitary areas within Cheshire. She informed Members that working across all four unitary areas had resulted in increased community engagement.

Members queried whether the OTS team liaised with local councils to identify locations or individuals where the OTS activities could be focussed. The Fire Cadet Manager informed Members that the OTS team had been contacted by local councils to work in specific areas of concern. She also informed Members that the OTS team had recently worked with local partner agencies on a campaign against knife crime.

Members praised the OTS and prevention team for their continuous work within the unitary areas to decrease arson, small deliberate fires and anti-social behaviour.

RESOLVED: That

[1] the Annual Report – 'On the Streets' Youth Work 2018-19 be noted.

11 FORWARD WORK PROGRAMME

The forward work programme was considered by Members and no changes/additions were made.

RESOLVED: That

[1] the Forward Work Programme be noted.



MINUTES OF THE MEETING OF THE LOCAL PENSION BOARD - FIREFIGHTERS PENSION SCHEME held on Wednesday, 20 November 2019 in the Leadership Team Conference Room, Clemonds Hey at 2.00 pm

PRESENT:

Board Members: Cllr David Brown (Chair), ACFO Alex Waller, George Peers (FBU)

Officers: Andrea Harvey (Director of Transformation), Jayne Nixon (Governance Advisor), Jill Swift (HR Payroll and Pensions Lead) and Naomi Thomas (Governance and Corporate Planning Manager)

Guests: Graeme Hall (XPS Administration)

1 WELCOME AND INTRODUCTIONS

2 APOLOGIES

Apologies for absence were received from Neil McElroy (FOA representative).

3 DECLARATION OF INTERESTS

There were no declarations of Members' interests.

4 NOTES FROM THE PREVIOUS MEETING

RESOLVED: That

[1] the minutes of the meeting of the Local Pension Board held on 7th May 2019 be confirmed as a correct record.

5 PENSION BOARD TERMS OF REFERENCE

The Director of Transformation informed Members that a report had been submitted to the Governance and Constitution Committee (the Committee) on the 13th November 2019. The report enabled Members to consider the updated terms of reference for local pension boards provided by the Firefighters Pension Scheme Advisory Board and to consider whether any changes were needed to the terms of reference of the Pension Board of this Authority.

A summary of the recommendations reached by the Committee was circulated within the meeting for discussion by the Board. Recommendations included:

- Introducing a term of office for Board members.
- Confirming the frequency of meetings would be 4 per year.
- Introducing a quorum of 3 Board members present for a meeting to be held rather than 2.

The Director of Transformation informed the Board that any observations made by them would be submitted to the Fire Authority at the next meeting on 11th December 2019.

The Board discussed the recommendations proposed by the Committee and agreed with recommendations 1 and 2. Members of the Board expressed a preference to retain a quorum of 2 members of the Board, rather than 3.

A member of the Board queried who was permitted to be a pension member representative on the Board. The Governance Advisor informed the Board that the regulations stated that individuals who had the capacity to represent Scheme members could sit on the Board – this had been interpreted as including active, deferred and retired Scheme members.

RESOLVED: That

[1] the report be noted; and

[2] the Pension Board's preference to retain a quorum of 2 members of the Board, rather than 3, within its Terms of Reference be communicated to the Fire Authority.

6 XPS ADMINISTRATION CHESHIRE FIRE AND RESCUE SERVICE DELIVERY REPORT

The Operations Manager, Graeme Hall from XPS Administration, was in attendance and presented the Service's Delivery Report for 2019-20. The report contained the following information:

- Regulations and guidance from April 2019 to September 2019.
- Common data.
- Performance charts showing performance against individual service level requirements.
- KPI reporting accuracy.

He confirmed that no complaints had been received so far during the 2019-20 reporting period.

The Director of Transformation informed the Board that concerns had been raised regarding the calculation of split pensions. The Operations Manager from XPS Administration informed the Board that this would be looked into. The HR Payroll and Pensions Lead confirmed that she would liaise with XPS Administration to confirm who may be affected by issues with split pensions.

RESOLVED: That

[1] the report be noted; and

[2] the HR Payroll and Pensions Lead to review retirement cases and to liaise

with XPS Administration to identify any cases where split pensions could have been applied.

7 PENSION ADMINISTRATOR - CHANGES TO PROCESS REPORT

The Director of Transformation informed the Board that a report had been submitted to the Performance and Overview Committee on 10th July 2019 to provide information regarding changes made to improve the quality of employee data and business processes following a number of errors made by XPS Administration. The report was being submitted to the Board for information.

The Board noted the report and discussed whether the work that they undertake should be reported on an annual basis to the Fire Authority. This had been recommended as good practice where the Fire Authority, as Scheme Manager, had delegated this responsibility to an officer. It was agreed that a proposal should be put forward at the next meeting of the Fire Authority to seek its views on whether an annual report was required or whether the minutes of the Pension Board meetings were sufficient.

RESOLVED: That

[1] the report be noted; and

[2] the Board seeks the views of the Fire Authority regarding whether an annual report on the work it undertakes should be submitted to the Fire Authority or whether the Pension Board minutes would suffice.

8 FIREFIGHTER PENSION SCHEME UPDATE

The HR Payroll and Pensions Lead presented an update on current issues relating to the Firefighters' Pension Schemes, including updates on the following areas:

- Membership Statistics
- Firefighter Pension Scheme Bulletins
- Contracting-Out Reconciliation Exercise
- 2018 Firefighter Pension Scheme Administration Survey
- Annual Benefit Statement Update 2019
- Re-Enrolment 2019 Update
- Restricting Exit Payments in the Public Sector
- Scheme Annual Activities
- LGA Conference Updates
- Regulatory/Scheme Updates

A member of the Board queried whether any training could be provided for scheme members regarding their annual benefit statements (ABS). The HR Payroll and Pensions Lead advised that all new members received an introductory booklet on joining the Scheme which contained information and advice on all aspects of their pension including ABSs. The Operations Manager from XPS Administration informed the Board that ABSs had been tailored to be scheme-specific and that

information notes would be available on the self-serve portal. It was suggested that any specific queries regarding ABSs be reported to XPS Administration and the HR Payroll and Pensions Lead so that guidance and support could be provided.

The Director of Transformation informed the Board that the Service were looking into the possibility of funding workshops on pension tax issues, provisionally for Station Managers and above, over the next year. The XPS Administrator advised that this was something that they may be able to offer within the current contract.

RESOLVED: That

[1] the report be noted; and

[2] Director of Transformation to review current contract and identify appropriate provider for provision of workshops on pensions tax.

9 FIREFIGHTER PENSION SCHEME RISK REGISTER

The HR Payroll and Pensions Lead presented the Firefighter Scheme Risk Register (the Register). She informed the Board that the following two risks had been added to the Register:

- McCloud/Sargeant
- Cyber Security

The Chair queried what additional resource requirements may be needed to complete any remedy actions falling out of the McCloud/Sargeant case. The Payroll and Pensions Lead advised that, depending on the remedy issued, specialist knowledge and additional in-house work were likely to be required. She confirmed that the Finance Department were aware of the case and provision had been made to cover the cost of the potential remedy actions from the case.

The Director of Transformation informed the Board that the HR Payroll and Pensions Lead was leaving the Service which would lead to a significant loss of corporate knowledge. She suggested that this be added to the Register as an additional risk. She formally thanked the HR Payroll and Pensions Lead on behalf of the Board for all of her support and work over the years.

RESOLVED: That

[1] the Firefighter Pension Scheme Risk Register be noted; and

[2] HR Payroll and Pensions Lead to review the risk register and re-score to align with existing CFRS risk scoring methodology.

10 UPDATE ON THE MCCLOUD JUDGMENT

The Governance Advisor provided an update regarding the judgment of the Court of Appeal in the McCloud case, that the transitional protections of the 2015 Firefighters Pension Scheme were discriminatory on the grounds of age. She explained that this

would have implications for all public sector pension schemes.

She provided a contextual overview of the case for the Board and confirmed that the Supreme Court had turned down the Government's application for permission to appeal against the decision of the Court of Appeal. There would be a further hearing before the employment tribunal on 18th December 2019. It was expected that, once the tribunal had made directions and calculated losses, final compensation figures would be finalised, although the timescales were unknown.

The Governance Advisor also informed the Board that the Government had released a statement confirming that all affected individuals would receive compensation, not just individuals who put in a claim. She explained that all pension scheme regulations would need altering and consultation would be needed on them.

RESOLVED: That

[1] the update be noted.

11 PENSION BOARD - TRAINING UPDATE

Members of the Board attended a training session hosted by the Local Government Association on 6th November 2019. The Director of Transformation informed members of the Board that a training needs analysis would be sent out for completion to identify specific areas for future training.

The Director of Transformation referred the Board to information regarding a survey from The Pensions Regulator within Item 8 – Firefighter Pension Scheme Update of the agenda. She informed the Board that it provided an opportunity for their views to be reflected.

RESOLVED: That

[1] the update be noted;

[2] Members of the Board to provide any comments and/or feedback on the survey by Thursday 28th November 2019; and

[3] Director of Transformation and HR Payroll and Pensions Lead to finalise the survey response and submit by the deadline of Friday 29th November 2019.

Note: Next meeting of the Board – 18th March 2020 at 2pm.

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