



**Wednesday,
20 June 2018
10.30 am**

**Meeting of
Fire Authority
Sadler Road
Winsford**

Contact Officer:
Joanne Smith
Democratic Services

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Cheshire Fire Authority

Notes for Members of the Public

Attendance at Meetings

The Cheshire Fire Authority welcomes and encourages members of the public to be at its meetings and Committees. You are requested to remain quiet whilst the meeting is taking place and to enter and leave the meeting room as quickly and quietly as possible.

All meetings of the Authority are held at Sadler Road in Winsford. If you plan to attend please report first to the Reception Desk where you will be asked to sign in and will be given a visitors pass. You should return your pass to the Reception Desk when you leave the building. There are some car parking spaces available on site for visitors at the front of the Headquarters Building. Please do not park in spaces reserved for Fire Service personnel.

If you feel there might be particular problems with access to the building or car parking please contact the Reception Desk at Sadler Road, Winsford (01606) 868700.

Questions by Electors

An elector in the Fire Service area can ask the Chair of the Authority a question if it is sent to the Monitoring Officer at Sadler Road to arrive at least five clear working days before the meeting. The contact officer named on the front of the Agenda will be happy to advise you on this procedure.

Access to Information

Copies of the Agenda will be available at the meeting. A copy can also be obtained from the contact officer named on the front of the agenda. Alternatively, individual reports are available on the Authority's website (www.cheshirefire.gov.uk)

The Agenda is usually divided into two parts. Members of the public are allowed to stay for the first part. When the Authority is ready to deal with the second part you will be asked to leave the meeting room, because the business to be discussed will be of a confidential nature, for example, dealing with individual people and contracts.

This agenda is available in large print, Braille, audio CD or in community languages upon request by contacting; Telephone: 01606868414 or email: equalities@cheshirefire.gov.uk

Recording of Meetings

Anyone attending the meeting should be aware the Authority audio-records its meetings. There is a protocol on reporting at meetings which provides further information. Copies are available on the Service's website www.cheshirefire.gov.uk or alternatively contact Democratic Services for details

Fire Evacuation

If the Fire Alarm sounds you should make your way to the nearest exit as quickly as possible and leave the building. Please follow any instructions from staff about evacuation routes.



MEETING OF THE FIRE AUTHORITY
WEDNESDAY, 20 JUNE 2018
Time : 10.30 am
Lecture Theatre - Sadler Road, Winsford, Cheshire

AGENDA

PART 1 - BUSINESS TO BE DISCUSSED IN PUBLIC

1 PROCEDURAL MATTERS

1A Recording of Meeting

Members are reminded that this meeting will be audio-recorded.

1B Apologies for Absence

1C Fire Authority Membership

1D Election of Chair

Members are invited to elect a Chair of the Authority, to serve until the Annual Meeting in 2019.

1E Election of Deputy Chair

Members are invited to elect a Deputy Chair of the Authority, to serve until the Annual Meeting in 2019.

Note: The Chair and Deputy Chair must be from different constituent authorities. If an election is necessary votes will be cast by secret ballot until one Member receives more than half the cast votes.

1F Appointment of Group Spokespersons

A political group may appoint a Group Spokesperson. The respective names will be confirmed at the meeting.

1G Appointment of Lead Members

Each constituent authority is invited to appoint a Lead Member.

Note: Should the Chair of Deputy Chair wish to act as Lead Member for their respective constituent authority they would automatically take the role.

1H Chair's Announcements

To receive any announcements that the Chair wishes to make prior to the commencement of the formal business of the meeting.

- 1I Declaration of Members' Interests**
Members are reminded that the Members' Code of Conduct requires the disclosure of Statutory Disclosable Pecuniary Interests, Non-Statutory Disclosable Pecuniary Interests and Disclosable Non-Pecuniary Interests.
- 1J Minutes of Fire Authority** (Pages 1 - 2)
To confirm as a correct record the minutes of the Fire Authority Meeting held on 22nd May 2018.
- 1K Minutes of Brigade Managers' Pay and Performance Committee** TO FOLLOW
To receive, for information, the minutes of the Brigade Managers' Pay and Performance Committee meeting held on 5th June 2018.
- 1L Appointments to Committees etc., Outside Bodies and Member Roles** (Pages 3 - 38)
Members are asked to appoint to the committees etc., outside bodies and Member roles for 2018-19.
- The report of the Director of Governance and Commissioning sets out the requirements for these appointments.
- 1M Programme of Member Meetings 2018-19** (Pages 39 - 40)
- 1N Constitution**
Members are asked to adopt the constitution which contains the following sections:
- Section 1 – Cheshire Fire Authority
 - Section 2 – Key Documents
 - Section 3 – Members' Decision Making Bodies
 - Section 4 – Procedural Matters
 - Section 5 – Outside Bodies
 - Section 6 – Members' Roles
 - Section 7 – Protocols
 - Section 8 – Members' Codes of Conduct
 - Section 9 – Members' Allowance Scheme
 - Section 10 – Financial Regulations
 - Section 11 – Scheme of Delegation

A copy of the Constitution can be accessed on the Service's website:

<http://www.cheshirefire.gov.uk/about-us/fire-authority/cheshire-fire-authority-constitution>

ITEMS REQUIRING DISCUSSION / DECISION

- | | | |
|----------|--|-------------------------|
| 2 | End of Year Financial Report 2017-18 | (Pages 41 - 50) |
| 3 | Treasury Management Report 2017-18 | (Pages 51 - 56) |
| 4 | Primary Authority Scheme Partnership Authorisation Process and General Update | (Pages 57 - 62) |
| 5 | Refresh of Risk Management Policy | (Pages 63 - 80) |
| 6 | Fire and Rescue National Framework for England | (Pages 81 - 116) |

PART 2 - BUSINESS TO BE DISCUSSED IN PRIVATE

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MINUTES OF THE MEETING OF THE FIRE AUTHORITY held on Tuesday, 22 May 2018 at Lecture Theatre - Fire Service HQ, Sadler Road, Winsford, Cheshire at 10.30 am

PRESENT: Councillors D Bailey, M Biggin, P Harris, E Johnson, N Jones, D Mahon, D Marren, J Mercer, G Merry, K Mundry, S Nelson, S Parker, R Polhill, B Rudd, T Sherlock, M Simon, M Tarr, J Weatherill and S Wright

1 PROCEDURAL MATTERS

Prior to discussion of the formal agenda, the Chair informed Members that he had several announcements that he would like to make. He congratulated Councillor Stuart Parker on his new position as Sheriff of Chester. The Chair also welcomed Donna Linton who was observing the meeting and would be joining the Service as the new Governance and Corporate Planning Manager. He also informed Members that Councillor Allin Dirir was unwell and Members wished him a speedy recovery.

A Recording of Meeting

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

B Apologies for Absence

Apologies for absence were received from Councillors D Beckett, A Dirir, D Flude and J Saunders and the Police and Crime Commissioner David Keane.

C Declaration of Members' Interests

There were no declarations of Members' interests.

D Minutes of Fire Authority

RESOLVED:

That the minutes of the Fire Authority meeting held on 25th April 2018 be approved as a correct record.

E Minutes of Brigade Managers' Pay and Performance Committee

RESOLVED:

That the minutes of the Brigade Managers' Pay and Performance Committee meetings held on 8th May and 17th May 2018 be received, for information.

F Minutes of Staffing Committee

RESOLVED:

That the minutes of the Staffing Committee meeting held on 8th May 2018 be received, for information.

G Notes of the Risk Management Board

RESOLVED:

That the notes of the Risk Management Board meeting held on 1st May 2018 be received, for information.

2 APPOINTMENT OF CHIEF FIRE OFFICER AND CHIEF EXECUTIVE

The Director of Transformation introduced the report which asked Members' to consider the recommendation from the Brigade Managers' Pay and Performance Committee (BMPPC) to appoint Mr Mark Cashin to the role of Chief Fire Officer and Chief Executive.

She explained that the role had been advertised externally and that two applications were received. The two day assessment process for the candidates comprised of: a technical interview with an independent Chief Fire Officer and external HR Consultant; media assessments; a presentation to Members of the BMPPC on a topic given prior to the interview; and a formal interview with four members of the BMPPC.

Members who were on the BMPPC interview panel (Councillors B Rudd, D Flude, S Nelson and G Merry) were invited to provide feedback to the Authority on the process. The Chair informed Members that Authority Members were given the opportunity to meet the candidates over lunch on the first of the two assessment days. He explained that members of the interview panel were briefed on the second day of the assessment process on the results of the media assessments and psychometric tests. Councillor Merry informed the Authority that she felt that the interview panel were updated thoroughly throughout the process and that the interview process with the candidates had been thorough. Councillor Nelson stated that Mr Mark Cashin was rated as excellent on the media assessments and that his presentation to Members was outstanding.

Members were unanimous when asked to vote on the appointment of Mr Mark Cashin.

RESOLVED: That

[1] Mr Mark Cashin be appointed to the post of Chief Fire Officer and Chief Executive.

CHESHIRE FIRE AUTHORITY

MEETING OF: CHESHIRE FIRE AUTHORITY
DATE: 20TH JUNE 2018
REPORT OF: DIRECTOR OF GOVERNANCE AND COMMISSIONING
AUTHOR: ANDREW LEADBETTER

SUBJECT: APPOINTMENTS TO COMMITTEES ETC.,
OUTSIDE BODIES AND MEMBER ROLES

Purpose of Report

1. This report allows Members to consider/determine the following issues:
 - a) Responsibilities of the Fire Authority and its committees, boards etc.;
 - b) Political proportions on the Fire Authority;
 - c) Political proportionality rules (where they apply and where they don't and their affect upon the allocation of seats on committees etc.);
 - d) Appointment of Members to available seats on committees etc;
 - e) Appointment of independent members;
 - f) Appointments to outside bodies;
 - g) Appointment of Member Champions; and
 - h) Endorsement of Member/officer buddy arrangements.

Note:

At the time that this report was published it was not clear whether a new Member of the Authority would join one of the political groups. As a result two versions of Appendix 2A have been prepared. They are headed:

Three Political Groups only

Three Political Groups plus one independent Member

Blank copies of Appendices 2B, 3 and 4 have been included. Completed versions will be circulated separately once the position has been clarified (although this may only happen on the day of the meeting). In the meantime discussions with current Group Spokespersons are continuing.

Recommended:

Members are asked to:

- [1] Confirm the responsibilities of the Fire Authority set out in Appendix 1A;**
- [2] Agree the responsibilities of Committees, Boards and Groups set out in Appendix 1B;**
- [3] Note the political proportions on the Fire Authority set out in paragraph 4;**
- [4] Agree the approach to the allocation of seats explained in paragraphs 6 and 7 and Appendix 2A;**
- [5] Agree the appointments required as set out in Appendix 2B;**
- [6] Agree the appointment of independent members (to act in an advisory capacity) as set out in paragraphs 11 and 12 of the report and shown in Appendix 2B;**
- [7] Agree the appointments to outside bodies set out in Appendix 3;**
- [8] Agree the appointments of Member Champions set out in Appendix 4; and**
- [9] Agree the continuation of the Member/officer buddy arrangements.**

RESPONSIBILITIES OF THE FIRE AUTHORITY

2. The responsibilities of the Fire Authority are set out in Appendix 1A.

RESPONSIBILITIES OF COMMITTEES, BOARDS ETC.

3. Appendix 1B contains details of the responsibilities of the respective committees etc. The respective responsibilities for plans, strategies and policies attributed to the Fire Authority are contained in the list.

POLITICAL PROPORTIONS ON THE FIRE AUTHORITY

4. Political proportions are important as they determine the allocation of seats on some committees. At the time of writing it is anticipated that the following Political Groups will exist at the time of the Fire Authority meeting: Conservative; Labour; and Democratic.

Political Group	Seats	Percentage
Labour	12	52.17%
Conservative	8	34.78%
Democratic	3	13.04%
Total	23	100.00%

5. The percentages to be applied in applying the political proportions will depend upon whether the independent Member appointed by Cheshire West and Chester Borough Council is invited and decides to join the Democratic Group.

The two versions of Appendix 2A explain this.

POLITICAL PROPORTIONALITY RULES (WHERE THEY APPLY AND WHERE THEY DON'T AND THEIR AFFECT UPON THE ALLOCATION OF SEATS ON COMMITTEES ETC.)

6. The Local Government (Committees and Political Groups) Regulations 1990 and Local Government and Housing Act 1989 make provision for the handling of political group representation on the Fire Authority's committees. For the sake of simplicity the term 'political proportionality rules' has been used.
7. The political proportionality rules are not straight-forward. They involve the application of certain principles '...so far as reasonably practicable...' in allocating seats to political groups. These principles are set out below:
 - a) that not all the seats on the body are allocated to the same political group;
 - b) that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
 - c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority; and
 - d) subject to paragraphs (a) to (c) above, that the number of the seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority.

APPOINTMENT OF MEMBERS TO AVAILABLE SEATS ON COMMITTEES ETC.

8. Members are asked to note the information above and in Appendix 2A when considering the appointments required in Appendix 2B and the allocations of seats.

9. Not all of the Authority's bodies are caught by the political proportionality rules. For example, the Member Training and Development Group is not.
10. Some other bodies exist where there is no requirement for appointments to be made at the annual meeting, e.g. Closure of Accounts Committee (role fulfilled by Performance and Overview Committee) and Staffing Committee (same membership as Brigade Managers' Pay and Performance Committee).

APPOINTMENT OF INDEPENDENT MEMBERS

11. Last year there were two independent members on Governance and Constitution Committee and one independent member on the Performance and Overview Committee and the Member Training and Development Group. They fulfil an advisory role. One of the independent members stepped down in the Autumn and a new independent member was appointed to replace her.
12. The independent members have agreed to fulfil the roles indicated:

Governance and Constitution Committee:
D Barnett, L Thomson
Performance and Overview Committee:
D Barnett
Estates and Property Committee:
D Barnett or L Thomson
Member Training and Development Group:
L Thomson
13. Details appear in Appendix 2B.

OUTSIDE BODIES

14. Members are asked to make appointments to the outside bodies covered in Appendix 3. Members will see that the roles of the bodies and delegated powers (if any) are set out in the appendix.

MEMBER CHAMPIONS

15. Members are asked to appoint the Member Champions covered in Appendix 4.

MEMBER/OFFICER BUDDY ARRANGEMENTS

16. The Authority operates a Member/officer buddy arrangement. This is intended to provide Members with officer support to help develop their overall and wider knowledge of the organisation and the fire and rescue sector generally.
17. Members are asked to agree the continuation of the buddy arrangements. The alignment of Members/officers will be confirmed

shortly after the meeting to take account of Member appointments e.g. Member Champion roles.

Financial Implications

18. The cost of operating the democratic process is contained within the Authority's budget.

Legal Implications

19. The Fire Authority has delegated certain functions to various decision making bodies and has in place arrangements to facilitate good communications between Members and officers. The appointments made as a result of this report help to ensure that decisions made will be set within an appropriate legal framework.

Equality & Diversity Implications

20. There are no equality and diversity implications arising from this report.

Environmental Implications

21. There are no environmental implications arising from this report.

**CONTACT: JOANNE SMITH, FIRE SERVICE HQ, WINSFORD
TEL [01606] 868804
BACKGROUND PAPERS: NONE**

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FIRE AUTHORITY

RESPONSIBILITIES

- 3.1 Makes all Member decisions that are not delegated to other Member Decision-Making Bodies.
- 3.2 Makes key decisions, including but not limited to:
 - Approval of the budget (including capital and revenue proposals)
 - Setting the precept
 - Approval of the annual accounts
 - Approval of the Annual Statement of Assurance
- 3.3 Approves key/significant plans (and considers associated documentation, e.g. Annual Reports).
- 3.4 Approves key/significant strategies (and considers associated documentation, e.g. Annual Reports).
- 3.5 Approves key/significant policies (and considers associated documentation, e.g. Annual Reports).
- 3.6 Establishes and determines the responsibilities, and composition of, and appointments to all Members' Decision-Making Bodies and determines Member Roles and makes appointments to all Outside Bodies.
- 3.7 Adopts the Members' Codes of Conduct.
- 3.8 Approves the Members' Allowances Scheme.
- 3.9 Considers and determines any matters referred to it by any of the Members' decision-making bodies.
- 3.10 Receives key external reports and determines appropriate actions e.g. Operational Assessment and Fire Peer Challenge.
- 3.11 Appoints the Chief Fire Officer and Chief Executive.
- 3.12 Agrees overall Scheme of Delegation.
- 3.13 Agrees any transfer of functions and/or powers and/or major changes to service delivery (including the establishment of a trading company etc.).
- 3.14 Settles responses to key consultations.
- 3.15 Agrees to buy or sell land and/or buildings.
- 3.16 Agrees to enter into key/significant and/or long-term contractual commitments.
- 3.17 Approves statutory statements e.g. Annual Pay Policy Statement.

- 3.18 Approves Annual Report.
- 3.19 Considers External Audit Findings and Value For Money Conclusion report (including approval of Audit Arrangements and Fees).
- 3.20 Approves the Constitution and any amendments to it.
- 3.21 Acts as duty holder for matters relating to Health and Safety.
- 3.22 Takes the leading role in respect of risk management (with the support of the Risk Management Board).

IF IN DOUBT TREAT THE MATTER AS 'KEY/SIGNIFICANT' AND REPORT THE MATTER TO THE FIRE AUTHORITY.

A LIST OF KEY PLANS, STRATEGIES AND POLICIES THAT ARE THE RESPONSIBILITY OF THE AUTHORITY IS HELD BY THE DIRECTOR OF GOVERNANCE AND COMMISSIONING.

List of Plans, Strategies and Policies associated with Members' Decision Making Bodies

Fire Authority	
Key Plans	Integrated Risk Management Plan
	Medium Term Financial Plan
	External Audit Plan
	Crisis Management Plan
Key Strategies:	Five Year Strategy
	Member Development Strategy (and Programme)
	Treasury Management Strategy
Key Policies:	Heritage Policy
	Unwanted Fire Signals Policy
Significant Plans:	
Significant Strategies:	Asset Management Strategy
	Children and Young People Strategy
	CFP Business Liaison Strategy
	Consultation and Engagement Strategy
	Corporate Communications Strategy
	Corporate Equalities and Inclusion Strategy
	Internal Audit Strategy
	Risk Management Strategy
Significant Policies:	Adult Safeguarding Policy
	Health and Safety Management Policy
	ICT and Information Security Policy
	Partnership Policy
	Pay and Recognition Policy
	Pension Abatement and Re-employment Policy
	Re-organisation and Redeployment Policy
	Retirement Policy
	Sprinkler Policy

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RESPONSIBILITIES PERFORMANCE AND OVERVIEW COMMITTEE

The Performance and Overview Committee:

- 3.23 Assists the Authority in the development, review and monitoring of plans (e.g. Integrated Risk Management Plan), strategies and policies (e.g. Health and Safety Management Policy, receiving the Annual Health and Safety report), making recommendations and offering advice, as appropriate.
- 3.24 Monitors performance (financial and non-financial) with a view to securing efficiency, effectiveness and value for money, making recommendations and offering advice, as appropriate.
- 3.25 Reviews the implementation of decisions by the Authority, making recommendations and offering advice, as appropriate.
- 3.26 Monitors delivery of the Authority's programmes and projects, making recommendations and offering advice, as appropriate.
- 3.27 Monitors progress against the internal audit plan and recommendations from internal audits, making recommendations and offering advice, as appropriate.
- 3.28 Monitors arrangements with third parties, e.g. partners and contractors, making recommendations and offering advice, as appropriate.
- 3.29 Refers matters to the Authority for consideration/determination when it believes that matters should be brought to its/their attention.
- 3.30 Act as Closure of Accounts Committee.
- 3.31 In order to fulfil these responsibilities the Committee may establish task and finish groups if specific issues require in-depth examination.
- 3.32 The Committee may request officers and/or Members to attend a meeting to provide information and answer questions about a matter that is before the Committee.

RESPONSIBILITIES OF GOVERNANCE AND CONSTITUTION COMMITTEE

The Governance and Constitution Committee:

- 3.33 Discharges the requirements of Chapter 7 of Localism Act 2011.
- 3.34 Assists the Fire Authority in the promotion and maintenance of high standards.
- 3.35 Recommends the Members' Code of Conduct to the Fire Authority (and updates/amendments).
- 3.36 Secures applications for the role of Independent Person and make recommendations to the Fire Authority.
- 3.37 Manages the relationship with the Independent Persons.
- 3.38 Considers requests for dispensations and grant them (where appropriate).
- 3.39 Ensures delivery of training for Members on standards issues.
- 3.40 Issues advice to Members on standards issues.
- 3.41 Approves the format of the register of Members' interests and monitor completion.
- 3.42 Agrees arrangements for investigation and decision-making in relation to allegations of breaches of the Members' code of conduct.
- 3.43 Monitors Member attendance and recommend action to the Fire Authority.
- 3.44 Arranges for the review of Members' allowances and recommend to the Fire Authority.
- 3.45 Secures appropriate corporate governance arrangements and monitor them.
- 3.46 Monitors compliments and complaints (including ombudsman matters).
- 3.47 Reviews Fire Authority's constitution and make recommendations to Fire Authority.
- 3.48 Provides support to the Monitoring Officer and Section 151 Officer (Local Government Act 1972).
- 3.49 Considers and act upon developments related to standards in its broadest sense.
- 3.50 Agrees any indemnity afforded to Members and/or officers.
- 3.51 Settles the terms of any Member/officer protocol.
- 3.52 Monitors the effectiveness of Member/officer relationships.

- 3.53 Considers matters referred by Performance and Overview Committee.
- 3.54 Settles the strategy for audit arrangements and carry out high level monitoring of the effectiveness of those arrangements.
- 3.55 Determines the Authority's approach to the transparency agenda and monitor compliance with information-related legislative requirements.

RESPONSIBILITIES OF ESTATES AND PROPERTY COMMITTEE

- 3.56 To ensure that the Fire Authority's property management arrangements are appropriate, providing guidance to officers as necessary.
- 3.57 To provide guidance to officers and the Fire Authority in relation to property transactions.
- 3.58 To provide guidance to officers and the Fire Authority in relation to the sharing of its sites/premises with third parties.
- 3.59 To assist in the co-ordination of and agreeing the prioritisation of property-related projects/programmes.
- 3.60 To assist in the co-ordination of and agreeing the prioritisation of environmental projects/programmes and supporting officers and the Fire Authority in the delivery of matters that further the Authority's Environmental Strategy.
- 3.61 To engage in key procurement issues as necessary.
- 3.62 To oversee the arrangements for Safety Central.

RESPONSIBILITIES OF JOINT CONSULTATIVE COMMITTEE (JCC)

- 3.63 To apply due consideration to an issue when there has been a failure to agree, with a view to determining an outcome.

RESPONSIBILITIES OF BRIGADE MANAGERS' PAY & PERFORMANCE COMMITTEE

- 3.64 To determine and undertake the appointment process for the posts of Chief Fire Officer and Chief Executive and Deputy Chief Fire Officer.
- 3.65 To appraise the Chief Fire Officer and Chief Executive.
- 3.66 To determine the remuneration of the Chief Fire Officer and Chief Executive.
- 3.67 To review the appraisal of the Deputy Chief Fire Officer.
- 3.68 To determine the remuneration of the Deputy Chief Fire Officer.
- 3.69 To determine (in accordance with the relevant policies and procedures) HR/IR matters concerning/affecting the Chief Fire Officer and Chief Executive and Deputy Chief Fire Officer.

RESPONSIBILITIES OF STAFFING COMMITTEE

- 3.70 To appoint Area Managers and roles of equivalent standing.
- 3.71 To determine HR/IR matters (not delegated to officers or handled by JCC).
- 3.72 To determine pension matters.
- 3.73 To oversee key staff engagement and staff-related transformation activities.
- 3.74 To oversee discipline, grievance, employment claims etc.
- 3.75 To oversee relationships with representative bodies.
- 3.76 To approve the re-engagement of staff who have been retired or made redundant (excluding on call).

RESPONSIBILITIES OF BUSINESS CONTINUITY COMMITTEE

MEMBERSHIP

- 3.77 The committee comprises of the Chair, Deputy Chair, Group Spokesperson(s) and Lead Member(s).

RESPONSIBILITIES

- 3.78 To introduce, monitor and review contingency planning arrangements in the event of disruptions to the delivery of the service.
- 3.79 To provide guidance on issues arising in relation to business continuity events.

MEMBER TRAINING AND DEVELOPMENT GROUP

MEMBERSHIP

- 3.80 The group comprises of 4 Members and 1 independent (non-elected) member and appointments are made by the Fire Authority.

RESPONSIBILITIES

- 3.81 To advise on the development, monitoring and evaluation of a Member Training and Development Programme to ensure that Members' training needs are being met.
- 3.82 To develop, monitor and review the Member Development Strategy and ensure that the Member Development Programme is developed in line with the strategy and to meet individual Member development needs.

RISK MANAGEMENT BOARD

MEMBERSHIP

- 3.83 The Risk Management Board is chaired by the Chief Fire Officer and Chief Executive with representatives from the Senior Management Team attending, representation from Internal/External Audit and two elected Members.
- 3.84 Elected Members should be drawn from the membership of the Fire Authority and are appointed by the Fire Authority.

RESPONSIBILITIES

- 3.85 To identify, assess and monitor corporate risks and ensure they are managed in line with the Risk Management Framework. This group has a critical 'check and challenge' role to ensure that identified risks are based on sound risk information and are adequately evaluated. The strategic risks recorded within the Service's Risk Management database will be used to determine the Authority's levels of balances and reserves.
- 3.86 To review any high priority Internal Audit recommendations in the context of risk to the organisation and assess specific risks that may be escalated from Heads of Department or the Service Management Team.
- 3.87 To undertake annual reviews of the Service Crisis Management Plan.

PHOENIX BOXING CLUB BOARD

MEMBERSHIP

- 3.88 The Governance Board includes two elected Members (drawn from Warrington Members) to represent Cheshire Fire Authority and the appointments are made by the Fire Authority.

RESPONSIBILITIES

- 3.89 The main role of the Governance Board is to make decisions regarding the facilities and to promote and support the club.
- 3.90 The Board will hold at least two general meetings a year.

HEALTHY HEART RUNCORN TRAINING GYM BOARD

MEMBERSHIP

- 3.91 The Governance Board includes one elected Member (drawn from Halton Members) to represent Cheshire Fire Authority and the appointment is made by the Fire Authority.

RESPONSIBILITIES

- 3.92 The main role of the Governance Board is to make decisions regarding the facilities and to promote and support the club.

UNITARY PERFORMANCE MANAGEMENT GROUPS

MEMBERSHIP

- 3.93 The Unitary Performance Area Groups are the performance delivery groups in each of the Unitary Performance Areas and are chaired by the local Unitary Performance Manager, and attended by the local Members for that area.
- 3.94 The Unitary Performance Groups are able to engage with constituents about key issues affecting their area in circumstances where normal consultation processes and performance reporting are deemed insufficient.

FUNCTIONS

- 3.95 The group is multi functional and is responsible for the effective delivery of the Service IRMP objectives in that Unitary Performance Area.
- 3.96 The boundary of each group's responsibilities coincides with the political and administrative boundaries of the Unitary Area in which it meets.
- 3.97 The meetings are an opportunity for local Members to scrutinise local officers on Service Performance and highlight issues of concern raised by the local community.
- 3.98 The Authority has provided a budget for each area to support Service and joint initiatives and is aimed at allowing the Unitary Performance Groups to address local safety concerns and issues. The decisions are made at local level within an agreed financial framework. These arrangements allow the Authority to provide opportunities for the democratic engagement where councillors can meet their constituents face to face and place councillors at the heart of well supported area and neighbourhood structures. It will also allow a greater degree of interaction for councillors and the public and closer scrutiny of Service activities.

PENSION BOARD – FIREFIGHTERS’ PENSION SCHEMES
TERMS OF REFERENCE AND ASSOCIATED RULES

RESPONSIBILITIES

3.99 The Pension Board will assist the Scheme Manager (the Fire Authority) to:

- (a) Secure compliance with:-
 - (i) The Firefighters’ Pension Scheme (England) Regulations 2014 – which create the Firefighters’ Pension Scheme 2015 (the 2015 Scheme)
 - (ii) Any other legislation relating to the governance and administration of the 2015 Scheme and any connected scheme, and
 - (iii) Any requirements imposed by the Pensions Regulator in relation to the 2015 Scheme and any connected scheme; and
- (b) Ensure the effective and efficient governance and administration of the 2015 Scheme and any connected scheme.

MEMBERSHIP OF THE BOARD

3.100 Pension Member representatives

- (i) Two pension member representatives shall be appointed to the Board.
- (ii) Pension member representatives shall be members of the scheme administered by Cheshire Fire Authority.
- (iii) Pension member representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.

3.101 Employer representatives

- (iv) Two employer representatives shall be appointed to the Board.
- (v) One Member of the Fire Authority will be appointed to act as an employer representative together with an officer of the Authority.
- (vi) Employer representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.

APPOINTMENT OF CHAIR

3.102 The Fire Authority Member appointed to the Board as an employer representative will act as Chair to the Board.

3.103 If the Chair is unable to attend a meeting of the Board the other employer representative will act as chair at that meeting.

3.104 The Chair of the Board shall:

- (i) ensure the Board fulfils it's responsibilities as set out in these Terms of Reference
- (ii) ensure that meetings are productive and effective and that opportunity is given for the views of all Board members to be expressed and considered and
- (iii) Seek to reach consensus and ensure that decisions are properly put to a vote when consensus cannot be reached.

CONFLICTS OF INTEREST

3.105 All members of the Board must declare to Cheshire Fire Authority on appointment and at any such time as their circumstances change any potential conflict of interest arising as a result of their position on the Board.

3.106 On appointments to the Board and following any subsequent declaration of potential conflict Cheshire Fire Authority shall ensure that any potential conflict is effectively managed in line with both the internal procedures of Cheshire Fire Authority and the requirements of the Pensions Regulators Codes of Practice on conflict of interest for Board members.

CAPACITY (INCLUDING TRAINING)

3.107 Board members must have the capacity to devote sufficient time and energy to this role. In particular Board members shall attend and participate in training.

BOARD ADMINISTRATION

3.108 Meetings will be arranged by the Democratic Services team, who will issue agendas and supporting papers at least seven working days in advance of meetings.

3.109 The Democratic Services team will also be responsible for taking minutes of the meetings.

TERM OF OFFICE

3.110 Members of the Board will be appointed for an indefinite term.

3.111 Board membership may be terminated prior to the end of the term of office due to:

- (i) A member representative appointed on the basis of their membership of the scheme no longer being a member of the scheme or an employee of Cheshire Fire Authority.
- (ii) An employer representative no longer holding office or employment with, or being a Member of, Cheshire Fire Authority.
- (iii) The representative no longer being able to demonstrate their capacity to attend and prepare for meetings or to participate in required training.

MEETINGS

3.112 The Board is expected to meet approximately two times per year.

3.113 The Chair of the Board may call additional meetings.

QUORUM

3.114 A meeting is only quorate when at least one pension member representative and one employer representative is present.

VOTING

3.115 Each member of the Board will have one vote.

3.116 Where an equal number of votes are cast the Chair (or in his or her absence the chair of the meeting) will have a casting vote.

THREE POLITICAL GROUPS ONLY

Political Proportionality Rules and Calculations

1. The following table shows the percentages used in producing the calculations which appear later in this section:

Group	Seats on Fire Authority	Percentage of Seats on Fire Authority
Labour	12	52.17%
Conservative	8	34.78%
Democratic	3	13.04%
Total	23	100.00%

2. The Principles in Section 15 of the Local Government and Housing Act 1989 that need to be followed as far as reasonably practical are:
 - (a) that not all the seats on the body are allocated to the same political group;
 - (b) that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
 - (c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority; and
 - (d) subject to paragraphs (a) to (c) above, that the number of the seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority.

Principle (a)

3. We can ignore Principle (a) as no options are presented with the Labour Group having all of the seats on any body.

Principle (b)

4. The table below presents a scenario where the Labour Group is initially given the majority of seats on each body and then the other seats are allocated using the proportion calculations. A seat is allocated wherever the calculations return a .5 or above. This complies with Principle (b) but produces an unsatisfactory result. There are 33 seats allocated when there are only 31 available (one extra on Governance and Constitution Committee and the Joint Consultative Committee).

		No of seats allocated on Estates and Property Committee (7 Seats)	No of seats allocated on Performance and Overview Committee (7 Seats)	No of seats allocated on Pay and Performance Committee (Staffing Committee) (7 Seats)	No of seats allocated on Governance and Constitution Committee (6 Seats)	No of seats allocated on Joint Consultative Committee (4 Seats)	Total no of seats to allocate (31)
Conservative	%	34.78	34.78	34.78	34.78	34.78	9
	Calc	2.43	2.43	2.43	2.09	1.39	
	Rounded	2	2	2	2	1	
Labour	Majority	4	4	4	4	3	19
Democratic	%	13.04	13.04	13.04	13.04	13.04	5
	Calc	0.91	0.91	0.91	0.78	0.52	
	Rounded	1	1	1	1	1	
Totals		7	7	7	7	5	33

Principle (c)

5. The table below shows the allocation taking into account the total number of available seats set against the proportions on the Fire Authority. Rounding is applied to .5 and above. It is these figures which the allocations should seek to achieve. This complies with Principle (c).

Political Group	%	Calculation – Proportion of 31 Seats	Total
Conservative	34.78	10.78	11
Labour	52.17	16.17	16
Democratic	13.04	4.04	4
Totals	100	30.99	31

Principle (d)

6. The table below applies the proportions on the Fire Authority to each individual body. A seat is allocated wherever the calculations return .5 or above. It produces an unsatisfactory result as the Labour Group does not have the majority on all committees.

		No of seats allocated on Estates and Property Committee (7 Seats)	No of seats allocated on P&O Committee (7 Seats)	No of seats allocated on Pay & Performance Committee (7 Seats)	No of seats allocated on Governance and Constitution Committee (6 Seats)	No of seats allocated on Joint Consultative Committee (4 Seats)	Total no of seats to allocate (31)
Conservative	%	34.78	34.78	34.78	34.78	34.78	9
	Calc	2.43	2.43	2.43	2.09	1.39	
	Rounded	2	2	2	2	1	
Labour	%	52.17	52.17	52.17	52.17	52.17	17
	Calc	3.65	3.65	3.65	3.13	2.09	
	Rounded	4	4	4	3	2	
Democratic	%	13.04	13.04	13.04	13.04	13.04	5
	Calc	0.91	0.91	0.91	0.78	0.52	
	Rounded	1	1	1	1	1	
Totals		7	7	7	6	4	31

Achieving the Principles

7. The Labour Group will have the majority on these committees with an even number of seats (Governance and Constitution Committee and the Joint Consultative Committee) provided that Labour members chair the meetings. Labour members must, therefore, be appointed to the roles of Chair and Deputy Chair for these committees.
8. The allocations using Principle (c) and Principle (d) are shown below:

Political Group	Number of Seats	
	Allocations per Body (Principle (c))	Allocations per Overall (Principle (d))
Conservative	11	9
Labour	16	17
Democratic	4	5
	31	31

9. In order to make the allocations work satisfactorily both the Labour Group and Democratic Group need to give up a seat to the Conservative Group.

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THREE POLITICAL GROUPS PLUS ONE INDEPENDENT MEMBER

Political Proportionality Rules and Calculations

1. The following table shows the percentages used in producing the calculations which appear later in this section:

Group	Seats on Fire Authority	Percentage of Seats on Fire Authority
Labour	12	52.17%
Conservative	8	34.78%
Democratic	2	8.70%
Total	22	95.65%

NB: Independent Member not entitled to any seats on committees etc. (4.35%).

2. The Principles in Section 15 of the Local Government and Housing Act 1989 that need to be followed as far as reasonably practical are:
 - (a) that not all the seats on the body are allocated to the same political group;
 - (b) that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
 - (c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority; and
 - (d) subject to paragraphs (a) to (c) above, that the number of the seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority.

Principle (a)

3. We can ignore Principle (a) as no options are presented with the Labour Group having all of the seats on any body.

Principle (b)

4. The table below presents a scenario where the Labour Group is initially given the majority of seats on each body and then the other seats are allocated using the proportion calculations. A seat is allocated wherever the calculation returns a .5 or above. This complies with Principle (b) but produces an unsatisfactory result. There are 32 seats allocated when there are only 31 available (the extra seat is allocated on Governance and Constitution Committee).

		No of seats allocated on Estates and Property Committee (7 Seats)	No of seats allocated on Performance and Overview Committee (7 Seats)	No of seats allocated on Pay and Performance Committee (Staffing Committee) (7 Seats)	No of seats allocated on Governance and Constitution Committee (6 Seats)	No of seats allocated on Joint Consultative Committee (4 Seats)	Total no of seats to allocate (31)
Conservative	%	34.78	34.78	34.78	34.78	34.78	9
	Calc	2.43	2.43	2.43	2.09	1.39	
	Rounded	2	2	2	2	1	
Labour	Majority	4	4	4	4	3	19
Democratic	%	8.70	8.70	8.70	8.70	8.70	4
	Calc	0.61	0.61	0.61	0.52	0.35	
	Rounded	1	1	1	1	0	
Total Allocated		7	7	7	7	4	32

Principle (c)

5. The table below shows the allocation taking into account the total number of available seats set against the proportions on the Fire Authority. Rounding is applied to .5 and above. It is these figures which the allocations should seek to achieve. This complies with Principle (c). One seat is not allocated.

Political Group	%	Calculation – Proportion of 31 Seats	Total
Conservative	34.78	10.78	11
Labour	52.17	16.17	16
Democratic	8.69	2.70	3
Totals	95.65	29.65	30

Principle (d)

6. The table below applies the proportions on the Fire Authority to each individual body. A seat is allocated wherever the calculation returns .5 or above. This produces an unsatisfactory result. Only 30 seats are allocated out of 31 (the unallocated seat is on the Joint Consultative Committee) and the Labour Group does not have the majority on all committees.

PRINCIPLE (d)							
SEATS ALLOCATED ON THE INDIVIDUAL BODIES WHERE POLITICAL PROPORTIONALITY RULES APPLY							
APPLY ROUNDING UP TO FIGURES 0.5 AND OVER AND DOWN IF BELOW 0.5							
		No of seats allocated on Estates and Property Committee (7 Seats)	No of seats allocated on P&O Committee (7 Seats)	No of seats allocated on Pay & Performance Committee (7 Seats)	No of seats allocated on Governance and Constitution Committee (6 Seats)	No of seats allocated on Joint Consultative Committee (4 Seats)	Total no of seats to allocate (31)
Conservative	%	34.78	34.78	34.78	34.78	34.78	9
	Calc	2.43	2.43	2.43	2.09	1.39	
	Rounded	2	2	2	2	1	
Labour	%	52.17	52.17	52.17	52.17	52.17	17
	Calc	3.65	3.65	3.65	3.13	2.09	
	Rounded	4	4	4	3	2	
Democratic	%	8.70	8.70	8.70	8.70	8.70	4
	Calc	0.61	0.61	0.61	0.52	0.35	
	Rounded	1	1	1	1	0	
Total Allocated		7	7	7	6	3	30

Achieving the Principles

7. The Labour Group will have the majority on the committees with an even number of seats (Governance and Constitution Committee and the Joint Consultative Committee) provided that Labour members chair the meetings. Labour members should, therefore, be appointed to the roles of Chair and Deputy Chair for these committees.

8. The allocations using Principle (c) and Principle (d) are shown below:

Political Group	Number of Seats	
	Allocations per Body (Principle (c))	Allocations per Overall (Principle (d))
Conservative	11	9
Labour	16	17
Democratic	3	4
	30	30

9. In order to make the allocation work satisfactorily both the Labour Group and Democratic Group need to give up a seat to the Conservative Group.
10. This still leaves one seat unallocated.

APPOINTMENTS TO COMMITTEES, BOARDS AND GROUPS FOR 2018-19

BODIES COVERED BY POLITICAL PROPORTIONALITY RULES

PERFORMANCE AND OVERVIEW COMMITTEE – 7 Members and 1 independent member

Chair:

Deputy Chair:

CONSERVATIVE	LABOUR	DEMOCRATIC	independent member
			D Barnett

Substitute Members for Performance and Overview Committee

CONSERVATIVE	LABOUR

GOVERNANCE AND CONSTITUTION COMMITTEE – 6 Members and 2 independent members

Chair: (Labour Member*)

Deputy Chair:

CONSERVATIVE	LABOUR	DEMOCRATIC	independent member
			D Barnett
			L Thomson

Substitute Members for Governance and Constitution Committee

CONSERVATIVE	LABOUR	DEMOCRATIC

BRIGADE MANAGER'S PAY AND PERFORMANCE COMMITTEE – 7 Members

It is the usual convention that the Committee includes the Fire Authority Chair, Deputy Chair, and Group spokesperson(s).

Chair:

Deputy Chair:

CONSERVATIVE	LABOUR	DEMOCRATIC

Substitute Members for Brigade Manager's Pay & Performance Committee

CONSERVATIVE	LABOUR	DEMOCRATIC

ESTATES AND PROPERT COMMITTEE – 7 Members

Chair:

Deputy Chair:

CONSERVATIVE	LABOUR	DEMOCRATIC	independent member
			D Barnett OR
			L Thomson

Substitute Members for new Member Decision-Making Body

CONSERVATIVE	LABOUR	DEMOCRATIC

Note: Appointments to this body should include the four Lead Members and the Procurement and Environment Member Champions.

JOINT CONSULTATIVE COMMITTEE – 4 Members

Chair: Labour Member*

Deputy Chair:

CONSERVATIVE	LABOUR	DEMOCRATIC

Substitute Members for Joint Consultative Committee

CONSERVATIVE	LABOUR

* A Labour Chair is indicated on committees with an even number of seats to ensure that the Labour Group is able to have the casting vote. The alternative would be to increase seat numbers.

BODIES NOT COVERED BY POLITICAL PROPORTIONALITY RULES

MEMBER TRAINING AND DEVELOPMENT GROUP – 4 Members and 1 Independent Member

Chair:

CONSERVATIVE	LABOUR	DEMOCRATIC	independent members
			L Thomson

RISK MANAGEMENT BOARD – 2 Members

CONSERVATIVE	LABOUR	DEMOCRATIC

PHOENIX BOXING CLUB BOARD – 2 Members (from Warrington Members)

Members	Substitute Members

HEALTHY HEART RUNCORN TRAINING GYM BOARD – 1 Member (from Halton Members)

Member

PENSION BOARD – 1 Member

Member
Member Champion for Pensions

BODIES WHERE NO APPOINTMENTS ARE REQUIRED

CLOSURE OF ACCOUNTS COMMITTEE

The Performance and Overview Committee sits as the Closure of Accounts Committee and meets once a year to close the Authority's accounts.

STAFFING COMMITTEE – 7 Members

The Brigade Managers' Pay and Performance Committee sit as the Staffing Committee.

BUSINESS CONTINUITY COMMITTEE

The membership of the Business Continuity Committee comprises the Chair, Deputy Chair, Group Spokesperson(s) and Lead Member(s). The Committee meets on an ad-hoc basis, as required.

UNITARY PERFORMANCE MANAGEMENT GROUPS

The Unitary Performance Area Groups are the performance delivery groups in each of the Unitary Performance Areas and are chaired by the local Unitary Performance Manager, and attended by the local Members for that area.

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OUTSIDE BODIES – INFORMATION

REGIONAL APPOINTMENTS – NORTH WEST

(A) NORTH WEST FIRE FORUM

This forum oversees collaborative work being undertaken by the fire and rescue services in the North West.

NB: 3 representatives only - Chair, Deputy Chair and Leader of Main Opposition

Members
Chair of Fire Authority
Deputy Chair of the Fire Authority
Leader of Main Opposition

(B) NW FIRE CONTROL LTD – BOARD OF DIRECTORS

This Company is jointly owned by the Authority and Cumbria County Council, Greater Manchester Fire and Rescue Authority and Lancashire Combined Fire Authority. It is responsible for the provision of call handling and mobilising services to the Authorities. It has a Board of Directors and each Authority is able to appoint two of its Members to the Board.

NB: 2 representatives only - Chair + 1

Members
Chair of the Fire Authority

REGIONAL APPOINTMENTS – OTHER

(C) LOCAL GOVERNMENT ASSOCIATION (LGA) - FIRE COMMISSION

The Fire Commission provides a focus for the needs and concerns of fire authorities. All Fire and Rescue Services with full or corporate membership have the right to nominate a representative to this forum. At Cheshire this is usually the Chair of the Authority. Additional Members from Fire Authorities are appointed as necessary by the political groups to ensure political balance. The Commission meets quarterly and is an opportunity for Members to network and share information and ideas. The Commission is subject to the Constitution and Standing Orders of the Local Government Association.

Member
Chair of Fire Authority

(D) SAFER CHESHIRE EAST PARTNERSHIP

Safer Cheshire East Partnership is a statutory requirement under the Crime and Disorder Act 1998 and Cheshire Fire Authority is a statutory partner. The Fire Authority is represented by a Senior Officer and a (Cheshire East) Fire Authority Member is also appointed by the Fire Authority. The partnership meets on a 6-monthly basis and its key priorities include crime prevention, anti-social behaviour, preventing offending, road safety and domestic abuse.

NOTE: There is currently a large scale sub-regional review taking place on Community Safety Partnerships and Cheshire East are also reviewing the arrangements for the Safer Cheshire East Partnership.

Member

(E) SUB-REGIONAL PUBLIC LEADERSHIP BOARD

The Board provides strategic direction and focus on sub-regional matters for any sub-regional commissions, working groups, sub-committees, project steering groups or task and finish groups established to develop and implement sub-regional strategy. The Board comprises of elected Leaders of Cheshire East Council, Cheshire West and Chester Council and Warrington Borough Council, the Chairs of the Cheshire Police Authority and Cheshire Fire Authority, the Chair of Cheshire and Warrington Local Enterprise Partnership and the Chair of the Cheshire, Warrington & Wirral PCT Cluster. In addition the Leader of Halton Borough Council has membership of the Board in an Associate Capacity.

Member
Chair of the Fire Authority

MEMBER CHAMPION ROLES

Equality and Diversity Sits on Equality Task Group (Note : 2 appointments were made to this position in 2017/18)	
Health and Safety Sits on Health and Safety Committee	
Information and ICT	
Environment	
Procurement	
Finance (Note : 2 appointments were made to this position in 2017/18)	
Older People	
Young People	
Performance Management	
Commercial/Business Risk Reduction	
Industrial Relations (JCC Chair)	
Road Safety	
Pensions (Pension Board Chair)	
Sprinklers	

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TIMETABLE OF MEETINGS FOR THE MUNICIPAL YEAR 2018/19

Cheshire Fire Authority Wednesdays - 10.30am	Governance and Constitution Committee Wednesdays - 10.00am	Performance and Overview Committee Wednesdays - 10.00am	Estates and Property Committee Wednesdays – 1.00pm
20 June 2018 (annual meeting) (Q4 – EOY Reports)	4 July 2018	11 July 2018 (Q4 EOY Reports)	20 June 2018
18 July 2018 (sign-off – final accounts)			18 July 2018
19 September 2018 (Annual report) (IRMP Consultation)		5 September 2018 (Q1 Performance Reports)	19 September 2018
12 December 2018 (Consider outline budget)	14 November 2018	28 November 2018 (Q2 Mid-Year Performance Reports)	12 December 2018
13 February 2019 (Approve final budget and IRMP sign-off)	30 January 2019	27 Feb 2019 (Q3 Performance Reports)	13 February 2019
24 April 2019	10 April 2019		24 April 2019

ADDITIONAL MEMBER MEETINGS:

Member Planning Days: Friday 13 July 2018
Friday 7 September 2018
Friday 9 November 2018
Friday 11 January 2019

Closure of Accounts (pm): Wednesday 29 May 2019

Risk Management Board: 10am – 12pm Tuesday 16 October 2018
Tuesday 12 March 2019

Member Training and Development Group: 10am – 12pm Thursday 5 July 2018 (TBC)
Wednesday 3 October 2018
Wednesday 5 December 2018
Wednesday 20 March 2019

BM Pay & Performance Committee dates: 10am – 12pm
CFO Interim Appraisal: Wednesday 31 October 2018
BM Pay Review: Wednesday 9 January 2019
CFO Appraisal: Wednesday 27 March 2019

Staffing Committee dates: 12pm – 2pm Wednesday 31 October 2018
Wednesday 27 March 2019

CHESHIRE FIRE AUTHORITY

MEETING OF: FIRE AUTHORITY
DATE: 20TH JUNE 2018
REPORT OF: HEAD OF FINANCE
AUTHOR: WENDY BEBBINGTON

SUBJECT: END OF YEAR FINANCIAL REPORT 2017-18

Purpose of report

1. To present the 2017/18 year end review of the Authority's financial position.

Recommended: That

- [1] Members note the End of Year Financial Report 2017-18.

Background

2. The Authority's vision, plans, policies, and organisational structures are all focused on ensuring that the Service can deliver the improvements in safety outcomes that matter to the communities of Cheshire East, Cheshire West and Chester, Halton and Warrington.
3. On 14th February 2017 the Authority approved the 2017/18 revenue budget of £41.2m together with a 2017/18 capital programme of £1.765m. Budget monitoring reports have been presented to the Performance and Overview Committee on a quarterly basis focussing on the forecast outturn position and revisions to the overall budget in response to changes in year.

Information

Revenue Budget

4. At the end of the year, the actual net expenditure was £41,132k against the approved budget of £41,221k: an underspend of £89k before any use of reserves as summarised in the following table and in detail in Appendix 1.

Summary	Original Budget £000	Actual Spend £000	Variance £000	Reserve Funding £000	Revised Variance £000
Firefighting and rescue operations	£23,531	£23,478	-£53	-£937	-£990
Protection	£1,740	£1,405	-£335	£71	-£264
Prevention	£2,448	£2,186	-£262	£83	-£179
Support Services	£9,686	£9,695	£9	-£737	-£728
Unitary Performance Groups	£100	£105	£5	-£5	£0
Finance Resources	£2,513	£4,746	£2,233	-£2,749	-£516
S.31 Grants & Provisions	-£112	-£483	-£371	£0	-£371
Contributions to reserves	£1,315	£0	-£1,315	£2,620	£1,305
Total	£41,221	£41,132	-£89	-£1,654	-£1,743

5. Overall the outturn position shows an underspend of £89k before reserve movements. It had been anticipated that a number of one off items of expenditure would be financed from Reserves: these had been approved in February 2017 and were expected to amount to £2,226k. The year end position is that £1,131k of this one off expenditure can be met from the revenue budget rather than from Reserves. Absorbing this expenditure means that the underlying position when compared to the revenue budget, is an underspend of £1,220k. The 2018/19 approved budget recognised this with the inclusion of significant base budget savings.
6. In terms of the one off items of expenditure, £1,131k was actually spent, with £866k slipping into 2018/19 and £229k no longer required. This underspend is mainly due to the Ellesmere Port Shared Services Hub no longer proceeding (£120k); the number of posts required for the ERP2 project being less than anticipated (£80k); and a vehicle now being funded through a capital scheme (£22k).
7. The main year-end variances are explained in more detail below:

Firefighting and rescue operations £53k underspend

- 7.1 For Service Delivery at year end there is an overspend of £82k including the impact of the decisions over Crewe and Ellesmere Port duty system changes. Several issues have arisen during 2017/18 that have resulted in underspend allowing the additional costs of Crewe and Ellesmere Port to be absorbed, as follows.
- 7.2 For 2017/18 Service Delivery earmarked £200k to cover the cost of a new policy for out staffing and enhanced leave, subject to agreement with the unions. Negotiations are still on-going and therefore expenditure has not been incurred in 2017/18. It is anticipated that there will be an agreement by July 2018.
- 7.3 A further £240k was earmarked to cover the cost of increasing the establishment at Powey Lane by one to crew the special appliances upon their transfer. The transfer of the special appliances was put on hold

pending the outcome of the Crewe and Ellesmere Port review so the establishment remained the same resulting in an underspend. The transfer of the appliances is due to take place later this year.

- 7.4 On-call recruitment has proven to be challenging with a 15% vacancy rate in 2017/18. In 2018/19 remedial action to improve on-call availability is in place with the introduction of dual role posts (advocate/on call firefighter) which is expected to be more attractive for recruitment. The post holders will provide on-call day cover whilst delivering prevention work in the local area. The full detail is currently being finalised and is expected to go live by third quarter 2018/19. In addition to this, two crew managers have been deployed to work permanent nights at Wilmslow to support availability.
- 7.5 Operational Policy and Assurance have underspent by £135k due to a number of projects not completed in year and lower than budgeted spend on operational equipment.

Protection £335k underspend

- 7.6 The majority of the Protection underspend is attributable to staff vacancies. The department lost a significant number of fire safety inspecting officers due to temporary promotions to other areas of the Service and resignations during 2017/18 (including both of the Business Safety Advocates, employed to carry out 'goodwill' Business Safety visits).
- 7.7 In April 2017 the team were carrying 1 x GMB, 1 x S01 and 2 x WMA vacancies. Vacancies increased again when a number of WMs were successful in the Service's promotion process and this tied in with the agreed departmental restructure in July 2017 – at which point vacancies stood at 1 x SMB, 3 x WMA, 3 x WMB, 1 X S01 and 1 Scale 3 (30 hours).
- 7.8 At a time when the focus was very much on Protection issues in the aftermath of Grenfell existing staff were diverted from the scheduled audit programme to focus on high-rise premises. This coupled with the lack of staff to carry out audits has impacted on the number of fire safety audits being completed. At the end of 2017/18, a total of 1,319 non-domestic premises fire safety audits were completed against an annual target of 1,800. We have a statutory duty to enforce the Regulatory Reform (Fire Safety) Order and having too few staff to conduct fire safety audits is detrimental to our ability to carry out our statutory duty.
- 7.9 The number of fires in non-domestic premises increased with 185 fires during 2017/18 compared to 176 for the same period last year.
- 7.10 We expanded our Protection department in 2017/18 to incorporate the newly created Organisational Performance team who monitor organisational performance and are preparing the Service for the Inspectorate. Costs in this area are being monitored closely as spend this year has largely been on salaries (1 x GM and 1 x Scale 6). A Scale 6 was not recruited until April 2018. Spend will no doubt increase as the requirements of Inspectorate scrutiny become clearer.

Prevention £262k underspend

- 7.11 Combined Prevention Delivery underspends on staffing of £21,500 are due to newer staff not being at the top of their pay scales and others not being in the pension scheme, whereas the budget assumes both. 2017/18 started with 3x Scale 4 and 1 x Scale 3 vacancies across the team and a number of staff have joined and left the department over the course of the year, contributing to the underspend.
- 7.12 There was an underspend on smoke alarms of £33k largely due to the Service's stores being temporarily closed in March due to relocation as a result of the Blue Light Collaboration Programme. Funds were therefore transferred to reserves to meet any future demands.
- 7.13 Partnerships and Innovation had a slight underspend of around £3k, largely due to underspends on: supplies, services and other expenditure; and salaries due to a member of staff returning from maternity leave and reducing their hours on return.
- 7.14 The Targeted Youth Support team have held two Scale 5 vacancies for a significant part of the year, resulting in an underspend of a little over £9k at year end. One of these vacancies is due to the promotion of one of the TYST Leaders to Princes Trust Team Project Co-ordinator. The vacancies have impacted on the Service's ability to deliver the RESPECT programme and the additional underspend of £5,600 is attributable to spending less on travel/supplies in line with reduced delivery. One of the Key Activities in the Prevention departmental plan for 2018/19 is a full review of the RESPECT programme and how it is resourced and delivered.
- 7.15 Volunteers were marginally overspent by £3k due, in part, to a regrade of the Volunteer Programme Manager post from Scale 5 to Scale 6. Mileage costs ran a little over £2k overspent - with the drive to recruit more volunteers careful monitoring of the situation will be undertaken to establish the actual costs and budgets required.
- 7.16 For cadets, the bulk of this underspend is attributable to the £12k set aside for cadet camp not being spent. There was no cadet camp organised this year due, in part, to the focus on the two Nepal trips – a cadet trip, then an Apprentice trip in close succession.
- 7.17 The Prince's Trust team has been working on standardisation of costs across the teams which has contributed, in part, to bringing expenditure down compared to previous years. However, in 2017/18 there was a significant underspend on salaries (£41k). Full establishment consists of 1 x S02, 6 x S01 and 6 x Scale 4. There were 2 x S01 and 1 x Scale 4 resignations during the year with related underspends until these posts were filled. Due to staff shortages and the time taken to recruit, the

decision was taken to stop running the Macclesfield and Chester team for one round which naturally impacts on the number of programmes we are able to deliver for the young people. During this period the salaries of the Chester members of staff were funded by one of the colleges as they delivered a pilot Probation Prince's Trust Programme.

Finance Resources £516k underspend

7.18 This includes a £250k underspend on Blue Light together with savings on contingency of £233k, £143k on insurance and other minor underspends offset by the one-off payment towards the actuarial pension costs of £309k, saving a small amount of interest by paying this way.

Capital Programme

8. At the end of March 2018, the Authority had an approved capital programme of £35.1m with a forecast spend of £35.6m – on overspend of £0.5m (1.4% variance). As previously reported, the Emergency Response Programme overspent by £0.8m, but within agreed tolerances. The remaining schemes within the capital programme are underspent as set out in Appendix 2.
9. Two key projects were agreed in 2017/18, the Training Centre at Sadler Road and the Chester Fire Station replacement. These schemes are both in the early stages and progress will be reported to Members throughout 2018/19.

Reserves

10. As a result of the finalisation of the year end position, the level of Reserves is as shown in the table below. The level of total earmarked reserves has fallen in the year. The level of General Reserves has increased, reflecting the underspend at the year end and the budgeted contribution in the year. The figures are shown in the Draft Statement of Accounts which is subject to audit and therefore could potentially change.

Reserves	Balance 31 Mar 17 £000	Changes in year £000	Balance 31 Mar 18 £000
IRMP related	10,216	(728)	9,488
Capital receipts	341	62	403
Capital Grants unapplied	0	0	0
Capital Reserves	2,137	779	2,916
Resource Centre Managers	6,575	(214)	6,361
Community Risk Reduction	441	34	475
UPG	372	(5)	367
Total earmarked reserves	20,082	(72)	20,010
General Reserve	7,987	224	8,211
Total usable reserves	28,069	152	28,221

Financial implications

11. This report considers financial matters.

Legal Implications

12. There are no legal implications arising from the report.

Equality and diversity implications

13. There are no equality and diversity implications arising from this report.

Environmental implications

14. There are no environmental implications arising from this report.

BACKGROUND PAPERS: NONE

CHESHIRE FIRE AUTHORITY OUTTURN 2017/18

	Original Budget £000	Actual Spend £000	Variance £000
Firefighting and rescue operations			
Service Delivery	£19,462	£19,544	£82
Operational Policy and Assurance	£4,069	£3,934	-£135
Protection	£1,740	£1,405	-£335
Prevention			
Community Safety	£2,050	£1,886	-£164
Safety Centre	£398	£300	-£98
Support Services			
Executive Management	£776	£767	-£9
Property Management	£1,536	£1,649	£113
Finance	£436	£333	-£103
ICT	£1,623	£1,501	-£122
Legal and Democratic Services	£534	£474	-£60
People and Development	£1,512	£1,852	£340
Planning, Performance & Communications	£1,141	£1,000	-£141
Procurement and Stores	£584	£834	£250
Fleet services	£1,544	£1,285	-£259
Unitary Performance Groups	£100	£105	£5
Finance Resources	£2,513	£4,746	£2,233
Business Rates S31 grants	-£283	-£392	-£109
S31 grant	-£79	-£79	£0
Provision for non collection of funding	£250	-£12	-£262
Total Net Expenditure	£39,906	£41,132	£1,226
Funding:			
Council Tax	-£26,449	-£26,449	£0
Collection Fund Surplus (council tax)	-£360	-£360	£0
Business Rates Retention scheme	-£9,039	-£9,039	£0
Collection Fund Deficit (business rates)	£123	£123	£0
RSG	-£5,496	-£5,496	£0
Total Funding	-£41,221	-£41,221	£0
Contributions to/(from) capital reserves	£1,000	£0	-£1,000
Contributions to/(from) revenue reserves	£315	£0	-£315
Total Appropriations	£1,315	£0	-£1,315
Net Budget / Outturn / Variance	£0	-£89	-£89

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Cheshire Fire Authority Capital Outturn 2017/18

Project	Approval Year(s)	Approved Funding £000	Brought Forward £000	2017/18 £000	Total to date £000	Expected Outturn £000	Variance £000	Notes
Emergency Response Programme								
Lymm	2013-14 / 2014-15 / 2015-16	9,159	8,636	1,154	9,790	9,822	663	Complete and Operational, some fees still due.
Penketh	2013-14 / 2014-15 / 2015-16	3,403	3,502	12	3,514	3,516	113	
Powey Lane (M53/M56)	2013-14 / 2014-15 / 2015-16	3,523	3,550	24	3,574	3,575	52	
Alsager	2013-14 / 2014-15 / 2015-16	1,340	1,326	-	1,326	1,327	(13)	
		17,425	17,014	1,190	18,204	18,240	815	
New Training facility - Sadler Road	2017-18	9,050	6	245	251	9,050	-	Detailed scheme approved by CFA 20/9/17
New Chester Station	2017-18	5,510	-	20	20	5,510	-	Project approved by CFA 14/2/18 - replaces £560k initially approved by CFA Feb 2017.
		14,560	6	265	271	14,560	-	
<u>Prior Years Approved Schemes b/f - in Progress</u>								
ICS Review/Server Replacement Programme	2011-12 / 2016-17	458	311	-	311	458	-	To be used to fund server and network hardware replacement - timing subject to BLC
Line Rescue Vehicle	2015-16 / 2017-18	80	-	37	37	80	-	Higher specification vehicle proposed following review of requirements. Budget bid for 'top-up' £30k approved for 2017-18 Capital Programme. Order placed September 2017. Vehicle build in progress.
Appliance Replacement Programme	2016-17	857	339	415	754	754	(103)	COMPLETE: 4 x Appliances delivered July 2017.
One additional new appliance	2016-17	286	114	138	252	252	(34)	
2 * water incident units	2016-17	154	-	58	58	125	(29)	Vans delivered, Procurement of Boats and Trailers in progress.
2 * cadets vehicles	2016-17	20	-	23	23	23	3	COMPLETE: Delivered July 2017.
Support vehicles replacement programme	2016-17	60	20	42	62	62	2	COMPLETE: 1 x Training Van delivered March 17, 2 x Hydrant Vans delivered August 17.
		1,915	784	713	1,497	1,754	(161)	

Project	Approval Year(s)	Approved Funding £000	Brought Forward £000	2017/18 £000	Total to date £000	Expected Outturn £000	Variance £000	Notes
<u>2017-18 Approved Schemes</u>								
Appliance Replacement Programme	2017-18	810	-	776	776	776	(34)	COMPLETE: 3 x appliances delivered December 2017.
1 * cadets vehicle	2017-18	23	-	16	16	16	(7)	COMPLETE: Delivered March 2018.
1 * 4 Wheel drive resilience	2017-18	55	-	-	-	55	-	Deferred until 2018/19
1 * 4 Wheel drive resilience (Freelander replacement)	2017-18	30	-	-	-	-	(30)	NOT REQUIRED: Replacement rescheduled, current vehicles still fit for purpose.
Support vehicles replacement programme	2017-18	60	-	-	-	60	-	5 x Berlingos ordered December 2017.
Replacement Firebike	2017-18	11	-	9	9	9	(2)	COMPLETE: Delivered May 2017.
1 * minibus	2017-18	28	-	25	25	25	(3)	COMPLETE: Delivered March 2018.
1 * display unit (chip pan demo unit)	2017-18	25	-	-	-	18	(7)	Ordered November 2017.
Server replacement programme	2017-18	49	-	-	-	49	-	Subject to review and BLC.
Capital Contingency	2017-18	84	-	-	-	-	(84)	Contingency funding only.
		1,175	-	826	826	1,008	(167)	
	TOTAL	35,075	17,804	2,994	20,798	35,562	487	

CHESHIRE FIRE AUTHORITY

MEETING OF: CHESHIRE FIRE AUTHORITY
DATE: 20TH JUNE 2018
REPORT OF: HEAD OF FINANCE
AUTHOR: WENDY BEBBINGTON

SUBJECT: TREASURY MANAGEMENT REPORT 2017-18

Purpose of Report

1. To present a review of the Authority's treasury management activities during 2017-18.

Recommended that Members:

- [1] Note the report on treasury management activity for 2017-18; and
- [2] The prudential and treasury management outturn indicators as detailed in the report be noted.

Background

2. The Chartered Institute of Public Finance and Accountancy (CIPFA) define Treasury Management as 'the management of the local authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.'
3. The associated Code of Practice for Treasury Management recommends that those charged with governance are updated on treasury management activities regularly by way of a strategy at the start of the year, a mid-year review and an outturn report.
4. This annual report provides Members with details of the treasury management activities undertaken in 2017-18. It also considers compliance with the Authority's Treasury Management Practices (TMPs) during the year.
5. This report includes details of:
 - a) the Authority's loans portfolio position at 31 March 2018;
 - b) the Authority's investment portfolio position at 31 March 2018;
 - c) a summary of performance for the year 2017-18;
 - d) the Authority's performance in 2017-18 against the key Prudential and Treasury Indicators;

6. Members should be aware that all the 2017-18 figures in the report remain subject to audit.

The Economy and Interest Rates

7. During 2017, there was a major shift in expectations in terms of how soon the Bank Rate would start on a rising trend. After the UK economy surprised markets on the upside with strong growth in the second half of 2016, growth in 2017 was disappointingly weak in the first half of the year. The main reason for this was the sharp increase in inflation caused by the devaluation of sterling after the EU referendum feeding increases into the cost of imports into the economy. This caused a reduction in consumer disposable income and spending power as inflation exceeded average wage increases. Consequently, the services sector of the economy, accounting for around 75% of GDP, saw weak growth as consumers responded by cutting back on their expenditure. However, growth did pick up modestly in the second half of 2017-18.
8. Consequently, market expectations during the autumn rose significantly that the Monetary Policy Committee (MPC) would be imminently raising the Bank Rate. The minutes of the MPC meeting of 14 September indicated that the MPC was likely to raise the Bank Rate very soon. The 2 November MPC quarterly Inflation Report meeting duly delivered by raising Bank Rate from 0.25% to 0.50%. The 8 February MPC meeting minutes then revealed another sharp hardening in MPC warnings on a more imminent and faster pace of increases in the Bank Rate than had previously been expected. Market expectations for increases in the Bank Rate, therefore, shifted considerably during the second half of 2017-18. The major UK landmark event of the year was the inconclusive result of the general election on 8 June. However, this had relatively little impact on financial markets.
9. The table below provides a summary of PWLB borrowing rates comparing the start of the year and the end of the year and provides a picture of how the rates moved throughout the year.

	1 Year	5 Year	10 Year	25 Year	50 Year
1/4/17	0.85%	1.25%	1.93%	2.62%	2.37%
31/3/18	1.47%	1.85%	2.23%	2.57%	2.29%
Low	0.80%	1.14%	1.78%	2.52%	2.25%
Date	03/05/2017	15/06/2017	15/06/2017	08/09/2017	08/09/2017
High	1.51%	2.01%	2.53%	2.93%	2.64%
Date	21/03/2018	15/02/2018	15/02/2018	15/02/2018	15/02/2018
Average	1.11%	1.50%	2.08%	2.69%	2.41%

Outlook for 2018/19

10. Financial markets had priced in a 90% probability of a rise in the Bank Rate of 0.25% (to 0.75%) during May 2018, as global economic activity had increased and concerns mounted around possible future inflationary pressures. In recent weeks, economic data has been more

subdued, particularly from a UK perspective, and this led to the Bank of England deferring any rise in bank rate at its May meeting.

11. Expectations currently indicate a 50% probability of an increase in rates in either August or November 2018 but this will be driven by the economic data releases between now and the relevant Bank of England meetings. The Bank of England is then expected to keep rates on hold at 0.75% until mid/late-2019 and further clarity being available on Brexit negotiations.

Portfolio Position at 31 March 2018

12. A summary of the Authority's long term borrowing and investments at 31 March 2018 is shown in Table 1, including the equivalent position for 31 March 2017 for reference.

Table 1 – Portfolio Position		
	31 March 2017 £000	31 March 2018 £000
Long Term Borrowing	1,914	1,903
Investments	(21,800)	(23,980)
Net Borrowing / (Investments)	(19,886)	(22,077)

13. Long term borrowing as at 31 March 2017 included PWLB loans totalling £1,892k and a balance of £22k due to SALIX, a not for profit organisation which lends to fund carbon reduction schemes. £11k of the balance of this loan was repaid in 2017-18, reducing the outstanding balance of this loan at 31 March 2018 to £11k.
14. Investment balances (including cash on deposit in Money Market Funds) have increased during 2017-18 due mainly to the Authority holding £3.1m of Emergency Services Network project funding received from Home Office (as regional finance lead on behalf of north west regional fire authorities) at 31/3/2018 (increased from £1.6m at 31/3/17).

Treasury Management Performance 2017-18

Investments

15. The Authority has continued to find it difficult to generate significant levels of investment income in light of continuing low interest rates throughout 2017-18. Investment income in 2017-18 is £125k, reduced from the £162k generated in 2016-17. This reflects reduced cash balances available for investment as a result of significant capital expenditure during 2016-17, most notably in respect of the new station builds.

16. The Authority has continued with a cautious approach to its choice of counterparties. As at 31 March 2018, the Authority's investments are with Lloyds Bank of Scotland, Goldman Sachs UK and Standard Life Money Market Liquidity Fund, which the Authority continues to use regularly to manage day to day cashflows. The only other investment counterparty used during 2017-18 was Santander.
17. There have been no known instances of non compliance with TMPs during the year.

Borrowing

18. The amount of borrowing as at 31st March 2018 is £1.903m. During 2017/18 interest rates have been monitored and current loan terms held remain competitive, as such no loan re-scheduling took place.
19. The Authority has approved up to £9m of new borrowing to finance the Training Centre project in order to maintain sufficient cash resources to finance its existing ongoing capital expenditure commitments along with new and emerging capital expenditure needs, as detailed in the annual Treasury Management Strategy. The timing of this need to borrow, balanced carefully against prevailing and forecast market rates, will therefore be kept under close review throughout 2018-19.
20. The Authority currently remains in an under-borrowed position, which means that historically decisions have been made to internally finance expenditure as opposed to borrowing. The current position is c£5m under-borrowed which has not changed significantly for a number of years. This position may need to be reduced with new external borrowing should it begin to place pressure on day to day available cash balances however this is not an issue at the present time due to current reserve levels.
21. The actual maturity structure for borrowing falls slightly outside the agreed profile, as can be seen in Table 2. However, as the Authority has such relatively low levels of borrowing and currently has such a healthy investment position, this is not considered to be a material risk. Over recent years, the Authority has not required any new additional borrowing and has not therefore been easily able to influence the maturity structure.

	Upper Limit	Lower Limit	Actual	Amount
	%	%	%	£000
Under 12 months	25	0	1	11
12 months and within 24 months	25	0	46	880
24 months and within 5 years	40	0	22	426
5 years and 10 years	60	0	31	586
10 years and above	100	5	0	0

Prudential and Treasury Indicators

22. The Authority must approve Prudential and Treasury Indicators annually, to reflect the impact of the capital programme on the Authority's financial position. Table 3 below shows performance in 2017-18 against the indicators, which were approved by the Authority in February 2017.

Table 3: Prudential and Treasury Indicators			
Prudential Indicators	2017/18 Indicator £000	2017/18 Outturn £000	Comment
Capital expenditure	3,605	2,994	Chester FS Scheme did not proceed until 2018-19 + various vehicle underspends offset by initial Training Centre project spend.
Capital financing requirement	7,133	7,379	Initial expenditure on Training Centre Project to be financed by borrowing.
Annual change in capital financing requirement	(512)	(267)	
Gross borrowing requirement: (Under) / Over borrowing	(5,205)	(5,451)	
Ratio of financing costs to net revenue stream	1.22%	1.13%	
Treasury Indicators	2017/18 Indicator £000	2017/18 Outturn £000	
Authorised limit for external debt	4,132	13,132	Increase to limits approved CFA 6/12/17 to enable up to £9m borrowing for Training Centre – borrowing not actually taken 2017/18, likely 2018/19 to 2019/20.
Operational boundary for external debt	2,092	11,092	
Actual external debt			No new borrowing in 2017/18.
- Borrowing	1,903	1,903	
- Other long term liabilities	25	25	
Total	1,928	1,928	
Upper limit of fixed interest rate exposure	100%	100%	
Upper limit of variable interest rate exposure	40%	Nil	
Upper limit for principal sums invested for over 364 days	£5m	£nil	

23. The above data shows that the organisation remained within both the authorised limit and operational boundary for external debt. These are limits on the amount of external debt permitted and include both loans and financial leases.
24. With the exception of the initially proposed New Chester Station scheme (£0.6) which did not proceed in 2017-18 (replaced with a revised scheme approved by the Authority in February 2018), capital expenditure was broadly in line with anticipated spending levels. This was due to the successful completion of the new Lymm Fire Station and Safety Centre fit out, completion of 7 new Fire appliances during the year and initial training centre project spend. A number of operational vehicles currently being procured account for some slippage into 2018-19.

Conclusion

25. Interest rates have remained low throughout the year and are forecast to do so for the upcoming financial year. Opportunities for seeking improved returns will continue to be pursued within the approved confines of the Investment Strategy.
26. Borrowing levels remain sustainable. Up to £9m of new borrowing was approved by the Authority in December 2017 to finance the new training centre project. The timing of this new borrowing will be kept under close review throughout 2018-19 and the borrowing will be secured at the optimum point taking into account prevailing and forecast market rates.

Financial Implications

27. The report is in its nature financial and the implications are covered in the body of the report.

Legal implications

28. All transactions between the Authority and counterparties are governed by the agreements between the two parties, and overseen by our Treasury Management partner Link Asset Services (provided via Warrington Borough Council in 2017-18 but procured directly by the new Joint Police and Fire Finance team from 1st April 2018).

Equality and Diversity and Environmental Implications

29. There are none.

BACKGROUND PAPERS : NONE

CHESHIRE FIRE AUTHORITY

MEETING OF: CHESHIRE FIRE AUTHORITY
DATE: 20TH JUNE 2018
REPORT OF: HEAD OF PROTECTION AND ORGANISATIONAL
PERFORMANCE
AUTHOR: JAMES WILLMOTT

SUBJECT: PRIMARY AUTHORITY SCHEME PARTNERSHIP
AUTHORISATION PROCESS AND GENERAL UPDATE

Purpose of Report

1. To provide Members with an update on the partnerships that Cheshire Fire and Rescue Service (the Service) has under the Primary Authority Scheme and explain how existing arrangements have operated.
2. To seek agreement from Members that future Primary Authority Scheme proposals are determined by officers.

Recommended: That Members

- [1] note the paper;
- [2] continue to support the Service's involvement in existing and pursuance of new Primary Authority Schemes; and
- [3] authorise the Chief Fire Officer and Chief Executive, the Treasurer and the Director of Governance and Commissioning to approve future Primary Authority partnership arrangements if they are satisfied with them.

Background

3. The Primary Authority Scheme is a partnership scheme between a business and a single regulatory body (known as the Primary Authority). Partnerships are governed by legislation and cover specified areas of regulation such as fire safety.
4. The Scheme allows a business to form a partnership with a local authority such as a fire authority. The Primary Authority then provides assured and tailored advice on complying with regulations, e.g. fire safety, that other similar regulatory bodies must adhere to.
5. Businesses can benefit from a partnership by having access to relevant, authoritative tailored advice. They can also benefit by drawing on an established and effective means of meeting business regulations and

can be more confident they are protecting themselves, their employees and customers.

6. By entering into a partnership the Service benefits by supporting local economic growth through stronger business relationships. It also benefits by improving local regulation and can better target its resources to higher risk areas. Additionally, the Service also gains by developing staff expertise in specific areas via its partnerships.

Assured Advice

7. Different partnership services can be offered under the Primary Authority Scheme including the provision of assured advice on specific areas of compliance which the business can follow in the knowledge that the approach will comply with regulations. For example, a business might want to vary its approach to its maintenance regime of fire alarm systems; its partner is able to advise on the route to compliance.
8. Another enforcing authority may only take action against a business that is in a Primary Authority Scheme after consulting with the Primary Authority first and enforcement action may be blocked if it is inconsistent with the assured advice given by the Primary Authority.
9. Disputes in relation to a regulatory approach specified in assured advice are determined by the Secretary of State, although such interventions are extremely rare.
10. The Service is currently working with its partners, industry and national regulators to develop assured advice covering different aspects of compliance in relation to fire safety.

Inspection Plans

11. The Primary Authority can also work with a partner business to develop an inspection plan which must be followed by local enforcing authorities when inspecting business premises. Inspection plans can recommend the frequency of visits, their content and the circumstances which will warrant an inspection.
12. The purpose of an inspection plan is to direct enforcing authorities' inspections towards areas of risk so that areas previously deemed compliant by the Primary Authority are avoided.
13. The Service currently has no inspection plans in place with its partners.

Changes to the Primary Authority Scheme

14. The Co-ordination of Regulatory Enforcement Regulations (the CORE Regulations) came into force on the 1st of October 2017. The CORE Regulations changed the scope of the scheme by allowing a Primary

Authority to provide services to a business for all regulatory functions within their remit.

15. This alteration to the legislation only affects Metropolitan and County Council Fire and Rescue Services. As a combined authority, the Service can only provide Primary Authority services in relation to fire safety so this change will not affect it. It is possible that the Service's partners may choose to seek fire safety primary authority services from a different provider where that service can offer multiple regulatory functions such as Petroleum Licensing etc.
16. The CORE Regulations also made changes to assured advice, requiring it to be published on the secure area of the Primary Authority Register either as a description of the areas of advice given or in full.
17. A further change to the scheme removed a limited liability clause which meant that the Service was only liable to pay back any fees paid by the partner organisation. The Service has included the same liability protection arrangements in its revised partnership agreement documentation.

Current Partnerships

18. The Fire Authority approved a proposal in June 2015 for the Service to form its first partnership with Hydes Brewery Ltd. It approved a second proposal in September 2016 for the Service to form a partnership with Certas Energy (UK) Ltd.
19. Both partnerships have progressed well with the Service targeting specific areas of compliance or areas of the business operation at the request of the company.
20. The Service has assisted its partners through the completion of compliance visits highlighting areas of non-compliance and subsequent improvements at organisational and local level. The Service then provides a written compliance report to the business and provides support in achieving a satisfactory level of compliance.
21. A number of compliance visits are planned each year with the business and Service agreeing the areas of compliance and premises which will be sampled in advance.
22. The Service has also reacted to a number of requests for information from both the partners and also from other enforcing authorities throughout the year. The requests can be as a result of non-compliance at local level, due to an incident or to secure guidance on a particular area of compliance.
23. Quarterly meetings are also undertaken with both partners to progress issues and plan for the future requirements of each business.

24. The Service's existing partnerships operate on a cost recovery basis where only the hours spent performing work for the partner are charged back to the partner.
25. As of 5th June 2018 the Service had recovered costs totalling £19,266 arising from work with both partners.
26. All businesses entering into a new Primary Authority Partnership with the Service will be required to commit to a package of hours to be provided over the course of a year with a minimum of 80 hours per year stipulated. This forms part of the partnership agreement signed by both parties.
27. Unused hours are non-refundable unless this is due to a lack of capacity on the part of the Service in relation to staff shortages or sickness; in such circumstances unused hours will be credited to the next financial year. Additional hours may be purchased at the hourly rate of £64.00. This rate is calculated by the Finance Department to ensure accurate recovery of costs
28. The Service is currently drafting new partnership arrangements incorporating the package formula described in paragraphs 26 and 27 above for its existing partnerships.
29. If all existing and future business partners were to request the minimum package, then the Service would need a further four partnerships in order to fully cover the cost of the dedicated primary authority technical officer post.

Partnership approval process

30. The process of forming a new partnership currently requires the Head of Protection and Organisational Performance obtaining approval from the Fire Authority.
31. Once approval has been given by the Fire Authority the Service must then negotiate partnership arrangements with the business before formally seeking nomination from the Secretary of State.
32. The current process of seeking approval to form a partnership can be impacted due to the timing/frequency of Fire Authority meetings. A delay could put the Service at a disadvantage against other competing partnership providers and mean that it might lose a potential partner.

Proposal

33. The provision of Primary Authority partnerships has become competitive and businesses looking to enter into a partnership will often meet with a number of different fire and rescue services. To ensure that the Service can compete with other partnership providers it is recommended that the authorisation process is streamlined. Members are therefore asked to

authorise The Chief Fire Officer and Chief Executive, the Treasurer and the Director of Governance and Commissioning to deal with the approval of future Primary Authority partnership arrangements if they are satisfied with them.

Financial implications

34. Due to the nature of business partnerships and the varying needs of a partner business during the lifetime of a partnership, potential income (on a cost recovery basis) could increase or decrease. This could affect the funding of the dedicated post.

Legal implications

35. It is important that a suitable scheme of delegation exists. Now that the Primary Authority Scheme arrangements have become embedded and understood it appears appropriate for officers to handle decision-making associated with new partnerships.

Equality and Diversity implications

36. There are no equality and diversity implications arising from this paper.

Environmental implications

37. There are no environmental implications arising from this paper.

BACKGROUND PAPERS: NONE

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CHESHIRE FIRE AUTHORITY

MEETING OF: CHESHIRE FIRE AUTHORITY
DATE: 20TH JUNE 2018
REPORT OF: DIRECTOR OF GOVERNANCE AND COMMISSIONING
AUTHOR: LOUISE WILLIS/CHRIS ASTALL

SUBJECT: REFRESH OF RISK MANAGEMENT POLICY

Purpose of Report

1. To seek approval of the revised Risk Management Policy.

Recommended That:

- [1] Members approve the Risk Management Policy.

Background

2. The risk management arrangements are now overseen by the Joint Corporate Services Planning and Performance team located at Clemonds Hey.
3. In October 2017 Risk Management Board (RMB) commissioned a review of the fire risk management policy to provide clarity on the approach to risk management with the introduction of the joint Corporate Services team.

Information

Approach to developing the policies/frameworks

4. The team took the opportunity to simplify the current policies/frameworks in place for both fire and police and have produced separate fire and police policies/frameworks which have the same look and feel but have retained their separate brands and maintained the organisations current risk management practices (**See Appendix 1 – Fire Risk Management Policy**).
5. Both organisations have practitioners guidance in relation to their current risk management processes, governance arrangements and reporting guidelines. These are unchanged.

Approach to the assessment etc. of risks

6. A common risk scoring matrix has been developed to support both the fire and police policies/frameworks (**See Appendix 2**). Having a common scoring matrix offers benefits in terms of comparison of risks for each organisation.
7. There are some slight changes proposed to the scoring matrix for fire with red risks scoring **15-25 (unchanged)**; amber risks scoring **9-14 (previously 5-14)** and green risks below **8 (previously 1-4)**. The revised matrix does however offer specific guidance and detailed descriptions supporting each of the risk scores for impact and probability. It is believed that this approach will ensure that there will be a focus on those risks that are seen as having higher importance should they occur. Police have adjusted their scoring slightly to align the matrices.

Recording of risks

8. The Police have agreed to develop a prototype of the fire Cheshire Planning System, which offers the same quality of risk register presentation and reporting as the currently used excel spreadsheets, but provides a system solution with the extra benefits.

Financial Implications

9. Each risk is assessed in relation to its potential financial implications for which mitigating actions will be put in place, recorded and documented.

Legal Implications

10. Risk Management can relate to legal aspects of the Authority's business; however this report does not have any specific legal impact.

Equality & Diversity Implications

11. There are no equality and diversity impacts arising from this report.

Environmental Implications

12. There are no specific impacts on the environment arising from this report.

BACKGROUND PAPERS: NONE

Appendix 1: Fire Risk Management Policy

Appendix 2: Shared Risk Scoring Matrix



Making Cheshire Safer

Cheshire Fire & Rescue Service RISK MANAGEMENT POLICY March 2018



www.cheshirefire.gov.uk

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1 Introduction

The Risk Management function is now part of the new joint corporate services Planning and Performance team based at Clemonds Hey. Whilst Fire and Police are separate organisations each with their own risk appetite there is an opportunity to develop a more joined up and systematic approach to the identification, documentation and management of risk.

All Employees across Cheshire Fire and Rescue Service (CFRS) need to be aware of their responsibilities in relation to risk management and know the channels that are in place to escalate risks and who to contact.

2 What this Policy is about?

The Policy is an overarching document providing direction and signposting in relation to CFRS' risk management approach. The application of an effective risk management policy will assist CFRS to:

- Achieve organisational objectives
- Enhance service delivery
- Identify and assess new opportunities to improve services
- Provide a systematic and coordinated approach to the management of risk
- Demonstrate good governance arrangements

A detailed risk management process for CFRS which underpins this policy can be accessed in **Section 6**, including the revised risk scoring matrix.

3 Joint Risk Management Approach

Planning and Performance Risk Officers (Joint Corporate Services) will:

- Schedule meetings with all Heads of Departments (HoDs) quarterly to **proactively** review risk registers and update actions/progress.
- Escalate risks to relevant fire boards and committees or the strategic risk register where tolerances are exceeded or reduced.
- Provide risk management expertise and relevant guidance to support the organisations in the management of risk.
- Deliver joint risk management training with the Police at least every 2 years.
- Maintain good quality and consistent risk registers.
- Act as gatekeepers of the risk management policy, procedures and framework ensuring regular reviews are undertaken to keep them relevant and aligned to current guidance and practice.

Risk Reporting

- The current local risk reporting and governance arrangements remain in place.

4 What is Risk Management?

Risk Management is the planned systematic approach in identifying, evaluating and assessing risks to achieve continuous improvement and taking decisions to mitigate and minimise the likelihood or impact of those risks in the achievement of organisational objectives.

Effective risk management can help;

- reduce the frequency and consequences of negative risks (threats), and
- maximise the frequency and benefits of positive risks, (opportunities)

The diagram below summarises how risk management is integral to the delivery of organisational strategy.



4.1 Strategic Influences

- **The Fire Authority's Five Year Strategy (IRMP) and Annual Action Plans:** which outline the organisations strategy in delivering services and achieving objectives for the communities of Cheshire.
- **Corporate and strategic planning process:** risk identification forms a key part of the annual corporate planning processes through environmental and horizon scanning, HMICFRS inspection reports and the budget setting process.
- **Transformation and Change:** the organisation continues to be faced with a period of significant change in the context of national economic challenges and government policy. This will inevitably lead to changes in the way that CFRS provides services, manage staff, develops partnerships and engages with communities.

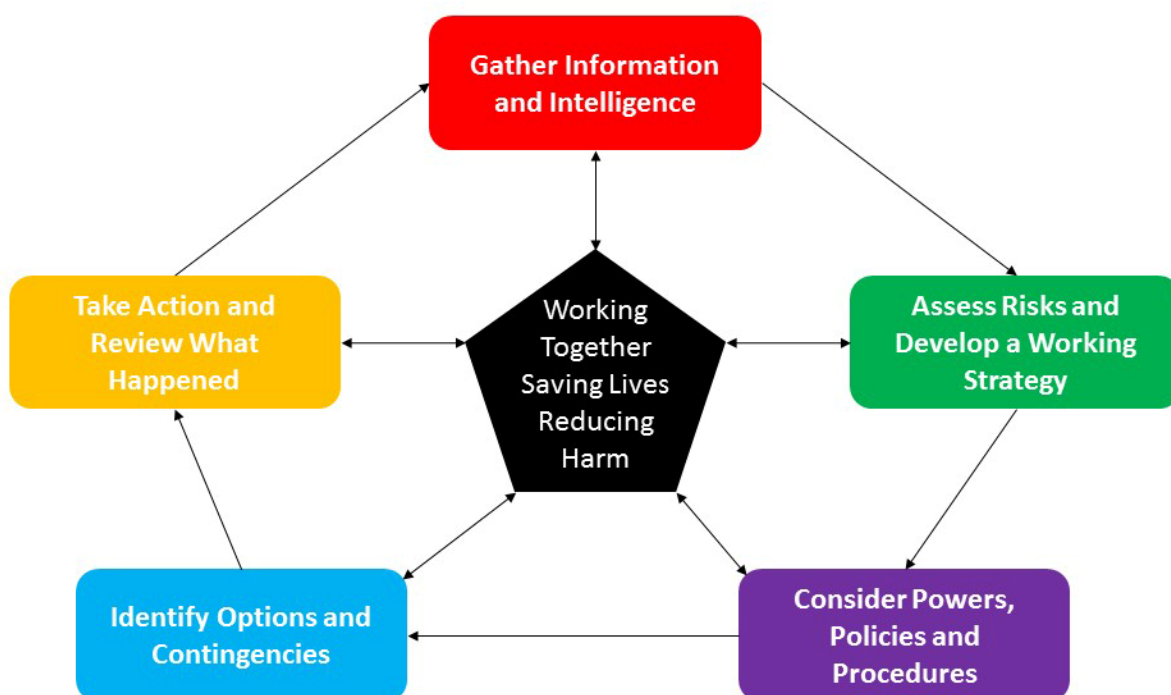
4.2 Vision

The focus for Cheshire Fire Authority, remains clear: to make Cheshire safer - this is articulated in the organisations Five Year Strategy and Annual Action Plan. – **See Section 6.**

4.3 Joint Decision Model (JDM) – Joint Emergency Services Interoperability Principles

One of the difficulties facing commanders from different responder agencies is how to bring together the available risk information, reconcile potentially differing priorities and then make effective decisions together.

To help all those involved in emergency response **JESIP** involves the use of a common model to help with a consistent and effective way of sharing incident information. The Joint Decision Model (JDM), shown below was developed to resolve this issue:



Decision making in the context of an emergency, including decisions on sharing information, does not remove the statutory obligations on CFRS. It is recognised that decisions will be made with an overriding priority of saving lives and reducing harm.

Select the link for more guidance in relation to the Joint Decision Making Model (JDM)
<http://www.jesip.org.uk/joint-decision-model>.

4.4 Risk Appetite

CFRS' business objectives are integral to its appetite for, and tolerance of risk. An organisation's appetite for risk will impact upon its ability to achieve its objectives. Opportunities may involve an

organisation optimising risk taking and accepting calculated risk. The range of identified risks which the organisation is prepared to accept, tolerate or be exposed to is its risk appetite.

The risk appetite is based on priority with red risks scoring 15-25; amber risks scoring 9-14 and green risks below 8. All amber and red risks require a risk mitigation plan – **See Section 6 for risk scoring and guidance:**

15-25	High
9-14	Medium
1-8	Low

5 Responsibilities/Governance




The table below sets out the governance responsibilities for Officers, Managers and Members:

RESPONSIBILITY	RISK GOVERNANCE
Fire Authority	Overall responsibility for risk management sits with the Fire Authority. The Fire Authority has appointed two Member Champions to sit on the Risk Management Board (RMB).
Chief Fire Officer and Chief Executive	The Chief Fire Officer and Chief Executive (Fire) Chairs the Risk Management Board and is responsible for ensuring that the Board promotes and supports the risk management policy and framework.
Risk Management Board (RMB)	<p>RMB meets regularly to consider issues around the approach to risk management, particularly in identifying, assessing and monitoring Corporate and Strategic risks and approving changes to risk profiles. The Board has a critical 'check and challenge' role to ensure that identified risks are based on sound risk information and are adequately evaluated. The Strategic risk registers are recorded and will be a key piece of information used to determine the Authority's levels of balances and reserves, RMB also signs off the annual review of the Service Crisis Management Plan (CMP) .</p> <p>The Risk Management Board comprises of:</p> <ul style="list-style-type: none"> ▪ Chief Fire Officer and Chief Executive ▪ Deputy Chief Fire Officer ▪ Section 151 Officer ▪ Monitoring Officer (Director of Governance & Commissioning) ▪ Head of Finance (Joint Corporate Services) ▪ Planning, Performance and Risk Manager (Joint Corporate Services) ▪ Planning and Performance Risk Officer (Joint Corporate Services) ▪ Internal Audit representative (MIAA) ▪ External Audit representative (Grant Thornton) ▪ Two Member Champions
Heads of Department (HoDs)	<p>HoDs are responsible for ensuring that risk is managed effectively in each department and have responsibility for championing the culture of risk management. They should review departmental activities on a regular basis to identify, analyse and implement appropriate control measures. HoDs should escalate risks where a high degree of likelihood or impact is likely to significantly affect performance or organisational objectives.</p> <p>Any risks that require escalation should be discussed with the Planning, Performance and Risk Officers in the first instance who will provide direction and guidance.</p>

RESPONSIBILITY	RISK GOVERNANCE
Joint Corporate Services Planning, Performance and Risk Officers	The Planning, Performance and Risk Officers based at Clemonds Hey are the gatekeepers of the policy and framework . The team Lead and facilitate quarterly risk review meetings with every Head of Department (HoDs) and escalate and de-escalate key risks to the relevant boards, committees and groups when risk tolerances are either exceeded or reduced.
Risk Champions	Fire and Joint Corporate Services Teams - Identified managers/officers who take on a proactive ' Champion ' role.
Managers and Officers	All Managers and Officers in Cheshire Fire & Rescue have a responsibility for risk management within their own specific areas of work: this includes operational, project and partnership risks. They are also responsible for supporting compliance with the policy.
Employees	Risk Management awareness is required across the organisation, to embed a risk management mindset and culture. Employees should be aware of the general principles of risk management; they should feel confident and able to raise risk issues with managers and officers.
Risk Owners	Risk Owners are the named individuals responsible for delivering the actions set out in risk registers and ensuring that information populated in their risk registers is relevant and fit for purpose.
Action Owners	Action Owners are responsible to the Risk Owner for the implementation of specific action(s) identified in the risk management plan.
Internal/External Audit	Provide independent assurance
Senior Information Risk Owner (SIRO)	The SIRO is the Senior Officer with responsibility for ensuring that the organisation meets appropriate information management standards and complies with data legislation, ensuring that appropriate policies, processes and guidance are in place to manage the organisation's information risks.

6 Related Documents and Links

To access the risk management scoring matrix; detailed risk management procedures for Cheshire Fire and Rescue Service and organisational plans/strategies; see below:

ATTACHMENTS	
Common Risk Management Scoring Matrix	 Fire Risk Scoring Methodology.docx
PROCEDURES/GUIDELINES	
Cheshire Fire & Rescue practitioners guide	 Risk Management Practitioner Guideline:
ORGANISATIONAL PLANS & STRATEGIES	
Cheshire Fire and Rescue Service (CFRS)	 CFRS Five year Strategy 2020.pdf Integrated Risk Management Plan (IRMP)

7 Glossary

This glossary is not exhaustive, but covers the terms used in this Policy and Practitioners guides.

Assurance	Independent confirmation that risk assessments and control responses are appropriate.
Compliance	Complying with laws and regulations applicable to an entity.
Controls	Actions in place to reduce the likelihood and or impact of risk.
Corporate Governance	Framework of accountability which organisations take decisions, lead and control their functions. Corporate governance includes management structures, risk management, reporting, audit, scrutiny and assurances.
Impact	The effect of a risk should it occur.
Liability	A legal responsibility for something, (e.g. responsibility to pay compensation).
Likelihood	The anticipated frequency with which a risk is expected to occur.
Opportunity	An uncertainty of event or set of events that, should it occur, will have a positive effect on the achievement of objectives.
Risk	The chance or something uncertain happening that will have an impact upon objectives, positive, (opportunity), or negative (threat).
Risk Appetite	The level of risks that organisations are prepared to accept in the delivery strategic objectives.
Risk Identification	The process of determining what can happen, why and how.
Risk Owner	The person assigned to manage the risk including monitoring the risk, its controls and any treatments.
Risk Register	Record containing details of identified risks, risk scores, controls put in place, risk owner and progress in managing the risks.
Risk Scoring	The process of assessing and quantifying the probable impact and likelihood this is done using a 5 x 5 matrix.
Risk Treatment	Action taken to mitigate the risk.
Risk Transfer	Assigning the responsibility to another party through legislation, contract, insurance or other means.
Risk Tolerance	The acceptable variation relative to the achievement of objectives.
Threat	Uncertainty event or set of events that, should it occur, will have a negative effect on the achievement of objectives.
Uncertainty	Inability to know in advance the exact likelihood of future events.

8 Policy Review

Policy will be reviewed every three years.

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Risk Scoring Matrix

Probability/ Likelihood	VH = 5	5	10	15	20	25
	H = 4	4	8	12	16	20
	M = 3	3	6	9	12	15
	L = 2	2	4	6	8	10
	VL = 1	1	2	3	4	5
		VL = 1	L = 2	M = 3	H = 4	VH = 5
Impact						

Risk Priority

15-25	High	Significant Action Plan required
9 – 14	Medium	Action Plan required
1 – 8	Low	Risk can be tolerated

Risk Thematic Areas

Financial
Reputational
Operational
Health & Safety
Partnership
People

Joint Risk Scoring Guidance

IMPACT							
Impact Score	Service	Performance	Finance	Reputation	Legal	Safety	Human Rights/ Diversity
5 = Major	Major impact/disruption to critical services. Inability to deliver a number of organisational objectives.	Significant performance impact. Not achieving more than one of the organisation's performance targets	Fire – over £1m	Sustained national media coverage. External Enquiry. Removal of command team member.	Prosecution. Major claims/fines	Multiple fatalities or multiple permanent injuries	Unjustified impact or interference.
4 = Serious	Serious impact/disruption on critical services with a noticeable impact on local communities.	Large impact on performance resulting in not achieving one of the organisation's performance targets	Fire - over £500k	Adverse media coverage	Serious claims/fines	Single fatality or severe injuries	Serious unjustified impacts or interference.
3 = Moderate	Noticeable impact on non-critical services or short term disruption.	Impact on performance resulting in difficulty achieving performance targets but where corrective action can still be taken	Fire – over £250,000	Some local adverse publicity	Significant litigation/claims. Within insurance cover.	Major injury	Some limited unjustified impact or interference.
2 = Low	Minor disruption to Service Delivery	Small impact on performance targets but can still be managed.	Fire – over £100K	Short term customer dissatisfaction	Minor claims/complaints within insurance cover	Minor or slight injury	Impact of interference manageable with existing resources
1 = Negligible	No noticeable disruption to service. Impact is easily manageable	Minimal/short term impact on performance, not to the extent where key targets are impacted.	Fire – below £5K	Manageable customer dissatisfaction	Unlikely to lead to litigation or a claim	Unlikely to have any safety impact	No impact on diversity/human rights

Probability Score	Detailed Description	% Chance	Relative	Frequency
5 = Very Likely	Has regularly occurred with the organisation or there are strong indications that the risk will happen in the future.	80% or more	Certain that it will happen	yearly
4 = Likely	Has previously occurred or there is a strong probability that it will happen in next 12 months within the organisation.	50% - 80%	Highly likely to occur	Every 1 to 2 years
3 = Moderate	Some indication that the risk will happen in the short to medium term.	20% - 50%	More likely not to happen than happen	Every 2 – 5 years
2 = Unlikely	Limited indication at this stage that the risk will happen.	5% - 20%	Unlikely to happen but possible	Every 5 to 20 years
1 = Remote	No indication that the risk will happen. Expected to be a rare occurrence	0% - 5%	Extremely unlikely	Every 20 years or more

Control Description

Effective	Controls in place provide significant assurance in mitigating the risk to an acceptable level
Partly Effective	Provides a limited level of assurance in mitigating the risk, however further mitigation actions need to be assigned to manage risk to an acceptable level.
Not Effective	Controls in place are not effective. Action plan needs to be put in place immediately

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CHESHIRE FIRE AUTHORITY

MEETING OF: CHESHIRE FIRE AUTHORITY
DATE: 20TH JUNE 2018
REPORT OF: CHIEF FIRE OFFICER AND CHIEF EXECUTIVE
AUTHOR: ANDREW LEADBETTER

SUBJECT: FIRE AND RESCUE NATIONAL FRAMEWORK
FOR ENGLAND (2018)

Purpose of Report

1. To inform Members about:

the introduction of a new Fire and Rescue National Framework for England (the Framework); and

work planned by officers to secure compliance with the Framework.

Recommended: That Members

- [1] Note the content of the report; and
- [2] Instruct officers to report to Performance and Overview Committee about compliance.

Background

2. Section 21 of the Fire and Rescue Services Act 2004 requires the Secretary of State to prepare a fire and rescue national framework, which
 - a) *must set out priorities and objectives for fire and rescue authorities in connection with the discharge of their functions;*
 - b) *may contain guidance to fire and rescue authorities in connection with the discharge of any of their functions; and*
 - c) *may contain any other matter relating to fire and rescue authorities or their functions that the Secretary of State considers appropriate.*
3. The Authority is required to produce an Annual Statement of Assurance. The Framework states that:

The statement should outline the way in which the authority and its fire and rescue service has had regard – in the period covered by the document – to this National Framework, the Integrated Risk Management Plan and to any strategic plan ... prepared by the authority for that period. The authority must also provide assurance to

their community and to government on financial, governance and operational matters.

Information

4. The Framework was published on 8th May 2018. A copy is attached to this report as Appendix 1. It is understood that the Government was keen to have the new version in place prior to HMICFRS commencing the upcoming tranche of inspections.
5. Whilst the Framework contains a number of requirements that are similar, or the same as those in the previous version, it does have a number of new requirements. The Foreword by the Rt Hon Nick Hurd MP, the Minister of State for Policing and the Fire Service contains three key themes:

Engaging effectively with other agencies;

Working in collaboration to enhance public safety;

Fire reform (see page 3 of the Framework for a list of reforms).
6. The Foreword also makes reference to efficiency and effectiveness as well as Grenfell and the work of Dame Judith Hackett.
7. The Framework states that the priorities for fire and rescue authorities are to:
 - *make appropriate provision for fire prevention and protection activities and response to fire and rescue related incidents;*
 - *identify and assess the full range of foreseeable fire and rescue related risks their areas face;*
 - *collaborate with emergency services and other local and national partners to increase the efficiency and effectiveness of the service they provide;*
 - *be accountable to communities for the service they provide; and*
 - *develop and maintain a workforce that is professional, resilient, skilled, flexible and diverse.*
8. Officers have prepared a document which provides an analysis of the requirements in the Framework, allocating responsibility, commenting on the current position and where necessary begging questions which need to be answered. The intention is to prepare an action plan in the next month or so. It is believed that this process is good practice and that it will also be useful in the run up to the inspection in July.

Financial Implications

9. The Framework does not, in itself, appear to have financial implications. However, the section on 'Achieving Value for Money' includes requirements that will be carefully considered.

Legal Implications

10. It is possible that compliance with the requirements in the Framework could have legal implications. Where these arise they will be considered as the action plan is developed.

Equality and Diversity Implications

11. It is possible that compliance with the requirements in the Framework could have equality and diversity implications. Where these arise they will be considered as the action plan is developed.

Environmental Implications

12. There are no environmental implications to consider.

BACKGROUND PAPERS: NONE

Appendix 1 – Fire and Rescue National Framework for England

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Home Office

Fire and Rescue National Framework for England

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Foreword

Fire and rescue services play a crucial role in making our communities safer, whether it be preventing and protecting people from fire and other risks, or responding swiftly and effectively to the incidents and emergencies that occur.

Over the past decade we have witnessed a significant decrease – almost half - in the number of fires attended which suggests that we are, as a society, becoming safer than ever from the risks and consequences of fire. This decrease can be attributed to many factors, including in part testament to the successful fire prevention and protection work that fire and rescue services deliver day in, day out, up and down the country. We must continue to work hard to keep people – especially those whose vulnerability to fire is increased by age, infirmity, mental health, domestic violence or any of the other complex issues some of us are living with – as safe from fire risks as possible. In many cases, this means engaging effectively with other agencies to work together to better protect and improve the outcomes for these individuals. Nevertheless, the awful tragedy at Grenfell Tower provided a stark and terrible reminder that we can never afford to become complacent.

The past decade has also seen fire and rescue services respond to an ever growing number of non-fire incidents. I expect collaboration to be at the heart of how services operate so that services can work with, or on behalf of, local providers, to deliver a range of public safety activity to protect their local communities, where it is in the interests of efficiency and effectiveness for them to do so. But such activity must not be at the expense of services' core functions around prevention, protection and response as that is ultimately what the taxpayer funds fire and rescue services to deliver.

In 2016, the Home Office outlined an ambitious programme of reform which it is delivering with the fire and rescue sector. We want to support the continuous improvement of fire and rescue services, enabling them to be more accountable, effective and professional than ever before, building on the great strides in prevention and collaboration that they have already made. This revised National Framework seeks to embed these reforms, which include:

- transforming local governance of fire and rescue by enabling mayors and police and crime commissioners to take on responsibility for their fire and rescue service where a local case is made;
- establishing Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) as an independent inspection regime for fire and rescue services;
- developing a comprehensive set of professional standards to drive sector improvement;
- supporting services to transform commercially with more efficient procurement and collaboration;
- increasing the transparency of services with the publication of greater performance data and the creation of a new national fire website; and
- driving forward an ambitious programme for workforce reform including through enhancing: professionalism; management and leadership; training and development; equality and diversity; culture; and options for flexible working.

It is against this background that the Government issues this revised National Framework. I am grateful to all those who responded to our consultation. We have carefully considered every response and amended the National Framework as appropriate. Our consultation response has been published separately.

The National Framework will continue to provide an overall strategic direction to fire and rescue authorities, but Whitehall will not run fire, and fire and rescue authorities and their services remain free to operate in a way that enables the most efficient and effective delivery of their services, drawing upon their considerable skills and experience to best reduce the risks from fire. Ultimately, it is to local communities, not Government, that fire and rescue authorities are accountable. The fire landscape is changing with different governance models, the new inspectorate and the recently created National Fire Chiefs Council. This revised framework outlines the new roles and responsibilities of these changes and sets expectations for how services should work with the new arrangements.

Finally, it is vital that we learn the lessons from Grenfell. I very much welcome the publication of Dame Judith Hackitt's interim report setting out a comprehensive analysis of the current system of building regulations and fire safety and providing recommendations for how it can be improved. We agree with her call for a change in culture and a more effective system that will encourage people to do the right thing and hold to account those who try to cut corners. The scale of the change indicated in her Interim Report cannot be delivered by government alone. We will work closely with Dame Judith and other partners – including the National Fire Chiefs Council and fire and rescue services – to implement her short-term recommendations and to identify the long-term changes that will need to be made to the system over time. We will update the National Framework as required to ensure that the learning and recommendations from this Review, as well as those from the wider Grenfell Tower Inquiry, are captured and reflected. In the meantime, we acknowledge the vital work that local fire and rescue services, and the National Fire Chiefs Council - as a member of the Expert Panel - are doing to ensure that building owners are taking all the necessary steps to ensure those living in high rise buildings are safe and feel safe to remain in their homes.

I look forward to continuing to see the important and life-saving work that fire and rescue services deliver.

A handwritten signature in blue ink that reads "Nick Hurd".

Rt Hon Nick Hurd MP

Minister of State for Policing and the Fire Service

1. INTRODUCTION

Powers

- 1.1 Under section 21 of the Fire and Rescue Services Act 2004 (“the 2004 Act”), the Secretary of State must prepare a Fire and Rescue National Framework. The Framework:
 - a) must set out priorities and objectives for fire and rescue authorities in connection with the discharge of their functions;
 - b) may contain guidance to fire and rescue authorities in connection with the discharge of any of their functions; and
 - c) may contain any other matter relating to fire and rescue authorities or their functions that the Secretary of State considers appropriate.
- 1.2 In setting out priorities and objectives for fire and rescue authorities in England, the requirements are best calculated to promote public safety and the economy, efficiency and effectiveness of fire and rescue authorities. The Framework sets out high level expectations; it does not prescribe operational matters which are best determined locally by fire and rescue authorities and their staff.
- 1.3 In preparing the Framework, the Secretary of State undertook a public consultation which met the requirements of the 2004 Act, namely to include fire and rescue authorities or their representatives; persons representing employees of fire and rescue authorities; and any other persons considered appropriate as required by the 2004 Act.
- 1.4 Every fire and rescue authority must have regard to the Framework in carrying out their functions. Every authority must publish an annual statement of assurance of compliance with the Framework (see Chapter 4).
- 1.5 Fire and rescue authorities function within a long-established statutory and policy framework. This document does not repeat all the duties placed on them in connection with the discharge of their functions, or more generally as a public service provider and employer.
- 1.6 The term ‘fire and rescue authority’ in this Framework applies to every fire and rescue authority in England unless otherwise stated.

Priorities

- 1.7 The priorities in this Framework are for fire and rescue authorities to:
 - make appropriate provision for fire prevention and protection activities and response to fire and rescue related incidents;
 - identify and assess the full range of foreseeable fire and rescue related risks their areas face;
 - collaborate with emergency services and other local and national partners to increase the efficiency and effectiveness of the service they provide;
 - be accountable to communities for the service they provide; and
 - develop and maintain a workforce that is professional, resilient, skilled, flexible and diverse.

2. DELIVERY OF FUNCTIONS

Identify and Assess

- 2.1 Every fire and rescue authority must assess all foreseeable fire and rescue related risks that could affect their communities, whether they are local, cross-border, multi-authority and/or national in nature from fires to terrorist attacks. Regard must be had to Community Risk Registers produced by Local Resilience Forums and any other local risk analyses as appropriate.
- 2.2 Fire and rescue authorities must put in place arrangements to prevent and mitigate these risks, either through adjusting existing provision, effective collaboration and partnership working, or building new capability. Fire and rescue authorities should work through the Strategic Resilience Board where appropriate when determining what arrangements to put in place.

Prevent and Protect

- 2.3 Fire and rescue authorities must make provision for promoting fire safety, including fire prevention, and have a locally determined risk-based inspection programme in place for enforcing compliance with the provisions of the Regulatory Reform (Fire Safety) Order 2005 in premises to which it applies.
- 2.4 We expect fire and rescue authorities to target their fire safety, prevention and protection resources on: those individuals or households who are at greatest risk from fire in the home; those most likely to engage in arson or deliberate fire setting; and on those non-domestic premises where the life safety risk is greatest. Consideration could also be given to non-domestic premises which are at risk from fire in order to mitigate loss to economic wellbeing.
- 2.5 To identify those at greatest risk from fire, we expect fire and rescue authorities to work closely with other organisations in the public and voluntary sector, as well as with the police and ambulance services. Wherever appropriate, we expect fire and rescue services to develop partnerships to support risk reduction services to those identified as vulnerable, including from exploitation or abuse, and wherever possible to share intelligence and relevant risk data.
- 2.6 In many cases, fire and rescue staff may be in a position to identify individuals' wider vulnerabilities and exposure to risks beyond fire. By working closely and collaboratively with other public and voluntary sector organisations – both nationally through the National Fire Chiefs Council (NFCC) and through local arrangements – we recognise fire and rescue authorities can make an important contribution to increasing the effectiveness and efficiency of public services and alleviating pressures on local response resources. However, this should not be at the expense of effective delivery of their statutory core fire functions.
- 2.7 In all their prevention and protection activities, fire and rescue authorities should assess what they are aiming to achieve through the activity, what type of intervention is most likely to achieve the aims and how best to measure and evaluate outcomes. Fire and rescue authorities should share details of their interventions to support each other to understand and improve the evidence base of what works best and what is most cost-effective.

2.8 Given the wide range of roles that fire and rescue personnel undertake, including with people with complex needs and vulnerabilities, fire and rescue authorities will need to ensure that all their staff in public-facing roles have the necessary skills and training to meet such demands. They also should have appropriate safeguarding arrangements in place – including ensuring staff have appropriate vetting clearance - to provide the public with the reassurance and confidence that they have every right to expect.

Respond

2.9 Fire and rescue authorities must make provision to respond to incidents such as fires, road traffic collisions and other emergencies within their area and in other areas in line with their mutual aid agreements.

2.10 Fire and rescue authorities must, so far as is practicable, enter into reinforcement schemes, or mutual aid agreements, with other fire and rescue authorities for securing mutual assistance.

2.11 Fire and rescue authorities must have effective business continuity arrangements in place in accordance with their duties under the Civil Contingencies Act 2004. Within these arrangements, fire and rescue authorities must make every endeavour to meet the full range of service delivery risks and national resilience duties and commitments that they face. Business continuity plans should not be developed on the basis of armed forces assistance being available.

Collaboration

2.12 The Policing and Crime Act 2017 created a statutory duty on fire and rescue authorities, police forces, and ambulance trusts to:

- keep collaboration opportunities under review;
- notify other emergency services of proposed collaborations that could be in the interests of their mutual efficiency or effectiveness; and
- give effect to a proposed collaboration where the proposed parties agree that it would be in the interests of their efficiency or effectiveness and that it does not have an adverse effect on public safety.

2.13 The duty is deliberately broad to allow for local discretion in how it is implemented and recognises that local emergency services are best placed to determine how to collaborate for the benefit of their communities. However, the duty sets a clear expectation that collaboration opportunities should be considered.

2.14 The duty does not preclude wider collaboration with other local partners, such as local authorities and wider health bodies. To reflect their wider role, ambulance trusts are required to consider the impact of the proposed collaboration on their wider non-emergency functions and the NHS when determining if it would be in the interests of their efficiency or effectiveness.

2.15 Fire and rescue authorities must collaborate with other fire and rescue authorities to deliver intraoperability (between fire and rescue authorities) and interoperability (with other responders such as other emergency services, wider Category 1 and 2 responders and Local Resilience Forums) in line with the Joint Emergency Services Interoperability Principles (JESIP). Fire and rescue authorities must collaborate with the National Resilience Lead Authority to ensure interoperability is maintained for National Resilience assets.

2.16 Intraoperability includes, but is not limited to:

- compatible communications systems, control rooms and equipment;
- common command and compatible control and co-ordination arrangements;
- effective information, intelligence and data sharing;
- compatible operational procedures, and guidance with common terminology;
- compatible training and exercising (both individually and collectively); and
- cross border working with other English fire and rescue authorities and those in the devolved administrations.

2.17 Interoperability includes, but is not limited to:

- compatible communications systems, control rooms and equipment, as appropriate;
- compatible command, control and co-ordination arrangements;
- effective inter-agency working and liaison and, where appropriate, information, intelligence and data sharing;
- shared understanding of respective roles and responsibilities, operational procedures, guidance and terminology;
- robust multi-agency plans for managing risks identified in the National Risk Assessment and community risk registers;
- multi-agency training and exercising; and
- cross border working with other responders in England and the devolved administrations.

3. NATIONAL RESILIENCE

- 3.1 The Government retains responsibility for the provision of national resilience assets and capabilities managed and delivered through fire and rescue services. This responsibility extends to undertaking the National Risk Assessment which informs the requirements for fire and rescue national resilience capabilities. In meeting this responsibility, the Government has committed significant financial resource to build national resilience capabilities and to support their ongoing maintenance.
- 3.2 The Government relies on the strategic leadership role of the NFCC to maintain fire and rescue national resilience capabilities in a high state of operational readiness through a comprehensive assurance regime delivered through lead authority arrangements.
- 3.3 Fire and rescue authorities must work with the lead authority to support the national resilience assurance processes in order to ensure capabilities are maintained at a high state of operational readiness. This includes co-operation of fire and rescue authorities, as necessary, on devolved training and, where applicable, on the long-term capability management arrangements.
- 3.4 Fire and rescue services, through the NFCC's representation on the Strategic Resilience Board, must also work with Government to identify and address any national resilience capability gaps identified through ongoing analysis of the National Risk Assessment.

Gap Analysis

- 3.5 Fire and rescue authorities' risk assessments must include an analysis of any gaps between their existing capability and that needed to ensure national resilience (as defined above).
- 3.6 Fire and rescue authorities are required to assess the risk of emergencies occurring and use this to inform contingency planning. To do this effectively, fire and rescue authorities are expected to assess their existing capability and identify any gaps as part of the integrated risk management planning process. This gap analysis needs to be conducted by fire and rescue authorities individually and collectively to obtain an overall picture of their ability to meet the full range of risks in their areas.
- 3.7 As part of their analysis, fire and rescue authorities must highlight to the Home Office or the Fire and Rescue Strategic Resilience Board, any capability gaps that they believe cannot be met even when taking into account mutual aid arrangements, pooling and reconfiguration of resources and collective action.
- 3.8 The Home Office, in liaison with other government departments and the devolved administrations, will support fire and rescue authorities in considering and defining the gap between existing capability and the capability required to ensure national resilience.

National Coordination and Advisory Framework

3.9 The National Coordination and Advisory Framework (NCAF) has been designed to provide robust and flexible response arrangements to major emergencies that can be adapted to the nature, scale and requirements of the incident. Fire and rescue authorities must proactively engage with, and support, the NCAF arrangements including the NFCC's lead operational role.

Response to Terrorist Attacks or Marauding Terrorist Firearms Attacks

3.10 Fire and rescue services must be able to respond to the threat of terrorism and be ready to respond to incidents within their areas and across England. Fire and rescue services should also be interoperable to provide operational support across the UK to terrorist events as required. Government recognises the critical contribution of fire and rescue services when responding to acts of terrorism. This is an agreed function of fire and rescue services as set out in the National Joint Council for Local Authority Fire and Rescue Services Scheme of Conditions of Service ("the Grey Book") and is encompassed within the broad descriptions within the existing agreed firefighter role maps: to save and preserve endangered life, and safely resolve operational incidents.

3.11 To enhance resilience to terrorist risks, the Government has committed significant financial resources to develop a Marauding Terrorist Firearms Attack (MTFA) capability, with the support of fire and rescue services. This is aligned to the National Risk Assessment and provides a specialist response across the country. Fire and rescue authorities are responsible for maintaining the robustness of this capability.

3.12 MTFA arrangements shall be further enhanced by putting in place an appropriate multi-agency assurance mechanism that will ensure the capability is effective and delivered to the agreed standard.

National Resilience Assurance

3.13 Fire and rescue authorities must continue to work collectively and with the Fire and Rescue Strategic Resilience Board and the national resilience lead authority to provide assurance to government that:

- existing national resilience capabilities are fit for purpose and robust; and
- risks and plans are assessed and any gaps in capability that are needed to ensure national resilience are identified.

3.14 Fire and rescue authorities with MTFA teams must work with police forces and ambulance trusts to provide tri-service assurance of this capability.

4. GOVERNANCE

- 4.1 Fire and rescue authorities operate with a range of different locally determined governance arrangements including an individual – either a police, fire and crime commissioner (PFCC) or a mayor – having sole responsibility for being the fire and rescue authority for an area. Each fire and rescue authority has a statutory duty to ensure provision of their core functions as required by the Fire and Rescue Services Act 2004.
- 4.2 Where police and crime commissioners under the Fire and Rescue Services Act 2004 – and mayors – wish to develop a local proposal to take on governance responsibility for fire and rescue in their area, fire and rescue authorities must provide them with such information that they reasonably require to develop a proposal. The Secretary of State can only give effect to a fire governance proposal where, in their view, it appears to be in the interests of economy, efficiency and effectiveness, or in the interests of public safety. The Secretary of State cannot give effect to a proposal if, in their view, it would have an adverse effect on public safety.
- 4.3 In London, the Mayor appoints a London Fire Commissioner who, in addition to being the fire and rescue authority, may have an operational role. The Mayor of London, who has overall responsibility for setting the strategic direction for the London Fire Brigade and holding the Commissioner to account, should give due regard to the advice of the London Fire Commissioner when making decisions about the service. The London Fire Commissioner is responsible for ensuring fire and rescue services in London are efficient and effective and prepares the Integrated Risk Management Plan for approval by the Mayor.

Managing the Fire and Rescue Service/Chief Fire Officer

- 4.4 Each fire and rescue authority will appoint an individual – commonly known as a Chief Fire Officer – who has responsibility for managing the fire and rescue service. This role does not have to be operational but includes managing the personnel, services and equipment secured by the fire and rescue authority for the purposes of carrying out functions conferred on it by the Fire and Rescue Services Act 2004, Civil Contingencies Act 2004, and other enactments. Each fire and rescue authority must hold this person to account for the exercise of their functions and the functions of persons under their direction and control.
- 4.5 The chief fire officer must, in exercising their functions, have regard to the fire and rescue authority's Integrated Risk Management Plan and any set objectives and priorities which may be outlined in a strategic plan. The fire and rescue authority should give due regard to the professional advice of the Chief Fire Officer while developing the Integrated Risk Management Plan and when making decisions affecting the fire and rescue service.

Documents to be Prepared

4.6 Each fire and rescue authority is required to produce (see Annex A for further details):

i. Integrated Risk Management Plan

Each plan must:

- reflect up to date risk analyses including an assessment of all foreseeable fire and rescue related risks that could affect the area of the authority;
- demonstrate how prevention, protection and response activities will best be used to prevent fires and other incidents and mitigate the impact of identified risks on its communities, through authorities working either individually or collectively, in a way that makes best use of available resources;
- outline required service delivery outcomes including the allocation of resources for the mitigation of risks;
- set out its management strategy and risk-based programme for enforcing the provisions of the Regulatory Reform (Fire Safety) Order 2005 in accordance with the principles of better regulation set out in the Statutory Code of Compliance for Regulators, and the Enforcement Concordat;
- cover at least a three-year time span and be reviewed and revised as often as it is necessary to ensure that the authority is able to deliver the requirements set out in this Framework;
- reflect effective consultation throughout its development and at all review stages with the community, its workforce and representative bodies and partners; and
- be easily accessible and publicly available.

ii. Annual statement of assurance

The statement should outline the way in which the authority and its fire and rescue service has had regard – in the period covered by the document – to this National Framework, the Integrated Risk Management Plan and to any strategic plan (e.g. the Fire and Rescue Plan – see 4.10 below) prepared by the authority for that period. The authority must also provide assurance to their community and to government on financial, governance and operational matters. For PCC FRAs, this statement is subject to scrutiny by the Police, Fire and Crime Panel. The name of this statement differs across governance models (e.g. in the case of PCC FRAs it is called the ‘Fire and Rescue Statement’ and in Greater Manchester the ‘Fire and Rescue Declaration’).

iii. Financial plans

A medium-term financial strategy, an efficiency plan and a reserves strategy. These can be combined or published separately. Please see section 5 for further details.

PFCC FRAs

4.7 A police, fire and crime commissioner (PFCC) must additionally produce a **fire and rescue plan**. The plan should set out the fire and rescue authority’s strategic vision, priorities and objectives for their fire and rescue service over the period of the document in connection with the discharge of their functions. This plan can be revised as frequently as considered necessary but the Government’s expectation is that a plan should be produced and issued shortly after the PFCC takes office. In

developing this plan, the PFCC must make arrangements for obtaining the view of the community as they currently do in preparing their Police and Crime Plan. These views can cover both the Fire and Rescue Plan and the Integrated Risk Management Plan and so there is no need for separate consultations to be undertaken, although local areas can consult as often as they consider necessary. The Government's expectation is that this plan should inform the Integrated Risk Management Plan which should in turn outline how the PFCC's priorities will be met.

- 4.8 The PFCC must have regard to both the Fire and Rescue Plan and the Police and Crime Plan when carrying out their functions. The plans can be combined. Where a joint Police, Crime and Fire and Rescue Plan is developed, the plan must set out both policing and fire and rescue priorities and objectives. Such plans are subject to scrutiny by the Police, Fire and Crime Panel.
- 4.9 The function of preparing and issuing the Integrated Risk Management Plan may be delegated to the Chief Fire Officer – or Chief Officer where a single employer has been put in place – however, the plan must be approved by the PFCC as the fire and rescue authority.

National Fire Chiefs Council

- 4.10 The NFCC brings together the operational leadership of the UK's fire and rescue services to provide co-ordinated professional, operational and technical leadership of the sector, advising and supporting central and local government, and other stakeholders.
- 4.11 The NFCC fulfils a multifaceted role that is reflected throughout this document and other national frameworks. The NFCC represents the sector in local and national structures, helping to develop national policies and strategies. The NFCC is the first line of operational advice to central and local government during major incidents. This is outlined within the National Coordination and Advisory Framework (NCAF), which fire and rescue services must proactively engage with.
- 4.12 The NFCC has a role to drive continuous improvement and development throughout the sector. Fire and rescue services should consult the NFCC for advice and support when developing improvement plans, particularly in response to inspections.
- 4.13 The expectation is that fire and rescue services in England engage with the NFCC and, in turn, that the NFCC works to support and represent every service.

5. ACHIEVING VALUE FOR MONEY

- 5.1 Fire and rescue authorities must manage their budgets and spend money properly and appropriately, and ensure the efficient and effective use of their resources, pursuing all feasible opportunities to keep costs down while discharging their core duties effectively. Fire and rescue authorities should regularly review the numbers and deployment of firefighters and other staff to ensure that their fire and rescue service has a workforce that is commensurate with the risks that they face.
- 5.2 Fire and rescue authorities must ensure that financial decisions are taken with the advice and guidance of the chief finance officer and that decisions are taken with an emphasis on delivering value for money to the public purse. Fire and rescue authorities should ensure that management of their finances is undertaken with regard to published guidance including those set out at Annex B.
- 5.3 Combined and Metropolitan Fire and Rescue Authorities should produce and publish a medium term financial plan, efficiency plan and a reserves strategy (see para 5.8 below). The efficiency plan and reserves strategy can form part of the medium term financial plan and do not need to be separate documents. Where fire and rescue is part of a County Council, Unitary Authority or Mayoral Body we expect that these requirements will be included within the parent authorities' documentation. In the case of London, the efficiency plan and reserves strategy will be produced by the London Fire Commissioner.
- 5.4 The medium term financial plan should include funding and spending plans for revenue and capital. The plan should take into account multiple years, the inter-dependencies of revenue budgets and capital investments, the role of reserves and the consideration of risks. It should have regard to affordability and also to CIPFA's Prudential Code for Capital Finance in Local Authorities. The strategy should be aligned with the fire and rescue authority's Integrated Risk Management Plan and – if appropriate – the Fire and Rescue Plan.
- 5.5 Local Authorities (including combined fire and rescue authorities) were required to produce robust, transparent and locally owned efficiency plans and publish them on their website in order to receive a four year funding settlement from 2016/17 to 2019/20. Each fire and rescue authority should publish an annual report on their progress against these efficiency plans, and publish any updated efficiency plan if produced. Again, this can form part of the medium term financial plan.

Reserves

- 5.6 Sections 31A, 32, 42A and 43 of the Local Government Finance Act 1992 requires billing and precepting authorities to have regard to the level of reserves needed for meeting estimated future expenditure when calculating the budget requirement.
- 5.7 Fire and rescue authorities should establish a policy on reserves and provisions in consultation with their chief finance officer. General reserves should be held by the fire and rescue authority and managed to balance funding and spending priorities and to manage risks. This should be established as part of the medium-term financial planning process.

- 5.8 Each fire and rescue authority should publish their reserves strategy on their website, either as part of their medium term financial plan or in a separate reserves strategy document. The reserves strategy should include details of current and future planned reserve levels, setting out a total amount of reserves and the amount of each specific reserve that is held for each year. The reserves strategy should cover resource and capital reserves and provide information for the period of the medium term financial plan (and at least two years ahead).
- 5.9 Sufficient information should be provided to enable understanding of the purpose(s) for which each reserve is held and how holding each reserve supports the fire and rescue authority's medium term financial plan. The strategy should be set out in a way that is clear and understandable for members of the public, and should include:
- how the level of the general reserve has been set;
 - justification for holding a general reserve larger than five percent of budget; and
 - details of the activities or items to be funded from each earmarked reserve, and how these support the FRA's strategy to deliver a good quality service to the public. Where an earmarked reserve is intended to fund a number of projects or programmes (for example, a change or transformation reserve), details of each programme or project to be funded should be set out.
- 5.10 The information on each reserve should make clear how much of the funding falls into the following three categories:
- a. Funding for planned expenditure on projects and programmes over the period of the current medium term financial plan.
 - b. Funding for specific projects and programmes beyond the current planning period.
 - c. As a general contingency or resource to meet other expenditure needs held in accordance with sound principles of good financial management (e.g. insurance).

Commercial Transformation

- 5.11 Each fire and rescue authority must demonstrate that it is achieving value for money for the goods and services it receives. Every fire and rescue authority should look at ways to improve its commercial practices including whether they can aggregate their procurement with other fire and rescue authorities and other local services (e.g. police) to achieve efficiencies.
- 5.12 Fire and rescue authorities must demonstrate and support national and local commercial transformation programmes where appropriate. Each fire and rescue authority should be able to demonstrate full awareness of the objectives to standardise requirements, aggregate demand and manage suppliers of products and services within their commercial arrangements.
- 5.13 Fire and rescue authorities must ensure that their commercial activities, be that the placement of new contracts or the use of existing contracts, is in line with their legal obligations, including but not limited to the Public Contracts Regulations, the Public Services (Social Value) Act 2012, the Modern Slavery Act 2015 and transparency commitments.

Research and Development

- 5.14 Fire and rescue authorities should engage with national research and development programmes, including those overseen by the NFCC, unless there is a good reason not to.
- 5.15 Where fire and rescue services embark on research and development outside of any national programme, processes should be put in place to ensure it meets quality standards and, where possible and appropriate, is available to the sector to enable good practice to be shared.

Trading

- 5.16 Fire and rescue authorities have the power to trade and make a profit but they must ensure that their commercial activities are performed in accordance with the requirements of the Local Government Act 2003, the Fire and Rescue Services Act 2004 (as amended by the Localism Act 2011), the Local Government Order 2009 and the Local Authorities (Goods and Services) Act 1970. Fire and rescue authorities must also ensure that such commercial activities are exercised through a company within the meaning of Part 5 of the Local Government and Housing Act 1989.
- 5.17 A trading company is a separate legal entity and elected members and officers should at all times be aware of potential conflicts of interest when carrying out their roles for their authorities, or when acting as directors of trading companies.
- 5.18 Fire and rescue authorities must ensure any actions taken in respect of their trading companies are considered against the requirements of competition law. Any financial assistance – in cash or in kind – given by an authority that establishes or participates in it, should be for a limited period, set against the expectation of later returns, and re-paid by those returns. Any assistance should be provided under a formal agreement with the company and must be entered into for a commercial purpose. Before entering into such an agreement, the authority should satisfy itself that it will achieve its objective, and the company should satisfy itself that it will meet its objective in terms of its business plan. The parties should consider any State Aid implications and obtain their own expert advice where necessary.

6. WORKFORCE

People Strategy

- 6.1 Each fire and rescue authority should have in place a people strategy that has been designed in collaboration with the workforce. This should take into account the principles set out in the NFCC's people strategy and at a minimum cover:
- continuously improving the diversity of the workforce to ensure it represents the community it serves;
 - equality, cultural values and behaviours;
 - the various routes available in terms of recruitment, retention and progression;
 - flexible working;
 - professionalism, skills and leadership;
 - training opportunities;
 - health and safety, wellbeing, disabilities and support (e.g. mental health and physical support); and
 - tackling bullying, harassment and discrimination.
- 6.2 The Home Office collects and publishes a range of workforce data which fire and rescue authorities are required to provide. This includes workforce diversity, information on new joiners, reasons for leaving and firefighter injuries.

Professional Standards

- 6.3 To enhance professionalism of fire and rescue services, a coherent and comprehensive set of professional standards across all areas of fire and rescue services' work will be developed, drawing on existing standards where appropriate. The development of new standards will be on an ongoing basis.
- 6.4 All fire and rescue authorities must implement the standards approved through this work and the inspectorate will have regard to these standards as part of their inspections.

Fitness Principles

- 6.5 Firefighting is a physically demanding occupation and it is essential that firefighters have sufficient levels of fitness to enable them to carry out their tasks as safely and effectively as possible. As such, this requires higher levels of fitness than most other occupations and therefore there is a requirement for operational personnel to maintain levels of personal fitness. It is recognised that fitness levels may decline with age and whilst this may be mitigated by fitness training, diet and other lifestyle changes, it is acknowledged that there may be a general decline in fitness as a result of the ageing process.
- 6.6 Fire and rescue authorities have an important role in helping to ensure their firefighters remain fit and are supported in remaining in employment. Each fire and rescue authority must comply with the fitness principles set out at Annex C.

Re-engagement of Senior Officers

- 6.7 The re-appointment of principal fire officers to the same or similar posts within the same fire and rescue authority, a short time after they have retired, has caused concern in recent years and increases costs for taxpayers. These individuals very often receive their pension benefits on retirement (such as their tax free lump sum) and then return on favourable terms, including an increase in take-home pay through avoiding paying employee pension contributions.
- 6.8 Fire and rescue authorities must not re-appoint principal fire officers¹ after retirement to their previous, or a similar, post save for in exceptional circumstances when such a decision is necessary in the interests of public safety. Any such appointment must be transparent, justifiable and time limited.
- 6.9 In the exceptional circumstance that a re-appointment is necessary in the interests of public safety, this decision should be subject to agreement by a public vote of the elected members of the fire and rescue authority, or a publicised decision by the appropriate elected representative of the fire and rescue authority, taking into account the legislative requirements of PCC FRA Chief Fire Officer appointment procedures. The reason why the re-appointment was necessary in the interests of public safety, and alternative approaches were deemed not appropriate, must be published and the principal fire officer's pension must be abated until they cease to be employed by a fire and rescue authority.
- 6.10 To ensure greater fairness and the exchange of talent and ideas, all principal fire officer posts must be open to competition nationally, and fire and rescue authorities must take account of this in their workforce planning.
- 6.11 While the above requirements only extend to principal fire officers, we expect fire and rescue authorities to have regard to this principle when re-appointing at any level.

¹ For the purpose of this Framework, Principal Officers refers to those officers at Brigade or Area Manager level, and above, or those with comparable responsibilities to those roles.

7. INSPECTION, INTERVENTION AND ACCOUNTABILITY

Inspection

- 7.1 Independent inspection of fire and rescue authorities in England – and the fire and rescue service they oversee - is delivered by Her Majesty’s Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS). The chief fire and rescue inspector and inspectors of fire and rescue authorities in England have powers of inspection given to them by the Fire and Rescue Services Act 2004, as amended by the Policing and Crime Act 2017.
- 7.2 The inspectorate will provide a crucial assurance function to consider how effective and efficient fire and rescue authorities are, how well they manage their people and whether they are fulfilling their statutory obligations. The inspectorate will also highlight good practice and identify areas where improvement is needed so that remedial or constructive action can be taken. Alongside the inspectorate, other mechanisms exist for fire and rescue authorities to seek assurance or views on how they operate and/or the service they deliver, for example the Local Government Association’s sector improvement support. The Government’s expectation is that these mechanisms should complement inspection rather than duplicate or hinder it.
- 7.3 The Policing and Crime Act 2017 requires the chief fire and rescue inspector for England to publish an inspection programme setting out what inspections of fire and rescue authorities in England they propose to carry out, and an inspection framework setting out the manner in which inspections will be carried out, including the matters that will be inspected. The inspection framework and programme applies to every fire and rescue authority in England. The 2017 Act also requires the chief fire and rescue inspector for England to submit an annual report to the Secretary of State providing an assessment of the efficiency and effectiveness of fire and rescue authorities in England for the period in respect of which the report is prepared.
- 7.4 All fire and rescue authorities must cooperate with the inspectorate and its inspectors to enable them to deliver their statutory function. This includes providing relevant data and information to inform inspections. The Home Office and HMICFRS will work together to align data and information collections where possible to avoid duplication.
- 7.5 Fire and rescue authorities must give due regard to reports and recommendations made by HMICFRS and – if recommendations are made – prepare, update and regularly publish an action plan detailing how the recommendations are being actioned. If the fire and rescue authority does not propose to undertake any action as a result of a recommendation, reasons for this should be given. When forming an action plan, the fire and rescue authority could seek advice and support from other organisations, for example, the National Fire Chiefs Council and the Local Government Association; and, for those areas where a PFCC has responsibility for fire governance, the Association of Police and Crime Commissioners.

Intervention

- 7.6 Section 22 of the Fire and Rescue Services Act 2004 gives powers to the Secretary of State to intervene should a fire and rescue authority fail, or be likely to fail, to act in accordance with this Framework. The Secretary of State is required to prepare a protocol about the exercise of these powers and to have regard to it when exercising the section 22 powers. The intervention protocol for these powers is attached at Annex D.

- 7.7 The 2004 Act allows the Secretary of State, by order, to require the fire and rescue authority to do something; to stop doing something; or not to do something in order to ensure the fire and rescue authority acts in accordance with this Framework. An order could be made if the Secretary of State considers it would promote public safety or the economy, efficiency and effectiveness of the relevant fire and rescue authority. Before any such order is made the Secretary of State must give the authority an opportunity to make representations about the order proposed.
- 7.8 Use of this power is a last resort and intervention would only be considered if there was clear evidence that an authority was failing to act in accordance with the Framework, and that the failure was sufficiently serious as to warrant Government intervention. The expectation is that the fire and rescue authority should put in place remedial measures to overcome any concerns, seeking sector-led support as appropriate.
- 7.9 The Secretary of State also has other powers of intervention (for example, under section 15 of the Local Government Act 1999) but the Protocol on Central Government Intervention Action for Fire and Rescue Authorities at Annex D relates solely to ensuring fire and rescue authorities act in accordance with the National Framework.

Accountability

- 7.10 Fire and rescue authorities are expected to have governance and accountability arrangements in place covering issues such as financial management and transparency, complaints and discipline arrangements, and compliance with the seven principles of public life.²
- 7.11 Each fire and rescue authority must hold the individual who has responsibility for managing the fire and rescue service – an operational or non-operational Chief Fire Officer – to account for the delivery of the fire and rescue service and the functions of persons under their direction and control. In London, the Mayor of London must hold the London Fire Commissioner, as fire and rescue authority for Greater London, to account for the exercise of the Commissioner's functions.
- 7.12 In demonstrating their accountability to communities for the service they provide, fire and rescue authorities need to:
- be transparent and accountable to their communities for their decisions and actions;
 - provide the opportunity for communities to help to plan their local service through effective consultation and involvement; and
 - have scrutiny arrangements in place that reflect the high standard communities expect for an important public safety service.

² Selflessness; Integrity; Objectivity; Accountability; Openness; Honesty; and Leadership

Assurance and scrutiny

7.13 More broadly, a Police, Fire and Crime Panel will perform a scrutiny function, providing both support and challenge to the PFCC on the exercise of their functions and scrutiny of their Fire and Rescue Plan and Fire and Rescue Statement (see Section 4). The powers, responsibilities and membership requirements of PFCCs are set out in the Police Reform and Social Responsibility Act 2011 and apply in relation to fire as they do policing.

Transparency

7.14 Each fire and rescue authority must comply with their statutory transparency requirements. The nature of the requirements is dependent on the legal basis of the authority; for example, combined fire and rescue authorities would be subject to the Local Authority Transparency Code 2015 while PCC FRAs must comply with requirements under section 11 of the Police Reform and Social Responsibility Act 2011 and the Elected Local Policing Bodies (Specified Information) Order 2011. All fire and rescue authorities should therefore publish certain information, including: senior salaries; register of interests; staffing; income and expenditure; property; rights and liabilities; and decisions of significant public interest. Fire and rescue authorities must make their communities aware of how they can access data and information on their performance.

7.15 Furthermore, section 26 of the Fire and Rescue Services Act 2004 states that a fire and rescue authority must:

- a) submit to the Secretary of State any reports and returns that are required; and
- b) give the Secretary of State any information with respect to its functions that are required.

7.16 Fire and rescue authorities also have a responsibility to provide regular data to the Home Office as stipulated by MHCLG's Single Data List process. The data supplied are the source for the official and national statistics published by the Home Office and are used for the purposes of policy development across a range of organisations including Government as well as providing a publicly available national overview of activity by fire and rescue services.

8. TIMESCALE AND SCOPE

Timescales

- 8.1 This Framework has an open-ended duration. The Secretary of State continues to be responsible for keeping the terms of the Framework under review under section 21(3) of the Fire and Rescue Services Act 2004 and is required under section 25 to prepare a biennial report to Parliament on the extent to which fire and rescue authorities are acting in accordance with the Framework.

Scope

- 8.2 The Framework covers England only. It does not apply to Northern Ireland, Scotland or Wales where responsibility for fire and rescue is devolved.

Annex A - Requirements on Fire and Rescue Authorities in England

	Metropolitan FRA	Combined FRA	County/unitary FRA	PFCC FRA	London	Mayor led FRA
Overall responsibility for fire and rescue functions	FRA	FRA	FRA/ council committee	PFCC	London Fire Commissioner	Mayor
Who scrutinises decision making?	FRA	FRA	FRA/ council committee	Police, Fire and Crime Panel	London Assembly	Mayor (or specific committee if created)
Need to identify priorities and objectives?	No	No	No	Yes ('Fire and Rescue Plan')	Yes	Yes (Greater Manchester (GM): 'local risk plan')
Need to provide an assessment of all foreseeable fire and rescue related risk and how those risks will be mitigated?	Yes ('IRMP')	Yes ('IRMP')	Yes ('IRMP')	Yes ('IRMP')	Yes ('IRMP' – 'London Safety Plan')	Yes (GM: 'local risk plan')
Need to produce an annual assurance statement about compliance with the National Framework?	Yes ('National Framework Annual Statement of Assurance')	Yes ('National Framework Annual Statement of Assurance')	Yes ('National Framework Annual Statement of Assurance')	Yes ('Fire and Rescue Statement')	Yes	Yes (GM: 'fire and rescue declaration')
Need to produce a medium term financial plan ('MTFP')?	Yes	Yes	Yes – part of parent authority's documentation.	Yes	Yes – part of parent authority's documentation.	Yes – part of parent authority's documentation.
Need to produce an efficiency plan? (This can be part of the 'MTFP')	Yes	Yes	Yes – part of parent authority's documentation.	Yes	Yes – part of parent authority's documentation.	Yes – part of parent authority's documentation.
Need to produce a reserves strategy? (This can be part of the 'MTFP')	Yes	Yes	Yes – part of parent authority's documentation.	Yes	Yes – part of parent authority's documentation.	Yes – part of parent authority's documentation
Service subject to HMICFRS inspection?	Yes	Yes	Yes	Yes	Yes	Yes

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Annex B - Published Financial Guidance (see Chapter 5)

- The Accounts and Audit Regulations 2015 issued by the Ministry for Housing, Communities and Local Government which sets the financial reporting framework for local government bodies, including fire and rescue authorities.
- The Code of Practice on Local Authority Accounting in the United Kingdom issued by CIPFA /LASAAC, which constitutes proper practices for local government bodies, including fire and rescue authorities.
- The Public Sector Internal Audit Standards (PSIAS) issued by CIPFA as the relevant internal audit standards setter for local government and the fire and rescue service.
- Local Government Application Note for the United Kingdom Public Sector Internal Audit Standards issued by CIPFA.
- Delivering Good Governance in Local Government: Framework issued by CIPFA/SOLACE.
- Statement on the Role of the Chief Financial Officer in Public Service Organisations issued by CIPFA.
- Standing Guide to the Commissioning of Local Authority Work and Services issued by CIPFA.
- Prudential Code for Capital Finance in Local Authorities issued by CIPFA.
- Treasury Management in the Public Services: Code of Practice and Cross Sectoral Guidance Notes issued by CIPFA.
- Audit Committees: Practical Guidance for Local Authorities and Police issued by CIPFA.
- Position Statement on Audit Committees in Local Authorities and Police issued by CIPFA.
- Statutory guidance for local authorities on the framework for flexible use of capital receipts issued by the Ministry for Housing, Communities and Local Government.
- Local Authority Accounting Panel (LAAP) and CIPFA bulletins that provide topical guidance on specific issues and accounting developments.

Annex C - Fitness Principles

Fire and rescue authorities have an important role in helping to ensure their firefighters remain fit and are supported in remaining in employment. Each fire and rescue authority must:

- have a process of fitness assessment and development to ensure that operational personnel are enabled to maintain the standards of personal fitness required in order to perform their role safely;
- ensure that no individual will automatically face dismissal if they fall below the standards required and cannot be deployed operationally;
- ensure that all operational personnel will be provided with support to maintain their levels of fitness for the duration of their career;
- consider where operational personnel have fallen below the fitness standards required whether an individual is able to continue on full operational duties or should be stood down, taking into account the advice provided by the authority's occupational health provider. In making this decision, the safety and well-being of the individual will be the key issue;
- commit to providing a minimum of 6 months of development and support to enable individuals who have fallen below the required fitness standards to regain the necessary levels of fitness;
- refer an individual to occupational health where underlying medical reasons are identified that restrict/prevent someone from achieving the necessary fitness; and ensure that individual receives the necessary support to facilitate a return to operational duties; and
- fully explore opportunities to enable the individual to remain in employment including through reasonable adjustment and redeployment in role where it appears the medical condition does not allow a return to operational duties.

In those circumstances where there are no such opportunities and suitable alternative employment is either unavailable or, where available, is not agreed by the individual, then the fire and rescue authority will commence an assessment for ill-health retirement through the Independent Qualified Medical Practitioner process.

If no underlying medical issues are identified, and following a programme of development and support it becomes apparent that an individual will be unable to regain the necessary levels of fitness, then a fire and rescue authority will fully explore opportunities for reasonable adjustments and/or suitable alternative employment. In those circumstances where there are no opportunities for reasonable adjustments or suitable alternative employment, the fire and rescue authority will in the case of an employee aged at least 55, consider commencement of the authority initiated early retirement process for it to determine whether the individual should be retired with an authority initiated early retirement pension.

Annex D - Protocol on Central Government Intervention Action for Fire and Rescue Authorities

Introduction

1. It is a requirement under section 23 of the Fire and Rescue Services Act 2004 (the 2004 Act) that an intervention protocol be prepared, and for the Secretary of State to have regard to it in the exercise of their power of intervention.
2. The Secretary of State's order-making powers under section 22 of the 2004 Act are to ensure that fire and rescue authorities act in accordance with the Fire and Rescue National Framework for England (the Framework). Intervention is by order, subject to the negative Parliamentary procedure, and can only be made if the Secretary of State considers it would promote public safety; and the economy, efficiency or effectiveness of the relevant fire and rescue authority, or the services it provides.
3. To date there has been no formal intervention in the operations of a fire and rescue authority by the Secretary of State under these powers. Use of this power is seen as a last resort. The expectation is that the political and professional leadership of the fire and rescue authority will put in place processes to ensure that sector-led support is provided to any fire and rescue authority that needs it.
4. This intervention protocol ("the protocol") broadly sets out the arrangements between the Secretary of State, the Local Government Association (LGA), the Association of Police and Crime Commissioners (APCC), Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS), the National Fire Chiefs Council (NFCC) and fire and rescue authorities should formal intervention be considered necessary.
5. In this protocol the term 'intervention' is used to refer to action by the Secretary of State in exercise of their powers under section 22 of the 2004 Act. Although the Secretary of State also has other powers of intervention (for example, under section 15 of the Local Government Act 1999) this protocol does not apply to an intervention under those powers.

Role of partners in supporting fire and rescue authorities at risk

6. HMICFRS will play a leading role in identifying any fire and rescue authority that is failing, or is likely to fail, in providing efficiency, effectiveness and leadership for the public. The NFCC and the LGA and/or APCC, will play an important liaison role in engaging the wider sector in supporting those authorities at risk and work collaboratively with key bodies,³ identify at an early stage serious risks to performance or the requirement to act in accordance with the Framework⁴. The NFCC and/or Local Government Association and/or the Association of Police and Crime Commissioners will work with these bodies to prevent the escalation of those risks to avoid any risk to public safety or any negative impact on the reputation of the sector.

³ This could refer to fire and rescue authorities, the relevant professional leadership including the National Fire Chiefs Council, other sector-owned bodies, inspection bodies and HMICFRS in particular, and/or government departments

⁴ There is a joint initiative by the LGA and NFCC, "Sector Support", to adapt the previous process of Peer Review or Peer Challenge to create a mechanism to support FRSs to improve. This specifically includes a provision for those services/authorities that may be at risk of failing.

7. If there are specific concerns in respect of performance, or if there is evidence that indicates a fire and rescue authority is failing or is at risk of failing to act in accordance with the Framework, either through inspection by HMICFRS or through sector-led processes, the NFCC and/or the Local Government Association, and/or the Police, Fire and Crime Panel, and/or the Association of Police and Crime Commissioners will work with the authority to help them address the issues and seek improvement.

Circumstances leading to statutory intervention

8. No intervention would be considered unless there was clear evidence that an authority was failing to act in accordance with the Framework and that the failure was sufficiently serious as to require Government intervention.
9. If, following a sustained and determined attempt to resolve problems through sector-led improvement an issue cannot be resolved, or if a fire and rescue authority is unwilling or unable to engage with sector-led improvement measures, the Secretary of State can, under section 28 of the Fire and Rescue Services Act 2004, commission HMICFRS to lead an investigation. Under this provision, the Secretary of State also has the power to require HMICFRS to undertake any further inspection of fire and rescue authorities in England as required for the purpose of furthering their efficiency and effectiveness. The Secretary of State may also seek advice and information from other persons/bodies (for example, the NFCC) in respect of specific identified issues.
10. The Secretary of State has a range of powers including to request information about a fire and rescue authority's functions⁵ and conferring on a fire and rescue authority functions relating to emergencies⁶. Inspection powers – powers to obtain information and access premises – are also held by HMICFRS' inspectors.⁷

What happens upon statutory intervention?

11. In the event that statutory intervention is considered necessary, the Secretary of State will consult the authority concerned and any other body or authority which is considered necessary, such as HMICFRS, the NFCC and the Local Government Association, before exercising powers of intervention under section 22 of the 2004 Act.
12. The form or extent of any formal intervention will be a matter for determination on a case by case basis, taking into account the views of the fire and rescue authority, HMICFRS, the NFCC, the Local Government Association, the Association of Police and Crime Commissioners, the Police Fire and Crime Panel and any other consultees, depending on the nature and the severity of the failure under consideration. Following such deliberations, the Secretary of State will agree a course of action, and how the required improvement will be delivered.

⁵ Section 26 of the 2004 Act

⁶ Section 9 of the 2004 Act

⁷ Section 28 of the 2004 Act



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