



**Wednesday,
28 April 2021
10.00 am**

**Meeting of
Cheshire Fire Authority
Remote Meeting
Via Skype**

Contact Officer:
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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.

This meeting of the Fire Authority will be held by remote means, i.e. the meeting will not be taking place in person at Sadler Road, but will be hosted over the Internet, using Skype for Business, with participants located in a variety of places.

The Government introduced legislation, due to the Coronavirus pandemic, that enables remote meetings to take place and the Fire Authority has adopted rules that allow and govern the way that remote meetings will work. The rules can be accessed [here](#).

The meeting must be open to the public and press. However, as the public and press cannot attend in person the Fire Authority is arranging for the meeting to be broadcast. Final details about how to access the broadcast will be published on the Cheshire Fire and Rescue Service website prior to the meeting.

Questions by Electors

Given the current situation, questions for the Chair of the Fire Authority can be submitted by email to DemocraticServices@Cheshirefire.gov.uk. Questions must be received at least five clear working days before the meeting takes place.

Access to Information

Copies of the Agenda are available on the Service's website (www.cheshirefire.gov.uk). A copy can also be obtained from Democratic Services via DemocraticServices@cheshirefire.gov.uk.

The Agenda may be divided into two parts. Most business is dealt with in the first part which is open to the public. On some occasions business is dealt with in private in the second part of the meeting. There are a number of reasons for this, e.g. confidential information about individual people, or contracts are being considered.

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

The Authority audio records its meetings. Please contact Democratic Services for a copy of the recording via DemocraticServices@cheshirefire.gov.uk.



MEETING OF THE CHESHIRE FIRE AUTHORITY

WEDNESDAY, 28 APRIL 2021

Time : 10.00 am

Remote Meeting - Via Skype

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 Chair's Announcements

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

1D 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.

1E Questions from Members of the Public

To receive any questions submitted, in accordance with procedure rules 4.47 to 4.54 by members of the public within the area covered by the Fire Authority.

1F Minutes of Fire Authority

To confirm as a correct record the minutes of the Fire Authority Meeting held on 10th February 2021.

(Pages 1 - 8)

1G Minutes of Performance and Overview Committee

To receive, for information, the minutes of the Performance and Overview Committee meeting held on 24th February 2021.

(Pages 9 - 14)

1H Minutes of Staffing Committee

To receive, for information, the minutes of the Staffing Committee meeting held on 22nd March 2021.

(Pages 15 - 16)

1I Minutes of Brigade Managers' Pay and Performance Committee

To receive, for information, the minutes of the Brigade Managers' Pay and Performance Committee meeting held on 22nd and 30th March 2021.

(Pages 17 - 20)

- 1J Minutes of Governance and Constitution Committee** (Pages 21 - 42)
To receive, for information, the minutes of the Governance and Constitution Committee meeting held on 7th April 2021.

Members will see that there are two minutes where Governance and Constitution Committee has made recommendations to the Fire Authority which are to be considered at this meeting:

- 4 Amendments to Scheme of Delegation; and
- 5 Review into the way that Seats on the Fire Authority are Allocated to the Constituent Authorities

The report, Amendments to Scheme of Delegation can be found on pages 25 to 41 inclusive.

Members are asked to approve the amendments to the Scheme of Delegation which are appended to the report.

The report dealing with the Review into the way that Seats on the Fire Authority are Allocated to the Constituent Authorities is dealt with at Item 3, later in this Agenda.

- 1K Notes of the Risk Management Board** (Pages 43 - 48)
To receive, for information, the notes of the Risk Management Board meeting held on 16th March 2021.

- 1L Notes of the Local Pension Board – Firefighters Pension Scheme** (Pages 49 - 54)
To receive, for information, the notes of the Local Pension Board – Firefighters Pension Scheme meeting held on 17th March 2021.

- 1M Notes of the Member Training and Development Group** (Pages 55 - 58)
To receive, for information, the notes of the Member Training and Development Group meeting held on 23rd March 2021.

ITEMS REQUIRING DISCUSSION / DECISION

- 2 Annual Internal Audit Plan 2021-22** (Pages 59 - 70)
- 3 Review into the way that Seats on the Fire Authority are Allocated to the Constituent Authorities - Recommendations from Governance and Constitution Committee** (Pages 71 - 88)
- 4 Anti-Bullying Charter** (Pages 89 - 110)



MINUTES OF THE MEETING OF THE CHESHIRE FIRE AUTHORITY held on Wednesday, 10 February 2021 at 10.00am. Remote Meeting - Via Skype

PRESENT: Councillors Bob Rudd (Chair), Rachel Bailey, Michael Beanland, Mike Biggin, David Brown, Razia Daniels, Martyn Delaney, David Edwardes, Phil Harris, Jill Houlbrook, Marilyn Houston, Gina Lewis, Nick Mannion, Les Morgan, Karen Mundry, Stef Nelson, Stuart Parker, Jonathan Parry, Rob Polhill, Peter Wheeler, Norman Wright and Steve Wright

1 PROCEDURAL MATTERS

A Recording of Meeting

The meeting was held using Skype for Business and in accordance with the Remote Meeting Rules. The Director of Governance and Commissioning confirmed how participants were connected to the meeting and how it would be broadcast. He also mentioned how the meeting would be monitored throughout.

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

B Apologies for Absence

Apologies for absence were received from Councillor James Nicholas.

C Chair's Announcements

The Chair advised that the Brigade Managers Pay & Performance Committee had met on 28th January and after a rigorous selection process had appointed Alex Waller as the new Deputy Chief Fire Officer for Cheshire Fire and Rescue Service.

The Chair asked Members to note the content of the Chair's announcements which included details of activities carried out by Cheshire Fire and Rescue Service during the Coronavirus pandemic. Staff from across the Service continued to provide exceptional support to partners and the community in response to Covid-19 in a wide variety of areas. This was vital work to reduce risks and support the vulnerable in our community and was making a huge difference to many lives.

D Declaration of Members' Interests

The Chair stated that he understood that Members were likely to have an interest in Item 3 – Members' Allowances Scheme 2021-22 and Item 6 – Draft Budget 2021-22, Council Tax Precept and Medium Term Financial Plan. Dispensations had been granted to Members to allow them to take part in the debates and vote on each item. Members were asked to indicate if they did not agree with the Chair's understanding. No Member disagreed. Therefore, all Members were taken to have interests in Items

3 and 6 with the intention to take part in the debates and votes (relying upon the dispensations).

E Questions from Members of the Public

There were no questions submitted.

F Minutes of Fire Authority

RESOLVED:

That the minutes of the Fire Authority meeting held on 9th December 2020 be approved as a correct record.

G Minutes of Governance and Constitution Committee

The recommendation in the minute for Item 2 was considered in Item 3 on the agenda (see below).

RESOLVED:

That the minutes of the Governance and Constitution Committee held on 27th January 2021 be noted.

H Minutes of Brigade Managers' Pay and Performance Committee

RESOLVED:

That the minutes of the Brigade Managers' Pay and Performance Committee held on 25th and 28th January 2021 be noted.

I Notes of the Member Training and Development Group

RESOLVED:

That the notes of the Member Training and Development Group held on 8th December 2020 be noted.

J Notes of the Local Pension Board - Firefighters' Pension Scheme

RESOLVED:

That the notes of the Local Pension Board – Firefighters' Pension Scheme held on 14th January 2021 be noted.

2 PAY POLICY STATEMENT 2021-22

The Director of Transformation presented the report which sought approval to publish the Pay Policy Statement for 2021-22, attached as Appendix 1 to the report.

Members were advised that, under the Localism Act 2011, all local authorities were required to publish a pay policy statement on an annual basis. The document set out the Authority's policies for the financial year relating to the remuneration of its Chief Officers, the remuneration of its lowest paid employees, and the relationship between the pay of Chief Officers and that of other employees. The requirement was intended to increase transparency and accountability, and to give local people access to information to allow them to determine whether pay is appropriate.

Paragraphs 9-18 of the report provided an overview of changes to the Pay Policy Statement since it was previously approved in February 2020. Changes included: the Service's new Brigade Manager structure; increased employer contribution rates for the firefighter pension schemes; the Living Wage being reviewed and adjusted every October; and the introduction of the Public Sector Exit Payment Regulations .

The Director of Transformation referred Members to two known outstanding issues pertaining to pay in the report that could necessitate changes to the Pay Policy Statement during the course of the financial year 2021/22. The first issue concerned the national firefighter pay negotiations that remained outstanding and the second concerned the pay freeze that was only binding on parts of the public sector that were covered by the pay review bodies.

Members were asked to authorise the Director of Transformation, in conjunction with the Director of Governance and Commissioning, to make any necessary in-year changes to the Pay Policy Statement as necessitated by new legislation or guidance.

RESOLVED: That

- [1] the Pay Policy Statement 2021-22, attached as Appendix 1 to the report, be approved; and**
- [2] the Director of Transformation, in conjunction with the Director of Governance and Commissioning, be authorised to make any necessary in-year changes to the pay Policy Statement as necessitated by new legislation or guidance.**

3 MEMBERS' ALLOWANCE SCHEME 2021-22

The Director of Governance and Commissioning presented a report which sought approval of the Members' Allowance Scheme for 2021-22.

Members were advised that a review of the Members' Allowances Scheme had recently been concluded. It was overseen by the Governance and Constitution Committee and a copy of the report considered by the Committee at its meeting on 27th January 2021 was attached as Appendix 2 to the report. This included a report from the independent reviewer (a member of a local independent remuneration panel).

The Members' Allowances Scheme 2021-22, as recommended by Governance and Constitution Committee, was attached as Appendix 1 to the report. The Scheme was substantially the same as the existing scheme. The independent reviewer commented in her report upon the number of Member Champions and recommended that a review should take place within 12 months so that the Fire Authority could 'consider whether each of the Member Champion roles is necessary and satisfy itself that each provides a meaningful benefit'. This was accepted by the Governance and Constitution Committee which planned to oversee the review.

RESOLVED: That

- [1] the Members' Allowance Scheme for 2021-22 as set out in Appendix 1 to the report be approved; and**
- [2] a review of the Member Champion roles be concluded by the Governance and Constitution Committee within the next 12 months.**

4 2020-2021 PRECEPT SURVEY

The Policy and Transformation Officer presented a report which provided feedback from the 2020-21 Precept Survey regarding the proposed increase to the Authority's precept for 2021-22 financial year.

Members were reminded that the Authority was required to consult on its precept for the forthcoming financial year. Given the recent approval and publication of the latest Integrated Risk Management Plan (IRMP), covering the period to 2024, there was no requirement to consult on the IRMP this year. Therefore, it was decided to undertake a survey that focussed exclusively on a proposal to increase the Council Precept for 2021-22.

The survey was launched on 21st December 2020 and closed on 28th January 2021. This was the period between the announcement of the Local Government Financial Settlement and the preparation of the budget papers. Given the restrictions in place due to the Covid-19 pandemic all engagement around the survey was undertaken using online methods only.

The survey received a total of 484 responses and of these 475 were from residents of Cheshire. A copy of the 2021-22 Precept Survey Results Information Pack was attached at appendix 1 of the report. The report provided a demographic profile of respondents and lists all the comments received via the survey.

RESOLVED: That:

- [1] the report be noted and the feedback considered when determining the Council Tax precept during Item 6 – Draft Budget 2021-22, Council Tax Precept and Medium Term Financial Plan (see below).**

5 **TREASURY MANAGEMENT STRATEGY 2021-22**

The Head of Finance presented the report which sought approval of the Treasury Management Strategy 2021-22 (the Strategy). This was a requirement of guidance issued by the Ministry of Housing, Communities and Local Government (MHCLG), the CIPFA Treasury Management Code and the CIPFA Prudential Code. It also assisted the Authority in showing its compliance with requirements contained in the Local Government Act 2003.

The Strategy comprised of four main elements, namely:-

- Capital Expenditure Plans and Prudential Indicators
- Borrowing Strategy and Prudential Limits
- Annual Investment Strategy
- Minimum Revenue Provision (MRP) Statement

The Head of Finance referred Members to Table 7, the operational boundary and Table 8, the authorised limit for external debt. These were the two key prudential indicators that set the maximum limit for external debt based on the capital programme and the current borrowing requirements. The authorised limit in Table 8 could not be exceeded.

A Member made reference to the Government Capital Funding arrangements which ceased a number of years ago and sought clarity about the impact of the withdrawal of capital funding. In response, the Head of Finance confirmed that the Service used to receive Government funding each year for capital programmes. However, this stopped a number of years ago. The Service could now only apply for specific grant funding and at this time, there were no programmes open. Therefore, the Service had to be self-sufficient in funding any capital programmes.

A Member queried the period of the new operational training centre being written off. He understood this to be over a 25 year period and asked whether the loan would be paid off within this period. In response, the Head of Finance confirmed that this was a normal period of time before significant reinvestment or rebuild was required. Longer periods could be applied. However, due to the use of the operational training centre it was deemed that 25 years was an appropriate lifespan. The repayment would be at the conclusion of the 25 years and funding would be set aside so when the loan matured the funds would be available to repay the loan.

RESOLVED: That:

- [1] the Treasury Management Strategy 2021-22 be approved; and**
- [2] the Authority's Prudential Indicators including the Authorised Limits (Appendix 1 to the report, paragraph 5.2.7) be approved.**

6 DRAFT BUDGET 2021-22, COUNCIL TAX PRECEPT AND MEDIUM TERM FINANCIAL PLAN

The Treasurer presented a report which sought Members' approval for the Authority's budget for 2021-22, the Authority's precept, as required by law, for 2021-22 and its Medium Term Financial Plan (MTFP) for 2021-26.

The Authority was required to approve its budget and set the Council Tax precept for the financial year commencing 1st April 2021. The Authority was required to take into account Government funding, precept regulations and organisational demands. This requirement was supported by the production of a MTFP with the annual budget forming the first year of the MTFP. The creation and maintenance of the MTFP was fundamental in promoting good financial planning and delivery of value for money. The MTFP was Appendix 1 to the report.

Members had considered the Authority's financial position at their Planning Session on 15th January 2021 where they had the opportunity to challenge the assumptions and proposals being put forward by officers as part of the draft budget and MTFP.

The Treasurer reported that the report followed a similar format to those that had been presented in previous years. The current and ongoing impact of Covid-19 made it much more difficult to forward plan with the usual level of relative confidence. The report attempted to summarise the current understanding of the impact of Covid-19. However, a range of factors could alter the situation and it would be important to regularly return to check assumptions and financial performance to enable financial plans to be reviewed and updated as the impact of Covid-19 becomes clear.

The 2021-22 budget proposals were based on the Local Government Finance Settlement for 2021-22, a one-year settlement. The Settlement included Council Tax Referendum Principles that allow for an increase in council tax of up to 2%, without triggering a local referendum. If Members were to agree an increase of 1.99% in the council tax, this would generate an additional £646k council tax income compared to 2020-21, based on the tax bases of Band D equivalent properties. When other elements of funding were included such as revenue support grant and business rate income - the overall net revenue budget would increase by £1.37m compared to the previous year, including two one-off grants totalling £2.48m.

Members were referred to Table 2: Construction of Proposed 2021-22 Revenue Budget within the report which showed the proposed adjustments to the revenue budget. The increase in funding of £1.372m would not be sufficient to balance the budget and therefore savings proposals of £0.499m had been identified to ensure that planned spending matched the level of proposed resources. The proposals represent a balanced budget of £46.203m for 2021-22. The proposed increase in council tax of 1.99% would result in a Band D precept of £80.87: an increase of £1.58 (or 3p per week) for a Band D property. Should Members wish to propose a council tax precept increase of less than the 1.99%, further savings would be required in order to balance the budget.

Members were referred to Appendix 2A of the report which detailed the Commitments and Growth. The commitments reflected the impact of previous decisions that have a financial consequence in 2021-22 or were due to legal or regulation changes. Due to the uncertainty surrounding business rates income, the impact of Covid-19 support on collection funds and the grants that would be received, there was a high risk that the estimated amounts included in this budget would significantly change. As a result of this the budget included a transfer to reserves within the commitments.

The Treasurer advised that there was one other area of potential financial support from the Government called 'The Local Tax Income Guarantee'. This would be calculated by the Government at the end of the current financial year and related to a calculation of the actual council tax and business rate losses in 2021. He had received an email from a Home Office official explaining that the Government would be producing a policy paper which would be available later this week. Officers would review the position when further information was made available.

The Head of Finance outlined the Medium Term Financial Plan for 2021-26 and referred to Table 1 – Funding within the report which set out the forecast funding available over the period of the MTFP.

The Chair confirmed that he had written to the Prime Minister twice regarding the pay freeze for public sector workers outside of the NHS, urging the Government to reconsider its decisions. To date a response had not been received.

A Member raised a question on the Indicative Capital Programme and asked if the Service was required to make greater savings would the capital schemes need to be paused. In response, the Head of Finance advised that the schemes were indicative at present and that decisions on schemes like Wilmslow and Crewe would need to be considered in light of the prevailing financial situation.

A Member raised a question on the Integrated Risk Management Plan (IRMP) Reserve. The report stated that the present Capital Strategy suggested that this reserve would be virtually exhausted by March 2024 and the Members sought clarity on what would happen after that date. In response, the Treasurer advised that part of the Strategy would be to review all levels of earmarked reserves and challenge these going forward. If all reserves were depleted then there would be a greater reliance on borrowing to finance the Capital Strategy.

A Member asked if there was a minimum amount of reserves that the Service should hold. In response, the Treasurer advised that there was no required amount set. However, 5% of the budget had been adopted as a figure to be held in a general reserve. This percentage was mentioned in the National Framework for fire and rescue services too.

Members raised further questions about borrowing. In response, the Head of Finance advised that interest rates were monitored on a daily basis and that officers were prepared to apply for borrowing at any time to receive the best possible rate. The Service also used external Treasury Management Advisers who were aware of

the borrowing requirements. At the present time there was no indication that interest rates were likely to rise.

RESOLVED: That

- [1] the Medium Term Financial Plan, as set out in Appendix 1 of the report be approved;**
- [2] the Budget Requirement of £46.203m as set out in Table 1, paragraph 24 of the report be agreed, noting the adjustments for inflation, growth, one off items and savings as set out in Table 2, paragraph 27 and detailed in Appendix 2 of the report;**
- [3] the proposed council tax increase of 1.99% be approved and Band D council tax precept of £80.87 be set for 2021-22;**
- [4] the levels of council tax precept as set out in Table 4 paragraph 48 of the report be agreed;**
- [5] the proposed capital programme for 2021-22 set out in Table 3 paragraph 42 of the report together with its associated financing be approved;**
- [6] the Capital Strategy set out in Appendix 3 of the report be approved;**
- [7] the Reserves Strategy set out in Appendix 4 of the report be approved;**
- [8] the Statement of Robustness of Estimates set out in Appendix 5 of the report be noted; and**
- [9] the Financial Health Targets as set out in paragraph 44 of the report be adopted.**



MINUTES OF THE MEETING OF THE PERFORMANCE AND OVERVIEW COMMITTEE held on Wednesday, 24 February 2021 at Remote Meeting - Via Skype at 10.00 am

PRESENT: Councillors Phil Harris (Chair), Peter Wheeler, Razia Daniels, Gina Lewis, Les Morgan, James Nicholas, Norman Wright and Derek Barnett

1 PROCEDURAL MATTERS

A Record of Meeting

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

B Apologies for Absence

Apologies for absence were received from Councillor Parry.

C Declaration of Members' Interests

There were no declarations of Members' interest.

D Minutes of the Performance and Overview Committee

RESOLVED:

That the minutes of the Performance and Overview Committee held on Wednesday 25th November 2020 be confirmed as a correct record.

2 FINANCE REPORT - QUARTER 3, 2020-21

The Head of Finance introduced the report which provided a review of the Service's forecast financial outturn and reported on the progress against 2020-21 capital projects at the end of Quarter 3.

She informed Members that, in relation to the revenue budget, the Quarter 3 review was reporting a forecast underspend of £238k, with a cumulative underspend for 2020-21 of £683k. Further details were contained within Appendix 1 to the report.

She referred Members to Appendix 2 to the report which contained details of the movement in reserves. She also drew Members' attention to Appendix 3 to the report, which contained details of the schemes and projects within the capital programme.

The capital programme was forecasting an overall outturn of £40,290m, £1.566m above the current programme.

A Member asked if the cumulative underspend would be reflected in calculations for next year's precept and the Head of Finance confirmed that any permanent underspending would be taken into account.

RESOLVED: That

[1] the forecast outturn position be noted; and

[2] the movement in reserves, as set out in Appendix 2, be approved.

3 PERFORMANCE REPORT - QUARTER 3, 2020-21

The Group Manager Organisational Performance introduced the report, which provided Members with an update on the Service's performance against the key performance indicators (KPIs) for Quarter 3, 2020-21. The corporate performance scorecard reflecting the Quarter 3 position against targets set and the year-on-year direction of travel for the Service's KPIs was attached to the report.

Members were referred to the Performance Health Report which was also attached to the main report. It contained a detailed description of each KPI, including a summary of current performance and any actions taken to improve performance.

The Head of Protection and Organisational Performance expanded on the KPIs, providing further context particularly where targets had not been achieved.

The continuing Covid-19 pandemic had meant that many normal activities had been impacted. Some activities were continuing, but at a lower level than normal, but some activities remained paused, e.g. thematic inspections, fire safety audits and the risk based inspection programme.

The Head of Protection and Organisational Performance referred Members to the KPI relating to the number of deaths in primary fires. Two fatalities had occurred in Quarter 3 in one incident with the cause believed to involve smoking materials. Both victims were over 65.

The KPI status for the number of Accidental Dwelling Fires (ADFs) was currently amber. The Head of Protection and Organisational Performance confirmed that at the end of quarter three there were 273 ADFs compared to a target of 272. There had been a small increase in the number of kitchen fires from 134 to 137 and a small increase in the number of fires started in the bedroom and living room. There had also been an increase in the number of fires involving single occupancy households from 82 to 107 and further analysis of these figures would take place.

The Head of Service Delivery provided an update on performance against the on-call availability KPI. On-call availability had been maintained at 68% in Quarter 3. However, this was still below target. He referred Members to the actions listed in the report which were intended to improve performance.

Members were referred to the KPI for Working Days Lost to Injury which was currently red. This was due to 56 days lost in quarter one as a result of injuries sustained in three separate accidents, two of which occurred late in the final quarter of the previous year. In Quarter 3 there were 37 duty days lost due to one accident to an On-call Firefighter.

A Member asked if there was any further information available on RTCs involving cyclists or pedestrians, particularly where they may have occurred at night due to low visibility. The Group Manager Organisational Performance said that additional context could be included for future meetings.

A Member asked what measures were in place to protect empty premises that had closed during the pandemic. The Group Manager Organisation Performance said that the Business Safety Team were using social media to engage with the community as much as possible with advice and information.

RESOLVED: That

[1] the report be noted.

4 PROGRAMME REPORT - QUARTER 3, 2020-21

The Chief Fire Officer and Chief Executive provided Members with an update on the Service's programmes and projects. He referred Members to Appendix 1 to the report which contained a health report for the Quarter 3, 2020-21 and picked out key areas for specific focus

He informed Members that the Training Centre was now open and being used by recruits. An official opening ceremony would be arranged in due course. This project would now be moved to closedown phase. Chester Fire Station had now been completed and handed over and thanks were extended to the Director of Governance and Commissioning for leading on the project and to the staff for their patience.

A status had not been added to the Crewe Fire Station project update at the moment. However, a suitable delivery plan would be in place shortly with milestone dates added to the Cheshire Planning System. The Chief Fire Officer referred Members to the Wilmslow Fire Station project which was now gathering pace. More detail would be available as this progressed.

The Cheshire Fire Drones project was currently Amber awaiting a fundamental review into the project which would take place in May 2021 with a further update available in July. The Purchase of a High Reach Fire Engine was also Amber which had been delayed due to the third Covid-19 lockdown which prevented proposed visits to view vehicles.

A Member asked if further work could be done with the developer of the new

housing estate which would be in the vicinity to the Training Centre, following some negative feedback received from residents regarding smoke. The Chief Fire Officer confirmed that this would be progressed.

RESOLVED: That

[1] the report be noted.

5 INTERNAL AUDIT REPORT - QUARTER 3, 2020-21

Anne-Marie Harrop (the Auditor), a representative from Mersey Internal Audit Agency (MIAA) was in attendance at the meeting to present the quarterly summary of the 2020-21 Internal Audit Progress Report (attached as Appendix 1 to the report).

She provided Members with a brief overview of the progress made against the audit plan and informed them that reviews had taken place in the following areas: Pensions, Financial Systems and Risk Management. It was reported that High Assurance in Financial Systems and Risk Management was found and Substantial Assurance in Pensions.

It was noted that there had been one change to the plan, the work to consider Estates was to be deferred to the 2021-22 audit plan in light of Covid-19 and the anticipated impact of the HMICFRS inspection.

RESOLVED: That

[1] the report be noted.

6 HMICFRS COVID-19 STAFF SURVEY RESULTS

The Group Manager Performance gave an update on the results from the Covid-19 survey undertaken by Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS).

A total of 214 staff provided a response, equating to a response rate of 25%. Nearly 60% of responses were provided by firefighters while 31% were provided by fire staff.

The feedback provided was very positive overall, reinforcing the positive results from the Service's own Covid-19 staff survey undertaken in June/July 2020.

RESOLVED: That

[1] That the report be noted and the recommendations supported.

7 BONFIRE PERIOD REPORT 2020

The Deliberate Fire Reduction and Road Safety Manager introduced the report

which appended the Authority's annual Bonfire Period Report 2020. It contained details of the preventative and operational activities of the Service and its partners during the bonfire period 24th October 2020 to 7th November 2020.

Overall, there had been a 38% reduction in deliberate small fires compared to 2019 and a 90% reduction on 5 years ago.

He drew Members' attention to unitary area performance during the 2020 bonfire period; all but one of the four unitary areas recorded either no change or a year on year decrease in deliberate small fires. Halton was the only unitary area to have seen an increase compared to last year, however, all unitary areas had seen a reduction from 5 years ago, respectively.

RESOLVED: That

[1] the report be noted; and

[2] the recommendations in Section 11 of the annual Bonfire Period Report 2020 (attached as Appendix 1) be supported.

8 EQUALITY, DIVERSITY AND INCLUSION 6 MONTHLY UPDATE REPORT 2020-21

The Equality and Inclusion Officer introduced the report, which provided an overview of key equality, diversity and inclusion developments within the Service and progress made against the Equality, Diversity and Inclusion Action Plan.

The report outlined key areas of focus and accomplishments over the last 6 months, as well as priorities for the next 6 months.

He informed Members that following the deferral of the 2020 Stonewall Workplace Equality Index submission, the Service had now received information relating to the 2021 submission. New criteria included intersectionality, bi-sexuality, pansexuality and gender identity. To assist with the understanding of the new criteria, the Equality and Inclusion Officer has been working closely with the Service's designated Stonewall Account Manager to discuss the work currently in progress and to prepare the submission evidence.

The Equality and Inclusion Officer also highlighted the continuing work of the Positive Action Group and On-call Recruitment Team in encouraging applications from under-represented groups. This work included reviewing and identifying new platforms to promote careers such as working with existing partners to look at advertising vacancies on their social media platforms and websites to help target a specific audience.

The Equality and Inclusion Officer also indicated that the revised Equality, Diversity and Inclusion Strategy 2021-24 would be submitted to the Fire Authority later this year.

RESOLVED: That

[1] progress to-date be noted.

9 GRENFELL TOWER INQUIRY PHASE 1 & 2 UPDATE

The Station Manager, Protection, presented the report which provided Members with details of the Service's response in relation to the recommendations arising from The Grenfell Tower Inquiry: Phase 1 Report and to provide an update on Phase 2 of the Inquiry.

He informed Members that Phase 2 of the Inquiry started at the end of January 2020, but has been severely impacted by the Covid-19 pandemic. However, remote hearings had resumed in February 2021.

A Member asked for further information on the finances required to address some of the findings of the Inquiry and how the Service would engage in lobbying for change. The Chief Fire Officer said that this would be subject to wider discussion at a future Members Planning Day.

RESOLVED: That

[1] the report and actions carried out to date be noted.

10 FORWARD WORK PROGRAMME

The forward work programme was considered by Members. The Director of Governance and Commissioning said that in order to balance the agenda for future meetings, some items would be moved from the July meeting to September 2021.

RESOLVED: That:

[1] the Forward Work Programme be noted.



MINUTES OF THE MEETING OF THE STAFFING COMMITTEE held on Monday, 22 March 2021. Remote Meeting via Skype at 12.00 pm

PRESENT: Councillors Bob Rudd (Chair), Stef Nelson, Michael Beanland, Mike Biggin, Karen Mundry, Stuart Parker and Peter Wheeler

1 PROCEDURAL MATTERS

A Record of Meeting

The meeting was held using Skype and in accordance with the Remote Meeting Rules. The Director of Governance and Commissioning confirmed how participants were connected to the meeting and how it would be broadcast. He also mentioned how the meeting would be monitored throughout.

Members were reminded that this meeting would be audio recorded.

B Apologies for Absence

There were no apologies for absence.

C Declaration of Members' Interests

There were no declarations of Members' interests.

D Minutes of the Staffing Committee

RESOLVED:

That the minutes of the Staffing Committee held on 16th November 2020 be confirmed as a correct record.

2 SERVICE MANAGEMENT TEAM STRUCTURAL REVIEW - ACTION PLAN

Consideration was given to a report of the Director of Transformation which provided an update on the Service Management Team Structural Review. The report included an Implementation Plan (and supplementary Transition Plan).

RESOLVED: That

[1] The Service Management Team Review Implementation Plan (and supplementary Transition Plan) be noted.

[2] A six monthly update be presented to Staffing Committee.

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MINUTES OF THE MEETING OF THE BRIGADE MANAGERS' PAY AND PERFORMANCE COMMITTEE held on Monday, 22 March 2021 at 10.00am - Remote Meeting - Via Skype

PRESENT: Councillors Bob Rudd (Chair), Stef Nelson, Michael Beanland, Mike Biggin, Karen Mundry, Stuart Parker and Peter Wheeler

1 PROCEDURAL MATTERS

A Apologies for Absence

There were no apologies for absence.

B Declaration of Members' Interests

There were no declarations of Members' Interest.

C Minutes of the Brigades Managers' Pay and Performance Committee

RESOLVED:

That the minutes of the Brigade Managers' Pay and Performance Committee held on 25th and 28th January 2021 be confirmed as a correct record.

2 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED: That:

That under Section 100(A) (4) of the Local Government Act 1972, as amended by the Local Government (Access to Information) Order 2006, the press and public be excluded from the meeting for the items of business listed below on the grounds that they involve the likely disclosure of exempt information as defined in Schedule 12A to the Act in the paragraphs indicated:

Item 3 – Chief Fire Officer and Chief Executive – Performance Appraisal and Development Scheme

Paragraph

(1) Information relating to any individual

3 CHIEF FIRE OFFICER AND CHIEF EXECUTIVE: PERFORMANCE APPRAISAL AND DEVELOPMENT SCHEME

Consideration was given to a report of the Director of Transformation which outlined

the Performance Appraisal and Development Scheme [PADS] that enabled CFRS to review an employee`s performance against delivery of agreed priorities/objectives, grade the contribution and performance, identify individual and organisational development needs, and support succession planning.

The PADS scheme operated from top to bottom across the whole of the Service and is particularly important at the top of the organisation, as Members seek to agree objectives with the Chief Fire Officer and Chief Executive, which ensure delivery of the Service's Integrated Risk Management Plan [IRMP].

Members were asked to review the performance of the Chief Fire Officer and Chief Executive against the objective set in 2020-21 and to agree key objectives and development needs, following discussions with the Chief Fire Officer and Chief Executive, for the coming year.

The Chief Fire Officer and Chief Executive's interim appraisal discussion was scheduled to take place on 8th November 2021.

RESOLVED That:

- [1] the Chief Fire Officer and Chief Executive's appraisal be agreed as discussed;**
- [2] the appraisal key objectives for 2021-22 are drafted and circulated to Members for review and approval; and**
- [3] Members agree to carry out an interim appraisal discussion on 8th November 2021.**



MINUTES OF THE MEETING OF THE BRIGADE MANAGERS' PAY AND PERFORMANCE COMMITTEE held on Tuesday, 30 March 2021 at Lecture Theatre - Fire Service HQ, Winsford, Cheshire at 10.00 am

PRESENT: Councillors Bob Rudd (Chair), Stef Nelson, Mike Biggin and Stuart Parker

1 PROCEDURAL MATTERS

A Apologies for Absence

There were no apologies for absence. The attendees formed the interview panel.

B Declaration of Members' Interests

There were no declarations of Members' Interest.

2 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED: That:

That under Section 100(A) (4) of the Local Government Act 1972, as amended by the Local Government (Access to Information) Order 2006, the press and public be excluded from the meeting for the items of business listed below on the grounds that they involve the likely disclosure of exempt information as defined in Schedule 12A to the Act in the paragraphs indicated:

Item 3 – Appointment of the Assistant Chief Fire Officer

Paragraph (1) Information relating to any individual

3 APPOINTMENT OF THE ASSISTANT CHIEF FIRE OFFICER

The Committee conducted an interview for the position of Assistant Chief Fire Officer. The Committee was also provided with a debrief about the other elements of the assessment process.

RESOLVED: That:

[1] Mr Paul Binyon be appointed as Assistant Chief Fire Officer.

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MINUTES OF THE MEETING OF THE GOVERNANCE AND CONSTITUTION COMMITTEE held on Wednesday, 7 April 2021 at Remote Meeting - Via Skype at 10.00 am

PRESENT: Councillors Steve Wright (Chair), Rob Polhill, Rachel Bailey, Mike Biggin, David Brown, Martyn Delaney, Nick Mannion and independent (non-elected) members Derek Barnett and Lesley Thomson

1 PROCEDURAL MATTERS

A Recording of Meeting

Members were reminded that the meeting would be audio-recorded and broadcasted live to enable public viewing.

B Apologies for Absence

There were no apologies for absence.

C Declarations of Members' Interests

There were no declarations of Members' interest.

D Minutes of the Governance and Constitution Committee

RESOLVED:

That the minutes of the Governance and Constitution Committee held on Wednesday 27th January 2021 be confirmed as a correct record.

2 DRAFT STATEMENT OF ASSURANCE 2020-21

The Director of Governance and Commissioning introduced the report which gave Members the opportunity to review the draft Statement of Assurance 2020-21.

He reminded Members that the Fire and Rescue National Framework for England required the publication of the Statement of Assurance to provide assurance on financial, governance and operational matters. The final version of the document was due to be submitted to the Fire Authority meeting on 28th April for approval.

A Member queried why the changes were not highlighted within the document. The Director of Governance and Commissioning responded stating that the only significant change was the addition of section 8 which provided assurance on the response from the Service throughout the Coronavirus Pandemic.

RESOLVED: That

[1] the draft Statement of Assurance 2020-21 be recommended to the Fire Authority for approval at the appropriate time.

3 REVIEW OF ANTI-BRIBERY POLICY AND ANTI-FRAUD POLICY

The Director of Governance and Commissioning introduced the report on the review of the Anti-Fraud and Anti-Bribery Policies. Members noted the minor amendments, i.e. changes to the contact details and approved both documents.

RESOLVED: That

[1] the Anti-Fraud Policy and the Anti-Bribery Policy both be approved.

4 AMENDMENTS TO SCHEME OF DELEGATION

The Director of Governance and Commissioning introduced the report which covered amendments to the Scheme of Delegation. The amendments were required so that the Scheme reflected the changes to the Service Management Team. Members noted the addition of the Deputy Chief Fire Officer role and the merger of the Prevention and Protection functions under one Head.

A Member queried whether further recruitment was ongoing in light of changes to the Service Management Team. The Director of Governance and Commissioning explained that no further recruitment activity was necessary due to the way that positions had been filled.

RECOMMENDED: That

[1] the Fire Authority approve the amendments to the Scheme of Delegation.

5 REVIEW INTO THE WAY THAT SEATS ON THE FIRE AUTHORITY ARE ALLOCATED TO THE CONSTITUENT AUTHORITIES

The Director of Governance and Commissioning presented the report which allowed Members to consider the outcome of the Review into the Way that Seats on the Fire Authority are Allocated to the Constituent Authorities. He reminded Members that the terms of reference for the review were agreed at the last Governance and Constitution Committee meeting.

He advised that the Monitoring Officer of Derbyshire Fire and Rescue Service, Ms Louise Taylor, conducted the review. The independent reviewer reached a number of conclusions and made recommendations for Members to consider.

Members were referred to paragraph 9 within the covering report which advised that the publication of the White Paper on fire reform was due later in the year.

Members agreed to recommend to the Fire Authority that it maintain the current arrangement for seat allocations for 2021-22 and await the publication of the White Paper before considering the Review further.

RECOMMENDED: That

- [1] the appointments for 2021-22 continue to be allocated in the same way that they have since local government reorganisation; and**
- [2] the Review be considered further once the White Paper has been published and considered.**

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CHESHIRE FIRE AUTHORITY

MEETING OF: GOVERNANCE AND CONSTITUTION COMMITTEE
DATE: 7TH APRIL 2021
REPORT OF: DIRECTOR OF GOVERNANCE AND COMMISSIONING
AUTHOR: ANDREW LEADBETTER

SUBJECT : AMENDMENTS TO SCHEME OF DELEGATION

Purpose of Report

1. To allow Members to consider and recommend to the Fire Authority for approval amendments to the Scheme of Delegation.

Recommended: That Members

- [1] Consider the proposed amendments to the Scheme of Delegation with a view to recommending that the Fire Authority approves the amendments at its next meeting.

Background

2. The Fire Authority agreed changes to the Service Management Team when it met in December 2020.

Information

3. The changes to the Service Management Team have been actioned quickly and some are already complete. The changes have necessitated some amendments to the Scheme of Delegation.
4. The updated Scheme is attached to this report as Appendix 1. The changes are highlighted in red and can be summarised as follows:
 - the introduction of the post of Deputy Chief Fire Officer and removal of references to there being two Assistant Chief Fire Officers;
 - the shifting of responsibilities for organisational performance and HMICFRS activities from the Head of Protection and Organisational Performance to the Deputy Chief Fire Officer; and
 - the amalgamation of the responsibilities for prevention and protection activity under a single Head of Prevention and Protection.

Financial Implications

5. There are no financial implications as a result of amending the Scheme of Delegation.

Legal Implications

6. It is important that the Scheme of Delegation is kept up-to-date as relevant officers must act appropriately and within the boundaries of the Scheme.

Equality & Diversity Implications

7. There are no equality and diversity implications.

Environmental Implications

8. There are no environmental implications.

CONTACT: DONNA LINTON, CLEMONDS HEY, WINSFORD

TEL [01606] 868804

BACKGROUND PAPERS: NONE

SECTION 11 - SCHEME OF DELEGATION – (POWERS OF OFFICERS)

Introduction

- 11.1 This Scheme of Delegation (the Scheme) sets out the powers of officers.
- 11.2 The powers of officers are given to them (delegated) by Cheshire Fire Authority (the Authority). The delegation of powers takes place by virtue of Members approving the Scheme. Section 101 of the Local Government Act 1972 grants the power to delegate.

General Principles

- 11.3 Officers must not take decisions which are the responsibility of the Authority, any of its decision-making bodies, or an individual Member.
- 11.4 Officers will normally be expected to exercise the powers delegated to them but may on occasion choose not to do so. They are at liberty to refer a matter to another officer and/or Members of the Authority.
- 11.5 Officers must use their powers in such a way that is consistent with the policies and procedures of the Authority.
- 11.6 Officers must ensure that in using their powers they do not break the law, and take note of any relevant guidance, codes of practice etc.
- 11.7 Officers must use their powers in a way that is consistent with the Authority's available budget (generally, as well as that which is specifically allocated for management by the officer) and its financial regulations.
- 11.8 Officers must consider whether it is necessary to consult with officers and/or Members prior to exercising their powers. If they do consult they must have regard to any views expressed/advice given.
- 11.9 Officers are able to delegate a power to another officer provided that:
- The delegation is to an officer at an appropriate level and with appropriate experience;
 - If it is possible to further delegate it is properly described;
 - The delegation is recorded;
 - Details of the delegation are given to the Director of Governance and Commissioning.
- 11.10 Officers exercising their powers must consider whether other officers and/or Members require notification of actions/decisions etc.
- 11.11 Officers with delegated powers must review the delegations available to them regularly.
- NB For the purpose of the above Principles, 'Officers' means those roles that are described in the Scheme.

SECTION 11 - SCHEME OF DELEGATION – (POWERS OF OFFICERS)

Specific Delegations/Responsibilities

CHIEF FIRE OFFICER AND CHIEF EXECUTIVE

11.12 The Chief Fire Officer and Chief Executive is the Head of Paid Service. The Chief Fire Officer and Chief Executive is responsible to the Fire Authority for:

- a) Leading and directing the strategic management of the Authority;
- b) Ensuring the effective pursuit and achievement of the Authority's objectives;
- c) Ensuring the Authority's activities are carried out with maximum effectiveness and efficiency;
- d) Ensuring the efficient and effective discharge of the decision-making and scrutiny functions of the Authority;
- e) Monitoring and reviewing the Authority's management arrangements;
- f) Influencing the direction of local, regional and national policy in support of the vision, aims and objectives of the Authority;
- g) In an operational context, managing and providing strategic leadership at major operational incidents by devising, overseeing and monitoring plans and the use of resources and authorising recall to duty, where appropriate;
- h) Authorising surveillance activity in accordance with the Authority's policy;
- j) Making or arranging for appointments to all posts where a decision by Members is not required;
- k) Liaison with other Services and Chiefs;
- l) Jointly with the Director of Governance and Commissioning, the Treasurer and the Head of Finance to prepare an annual revenue budget and capital programme for consideration and approval by the Fire Authority;
- m) Authorising officers to exercise the powers under the Fire and Rescue Services Act 2004 (Sections 44, 45 and 46);
- n) To appoint inspectors by virtue of Article 26(1) The Regulatory Reform (Fire Safety) Order 2005 (the Order) to exercise the powers contained in Article 27 of the Order and to authorise the inspectors to serve alterations notices (Articles 29 of the Order), enforcement notices (Article 30 of the Order) and prohibition notices (Article 31 of the Order)

SECTION 11 - SCHEME OF DELEGATION – (POWERS OF OFFICERS)

Inspectors will also be appointed to exercise the powers under:

- i. Dangerous Substances (Notification and Marking of Sites) Regulations 1990 (Regulations 5, 6, 7 & 8)
- ii. Health and Safety (Signs and Signals) Regulations 1996 (Section 7(b))
- iii. Construction Design and Management Regulations 2015 (Regulations 30, 31, 32 & 36)
- iv. Licensing Act 2003 (Sections 59, 96 and 179)

SECTION 11 - SCHEME OF DELEGATION – (POWERS OF OFFICERS)

DEPUTY CHIEF FIRE OFFICER

11.13 The Deputy Chief Fire Officer is responsible to the Fire Authority for:

- a) Providing strategic leadership to shape and direct service provision;
- b) Managing the overall co-ordination of the activities of the Service and optimising the use of resources;
- c) Leading and managing the Departments within his/her area of responsibility;
- d) Leading on all aspects of organisational performance;
- e) Ensuring the alignment of service activity with the Home Office Inspectorate requirements;
- f) Authorising surveillance activity in accordance with the Authority's policy;
- g) In an operational context, managing and providing strategic leadership at major operational incidents by devising, overseeing and monitoring plans and the use of resources and authorising recall to duty, where appropriate.
- h) Managing budgets in accordance with Financial Regulations.
- i) Deputising for the Chief Fire Officer and Chief Executive, as necessary.

SECTION 11 - SCHEME OF DELEGATION – (POWERS OF OFFICERS)

ASSISTANT CHIEF FIRE OFFICER

11.14 The Assistant Chief Fire Officer is responsible to the Fire Authority for:

- a) Providing strategic leadership to shape and direct service provision;
- b) Managing the overall co-ordination of the activities of the Service and optimising the use of resources;
- c) Leading and managing the Departments within his/her area of responsibility;
- d) Authorising surveillance activity in accordance with the Authority's policy;
- e) ~~The Assistant Chief Fire Officer—Service Delivery and Prevention is responsible for~~ The safeguarding of children, young people and vulnerable young adults as well as the safeguarding of vulnerable adults (including the preparation and maintenance of appropriate policies and procedures);
- f) In an operational context, managing and providing strategic leadership at major operational incidents by devising, overseeing and monitoring plans and the use of resources and authorising recall to duty, where appropriate.
- g) Managing budgets in accordance with Financial Regulations.
- h) Deputising for the Chief Fire Officer and Chief Executive **and Deputy Chief Fire Officer**, as necessary.

The Chief Fire Officer and Chief Executive, **Deputy Chief Fire Officer** and Assistant Chief Fire Officer are collectively referred to as **Principal Officers** or Brigade Managers in some documents.

SECTION 11 - SCHEME OF DELEGATION – (POWERS OF OFFICERS)

DIRECTORS

Governance and Commissioning

- 11.15 The Director of Governance and Commissioning is the Monitoring Officer, responsible for the duties imposed by Section 5 of the Local Government and Housing Act 1989.
- 11.16 The Director of Governance and Commissioning is responsible for:
- a) Defending/settling actions against the Authority (actual or threatened) (up to £25,000);
 - b) Taking action on behalf of the Authority;
 - c) Arranging for the proper administration of Member meetings;
 - d) Securing appropriate decision-making arrangements;
 - e) Signing documents/contracts on behalf of the Authority;
 - f) Arranging an appropriate standards regime and dealing with standards issues relating to Members of the Authority;
 - g) Ensuring the actions/activities of the Authority are lawful;
 - h) Supporting work on the promotion of good governance;
 - i) Managing an effective procurement function and processes;
 - j) Act as Senior Information Risk Owner and managing information requirements e.g. Freedom of Information, Data Protection etc.;
 - k) Acting as panel member in consideration and determination of applications for voluntary redundancy;
 - l) Leading upon, developing, implementing and reviewing the Service's environment-related policies and procedures;
 - m) Monitoring and maintenance of the relationship with NW Fire Control Limited and the service that it provides (including engagement with the other authorities);
 - n) Arranging and managing the Service's insurance arrangements;
 - o) Arranging and managing the Service's internal audit function;
 - p) Ensuring that appropriate corporate governance arrangements are in place and managed effectively;

SECTION 11 - SCHEME OF DELEGATION – (POWERS OF OFFICERS)

- q) Effect arrangements to deal with risk identification and management;
- r) Jointly with the Chief Fire Officer and Chief Executive, the Treasurer and Head of Finance to prepare an annual revenue budget and capital programme for consideration and approval by the Fire Authority;
- s) Jointly with the Treasurer to: secure and maintain systems to manage the budget; issue a precept; and report, as necessary, on financial matters to the Fire Authority;
- t) Engaging with and managing the relationship with Cheshire Constabulary for the provision of the joint services and other collaborative opportunities.

Transformation

11.17 The Director of Transformation is responsible for:

- a) Leading, developing, implementing and reviewing strategies, policies and procedures relating to human resources and workforce transformation;
- b) Ensuring that individual and organisational development needs are established and met as far as reasonably practicable;
- c) Securing and managing payroll, pension and occupational health requirements;
- d) Maintaining a suitable policy and effective procedures intended to secure appropriate checks on potential (and current) employees and volunteers (e.g. DBS);
- e) Fulfilling the role of lead officer for dignity at work issues;
- f) Managing and chairing the JCNP and leading on trade union relations;
- g) Acting as panel member in consideration and determination of applications for voluntary redundancy;
- h) Fulfilling the role of Scheme Manager responsible for the management and administration of the firefighters' pension schemes;
- i) Leading upon, developing, implementing and reviewing the Service's equality policies and procedures.

SECTION 11 - SCHEME OF DELEGATION – (POWERS OF OFFICERS)

AREA MANAGERS

Prevention and Protection and Organisational Performance

11.18 The Area Manager for Prevention and Protection ~~and Organisational Performance~~ is responsible for:

- a) Act as the strategic advisor to Principal Officers and the Authority on all matters relating to the Fire Safety order with responsibility for ensuring the Authority fulfils its statutory duty in this regard;
- ~~b) Lead on all aspects of organisational performance;~~
- ~~c) Ensure the alignment of service activity with the Home Office Inspectorate requirements;~~
- b) Authorising the signing of any notices under the legislation relating to fire safety;
- c) Authorisation of safeguarding referrals as Duty Area Manager;
- d) Authorisation of payments for items purchased during emergencies such as refreshments when acting as Duty Area Manager;
- e) In an operational context, managing and providing strategic leadership at major operational incidents by devising, overseeing and monitoring plans and the use of resources and authorising when acting as the Duty Area Manager or as a response to recall to duty, where appropriate;
- f) Procuring and finalising data sharing arrangements;
- g) Overseeing and managing the Service's safeguarding arrangements
- h) Lead in supporting the Community Safety Partnership across the sub-region and liaise with national government on related matters;
- i) Ensuring the effective management of the Service's volunteering strategy;
- j) Developing and delivering on key external referral programmes for the Service.

Operational Policy and Assurance

11.19 The Area Manager for Operational Policy and Assurance is responsible for:

- a) To ensure the effective performance and integration of functions which form part of the department so as to provide the best overall support to Service Delivery and other departments;

SECTION 11 - SCHEME OF DELEGATION – (POWERS OF OFFICERS)

- b) Authorisation of the Operational Policy and Assurance business continuity plans;
- c) Authorisation of safeguarding referrals as Duty Area Manager;
- d) Authorisation of payments for items purchased during emergencies such as refreshments when acting as Duty Area Manager;
- e) Securing and managing resilience arrangements, e.g. agreements under Sections 13 or 16 of the Fire and Rescue Services Act 2004;
- f) Leading upon, developing, implementing and reviewing health and safety policies and procedures;
- g) In an operational context, managing and providing strategic leadership at major operational incidents by devising, overseeing and monitoring plans and the use of resources and authorising when acting as the Duty Area Manager or as a response to recall to duty, where appropriate;
- h) Co-ordination of business continuity arrangements for the Service.

Service Delivery

11.20 The Area Manager for Service Delivery is responsible for:

- a) Management of the Operational Establishment including the transfer and promotion of station based personnel up to Watch Manager including extensions and terminations of temporary promotion;
- b) Appeals linked to the compulsory transfer of staff;
- c) Flexibility of crewing levels to exhaust annual leave;
- d) Payment of CPD and appeal decisions;
- e) Authorisation of the deployment of Targeted Response Vehicles and associated overtime payments;
- f) Authorisation of the Service Delivery business continuity plans;
- g) Authorisation of safeguarding referrals as Duty Area Manager;
- h) Authorisation of payments for items purchased during emergencies such as refreshments;
- i) Providing guidance in relation to proposals involving expenditure of more than £500 from UPG budgets;
- j) Authorising involvement of staff and funds to assist in partner initiatives at a local level within the unitary areas;

SECTION 11 - SCHEME OF DELEGATION – (POWERS OF OFFICERS)

- k) In an operational context, managing and providing strategic leadership at major operational incidents by devising, overseeing and monitoring plans and the use of resources and authorising when acting as the DAM or as a response to recall to duty, where appropriate.

HEADS OF DEPARTMENT

Prevention

~~11.20 The Head of Prevention is responsible for:~~

- ~~a) Procuring and finalising data sharing arrangements;~~
- ~~b) Overseeing and managing the Service's safeguarding arrangement;~~
- ~~c) Lead in supporting the Community Safety Partnership across the sub-region and liaise with national government on related matters;~~
- ~~d) Ensuring the effective management of the Service's volunteering strategy;~~
- ~~e) Developing and delivering on key external referral programmes for the Service.~~

Treasurer (Section 151 Officer)

11.21 The Treasurer is the Section 151 Officer (Local Government Act 1972) and has responsibilities under Section 151 and Section 114 of the Local Government Finance Act 1988.

11.22 The Treasurer is responsible for:

- a) Carrying out the powers and duties contained in the Authority's Financial Regulations;
- b) Providing high quality, professional support services;
- c) Jointly with the Head of Finance ensuring effective control of budgets;
- d) Ensuring that the Financial Regulations, including procurement rules, are adequate, regularly monitored and adhered to;
- e) Jointly with the Head of Finance negotiating and managing treasury management activities;
- f) Jointly with the Head of Finance prepare an annual revenue budget and capital programme for consideration and approval by the Fire Authority, calculating the draft Council Tax precept, monitoring and reviewing the

SECTION 11 - SCHEME OF DELEGATION – (POWERS OF OFFICERS)

Authority's Reserves Policy and maintaining a scheme of Financial Delegation;

- g) Ensuring there are appropriate arrangements for the production and publication of the Annual Statement of accounts including liaising with the external auditor and certifying the draft accounts;
- h) Arranging for the necessary precepts to be raised with the constituent authorities;
- i) Acting as panel member in consideration and determination of applications for voluntary redundancy;
- j) Jointly with the Chief Fire Officer and Chief Executive and Director of Governance and Commissioning, approving offers of sponsorship.

Head of Finance

11.23 The Head of Finance is responsible for:

- a) Carrying out the powers and duties contained in the Authority's Financial Regulations;
- b) Providing high quality, professional support services;
- c) Providing timely and accurate financial monitoring information and reporting financial performance to Members;
- d) Jointly with the Treasurer ensuring effective control of budgets;
- e) Jointly with the Treasurer negotiating and manage treasury management activities;
- f) Jointly with the Treasurer prepare an annual revenue budget and capital programme for consideration and approval by the Fire Authority, calculating the draft Council Tax precept, monitoring and reviewing the Authority's Reserves Policy and maintaining a scheme of Financial Delegation;
- g) The preparation of the draft Annual Statement of Accounts and draft Annual Governance Statement.
- h) Acts as Deputy S151 Officer.

Communications

11.23 The Head of Communications is responsible for:

- a) Developing and co-ordinating the Service's internal and external communications to ensure full and effective consultation with service users, employees, external agencies and the community (ensuring that

SECTION 11 - SCHEME OF DELEGATION – (POWERS OF OFFICERS)

the Authority's statutory consultations are carried out to deadline and in line with legal requirements and Authority principles);

- b) Promoting knowledge and understanding of the Service and its services and objectives, to both internal and external stakeholders, through the use of appropriate and effective communications and marketing techniques;
- c) Approving, before publication, all public and media statements on behalf of the Service;
- d) Maintaining an effective approach to communication using the Service's website and social media channels;
- e) Managing and securing responses to consultations from third parties.

GROUP MANAGERS

11.24 Group Managers are responsible for:

- a) Managing work activities within a functional area, identifying and developing proposals for improvement and planning for their implementation;
- b) Undertaking quality assurance by audit and assessment of performance against station and functional plans and ensuring the alignment of service activity with the Service's IRMP;
- c) Identifying, allocating controlling and evaluating the use of resources to support corporate objectives and implementing organisational strategies;
- d) Managing the performance of teams and individual employees through performance management processes to ensure that organisational aims and objectives are achieved;
- e) Delivering performance within the Performance Scrutiny Group and be responsible for its operation and link to performance; and
- f) In an operational context, manage and lead operational incidents as Incident Manager by devising, implementing and monitoring plans, managing resources and conducting de-briefings to ensure their effective resolution.

STATION MANAGERS

11.25 Station Managers are responsible for:

- a) Formulating Station Plans and supervising the station planning process by allocating work activities, implementing and evaluating work plans to

SECTION 11 - SCHEME OF DELEGATION – (POWERS OF OFFICERS)

ensure that service delivery needs are continually met;

- b) Managing and developing the Station Management Team and providing appropriate support, guidance and coaching in order that organisational aims and objectives are achieved;
- c) Identifying by assessment risk critical needs in line with the role map of Watch Managers and developing employees to ensure they are equipped with the necessary skills, knowledge and experience to fulfill their roles;
- d) Fostering positive relationships within the community through pro-active networking;
- e) Gathering and analysing local intelligence on community risks;
- f) Investigating performance and conduct related issues and any grievances raised;
- g) In an operational context, manage and lead operational incidents as Incident Manager by devising, implementing and monitoring plans, managing resources and conducting de-briefings to ensure their effective resolution.

SECTION 11 - SCHEME OF DELEGATION – (POWERS OF OFFICERS)

General Requirements

ALL AREA MANAGERS and HEADS OF DEPARTMENT are responsible for the following:

General Responsibilities

Leading and managing the functions that the Area Manager or Head of Department is responsible for
Making returns/reporting etc., as necessary, to satisfy Governmental and/or statutory and/or regulatory requirements that apply in relation to their areas of responsibility.

Financial Responsibilities

Agreeing and managing revenue and capital budgets
Procurement of goods and services
Processing of income and pursuance of debts

In accordance with Financial Regulations and any internal guidance produced by the Head of Finance and/or the Director of Governance and Commissioning (e.g. approval limits set in Agresso and maintenance of imprest accounts).

Human Resourcing Responsibilities

Ongoing assessment of staffing requirements of department (and sections within it)
Management of staff
Specific assessment of staffing need whenever a post is due to/has become vacant
Filling of all vacancies
Notification to Director of Transformation in relation to staff (appointment, grading etc)
Authorisation for overtime, expense claims etc
Completion of relevant documentation for redundancy/early retirement
Engagement at an appropriate level in disciplinary and other staff-related processes

In accordance with policies and procedures produced by the Director of Transformation and/or the Head of Finance.

SECTION 11 - SCHEME OF DELEGATION – (POWERS OF OFFICERS)

Asset-Related Responsibilities - this includes physical assets and also information (however stored)

Maintaining adequate assets to deliver the service
Safeguarding and maintenance of assets
Disposal of assets

In accordance with policies and procedures.

Risk Management Responsibilities

Reviewing and updating risk profiles and securing suitable arrangements to manage risks
Logging new risks and ensuring that mitigating actions are identified and allocated appropriately
Handling claims (potential/actual) so as to protect (not prejudice) the Authority's position and its access to insurance arrangements

Performance Management Responsibilities

Engaging appropriately in corporate performance management processes
Reporting on performance in a meaningful, timely and balanced way

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MINUTES OF THE MEETING OF THE RISK MANAGEMENT BOARD held on Tuesday, 16 March 2021. Remote meeting via Skype at 10.00 am

PRESENT:

Members:

Councillor Stef Nelson
Councillor Stuart Parker

Auditor:

Anne-Marie Harrop, Mersey Internal Audit Agency

Officers:

Mark Cashin (Chair), Chief Fire Officer and Chief Executive
Andrew Leadbetter, Director of Governance and Commissioning
Allan Rainford, Treasurer
Nick Evans, Head of Prevention
Jess Burton, Youth Engagement Manager
Neil McElroy, Group Manager for Operational Policy and Projects
Louis Willis, Planning, Performance and Risk Manager
Chris Astall, Performance, Planning and Risk Officer
Emilie Salkeld, Governance Officer

1 APOLOGIES

There were no apologies for absence.

2 NOTES FROM THE PREVIOUS MEETING

The notes from the previous meeting on 13th October 2020 were presented to the Risk Management Board and the following actions were noted:-

The Chair explained that there were recent developments to risk 995 – Fire Pension – Increase in employers' contributions to firefighter pensions, which saw an increase in its score.

Since the Covid-19 Interim Debrief Report, the Service had proven that the mitigating actions introduced to ensure good response coverage had worked well. The Service was considering recovery plans following the Government's roadmap announcement.

3 TERMS OF REFERENCE - RISK MANAGEMENT BOARD 2021-22

The Terms of Reference for the Risk Management Board 2021-22 were presented to the board for approval. The board noted that the new Deputy Chief Fire Officer had

been added to the list of attendees.

RESOLVED: That

[1] the Terms of Reference – Risk Management Board 2021-22 be approved.

4 REVIEW OF STRATEGIC RISK REGISTER

The Planning, Performance and Risk team introduced the risk register and provided an update for each risk. The following observations were made:-

376 – Fire in Iconic Heritage Building

The risk had reduced to an 'amber' score as a result of the new officer role and engagement work with partners. The Chair advised that the risk would be refocused with a view to reflecting the risk across Cheshire.

807 – Competing Demands on Resource and Achieving MTFP Targets

The risk was expected to become archived and superseded by a new risk highlighting the difficulty to plan medium and long term funding with one year spending reviews.

889 – Lack of Commitment from housing providers to fit sprinklers

The Chair confirmed that three landlords were reluctant to fit sprinklers into their buildings. However, it was believed that there were a higher proportion of high risk buildings in Cheshire than in any other fire and rescue area. It was recommended that the Sprinkler Group should consider a revised scoring of the risk.

ACTION:

[1] the Chief Fire Officer and Chief Executive meet with the Head of Protection to further consider the risk.

995 – Fire Pension – Increase in employers' contributions to firefighter pensions and 1008 – McCloud/Sergeant Judgement – Pension Case

Due to the severity of the risk, the Pension Board advised that a combined Risk Register Deep Dive report should be submitted at the next Risk Management Board. The report was to be led by the Director of Transformation and Head of Human Resources.

ACTION:

[2] a Deep Dive report on risks 995 and 1008 be submitted to the next Risk Management Board meeting.

2035 – Blue Light Collaboration

The Director of Governance and Commissioning reported that some key performance indicators had been agreed, but that there was further work to complete the range of indicators and to embed the reporting of the indicators. The completed service plans from the respective heads of service would shortly be agreed for 2021-22. An internal audit report was in the course of preparation concerned with the collaboration.

2033 – Covid-19

The Chair advised that with the announcement of the Government's roadmap the Covid-19 risk could be reduced. He confirmed that the Service would continue with caution in the preparation and subsequent delivery of its recovery plans.

5 OPERATIONAL AND CORPORATE SERVICES RISK MAP

The Planning, Performance and Risk team introduced the report which presented a high level overview of the Service's organisational risk profile mapped by each department.

The team mentioned a new risk added to the Protection and Organisational Performance department which highlighted the fact that unitary local authorities were not undertaking joint inspections of HMOs. They advised that despite the risk being depicted as a 'red' risk, the risk score was due to decrease.

The Head of Prevention stated that an additional risk would need to be included within the Prevention department to consider the shortfall of corporate knowledge of safeguarding.

RESOLVED: That

[1] the Organisational and Corporate Services Risk Map be noted.

ACTION: That

[1] the Planning, Performance and Risk team include an additional departmental risk for Prevention to reflect the loss of corporate knowledge of safeguarding.

6 RISKS BELOW THE THRESHOLD REPORT

The Planning, Performance and Risk team presented the report which highlighted the corporate risks that fell below the corporate risk threshold and had potential to escalate. The following observations were made:-

1017 – Unable to secure future funds to complete the priority work of future houses

The Director of Governance and Commissioning advised that the risk scoring could

probably be reduced due to the progress made and the fact that the works would increasingly be funded from the annual repairs and maintenance budget. He suggested that the risk be reviewed before the next meeting of the Board.

1021 – Media communications at large incidents

The Chair reported that there were uncertainties about the resilience of the out-of-hours communications support arrangements that might be called upon for large incidents. Therefore, the risk remained relevant.

2038 – RRRU Project – Implications of Covid-19

It was recommended that the risk remains on the departmental register due to the impact Covid-19 has had on training associated with the RRRU.

Departmental Covid-19 Risk Register

It was agreed that good progress had been made within all departments to mitigate the risks from Covid-19. Consideration was given to reduce the risk scoring.

RESOLVED: That

[1] the Risk Below the Threshold report be noted.

7 RISK MANAGEMENT BOARD - ANNUAL REPORT 2019-20

The Planning, Performance and Risk team introduced the report which demonstrated the responsibilities and activities of the Risk Management Board throughout 2019-20. The report contained information on the Risk Management Process, Deep Dive reporting, Risk Management training and the Covid-19 response. It was intended for submission to the next Performance and Overview committee meeting.

The Director of Governance and Commissioning requested that the report state its reporting period for further clarity.

A Member queried whether the Performance and Overview Committee would receive a deep dive report on Pensions, given the severity of the risk. The Chair advised that it would be reported within the next municipal year. Members would also have an opportunity to see the internal audit report on risk management.

RESOLVED: That

[1] subject to minor amendment, the Risk Management Board – Annual Report 2019-20 be submitted to the Performance and Overview Committee.

8 ANNUAL REVIEW OF CRISIS MANAGEMENT PLAN

The Station Manager for Operational Support and Risk introduced the report which detailed the revised Crisis Management Plan. He advised that lessons learnt from Covid-19 had been implemented within the new version of the plan.

It was reported that an exercise would run later in the year concerned with the potential for an industrial relations crisis.

RESOLVED: That

[1] the Annual Review of the Crisis Management Plan be noted.

9 RISK REGISTER DEEP DIVE: PRINCE'S TRUST FUNDING

The Youth Engagement Manager introduced the report which detailed the corporate risk around the lack of funding for the Prince's Trust Programme due to the impact of Covid-19.

The Youth Engagement team saw a decrease of income due to a shortened programme and fewer participants joining the course. However, a negotiation with the subcontracted colleges saw a reimbursement of £75,000. Reserves made up for the shortfall in income from smaller cohorts.

The Youth Engagement Manager assured the Board that the Service did well to continue running the programme with other services not running programmes during the pandemic. The Board praised the efforts of the team to continue helping vulnerable young adults and preserving jobs amid the pandemic.

A Member queried how the virtual delivery impacted those who participated within the programme. The Youth Engagement Manager advised that it suited many individuals in the programme. However, the programme would continue to meet in person where possible due to the many benefits it served for those on the course.

Another Member requested that Prince's Trust cohorts look to help local care homes for their community projects as they did during the pandemic. The Youth Engagement Manager agreed to consider this for the next round of community projects.

RESOLVED: That

[1] the Risk Register Deep Dive: Prince's Trust Funding be noted.

10 WORK PROGRAMME 2021-22

The Board discussed the proposed work programme for 2021-22. It was recommended that reports on a post Covid-19 review and Deep Dive – Pensions be considered at the next Risk Management Board meeting on Tuesday 12th October

2021.

RESOLVED: That

[1] subject to the addition of the reports for 12th October 2021, the Work Programme 2021-22 be approved.



MINUTES OF THE MEETING OF THE LOCAL PENSION BOARD - FIREFIGHTERS PENSION SCHEME held on Wednesday, 17 March 2021 at 2.00pm. Remote Meeting - Via Skype.

PRESENT:

BOARD MEMBER: Councillors David Brown (Chair), Neil McElroy and George Peers (FBU).

OFFICERS: Andrea Harvey (Pension Scheme Manager), Amy Caves (Solicitor), Steve Gall (Pay and Pensions Lead), Emily Purslow (Pension Coordinator) and Donna Linton (Governance and Corporate Planning Manager).

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Lee Shears (Employer).

2 DECLARATION OF INTERESTS

There were no declarations of interest received.

3 NOTES FROM THE PREVIOUS MEETING

A discussion was had on the following:-

Minute 3 - Notes from the Previous Meeting (14th January 2021) Minute 8 – Review of Split Pensions Eligibility

The FBU Board Member representative referred to the wording in paragraph 4 of the minutes. He advised that following a discussion with his FBU colleague who attends the Joint Consultative Negotiating Panel (JCNP) he was of the understanding that the agreed outcomes from the split pensions exercise had not yet been completed.

The Pension Scheme Manager confirmed that there was an outstanding action in respect of submitting a case study to the LGA for inclusion in one of the forthcoming pension newsletters. She confirmed that this had been requested by the LGA as the way in which the split pensions issues had been resolved within Cheshire had been deemed to be an example of good practice and effective working with the Fire Brigades Union (FBU). She also confirmed that the FBU had welcomed the suggestion of the case study as it would be a means of highlighting the issue of split pensions, raise awareness and ideally prevent future problems in other FRS.

The Pension Scheme Manager advised that the case study had not yet been created due to capacity but that she would endeavour to produce a draft for review at the next meeting of the Pension Board.

RESOLVED: That

- [1] the minutes of the Local Pension Board held on 14th January 2021 be confirmed as a correct record; and**
- [2] the Pension Scheme Manager present a draft case study to the next meeting of the Board.**

4 XPS ADMINISTRATION CHESHIRE FIRE SERVICE DELIVERY REPORT APRIL 2020 TO MARCH 2021

The Operations Manager, Graeme Hall from XPS Administration, was in attendance and presented the Service's Performance Delivery Report for April 2020 – March 2021. The report contained the following information:-

- Regulations and guidance from April to November 2020
- Headlines including additional work and complaints
- Membership Quarter 3 2020-21
- Common Data
- Performance Charts from April to December 2020

The Pension Scheme Manager explained that there had been a couple of instances when people had requested their final figures prior to retirement and the documentation received from XPS Administration referred to the police pension scheme rather than fire. It was felt this error undermined people's confidence in the figures provided. In response, Graeme Hall advised that he would be reviewing all letter templates to ensure that this issue was resolved going forward.

The Pension Scheme Manager suggested it would be useful to include some narrative on the Performance Charts to explain the data and highlight on the changes from the previous report. This was agreed. It was also requested and agreed that future reports should include year to date comparisons and a glossary of acronyms and abbreviations.

The FBU Board Member reported that the FBU had recently been contacted by a number of retired firefighter advising that they were struggling to contact XPS Administration directly and that responses had been very slow. In response, the Pension Scheme Manager advised that this had been raised by Andy Fox-Hewitt from the FBU at JCNP and the issue had already been raised with Graeme Hall outside this meeting. She also advised that discussions were ongoing to expedite the launch of the on line portal for retirees so that they could have direct and quicker access to their information.

Following on from a detailed discussion about the avoidance of duplication between the JCNP and the Pension Board, it was agreed that the Pension Scheme Manager would provide an update at each meeting of all the pensions issues that had been raised by either the FBU or Fire Officers' Association (FOA) at the JCNP. This would ensure that the Pension Board were cited on any concerns relating to the delivery of the pensions contract and/or day to day administration. It was agreed that

this would be a helpful agenda item for future meetings.

The Governance and Corporate Planning Manager advised that she would arrange for the Pension Scheme Manager and Graeme Hall to have a meeting within the next month to discuss arranging for the retired firefighters to have access to the Self-Service Portal.

The Chair asked that Board Members submit any technical questions on any reports to the Pension Scheme Manager prior to the meeting to ensure that a detailed response could be provided either before or at the meeting.

RESOLVED: That

- [1] the XPS Administration Cheshire Fire Service Delivery Report April to March 2021 be noted;**
- [2] in future reports XPS Administration provide a narrative within the Performance Chart data and figure reporting (recent and final figure) including a glossary of acronyms/abbreviations;**
- [3] the Governance and Corporate Planning Manager to arrange for the Pension Scheme Manager and Graeme Hall to meet to discuss arranging for the retired firefighters to have access to the Self-Service Portal;**
- [4] a standard agenda item be included on future Pension Board agendas titled "JCNP Pension Issues" and**
- [5] any technical questions that require a response at future pension board meetings should be submitted to the Pension Scheme Manager prior to the meeting so that responses can be provided at the following meeting.**

5 FIREFIGHTER PENSION SCHEME UPDATE

The Pay and Pensions Lead presented a report which provided an overview of current issues relating to the Firefighters' Pension Schemes, including updates on the following:-

- Membership Statistics
- TPR Six Key Processes
- IQMP Assessments
- Age Discrimination Remedy
- Valuation
- Exit Payments Cap Revoked
- Immediate Detriment
- Draft Remedy Data Collection Guidance

The Solicitor provided an update on the Age Discrimination Remedy and reported that the response to the consultation on changes to the transitional arrangements to

the 2015 public sector pension scheme was published on 4th February 2021. The response confirmed that discrimination would be addressed in two parts, these were as follows:-

- i) To remove future discrimination from the scheme and ensure equal treatment, all remaining protected members who were not currently members of FPS 2015 would transfer into this scheme on 1st April 2022. This meant that all future service for all members would be built up in the reformed CARE scheme;
- ii) For benefits built up during the period of discrimination, 1st April 2015 to 31st March 2022, unprotected and taper members would be credited with final salary build-up in their original scheme. At retirement, all members would be able to keep their legacy final benefits or choose to receive the CARE benefits that they would have built up in the same period.

It was expected that transferring remaining members into FPS 2015 at 1st April 2022 would be relatively straightforward, the conversion of CARE benefits into final salary will involve complex administrative processes with adjustments of pay, contributions, tax relief, and pensions tax liabilities. The consultation response addresses some of these issues however, further policy decisions were needed in some areas. The Home Office would consult separately on changes needed to the Firefighters' Pension Scheme regulations to enact the remedy.

The Solicitor provided an update on Immediate Detriment and reported that following the Employment Appeal Tribunal on the Fire and Rescue Authorities (FRAs) schedule 22 appeal and its effect on Section 61 of the Equality Act 2010, FRAs would now want to consider their decision in relation to payments under the immediate detriment guidance issued by the Home Office in August 2020.

RESOLVED: That

[1] the Firefighter Pension Scheme Update be noted.

6 FIREFIGHTER PENSION SCHEME RISK REGISTER

The Pay and Pensions Lead presented the Firefighter Scheme Risk Register (the Register) which had been reviewed and updated in March 2021. Updates since the last meeting were highlighted blue in the document and as requested at the last meeting an additional box had been included within the Risk Register showing arrows which identified the state of risk.

The Pension Scheme Manager provided an update and provided clarity on the following risks:-

- Sargeant/McCloud – Lack of resources to complete any remedy actions. This risk remained a red risk and the score had increased. This was a national concern and the Employment Appeal Tribunal stated that fire and rescue services could not rely on the Schedule 22 defence. This was also included on the Corporate Risk Register. A further update was provided in the Sargeant/McCloud Judgement Update (minute 7 refers).

Loss of experienced / knowledgeable staff. This risk had increased from an amber to a red risk and the score had increased. This was due to the fact that the Pay and Pensions Lead post was soon to be vacant again due to the promotion of the current incumbent. This would increase the risk in terms of capacity and resources and had been included on the Corporate Risk Register. In relation to this, the Pay and Pensions Lead advised that the recruitment to backfill the post had already been instigated with the appropriate sense of urgency.

RESOLVED: That

[1] the Firefighter Scheme Risk Register be noted.

7 SARGEANT/MCCLOUD JUDGEMENT - UPDATE

The Solicitor provided an update on the outcome of the Schedule 22 Appeal relating to the Sargeant/McCloud Judgement.

The Pensions Board were reminded that the Fire and Rescue Service had issued an Appeal which focussed on whether the Fire Services had a defence under paragraph 1(1) of Schedule 22 to the Equality Act 2010 in that the discriminatory transitional protection provisions were contained within a statutory instrument and they had no choice but to implement the changes. The Employment Tribunal concluded that the Fire Services were not entitled to rely on Schedule 22 as a defence to the claims of age discrimination. This decision was appealed to the Employment Appeal Tribunal who heard the case on 16th December 2020 and handed down its judgement on 12th February 2021.

The Employment Appeal Tribunal held that the Employment Tribunal had not err in law in its construction in Section 61 of the Equality Act or its impact on the availability of the defence provided by paragraph 1(1). The appeal was dismissed and a date was awaited in relation to the Remedy Hearing.

RESOLVED: That

[1] the report be noted.

8 PENSION BOARD - TRAINING UPDATE

The Pension Scheme Manager advised that at the last meeting all Board Members were requested to complete a 'Firefighter Pension Board – Training Needs Analysis'. She thanked everyone who had completed and submitted their forms but suggested that some remained outstanding. Upon receipt of the forms she advised her intent to contact the LGA Pension Team to request a more tailored approach. In an attempt to manage expectations however, she advised that there was a likelihood that due to the work associated with the Sargeant/McCloud judgement the training may have to be delayed. She reassured however, that briefings and guidance would be provided to members of the board at the appropriate time to ensure they remained cited on the developments and actions associated with the remedy and

the immediate detriment situation.

It was also noted that there were a number of new staff within the Pay and Pensions Team and CFRS would be linking in with the LGA Pension Team to arrange an induction to firefighter pensions that would be take place later in the year.

RESOLVED: That:

[1] the update be noted.

[2] Board Members and Officers complete the Firefighter Pension Board – Training Needs Analysis’ and return the form to the Governance and Corporate Planning Manager / Pension Scheme Manager.

9 ANY OTHER BUSINESS - MIAA PENSION REVIEW FINAL ASSIGNMENT REPORT 2020-21

The Pension Scheme Manager advised that at the last meeting she had reported that part of the MIAA Internal Audit Plan for 2020-21, was a review of pensions and payroll which had taken place between September and December 2020. She advised that a report detailing the Audit finding had now been submitted to the Performance and Overview Committee on 24th February 2021. A copy of the ‘MIAA Pension Review Final Assignment Report 2020-21’ was circulated to Board Member prior to the meeting for information and as requested at the last meeting.

The report detailed the terms of reference for the Audit and advised that the overall rating from the Pensions Audit was ‘Substantial Assurance’. There were no critical or high risks identified within the audit and the executive summary stated that there was ‘a good system of internal controls to meet the system objectives and that controls were generally being applied consistently’.

Three areas of improvement were identified and were detailed on pages 6 and 7 of the report. These areas related to the retention of documentation, updating of policies, and changes to provide more clarity on the leaver’s checklist. The timeline for actioning and completing these recommendations was the end of Quarter 4 2020-21. The Pension Scheme Manager provided an update on the actions completed by the Pay and Pension Team to date.

RESOLVED: That

[1] the MIAA Pension Review Final Assignment Report 2020-21 be noted.



MINUTES OF THE MEETING OF THE MEMBER TRAINING AND DEVELOPMENT GROUP held on Tuesday, 23 March 2021 at Remote Meeting - Via Skype at 1.00 pm

PRESENT: Councillors Gina Lewis (Chair), David Brown, David Edwardes, Karen Mundry, Stuart Parker and independent (non-elected) member Lesley Thomson

1 APOLOGIES

There were no apologies for absence.

2 NOTES FROM THE PREVIOUS MEETING

RESOLVED: That

[1] the notes of the meeting on Tuesday 8th December 2020 be approved as a correct record.

3 MEMBER DEVELOPMENT STRATEGY 2019-21 IMPLEMENTATION - QUARTERLY MONITORING

The Governance and Corporate Planning Manager presented the report on the Member Development Strategy 2019-21 Quarterly Monitoring, updating Members on progress made against the Implementation Plan for the quarter. She provided an update on each of the objectives that were included in the Implementation Plan, attached as Appendix 1 to the report.

Objective 1 – Identify and prioritise Member training and development needs and Objective 2 – Review and Refresh of the Members PDR process

Democratic Services made contact with all Members that had identified training and development needs within their PDRs. The outcomes of the PDRs had been incorporated into the draft Member Development Strategy 2022-24 and Member Development Programme 2021-22. The Member Development Strategy 2022-24 was due to be submitted to the Fire Authority on 8th December 2021 for approval.

Objective 3 – Provision of an Annual Member Development Programme

Item 4 on the agenda provided an update against the Member Development Programme 2020-21. Item 8 on the agenda allowed Members to discuss proposals for the Member Development Programme 2021-22.

Objective 4 – Delivery of a comprehensive and effective Induction process for new Members

Item 8 on the agenda provided Members an opportunity to discuss the induction process for new Members.

Objective 5 – Member Champions

Item 7 on the agenda provided information to enable Members to review the current champion roles.

RESOLVED: That

[1] the Member Development Strategy 2019-21 Quarterly Monitoring report be noted.

4 MEMBER DEVELOPMENT PROGRAMME 2020-21 - QUARTERLY MONITORING

The Governance Officer presented a quarterly update on the Member Development Programme for 2020-21. She informed Members of the events that had taken place on the Programme and upcoming scheduled events.

Members praised the recent International Women's Day conference and the speakers who attended. A Member requested further information from the conference. The Governance Officer confirmed that this information would be made available outside the meeting.

The Governance and Corporate Planning Manager advised that despite remote meeting legislation ending on 6th May, Members could continue to utilise video conferencing capabilities for events or training and development opportunities. The Democratic Services team would explore this and consult with Members at a later date.

RESOLVED: That

[1] the progress on the delivery of the Member Development Programme 2020-21 be noted.

5 DRAFT REVIEW OF MEMBER TRAINING AND DEVELOPMENT 2020-21

The Governance Officer introduced a report which considered the draft review of Member development activities throughout 2020-21. The report addressed the impact of Covid-19 on progress of the Member Development Strategy and Programme for 2020-21.

The group noted that the document was comprehensive and that Member development had made good progress despite the challenges caused by Covid-19.

RESOLVED: That

[1] subject to minor changes, the Review of Member Training and Development 2020-21 be approved for submission to the Fire Authority

on 23rd June 2021.

6 DISCUSSION ITEM - MEMBER SATISFACTION SURVEY

The Governance and Corporate Planning Manager introduced the discussion item on the Member Satisfaction Survey for 2020-21. Feedback was requested from the group surrounding the proposed questions and delivery.

The Group questioned the suitability of the proposed questions and suggested a survey with two sections focusing on generic and individual training would be more appropriate. It was also recommended that the questions be more direct with an additional question included on personal engagement preferences.

It was agreed that an initial Survey Monkey was needed prior to the elections on 6th May 2021 and a detailed survey would be conducted in September 2021.

RESOLVED: That

[1] the Governance and Corporate Planning Manager and Governance Officer revise the Member Satisfaction Survey questions and present a final draft to the Group for approval.

7 MEMBER CHAMPION REVIEW

The Governance Officer introduced the report which enabled the Group to consider the roles and responsibilities of Member Champions in line with objective 5 of the Member Development Strategy. The Group were advised that the feedback from the item would be considered during the formal review of Member Champions conducted by the Governance and Constitution Committee in the next municipal year.

The Group considered both appendices and noted that there were inconsistencies between the different champion roles as some were more established than others. They also suggested the extract within the constitution needed to be more specific to aid expectations of champions.

It was proposed that each Member Champion should have the opportunity to comment on how their roles were valid and benefitted the Fire Authority. The Group felt all Members should have the opportunity for further discussion on this issue at a Member Planning Day.

The Group recommended that the Governance and Constitution Committee consider an evidence-based approach to the formal champion review with a view to reduce the number of roles.

RESOLVED: That

[1] the Member Champion Review report be noted; and

- [2] feedback from the discussion be considered during the formal Member Champion review to be conducted by the Governance and Constitution Committee.**

8 DISCUSSION ITEM - PROPOSALS FOR 2021-22 MEMBER DEVELOPMENT AND INDUCTION PROGRAMME

The Governance and Corporate Planning Manager introduced the discussion item which provided a summary of the proposals for the new Member Induction and Member Development Programme for 2021-22.

She stated that the 1st and 6th July 2021 were provisional dates for the new Member induction sessions. The content of the induction would be similar to the induction most Members received during 2019-20. However, some of the induction might be held virtually.

The group were satisfied with the proposals discussed and suggested removing the audit training from the induction process as this could be held as a separate session.

The Governance and Corporate Planning Manager advised that the Member Handbook for 2021-22 was in the process of being updated and would be available to all Members in June 2021 prior to the Fire Authority meeting.

RESOLVED: That

- [1] the Governance and Corporate Planning Manager and Governance Officer take into consideration the discussion held when developing the final Proposals for the 2021-22 Member Development and Induction Programmes.**

9 DRAFT WORK PROGRAMME 2021-22

The Governance and Corporate Planning Manager provided a draft copy of the Member Training and Development Work Programme 2021-22.

RESOLVED: That

- [1] the draft Work Programme for the Member Training and Development Group be approved.**

CHESHIRE FIRE AUTHORITY

MEETING OF: CHESHIRE FIRE AUTHORITY
DATE: 28TH APRIL 2021
REPORT OF: DIRECTOR OF GOVERNANCE AND COMMISSIONING
AUTHOR: LOUISE WILLIS/CHRIS ASTALL

SUBJECT: INTERNAL AUDIT PLAN 2021-22

Purpose of Report

1. To allow Members to approve an Internal Audit Plan for 2021-22.

Recommended: That Members

- [1] Members approve an Internal Audit Plan for 2021-22.

Background

2. Under the United Kingdom Public Sector Internal Audit Standards (PSIAS), the Authority is required to implement an annual risk-based internal audit plan from which an annual assurance opinion can be derived. The internal audit activity must evaluate and contribute to the improvement of governance, risk management and the control environment using a systematic and disciplined approach, focusing on:
 - Achievement of the organisation's strategic objectives;
 - Reliability and integrity of financial and operational information;
 - Effectiveness and efficiency of operations and programmes;
 - Safeguarding of assets
 - Compliance with laws, regulations, policies, procedures and contracts
3. The Authority's internal audit function is outsourced and the current provider is Mersey Internal Audit Agency (MIAA). The plan has been developed with senior officers after considering the Authority's risk profiles and appetite.

Information

4. The contract for internal audit services is based on 70 days per annum. The draft Internal Audit Plan 2021-22, (the Plan) attached to this report as Appendix 1, illustrates how these days are intended to be utilised.
5. Findings from internal audits are used by management to take action where control weaknesses are identified and also to provide the evidence upon which MIAA base a professional opinion about the effectiveness of the Authority's governance, risk management and control arrangements.

6. Progress against the Plan is monitored by the Performance and Overview Committee (P&O) as part of the Service's quarterly performance reporting cycle and any specific issues identified during the year may be escalated by P&O to the Fire Authority. Implementation of recommendations is also monitored and tracked by senior officers using the Cheshire Planning System, and any critical weaknesses that are identified are escalated to the Risk Management Board.

Financial Implications

7. Internal audit is an outsourced service funded from base budget. Financial implications arising from internal audit recommendations are assessed individually as part of the management response to final audit reports.

Legal Implications

8. Legal implications are considered when audit reports are presented to senior managers.

Equality and Diversity Implications

9. There are no specific impacts on any particular section of the community arising from this report.

Environmental Implications

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

**CONTACT: DONNA LINTON, FIRE SERVICE HQ, WINSFORD
TEL [01606] 868804**

BACKGROUND PAPERS:

APPENDIX 1 – INTERNAL AUDIT PLAN 2021-22



Cheshire Fire and Rescue Service/ Fire Authority DRAFT Internal Audit Plan 2021/2022

Contents

1. Executive Summary
2. Transforming Internal Audit
3. Risk Assessment
4. Your Plan On A Page

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Appendix A: Operational Internal Audit Plan 2021/2022
Appendix B: Key Performance Indicators

MIAA Assurance - provision of cost effective assurance (governance, risk and control) Insight (advice and best practice) and foresight (supporting clients on up and coming issues).

These services are delivered in partnership with you to ensure they are personal and responsive, ensuring the best possible customer experience.

1 Executive Summary

Your Risk Assessment

A strong risk assessment underpins the Internal Audit Plan. We have clearly set out the risks which have been prioritised within the audit plan and those which are not.

Your Internal Audit Plan

Your internal audit plan includes core assurances, national and regional risk areas, strategic risks from your Risk Register and management requests. MIAA insights, including benchmarking, briefings and events will be integral to your plan. Your fees for 2020/2021 are £22,700

Your Team

Your team will be led by Steve Connor, Engagement Lead and Anne-marie Harrop, Engagement Manager. We can confirm sufficient resources, including specialist expertise have been established to delivery your plan.

Your Audit Team



Steve Connor
Engagement Lead
07768 131785
Steve.connor@miaa.nhs.uk



Anne-marie Harrop
Engagement Manager
07710 229471
Anne-marie.harrop@miaa.nhs.uk

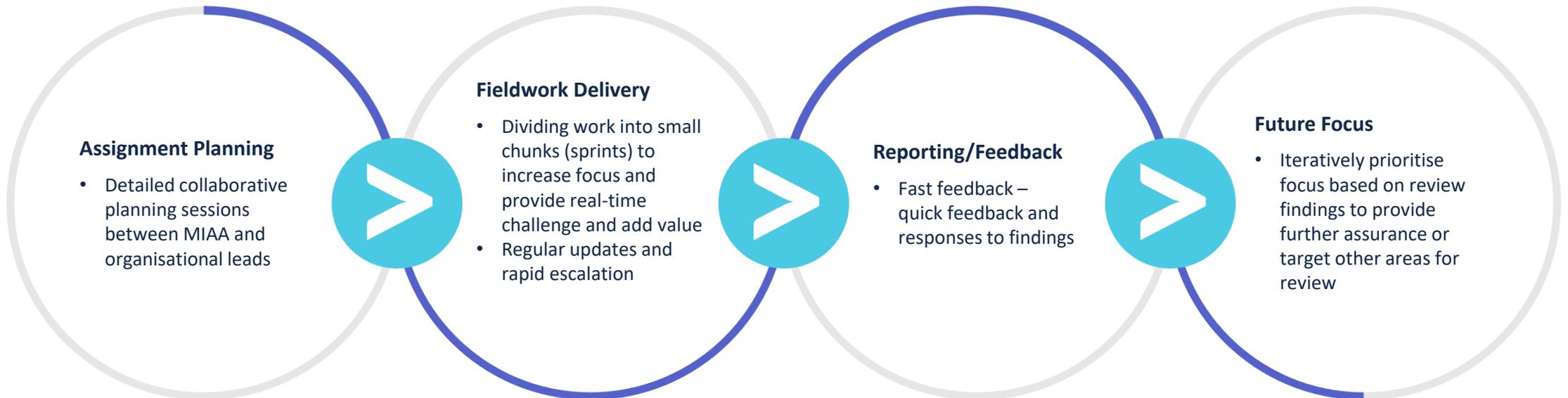
2 Transforming Internal Audit

Internal Audit, Assurance and Solution Plans

We have always been quick to respond to changes in our clients operating environment and 2020/2021 saw our teams work flexibly and agilely to deliver your internal audit service.

In 2021/2022 we will take the lessons learned from our response to the COVID-19 pandemic to continue to innovate audit delivery and further utilise analytics and Agile techniques. There are many different approaches to Agile auditing with the emphasis being on flexibility and we'll work with you to implement the techniques that add the most value.

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3 Risk Assessment

Your Risk Assessment

- Risk Assessment of the external environment, system and organisation (including the Integrated Risk Management Plan).
- Engagement of Service Management Team to influence the plan.
- Use of MIAA's client risk database to inform planning.
- Coverage of Critical Business Systems to support organisation's objectives through the strategic internal audit plan.

Key

- Risk areas in white are included in your 2021/2022 Plan
- Risks underlined are currently not priorities in your 2021/2022 Plan

IA coverage will also include follow up of outstanding internal audit actions

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Governance



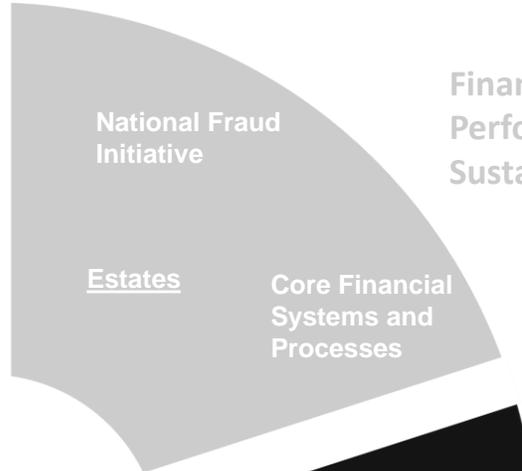
Information Technology



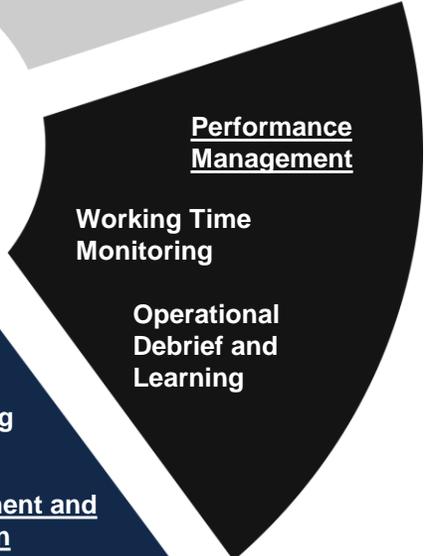
People



Finance, Performance & Sustainability



Service Delivery



Your Risk Assessment

4 Your plan on a Page

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Planning Approach

- Risk Assessment of the external environment, system and organisation (including the Strategic Risk Register).
- Engagement of management to influence the plan.
- Use of MIAA's client risk database to inform planning.
- Coverage of Critical Business Systems to support organisation's objectives through the strategic internal audit plan.
- Provision of sufficient resources and expertise.
- Compliance with Public Sector Internal Audit Standards (PSIAS).

Your Plan

The outcome of your risk assessment is summarised below:

Organisational Reviews

Provision of assurances across core and risk based reviews

- Risk Management Board
- Key Financial Systems
- Operational Debrief and Learning
- National Fraud Initiative
- Cyber Security
- Working Time Monitoring
- Health & Wellbeing
- Follow Up

Follow Up and Contingency

Outcomes

Head of Internal Audit Opinion to inform the AGS

Assignment assurance levels

Recommendations, advice, and guidance to enhance the control environment

Insights through briefings, thought leadership events and benchmarking.

Appendix A – Operational Internal Audit Plan 21/22

Review & Scope	Rationale	Audit Days	Planned Delivery	Lead
Information and Technology				
Cyber Security: To review the effectiveness of cyber security control arrangements	Core System Assurance	12	Q3	Director of Governance & Commissioning
Governance				
Risk Management Board: Attendance and contribution to Risk Management Board	Management Request	1	Q1 – Q4	Director of Governance & Commissioning
Finance, Performance & Sustainability				
Key Financial Controls: To provide assurance on the operation of the key financial controls.	IRMP/Risk Register	10	Q3	Treasurer / Head of Finance
National Fraud Initiative: Evaluation and investigation of the outcome of the NFI data match exercise.	Mandated Requirement	10	Q2	Treasurer / Head of Finance
Service Delivery				
Working Time Monitoring Arrangements To evaluate the effectiveness of systems and processes to effectively manage and control requirements.	Core System/ Health and Wellbeing	10	Q3	Assistant Chief Fire Officer/ Head of Service Delivery
Operational Debrief Arrangements and Organisational Learning : Evaluation of the effectiveness of systems for Operational debrief and learning.	IRMP/ Management Request	10 (Carry Forward)	Q4	Assistant Chief Fire Officer/ Head of Service Delivery
People				
Health and Wellbeing: A key element to the People Plan and Covid19. our review will evaluate the effectiveness of arrangements in place.	IRMP/People Plan	10	Q2	Director of Transformation
Follow up & Contingency				
Follow Up and Contingency:	Public Sector Internal Audit Standards Requirement	7	Q1 – Q4	Director of Governance & Commissioning
Director of Governance & Commissioning				
Planning, management, reporting and meetings:	Public Sector Internal Audit Standards Requirement	10	Q1 – Q4	Director of Governance & Commissioning

The following risk areas were identified as part of the annual risk assessment (refer above), but are not currently prioritised within the Internal Audit Plan coverage.

Risk Area	Rationale
COVID 19 Recovery	Evaluation of the Service recovery and restoration plans
Estates Strategy	Originally planned for 20/21 and deferred now to 2022
HMICFRS	Inspection and reporting in year may require further support / assessment.

Appendix B – Key Performance Indicators

An efficient and effective internal audit service is delivered in partnership. It is important that clear expectations are established and a range of KPIs are in place to support this.

It is important that organisations ensure an effective Internal Audit Service. Whilst input and process measures offer some assurance, the focus should be on outcomes and impact from the service. Our annual Head of Internal Audit Opinion will provide you with a range of impact and effectiveness measures, as well as confirmation of our compliance with Public Sector Internal Audit Standards and accreditations.

In addition, the following operational KPIs have been agreed with you.

Operational KPI

Turnaround of Terms of Reference to management within 5 days after the scoping meeting

Feedback and approval from management with 5 days of receiving Terms of Reference

Turnaround of draft report within 5 days on completion of fieldwork

Turnaround of management responses within 5 days on receipt of draft report

Turnaround of final reports within 3 days of receipt of management responses

Distribution of final reports to those listed (including managers)

Receipt of all internal audit reports in accordance with timelines for Performance ad Overview Committee publication with completed cover sheets as required

miaa 

CHESHIRE FIRE AUTHORITY

MEETING OF: CHESHIRE FIRE AUTHORITY
DATE: 28TH APRIL 2021
REPORT OF: DIRECTOR OF GOVERNANCE AND COMMISSIONING
AUTHOR: ANDREW LEADBETTER

SUBJECT: REVIEW INTO THE WAY THAT SEATS ON
CHESHIRE FIRE AUTHORITY ARE ALLOCATED
TO THE CONSTITUENT AUTHORITIES

**RECOMMENDATIONS FROM GOVERNANCE
AND CONSTITUTION COMMITTEE**

Purpose of Report

1. To allow Members to consider the recommendations from Governance and Constitution Committee concerned with the review into the way that seats on the Fire Authority are allocated to the constituent authorities.

Recommended: That Members

- [1] Consider the recommendations from Governance and Constitution Committee.

Background

2. A report was presented to Governance and Constitution Committee on 7th April 2021 (the G&C Report) concerned with the review into the way that seats on the Fire Authority are allocated to the constituent authorities. The G&C Report is attached to this report as Appendix 1.
3. The Committee agreed the following recommendations:
 - [1] the appointments for 2021-22 continue to be allocated in the same way that they have since local government reorganisation; and
 - [2] the Review be considered further once the White Paper has been published and considered.

Information

4. The review was carried out by the Monitoring Officer from Derbyshire Fire and Rescue Service. Her Review Report can be found annexed to the G&C Report.
5. The G&C Report also covers the recent Government statement about the Police and Crime Commissioner Review, which is expected to include proposals that could impact upon fire governance. A White Paper is due to be published later this year.

Financial Implications

6. There will be a financial impact if there is a change in the number of members of the Fire Authority.

Legal Implications

7. The Fire Authority's Combination Scheme describes the method for allocating seats on the Fire Authority. Paragraph 12 of the Scheme states:

Each constituent authority shall, so far as is practicable, appoint such number of representatives to be members of the Authority as is proportionate to the number of local government electors in its area in relation to the number of such electors in each of the other constituent authorities' areas.

8. The Scheme is the same as the schemes of other combined authorities. The Scheme could only be changed through secondary legislation.

Equality and Diversity Implications

9. There are no equality and diversity implications associated with this report.

Environmental Implications

10. There are no environmental implications associated with this report.

**CONTACT: DONNA LINTON, GOVERNANCE AND CORPORATE PLANNING
MANAGER
TEL [01606] 868804**

BACKGROUND PAPERS:

The Cheshire Fire Services (Combination Scheme) Order 1997 [as amended on Local Government Reorganisation]

Report to Governance and Constitution Committee 7th April 2021 (referred to as the G&C Report in this report)

CHESHIRE FIRE AUTHORITY

MEETING OF: GOVERNANCE AND CONSTITUTION COMMITTEE
DATE: 7TH APRIL 2021
REPORT OF: DIRECTOR OF GOVERNANCE AND COMMISSIONING
AUTHOR: ANDREW LEADBETTER

SUBJECT: REVIEW INTO THE WAY THAT SEATS ON
CHESHIRE FIRE AUTHORITY ARE ALLOCATED
TO THE CONSTITUENT AUTHORITIES

Purpose of Report

1. To allow Members to consider the outcome of the review into the way that seats on the Fire Authority are allocated to the constituent authorities.

Recommended: That Members

- [1] Consider the outcome of the review and decide whether to make a recommendation to the Fire Authority.

Background

2. This Committee received reports about this issue, on 29th July 2020 and 27th January 2021. At the meeting in July 2020 it was resolved that: the Director of Governance and Commissioning proceed with the review and report back in due course. An update was provided in January 2021.
3. The terms of reference of the review were:
 - The independent reviewer will consider the existing method for allocating seats on Cheshire Fire Authority taking into account the relevant paragraphs of the Combination Scheme.
 - The independent reviewer is encouraged to indicate if there is an alternative method which could deliver a better result, bearing in mind the representations made on behalf of the constituent authorities.
 - The independent reviewer is asked to provide guidance on the process.

The review was not concerned with a change to the Combination Scheme.

4. The independent review was carried out by Ms L Taylor, the Monitoring Officer for Derbyshire Fire and Rescue Service (the Independent Reviewer).

Information

5. The Independent Reviewer has now produced a report (the Review Report) and this is attached to this report as Annex 1 (together with the appendices referred to in the Review Report).
6. The Review Report includes a number of important statements. The following extracts from the Review Report are directly relevant to the questions posed in the terms of reference:

Paragraph 2.2: The method used by Cheshire Fire Authority is the same as used by other Combined Fire Authorities; the method clearly shows the proportions and is a rational and objective approach to the allocation of seats...

Paragraph 3.1: It is not possible to advise on a 'better' result as each constituent authority will have their own opinion on what 'better' means.

Paragraph 3.3: The method used to work out percentage and proportions is a rational and objective approach...

Paragraph 4.1: For some consistency from year to year, some Combined Fire Authorities have opted for as low as 10 seats because, with fewer seats, the allocation broadly reflects the local government elector figures and only a substantial change in the number of electors in an area would impact on the allocation of seats. This almost guarantees the same number of seats being allocated to each constituent authority each year.

7. The Review Report also includes Conclusions and Recommendations for consideration by Members.
8. Since the Review Report was finalised an identical statement has been made in the House of Commons and House of Lords, on 16th March 2021, about the Police and Crime Commissioner Review. The statement includes commentary about the future governance of fire and rescue services and (by implication) fire authorities. An extract from the statement appears below:

On fire, the Government is clear that further reform of fire and rescue is required in order to respond to the recommendations from Phase 1 of the Grenfell Tower Inquiry, the Kerslake Review and to build on the findings from Sir Thomas Winsor's State of Fire and Rescue Report. Our reform agenda will focus on three key areas: people; professionalism; and governance. Taken together, improvements in these areas will help deliver higher standards and greater consistency across fire and rescue services.

The Review kick-started our work on fire service governance and the findings signalled strong support for a directly elected individual taking on fire functions to help simplify and strengthen the governance of fire and rescue services across England. The Home Office will be launching a consultative White Paper on fire reform later this year. The White Paper will be used to set out our reform agenda in further detail and explore the Review proposals on fire governance which include:

- *Consulting on whether to mandate the transfer of fire and rescue functions to the Police, Fire and Crime Commissioner model across England where boundaries are coterminous, unless there is an option to transfer fire governance directly to an elected Mayor.*
- *Consulting on how to address coterminosity challenges, including in the South West.*
- *Legislating to create operational independence for Chief Fire Officers and to clearly separate and delineate strategic and operational planning for fire and rescue.*
- *Considering options to clarify the legal entities within the PFCC model.*

9. In the circumstances, it may be sensible to await the White Paper before making a decision about future Fire Authority governance. If Members are persuaded by this notion the appointments for 2021-22 will continue to be allocated in the same way that they have been since local government reorganisation. The only change will be to make the process more formal, with clear expectations about the timescales within which the constituent authorities will need to respond to communications about the numbers of local government electors and allocations of seats.

Financial Implications

10. There will be a financial impact if there is a change in the number of members of the Fire Authority.

Legal Implications

11. The Fire Authority's Combination Scheme describes the method for allocating seats on the Fire Authority. Paragraph 12 of the Scheme states:

Each constituent authority shall, so far as is practicable, appoint such number of representatives to be members of the Authority as is proportionate to the number of local government electors in its area in relation to the number of such electors in each of the other constituent authorities' areas.

12. The Scheme is the same as the schemes of other combined authorities. The Scheme could only be changed through secondary legislation.

Equality and Diversity Implications

13. There are no equality and diversity implications associated with this report.

Environmental Implications

14. There are no environmental implications associated with this report.

**CONTACT: DONNA LINTON, GOVERNANCE AND CORPORATE PLANNING
MANAGER**

TEL [01606] 868804

BACKGROUND PAPERS:

The Cheshire Fire Services (Combination Scheme) Order 1997 [as amended on
Local Government Reorganisation]

Review Report



Review into the way that seats on Cheshire Fire Authority are allocated to the Constituent Authorities

Louise Taylor
Solicitor/Monitoring Officer
Derbyshire Fire & Rescue
Joint Headquarters, Butterley Hall
Ripley, Derbyshire

5 March 2021

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Chief Fire Officer/Chief Executive
Gavin Tomlinson MBA MIFireE



1. THE LEGISLATIVE POSITION

- 1.1 Cheshire Fire Authority is a Combined Fire Authority created by [The Cheshire Fire Services \(Combination Scheme\) Order 1997](#) (the Scheme).
- 1.2 Members of the Cheshire Fire Authority are appointed by the following Councils which are referred to as 'constituent authorities':
 - Cheshire East Borough Council (CEBC)
 - Cheshire West and Chester Borough Council (CWACBC)
 - Halton Borough Council (HBC)
 - Warrington Borough Council (WBC)
- 1.3 Since a local government reorganisation in 2009, the number of seats for members on the Cheshire Fire Authority has been 23.
- 1.4 Under Part III, Paragraph 11, the Scheme restricts the number of Cheshire Fire Authority members to 25 unless a greater number results from the operation of Paragraph 12 of the Scheme which states that *"Each constituent authority shall, so far as is practicable, appoint such number of representatives to be members of the Authority as is proportionate to the number of local government electors in its area in relation to the number of such electors in each of the other constituent authorities' areas."*
- 1.5 The Secretary of State may amend the Scheme but consideration of amendments to the Scheme for Cheshire Fire Authority is outside the scope of this review and I have not therefore explored this further.

How does this compare with other Combined Fire Authorities?

- 1.6 These same provisions are contained in the Combination Schemes for all other Combined Fire Authorities in England except for Dorset and Wiltshire Fire and Rescue Authority which is restricted to 18 members (rather than 25).
- 1.7 As with the Scheme for Cheshire Fire Authority, the Combination Schemes do not say that the number of members must always remain the same. Each Combined Fire Authority therefore has discretion to determine the number of seats for their Fire Authority members and [so far as is practicable] these are allocated as is proportionate to the number of local government electors.
- 1.8 The number of seats for Fire Authority members tends to remain the same each year, with a change only likely when there is a substantial change in the number of local government electors in an area or where there are changes in the number of roles or the meeting structures in the Fire Authority.
- 1.9 In England the number of seats available on Combined Fire Authorities currently ranges from between 10 to 26 seats (see Appendix A) although three Combined Fire Authorities now have a Police, Fire and Crime Commissioner holding the role of Fire Authority.

1.10 Members are appointed to represent communities in all areas covered by the Fire Authority, not just a particular borough or district.

Can the number of seats for Cheshire Fire Authority members be changed?

1.11 Cheshire Fire Authority can change the number of seats for Fire Authority members and this could mean either an increase or a decrease in seats having regard to:

- So far as is practicable, the proportions of local government electors in each constituent authority’s area; and
- The need to have sufficient number of members to operate effectively; and
- Costs.

1.12 There will always be some inequality between the number of local government electors in each area and the number of seats allocated to the constituent authorities. It is for the Cheshire Fire Authority to determine the number of seats for Fire Authority members.

1.13 Whilst it is possible to have more than 25 seats the cost of having more seats has to be weighed against the Best Value duty to “...*make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.*”

1.14 In recent years, many Combined Fire Authorities have reduced the number of seats to reduce costs and the current model for fire governance involving Police and Crime Commissioners is being reviewed.

2. EXISTING METHOD FOR AND APPROACH TO THE ALLOCATION OF SEATS

2.1 Since local government reorganisation in 2009, there have been 23 seats on the Cheshire Fire Authority for members. Taking account of the proportions for the number of local government electors, the ratios for the allocation of the 23 seats has changed on four occasions, with the variations affecting CWACBC and WBC:

Year	CEBC	CWACBC	HBC	WBC	Total
2009-10	8	8	3	4	23
2010-11	8	8	3	4	23
2011-12	8	7	3	5	23
2012-13	8	7	3	5	23
2013-14	8	7	3	5	23
2014-15	8	7	3	5	23
2015-16	8	7	3	5	23
2016-17	8	7	3	5	23
2017-18	8	7	3	5	23
2018-19	8	8	3	4	23
2019-20	8	7	3	5	23
2020-21	8	8	3	4	23

Existing method and approach

- 2.2 The method used by Cheshire Fire Authority is the same as used by other Combined Fire Authorities; the method clearly shows the proportions and is a rational and objective approach to the allocation of seats. However, slight changes in the number of electors can impact allocation of seats as shown in paragraph 2.6 below.
- 2.3 The method and approach is:
- 1) Each of the constituent authorities is asked to confirm the number of local government electors in its area.
 - 2) These figures are used to determine the allocation of the 23 seats on the Cheshire Fire Authority by:
 - (a) Working out the percentage of electors in each constituent authority's area;
 - (b) Applying that percentage to the 23 seats available to give a proportion of seats;
 - (c) Rounding up or down the figure for the proportion of seats to give the whole number of seats to be allocated to the constituent authorities.

Example calculation

Using the figures provided for the allocation of seats in 2020/21 (see Table 1 below) this is a breakdown of the calculation for allocation of seats to Cheshire East Council.

- (a) The percentage of electors in the constituent authority's area is calculated as follows:

$$\frac{\text{Electors in CEC area}}{\text{Total number of electors}} \times 100 = \text{Percentage}$$

$\frac{304,821}{843,368} \times 100 = 36.14329688\%$

The percentage could be rounded down to 36% but leaving figures with several decimal places provides greater accuracy in the calculation of proportions.

- (b) The percentage is then applied to the total number of seats:

$$\text{Percentage} \times \text{23 seats} = \text{Proportion of seats}$$

$36.14329688\% \times 23 = 8.312958282$

- (c) This gives a figure for the proportion of the seats but the figure is rounded to give the number of seats to be allocated to CEC, in this case the figure of 8.312958282 is rounded down to give 8 seats.

- 2.4 If there are changes in the allocation of the 23 seats available, then the constituent authorities that are impacted are notified and given an opportunity to comment on the calculation and the outcome.
- 2.5 In rounding up or down we are looking at the figures after the decimal point and, usually, anything less than .5 is rounded down, anything .5 and above is rounded up.
- 2.6 This is an objective and rational approach but, with 23 seats, slight differences in the number of electors for CWACBC and WBC has meant the loss or gain of a seat when rounding. When this results in an allocation of 4 seats to WBC this seems disproportionate to the 3 seats allocated to HBC (compared to the number of electors they have in their area) but that is the outcome of the calculation based on the figures for that year and the number of seats to be allocated.
- 2.7 Sometimes a rounding up is required to allocate the 23rd seat. This is sometimes to the advantage of WBC: the proportions as shown in Table 1 below meant that WBC's proportion of 4.485 was marginally better than CWACBC's proportion of 7.474 so this resulted in WBC's proportion being rounded up from 4.485 to 5 seats and CWACBC's proportion being rounded down from 7.474 to 7 seats:

Table 1: Allocation of seats in 2019/20

Number of Electors Proportion of seats 2019/20 Allocation of 23 seats	Local Government Electors	Percentage	Proportions	Seats
Cheshire East Council	306203	36.71124646	8.44358668	8
Cheshire West and Chester BC	271030	32.49429015	7.47368673	7
Halton Borough Council	94207	11.29465222	2.59777001	3
Warrington Borough Council	162645	19.49981117	4.48495657	5*
Total	834085	100	23	23
			*rounded up	

- 2.8 Whereas, for 2020/21, the changes in the number of electors changed the proportions so CWACBC the figures were rounded up from 7.56 to 8 seats and WBC rounded down from 4.47 to 4 seats as shown in Table 2:

Table 2: Allocation of seats in 2020/21

Number of Electors Proportion of seats 2020/21 Allocation of 23 seats	Local Government Electors	Percentage	Proportions	Seats
Cheshire East Council	304821	36.14329688	8.312958282	8
Cheshire West and Chester BC	277319	32.88232420	7.562934567	8
Halton Borough Council	97051	11.50755068	2.646736656	3
Warrington Borough Council	164177	19.46682824	4.477370495	4
Total	843368	100	23	23

3. GUIDANCE

Is there an alternative method which could deliver a better result?

- 3.1 It is not possible to advise on a 'better' result as each constituent authority will have their own opinion on what 'better' means.
- 3.2 Under the Scheme, the only determining factors (variables) in calculating the proportions and allocation of seats are:
 - The proportions of local government electors; and
 - The number of seats available.
- 3.3 The method used to work out percentage and proportions is a rational and objective approach and already shows the year on year changes.
- 3.4 A change in the number of local government electors in an area may (but not necessarily will) affect the allocation of seats. With 23 seats to be allocated, changes in the number of local government electors in an area has had an impact on the allocation of seats to CWACBC and WBC.
- 3.5 A change in the number of seats may (but not necessarily will) reduce the inequalities in the allocation of seats.

4. OPTIONS AS TO THE NUMBER OF SEATS

- 4.1 For some consistency from year to year, some Combined Fire Authorities have opted for as low as 10 seats because, with fewer seats, the allocation broadly reflects the local government elector figures and only a substantial change in the number of electors in an area would impact on the allocation of seats. This almost guarantees the same number of seats being allocated to each constituent authority each year.
- 4.2 Looking at the Cheshire Fire Authority figures for the last two years the calculations in Appendix B show that with, say, 16 seats, the allocation of seats would broadly reflect the local government elector figures each year and this almost guarantees the same allocation each year.
- 4.3 Several Combined Fire Authorities have opted for more than 23 seats which can reduce inequalities because the proportions are closer to the local government elector figures. However, the rounding of figures can impact on the allocation of seats so this does not necessarily reduce inequalities and even with relatively small changes in the number of electors there is more likelihood of the allocation of seats to each constituent authority being different from year to year.
- 4.4 Looking at the Cheshire Fire Authority figures for the last two years the calculations in Appendix B show that with 24 seats WBC is still rounded down to 4 seats. An additional seat has not reduced the inequality. In fact, WBC would only have got an extra seat if the overall number of seats had been increased to 25 and this would have meant an extra seat for Cheshire East Council too.

5. CONCLUSIONS

- 5.1 Cheshire Fire Authority could change the number of seats for Fire Authority members and this could mean either an increase or a decrease in seats having regard to:
- So far as is practicable, the proportions of local government electors in each constituent authority's area; and
 - The need to have sufficient number of members to operate effectively; and
 - Costs.
- 5.2 Under the Scheme, the requirement is to work out 'so far as is practicable' the allocation of seats. Since there will always be some level of inequality (between the number of local government electors in each area and the number of seats allocated) the Cheshire Fire Authority is not bound to change the number of seats from 23 but it may wish to consider doing so in light of comments raised. Ideally, there should be some agreement between the constituent authorities as to how many seats there should be for Fire Authority members.
- 5.3 It is a matter for the Cheshire Fire Authority to decide whether or not it wishes to change the number of seats on the Fire Authority.
- 5.4 It is a matter for the Cheshire Fire Authority to decide when or how often it reviews the number of seats available for Fire Authority members.

6. RECOMMENDATIONS

- 6.1 To provide some consistency from year to year, the Cheshire Fire Authority may want to consider having fewer seats. Inequalities can be reduced by having fewer seats - the lower the total number of seats the less likely it is that a change in the number of local electors will have an impact on the seat allocations to the constituent authorities. However, the Cheshire Fire Authority should only consider reviewing the total number of seats on the Fire Authority where there is a meaningful change in the various posts, groups and committees that the Fire Authority requires in order to operate effectively.
- 6.2 That the Cheshire Fire Authority determine:
- (1) Whether or not the current provision of 23 seats for Cheshire Fire Authority members should be changed.
 - (2) If there is to be a change, whether this can be agreed in time for allocation of seats in 2021/22 or whether the Fire Authority stays with the current provision of 23 seats for 2021/22 but commits to a change of seat numbers for 2022/23?
 - (3) If there is to be a change:
 - (a) Determine the minimum number of Fire Authority members needed to operate effectively;

- (b) From 23 seats, consider an increase or decrease in the number of seats;
 - (c) Determine the number of seats required on the Fire Authority.
-

Louise Taylor
Solicitor/Monitoring Officer
Derbyshire Fire & Rescue

5 March 2021

APPENDIX A

Combined Fire and Rescue Authority	Number of constituent authorities	Number of Fire Authority seats in 2020/21
Avon	4	20
Bedfordshire	3	12
Royal Berkshire	6	20
Buckinghamshire and Milton Keynes	2	17
Cambridgeshire	2	16
Cheshire	4	23
Cleveland	4	16
County Durham and Darlington	2	24
Derbyshire	2	16
Devon and Somerset	4	26
Dorset and Wiltshire	4	18
East Sussex	2	18
Essex	2	1 (PFCC)
Hampshire	3	10
Hereford and Worcester	2	25
Humberside	4	22
Kent	2	25
Lancashire	3	25
Leicestershire	3	17
North Yorkshire	2	1 (PFCC)
Nottinghamshire	2	18
Shropshire	2	15
Staffordshire	2	1 (PFCC)

APPENDIX B

ALLOCATION OF SEATS 2020/21 FOR 16-19 SEATS

Number of Electors Proportion of seats 2020/21 Allocation of 16 seats	Local Government Electors	Percentage	Proportions	Seats
Cheshire East Council	304821	36.14329688	5.7829275	6
Cheshire West and Chester BC	277319	32.88232420	5.261171873	5
Halton Borough Council	97051	11.50755068	1.841208108	2
Warrington Borough Council	164177	19.46682824	3.114692519	3
Total	843368	100	16	16

Number of Electors Proportion of seats 2020/21 Allocation of 17 seats	Local Government Electors	Percentage	Proportions	Seats
Cheshire East Council	304821	36.14329688	6.144360469	6
Cheshire West and Chester BC	277319	32.88232420	5.589995115	6
Halton Borough Council	97051	11.50755068	1.956283615	2
Warrington Borough Council	164177	19.46682824	3.309360801	3
Total	843368	100	17	17

Number of Electors Proportion of seats 2020/21 Allocation of 18 seats	Local Government Electors	Percentage	Proportions	Seats
Cheshire East Council	304821	36.14329688	6.505793438	7
Cheshire West and Chester BC	277319	32.88232420	5.918818357	6
Halton Borough Council	97051	11.50755068	2.071359122	2
Warrington Borough Council	164177	19.46682824	3.504029083	3*
Total	843368	100	18	18

*rounded down

Number of Electors Proportion of seats 2020/21 Allocation of 19 seats	Local Government Electors	Percentage	Proportions	Seats
Cheshire East Council	304821	36.14329688	6.867226407	7
Cheshire West and Chester BC	277319	32.88232420	6.247641599	6
Halton Borough Council	97051	11.50755068	2.186434629	2
Warrington Borough Council	164177	19.46682824	3.698697366	4
Total	843368	100	19	19

ALLOCATION OF SEATS 2019/20 FOR 16-19 SEATS

Number of Electors Proportion of seats 2019/20 Allocation of 16 seats	Local Government Electors	Percentage	Proportions	Seats
Cheshire East Council	306203	36.71124646	5.873799433	6
Cheshire West and Chester BC	271030	32.49429015	5.199086424	5
Halton Borough Council	94207	11.29465222	1.807144356	2
Warrington Borough Council	162645	19.49981117	3.119969787	3
Total	834085	100	16	16

Number of Electors Proportion of seats 2019/20 Allocation of 17 seats	Local Government Electors	Percentage	Proportions	Seats
Cheshire East Council	306203	36.71124646	6.240911897	6
Cheshire West and Chester BC	271030	32.49429015	5.524029326	6
Halton Borough Council	94207	11.29465222	1.920090878	2
Warrington Borough Council	162645	19.49981117	3.314967899	3
Total	834085	100	17	17

Number of Electors Proportion of seats 2019/20 Allocation of 18 seats	Local Government Electors	Percentage	Proportions	Seats
Cheshire East Council	306203	36.71124646	6.608024362	7
Cheshire West and Chester BC	271030	32.49429015	5.848972227	6
Halton Borough Council	94207	11.29465222	2.0330374	2
Warrington Borough Council	162645	19.49981117	3.509966011	3*
Total	834085	100	18	18

*rounded down

Number of Electors Proportion of seats 2019/20 Allocation of 19 seats	Local Government Electors	Percentage	Proportions	Seats
Cheshire East Council	306203	36.71124646	6.975136827	7
Cheshire West and Chester BC	271030	32.49429015	6.173915129	6
Halton Borough Council	94207	11.29465222	2.145983923	2
Warrington Borough Council	162645	19.49981117	3.704964122	4
Total	834085	100	19	19

APPENDIX B

ALLOCATION OF SEATS 2020/21 FOR 20-22 SEATS				
Number of Electors Proportion of seats 2020/21 Allocation of 20 seats	Local Government Electors	Percentage	Proportions	Seats
Cheshire East Council	304821	36.14329688	7.228659375	7
Cheshire West and Chester BC	277319	32.88232420	6.576464841	7
Halton Borough Council	97051	11.50755068	2.301510136	2
Warrington Borough Council	164177	19.46682824	3.893365648	4
Total	843368	100	20	20

Number of Electors Proportion of seats 2020/21 Allocation of 21 seats	Local Government Electors	Percentage	Proportions	Seats
Cheshire East Council	304821	36.14329688	7.590092344	8
Cheshire West and Chester BC	277319	32.88232420	6.905288083	7
Halton Borough Council	97051	11.50755068	2.416585642	2
Warrington Borough Council	164177	19.46682824	4.088033931	4
Total	843368	100	21	21

Number of Electors Proportion of seats 2020/21 Allocation of 22 seats	Local Government Electors	Percentage	Proportions	Seats
Cheshire East Council	304821	36.14329688	7.951525313	8
Cheshire West and Chester BC	277319	32.88232420	7.234111325	7
Halton Borough Council	97051	11.50755068	2.531661149	3
Warrington Borough Council	164177	19.46682824	4.282702213	4
Total	843368	100	22	22

ALLOCATION OF SEATS 2019/20 FOR 20-22 SEATS				
Number of Electors Proportion of seats 2019/20 Allocation of 20 seats	Local Government Electors	Percentage	Proportions	Seats
Cheshire East Council	306203	36.71124646	7.342249291	7
Cheshire West and Chester BC	271030	32.49429015	6.49885803	7*
Halton Borough Council	94207	11.29465222	2.258930445	2
Warrington Borough Council	162645	19.49981117	3.899962234	4
Total	834085	100	20	20

*rounded up

Number of Electors Proportion of seats 2019/20 Allocation of 21 seats	Local Government Electors	Percentage	Proportions	Seats
Cheshire East Council	306203	36.71124646	7.709361756	8
Cheshire West and Chester BC	271030	32.49429015	6.823800932	7
Halton Borough Council	94207	11.29465222	2.371876967	2
Warrington Borough Council	162645	19.49981117	4.094960346	4
Total	834085	100	21	21

Number of Electors Proportion of seats 2019/20 Allocation of 22 seats	Local Government Electors	Percentage	Proportions	Seats
Cheshire East Council	306203	36.71124646	8.07647422	8
Cheshire West and Chester BC	271030	32.49429015	7.148743833	7
Halton Borough Council	94207	11.29465222	2.484823489	3*
Warrington Borough Council	162645	19.49981117	4.289958457	4
Total	834085	100	22	22

*rounded up

APPENDIX B

ALLOCATION OF SEATS 2020/21 FOR 23-26 SEATS

Number of Electors Proportion of seats 2020/21	Local Government Electors	Percentage	Proportions	Seats
Allocation of 23 seats				
Cheshire East Council	304821	36.14329688	8.312958282	8
Cheshire West and Chester BC	277319	32.88232420	7.562934567	8
Halton Borough Council	97051	11.50755068	2.646736656	3
Warrington Borough Council	164177	19.46682824	4.477370495	4
Total	843368	100	23	23

Number of Electors Proportion of seats 2020/21	Local Government Electors	Percentage	Proportions	Seats
Allocation of 24 seats				
Cheshire East Council	304821	36.14329688	8.67439125	9
Cheshire West and Chester BC	277319	32.88232420	7.891757809	8
Halton Borough Council	97051	11.50755068	2.761812163	3
Warrington Borough Council	164177	19.46682824	4.672038778	4*
Total	843368	100	24	24

*rounded down

Number of Electors Proportion of seats 2020/21	Local Government Electors	Percentage	Proportions	Seats
Allocation of 25 seats				
Cheshire East Council	304821	36.14329688	9.035824219	9
Cheshire West and Chester BC	277319	32.88232420	8.220581051	8
Halton Borough Council	97051	11.50755068	2.876887669	3
Warrington Borough Council	164177	19.46682824	4.86670706	5
Total	843368	100	25	25

Number of Electors Proportion of seats 2020/21	Local Government Electors	Percentage	Proportions	Seats
Allocation of 26 seats				
Cheshire East Council	304821	36.14329688	9.397257188	9
Cheshire West and Chester BC	277319	32.88232420	8.549404293	9
Halton Borough Council	97051	11.50755068	2.991963176	3
Warrington Borough Council	164177	19.46682824	5.061375343	5
Total	843368	100	26	26

ALLOCATION OF SEATS 2019/20 FOR 23-26 SEATS

Number of Electors Proportion of seats 2019/20	Local Government Electors	Percentage	Proportions	Seats
Allocation of 23 seats				
Cheshire East Council	306203	36.71124646	8.443586685	8
Cheshire West and Chester BC	271030	32.49429015	7.473686735	7
Halton Borough Council	94207	11.29465222	2.597770011	3
Warrington Borough Council	162645	19.49981117	4.484956569	5*
Total	834085	100	23	23

*rounded up

Number of Electors Proportion of seats 2019/20	Local Government Electors	Percentage	Proportions	Seats
Allocation of 24 seats				
Cheshire East Council	306203	36.71124646	8.810699149	9
Cheshire West and Chester BC	271030	32.49429015	7.798629636	8
Halton Borough Council	94207	11.29465222	2.710716534	3
Warrington Borough Council	162645	19.49981117	4.679954681	4*
Total	834085	100	24	24

*rounded down

Number of Electors Proportion of seats 2019/20	Local Government Electors	Percentage	Proportions	Seats
Allocation of 25 seats				
Cheshire East Council	306203	36.71124646	9.177811614	9
Cheshire West and Chester BC	271030	32.49429015	8.123572538	8
Halton Borough Council	94207	11.29465222	2.823663056	3
Warrington Borough Council	162645	19.49981117	4.874952793	5
Total	834085	100	25	25

Number of Electors Proportion of seats 2019/20	Local Government Electors	Percentage	Proportions	Seats
Allocation of 26 seats				
Cheshire East Council	306203	36.71124646	9.544924078	10
Cheshire West and Chester BC	271030	32.49429015	8.448515439	8
Halton Borough Council	94207	11.29465222	2.936609578	3
Warrington Borough Council	162645	19.49981117	5.069950904	5
Total	834085	100	26	26

CHESHIRE FIRE AUTHORITY

MEETING OF: CHESHIRE FIRE AUTHORITY
DATE: 28TH APRIL 2021
REPORT OF: DIRECTOR OF GOVERNANCE AND COMMISSIONING
AUTHOR: ANDREW LEADBETTER

SUBJECT: CHESHIRE ANTI-BULLYING CHARTER

Purpose of Report

1. To allow Members to consider the recommendations of the Cheshire Anti-Bullying Commission, including the Cheshire Anti-Bullying Charter.

Recommended: That Members

- [1] Agree to sign-up to the Cheshire Anti-Bullying Charter.
- [2] Support the creation of a whole organisation strategy to support the development of an effective and sustainable Anti-Bullying Policy.

Background

2. The Police and Crime Commissioner for Cheshire set up the Cheshire Anti-Bullying Commission in May 2019. The Commission has published a report (the Commission's Report) concerned with the first phase of its work, focused on under 25s.

Information

3. The Commissions' Report is attached to this report as Appendix 1. It contains a number of recommendations which begin on page 11. Members will see two recommendations that are aimed at 'All organisations in Cheshire' at the bottom of page 13.
4. The first recommendation is concerned with signing-up to the Cheshire Anti-Bullying Charter. It is assumed that Members will not hesitate to do so. The Charter is attached to this report as Appendix 2.
5. The second recommendation is equally uncontroversial. However, in order to 'create a whole institution strategy to support the development of an effective and sustainable Anti-Bullying Policy...' some work will be

carried out to review the Service's existing policies and procedures which contain references to bullying. Again, it is assumed that Members will not hesitate to support this work and ensuing actions.

Financial Implications

6. There are no financial implications as a result of signing-up to the Anti-Bullying Charter

Legal Implications

7. Effective policies and procedures concerned with bullying can provide important safeguards for the Service.

Equality & Diversity Implications

8. Effective policies and procedures concerned with bullying should protect everyone. However, it is expected that they will be of even greater importance to certain vulnerable individuals/groups.

Environmental Implications

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

CONTACT: DONNA LINTON, CLEMONDS HEY, WINSFORD

TEL [01606] 868804

BACKGROUND PAPERS: NONE

CHESHIRE
anti.
bullying
COMMISSION

stand
UP
not
back

Phase One
Report



David Keane
Police & Crime
Commissioner
for Cheshire

Foreword

We are seeing an increase in bullying not just in our schools but also in the work place. Research now reveals that one in six children have been bullied at school in the last 12 months while a third of adults have been subject to workplace bullying at some time in their careers.



We're also seeing the nature and intensity of bullying changing. Gone are the days when you could go home from school or work to a safe place away from bullies, internet technology now means bullies can operate 24 hours a day, 7 days a week bringing a constant source of distress and worry for victims.

In the increasingly digital world we're currently living in due to the Covid-19 pandemic, there are even more opportunities for people to be targeted online.

This issue is becoming an epidemic among all generations in our society. There has been a number of cases where bullying has resulted in tragic events such as suicide and self-harm. This should not be happening; more needs to be done to protect both children and adults from bullying.

All law enforcement agencies, education establishments and employers have a role to play in providing better protection for their residents, pupils or staff members.

I am proud to have set up Cheshire's first Anti-Bullying Commission and I am proud of the work the Commission has undertaken so far. As a result of this first phase, focused on under 25s, the Commission has identified a set of recommendations which I believe can achieve real change for our young people in Cheshire and beyond.

I would like to thank Alan Yates for his leadership as Chair of the Commission, our dedicated Commission members and importantly, all those residents who shared their experiences and thoughts throughout the call for evidence.

It is crucial now that we work together to ensure these are not just words in a report but actions to make a difference for our communities.

A handwritten signature in blue ink, which appears to read 'David Keane'.

David Keane
POLICE AND CRIME COMMISSIONER

Foreword

I am proud to be part of the Cheshire Anti-Bullying Commission and would like to thank Commission colleagues and the many contributors to the knowledge and information gathering process. Most importantly the brave young people who responded so eloquently to the call for evidence. We have all learned a lot.

This first report shines a light on the various forms of bullying that exist, raises awareness of the damage it causes to the victims and our community and offers a way forward towards a more caring, tolerant and safe society that values all people. It focuses on under 25s and will be followed by further reports exploring the issues in the working population and the retired sector.

Bullying by its very nature thrives by not being in the spotlight; it has become an almost taboo subject that even victims are reluctant to admit is happening. It robs a person of their self-esteem making it impossible for them to function. The most common reason a person becomes a target of bullying is because they are different. The traumatic effects of bullying can stay with a person throughout their life with sometimes tragic consequences. Equally, help for a bully or potential bully is not easily found.

It is a very complex issue that is currently being addressed by a number of agencies, often working in isolation, with incomplete information. Individual voices need to be heard and all agencies involved need to share information and act together to ensure early identification of vulnerability and enable intervention. It is vital for the well-being our society.

We recognise that this report is only one step in raising awareness of the issue but believe that the discussion that it will generate will encourage a wider local and national debate, which will lead us towards a community that adopts a pro-active stance towards bullying. Reports, listens and intervenes. Stands Up Not Back. In short, a happy place to live and work.

Alan Yates
CHAIR OF THE COMMISSION



Introduction

We know that bullying is a very complex issue that is often addressed by a number of agencies, working in isolation, with incomplete information.

There is an urgent need for a coordinated approach if we are to achieve a caring society in which all individuals are afforded the tolerance, respect and support needed to achieve their full potential and live a happy and fulfilled life. It is vital for the well-being of our society. Individual voices need to be heard and all agencies involved need to share information and act together to ensure early identification of vulnerability and enable intervention.

Cheshire Anti-Bullying Commission, founded in May 2019 by Police and Crime Commissioner David Keane, has set out to take a closer look at the issue on behalf of Cheshire residents. The aim was to identify ways individuals and organisations can work more effectively together to support those who have been impacted by bullying, prevent such behaviour in the first place and intervene to address the behaviour of those perpetrating it.

This report is a progress report on the Commission's work and sets out the Commission's recommendations for change following the first phase, alongside a proposal that all organisations in Cheshire sign up to an Anti-Bullying Charter to show their commitment to eradicate bullying in our society.

The Commission recognises that taking on the topic of bullying is a huge task. As such the work has been split into three phases:

Phase 1

Under 25s

Phase 2

Bullying in the workplace

Phase 3

Over 65s

**giving
you a
voice.**



The Commission

Alan Yates

Independent Chair

David Keane

Police & Crime Commissioner

Darren Martland

Chief Constable

Ali Stathers-Tracey

Director of Prevention & Early Help, Cheshire East Council

Jasbir Dhesi

Principle/CEO Cheshire College (South and West) (Not pictured)

Meghan Earps

Cheshire Youth Commissioner Member

ClIr Mallie Poulton

Local elected representative

Dr Mike Eslea

Senior Lecturer in Psychology, University of Central Lancashire

Support to the Commission was provided by the Office of the Police and Crime Commissioner for Cheshire.

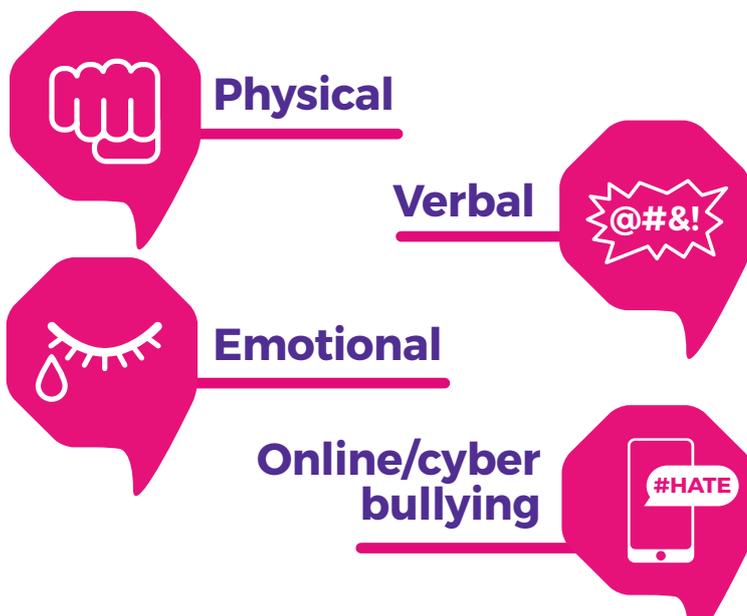
What is Bullying?

Whilst the Commission acknowledges that bullying is complex and often a multi-faceted act, it believes that there is a need to simply describe the key components to support public understanding and awareness. As such the Commission has adopted the following definition of bullying encompassing three elements:



In discussing what bullying is with the Commission, young people referred to people being rude to each other, calling people offensive names, being prejudiced, people being judgmental, judging people on appearance, not being open minded and not respecting others.

Types of bullying experienced/discussed by those taking part in this call-for-evidence included:



My experience was chronic - it was everyday...



...abuse sounds like a harsh word but that's what it was!

Call for Evidence

As part of the review of bullying, the Commission opened a call-for-evidence to give those with experiences of bullying the opportunity to tell their story. This included:

89 Online Evidence Submissions

More than **30** Community engagement events

Pledges and notes from school pupils during Anti Bullying week

7

hours of video evidence collected across Cheshire

Engagement and consultation with Cheshire Youth Commission

tell your story.



Call for Evidence - Key Findings

- Bullying is a serious issue that has both short term and life-long impacts on its victims.
- It takes many forms including physical, verbal and emotional bullying, along with an increase more recently in cyber/internet based bullying.
- Whilst some felt support was available, many felt there was a lack of support and/or barriers to accessing the support available.
- More support is needed to help those experiencing bullying, but many feel more support/help needs to also be targeted towards the bullies themselves.
- Currently, it is felt there is a lack of local support in the community and young people question where they would go outside of school if they needed support.
- A campaign to raise awareness is required. There is a need for greater awareness and understanding of what constitutes bullying, with education needed for victims, bullies themselves, parents/teachers and all those working in a setting with young people.
- Participants felt there was not a 'one size fits all' approach and that options need to be available in order to meet individual needs.
- The need for education on bullying should begin at a young age and be part of the curriculum.
- Greater awareness of support available and publicity on who to contact/options of where to go for support is also required.
- Participants were keen to see an accessible counselling website, helpline, social media support page, group chats etc. where those experiencing bullying can go, potentially anonymously, for help and support.
- Those experiencing bullying need to be encouraged to 'speak-up' knowing they will be listened to and have confidence that support will be available.
- Using case studies, where bullying had been reported and resolved successfully, would be beneficial in giving victims confidence that there was a way forward.

What the Call for Evidence Heard

Walking from one class to another - you walked through groups of people - they couldn't just let you walk past - they had to snipe - it is like a pressure pot and the steam just keeps building.

I used to be bullied a lot at high school because I am autistic - called names such as retard. They didn't understand what autism was and why I am different so picked on me.

I would get bullied relentlessly because I didn't look as pretty as everyone else or because I didn't fit in as much - as I had different interests.

I was ashamed to tell anyone as I thought it would get worse and that it was my fault.

There was a lot of physical abuse and emotional abuse - the names - they even made songs up that they chanted at me. It was brutal and the teachers had no control of it whatsoever.

You can tell teens all the help in the world is out there but if they don't feel safe talking to a teacher or even in their home life, things are tricky.

I would go to school in the morning dreading seeing her and her friends. I'd be anxious and worried about the possible things she would do.

My friend tried to change the way she dressed to make it stop. They just started to pick on her for different things.

Cyber bullying is worse - protected - not to your face.... I was terrified to go to school the next day.

So much is online we teachers can't monitor what they are watching or seeing out of school.

You think nobody will believe what you are saying and you feel embarrassed that it is happening to you.

This has come back and hit me really hard in my 30s to which I suffer severe anxiety and depression to this current day.



Research Findings

To inform its' recommendations the Commission has also undertaken pieces of research to help it understand what best practice looks like in terms of intervention to address bullying in schools and to identify what similarities were present in serious case reviews. It has also looked at research related to where bullying has been considered a factor in young people either taking or attempting to take their own life.

Anti-Bullying Interventions in Schools – Research Findings

Initial research was undertaken by the Commission with the support of Dr Eslea. In reviewing the effectiveness of school based programmes, the Commission acknowledged that the most recent research does not identify a wholly positive picture in terms of the success rates of programmes.

The Commission did, however, identify key themes in the programmes which were a success both in the academic reviews and in practice viewed by the Commission Chair in Cheshire schools and colleges:

- Whole school approach targeted at the entire school community.
- Delivered at school, class room and individual level.
- Had an ethos of prevention, intervention and monitoring.
- Focused on awareness, problem solving, building empathy, resilience and restorative practice.

Serious Case Reviews

The Commission identified the following key similarities within serious case reviews where bullying was seen to be a feature:

- Missed opportunities for early intervention due to interested parties not engaging with partner agencies.
- The lack of information sharing between partner agencies which, had information been disclosed properly or promptly may have identified concerns earlier.
- The need for a 'holistic' approach that includes all agencies being involved in the care plan.
- A lack of understanding of partner agencies in the impact or involvement of cyber bullying in some of the children's lives.

Recommendations



David Keane
Police & Crime
Commissioner
for Cheshire

Police and Crime Commissioner

To lobby the Government to:

- Increase investment in children and young people's mental health services.
- Improve internet safety to make it harder for young people to search and access information providing instructions on how to self-harm or take their own life.
- Require social media sites such as Instagram, Twitter and Facebook to adopt a feature which offers real-time, in-the-moment help and advice on whatever a child is typing. For example if a child is typing something which might be upsetting to the person receiving it or is using language which suggests they might be upset or in trouble.

Anti-Bullying Commission

- To develop, design, launch and scrutinise a Cheshire Anti-Bullying Charter outlining the high level principles to tackle bullying. This is to be signed up-to by leaders across Cheshire including the Police and Crime Commissioner, Emergency Services, Local Enterprise Partnership, Chambers of Commerce, Businesses and every local councillor at all levels.
- To carry-out further research to establish:
 - The link between socio-economic communities and reports of bullying, whether the presence of Junior Safety Officers or Mini Police are supportive factors in schools.
 - If faith schools or SEND schools experience the same level of bullying incidents to mainstream schools.
- To launch a Pan-Cheshire strap line 'Stand Up Not Back' as part of a Cheshire wide approach to combat bullying.
- To undertake an audit of evidence-based interventions in place in Cheshire to address the behaviour of those who commit bullying.
- To work with public sector partners to develop a pan-Cheshire anti-bullying campaign focused on enhancing awareness, providing consistency of support and effective referral to support services.



Education establishments

- To develop school / college based programmes to address bullying, encompassing the key themes of evidence based practice, namely:
 - Whole school approach targeted at the entire school community.
 - Delivered at school, class room and individual level.
 - Ethos of prevention, intervention and monitoring.
- Focused on awareness, problem solving, building empathy, resilience and restorative practice.
- Engages external expert agencies and support services.
- To work with Cheshire Constabulary to focus on prevention by targeting years 6, 7 and 8 to emphasise values, such as; tolerance, equality, respect for others and respect for self, and reinforce existing anti-bullying approaches. In doing so:
 - Increase knowledge of school policies in regards to anti-bullying procedures and how this is shared with parents.
 - Work with schools and youth groups to identify good practice and effective ways of getting messages to young people.
 - Consider peer to peer approaches as an effective strategy to capture the opinions of young people and influence future behaviours in a positive way.

Local authorities

- To work with Cheshire Constabulary to develop a multi-agency problem solving approach to improve the early identification of those at risk of bullying and those who have been repeat victims - this should include taking learning from processes such as Operation Enhance.
- To explore further training opportunities in collaboration with Cheshire Constabulary and other public sector agencies to develop training for PCSOs, Youth and Family Support Workers and teachers or lead teachers.
- To work with Cheshire Constabulary and the Office of the Police and Crime Commissioner to develop a toolkit to ensure consistent responses to bullying focused on:
 - Early intervention and prevention.
 - Promoting restorative and meaningful interventions which efficiently tackle the existing bullying issues.
- Developing interventions that target those who undertake bullying behaviour:
 - Multi-agency involvement to avoid criminalising young people where possible or the police being used as a punishment.
 - Complement responses with the use of support to increase personal resilience and coping strategies for those being bullied.
 - Responses to be tailored to each situation and recognise the individual impact, harm reduction and level of support required.
 - Monitoring to measure or improve the effectiveness.
- Work with Clinical Commissioning Groups (CCGs) to commission free, safe and anonymous online counselling services and support for young people.



- To enhance the PCSO offer to ensure schools are embedded in PCSOs' community engagement on a routine basis to build better connectivity and confidence.
- To produce training videos for police officers to develop best practice and take learning from the outcomes of recent Coroner's Reports and Serious Case Reviews.
- To take part in a national NPCC research project looking at the impact of police delivering PHSE lessons, in order to assist in the development of an evidence base for police work in schools.
- Cheshire Constabulary Safer Schools Partnership to support PCSO coaches in enhancing PCSO engagement in Cheshire schools.
- To encourage engagement by identifying the schools, which are not actively involved with Cheshire Constabulary Safer Schools Project or local police in general to strengthen links. In doing so:
 - Support PCSOs to develop existing contact and make new connections in their areas.
 - Raise awareness with frontline officers about the role of the Youth Engagement Officer and how they can provide assistance.
 - Identify blockages to engagement such as language barriers, lack of parental support and knowledge gaps.
 - Work with schools to identify trends and hotspots for bullying.
- To provide clear guidance to be distributed to local authority and education establishments about when bullying should be treated as a criminal matter including defining what bullying is. This will include distribution of the NPCC guidance for schools and colleges on 'When to Call the Police' (document included in Appendices) which includes harassment; the likely offence most related to bullying.

All organisations in Cheshire

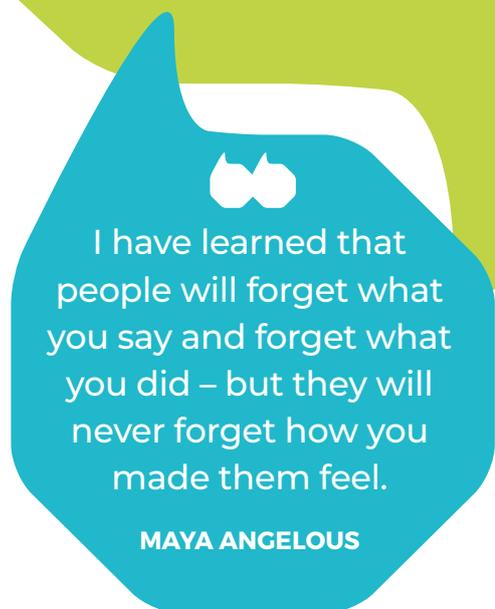
- To sign Cheshire's Anti-Bullying Charter and publicise their support for the Charter in order to eradicate bullying in our communities.
- Create a whole institution strategy to support the development of an effective and sustainable Anti-Bullying Policy, that is focused on creating a safe and secure environment, encompassing a culture of respect and tolerance. The strategy should have a proactive ethos of prevention, intervention and monitoring. It is clear that spotlighting awareness, problem solving and restorative practises will build empathy and resilience.

Cheshire Anti-Bullying Charter



Statement of intent

We are committed to providing a caring, friendly, tolerant and safe environment for all of our communities so they can participate in positive work, learning, social activity and enjoy a happy retirement. Bullying of any kind is unacceptable for anyone here in Cheshire, Warrington and Halton.



I have learned that people will forget what you say and forget what you did – but they will never forget how you made them feel.

MAYA ANGELOUS

Cheshire Anti-Bullying Commission definition of bullying

There is currently no legal definition of bullying; however there are three agreed defining features of bullying:

- 1** a victim is targeted by an individual or group on a regular basis (it is repeated).
- 2** there is intention to harm or humiliate physically or emotionally.
- 3** there is a power imbalance, the victim is fearful of those targeting them.

This charter is designed to complement the same principles and standards of anti-bullying work driven by proactive schools, colleges and Safeguarding Partnerships across the Region. This Charter recognises the impact of bullying on adults - in the work place and communities, and the need to challenge harassment and bullying behaviour as it affects all of our learners, our employees and residents.

The full charter is available via the Appendix

Acknowledgements

- Residents of Cheshire who took part in the call for evidence
- All organisations who supported the call for evidence
- Cheshire Youth Commission
- Priestley Sixth Form College, Warrington
- Park Road Primary School, Warrington
- Rudheath Senior Academy, part of NWA Academy, Northwich
- Great Sankey High School, part of the Omega MAT, Sankey High School
- Sandbach High and Sixth Form College, Sandbach
- Ormiston Bolingbroke Academy, Runcorn
- St Gregory's Catholic High School, Warrington

Appendix

- Cheshire Anti-Bullying Charter
- Academic Report
- Serious Case Review Analysis
- Call for Evidence Survey
- Call for Evidence Report
- NPCC guide 'When to Call the Police'

To view these documents, please visit: www.cheshire-pcc.gov.uk

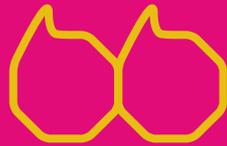
If you or someone you know is experiencing any form of bullying and would like to seek help advice, these are some support services that can help:

www.childline.org.uk

www.youngminds.org.uk

www.anti-bullyingalliance.org.uk

www.samaritans.org



...doors open up
as soon as you talk
to someone and
have the confidence
to say what is on
your mind.



David Keane
Police & Crime
Commissioner
for Cheshire

   @CheshirePCC
www.cheshire-pcc.gov.uk

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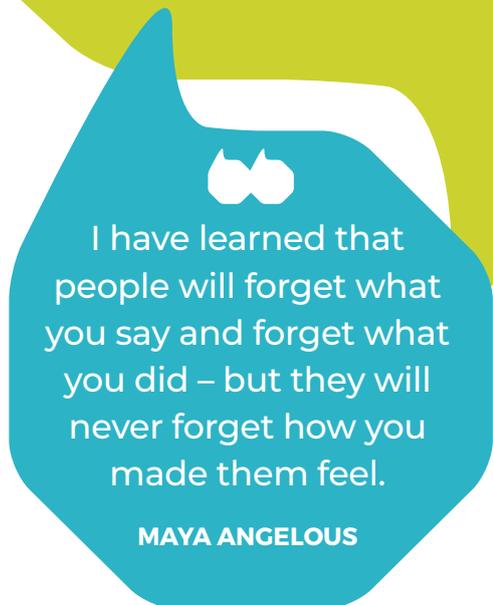


Cheshire Anti-Bullying Charter



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This charter is designed to complement the same principles and standards of anti-bullying work driven by proactive schools, colleges and Safeguarding Partnerships across the Region. This Charter recognises the impact of bullying on adults - in the work place and communities, and the need to challenge harassment and bullying behaviour as it affects all of our learners, our employees and residents.

Cheshire Anti-Bullying Charter



The signatories of this charter are committed to challenging all forms of bullying which can take many forms including:



Physical

e.g. hitting, kicking, taking or destroying belongings.

Verbal

e.g. name calling, insulting, mimicking, coercion, harassment, intimidation.



Emotional

e.g. spreading nasty stories about someone, shunning (excluding someone from social groups), behaviour that might result in psychological harm/ trauma.

Online/cyber

e.g. mobile phone calls, text messages, pictures or video clips, emails, chat rooms, instant messaging, social networking websites, sharing private messages or communications.



Cheshire Anti-Bullying Charter



There are several factors that might mean people are at greater risk of becoming the target of bullying. Often these are linked to an actual or a perceived 'difference' that affects their status or makes them 'stand out' in the eyes of the bully.

Signatories of this charter will champion the rights, safety and needs of those residents' subject to bullying with factors including:

- having a disability
- having learning difficulties or long-term health conditions (including mental health problems)
- Level of ability as a worker, employee or volunteer
- social choices (such as belonging to different social groups or dress sense)
- level of affluence
- religion/belief
- ethnicity
- sexual orientation
- gender identity

However, bullying may not be linked to any of the above factors and, as such, we will believe those who are suffering and take action to stop the abuse and harassment wherever it occurs.



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