



MINUTES OF THE MEETING OF THE RISK MANAGEMENT BOARD held on Tuesday, 12 October 2021 at Fire Conference Room, Clemonds Hey, Winsford, CW7 2UA at 10.00 am

PRESENT:

Members:

Councillor Stuart Parker

Auditor:

Anne-Marie Harrop, Mersey Internal Audit Agency

Officers:

Alex Waller (Chair), Deputy Chief Fire Officer

Andrew Leadbetter, Director of Governance and Commissioning

Andrea Harvey, Director of Transformation

Allan Rainford, Treasurer

Wendy Bebbington, Head of Finance

Louise Willis, Planning, Performance and Risk Manager

Joanne Cartledge Performance, Planning and Risk Officer

Amy Caves, Solicitor, Joint Corporate Services

Kirsty Jennings, Governance Officer

1 APOLOGIES

Apologies were received from:

Councillor Stef Nelson,

Mark Cashin, Chief Fire Officer and Chief Executive

Chris Astall, Planning, Performance and Risk Officer

2 NOTES FROM THE PREVIOUS MEETING

The notes from the previous meeting on 16th March 2021 were presented to the Risk Management Board and the following action was noted:-

A typographical error on page 2, item 4 the last line on 889 the word 'cosnider' to be changed to 'consider'.

3 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

It was noted that the risk had no further updates and its score remained an 'amber' score.

2046 – Funding Uncertainty

The Planning, Performance and Risk team questioned if the Board were happy to consider the Emergency Services Mobile Communication Programme (ESM) Funding risk within the existing 2046 Funding Uncertainty risk.

The Head of Finance stated the ESM project had been delayed by 5 years and that the costs could double. The Airwave capacity had been extended due to the project delays and the cost was not yet known. She advised ESM was a fundamental risk to the Service and recommended that the risk be separate and elevated to the Strategic Risk Register.

ACTION:

- [1] that the ESM risk owner update the risk with the current position and proposed costs; and**
- [2] the ESM risk will be escalated to the Strategic Risk Register.**

889 – Lack of Commitment from housing providers to fit sprinklers

Risk 889 was now at target score had reduced to 'green'. The risk was being managed. It was recommended that an update be provided by the Sprinkler Group to the next Risk Management Board, where a decision could be made if to close the risk on the Strategic Risk Register.

ACTION:

- [1] the Head of Prevention and Protection is to provide an update on risk 889 to the Risk Management Board at its next meeting.**

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

Further discussion on risks 995 and 1008 were held during Item 5 on the agenda.

2035 – Blue Light Collaboration

The Chair advised that he was now the risk owner. Quarterly performance review meetings were now taking place and a full update would be given at the next Risk Management Board as part of the Strategic Risk Register.

2033 – Covid-19

The Planning, Performance and Risk team confirmed the risk was 'amber'. A discussion was held on rewording the original risk due to the self-isolation rules changing. The Heads of Department were to agree on the 2033 Covid-19 risk wording before the next Risk Management Board.

ACTION:

- [1] the Heads of Departments confirm the revised risk wording prior to the next Risk Management Board meeting.**

2051 – External Audit Market

The Planning, Performance and Risk team confirmed the new risk was 'amber' due to the existing external audit contract ending next year and the lack of audit firms bidding for the work. The Treasurer advised that a paper recommending procurement of audit services through the Public Sector Audit Appointments service was being submitted to the next Fire Authority meeting on 8th December 2021.

4 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 concentrating on the 'red' risks. The following observations were made:-

Protection and Organisational Performance

The Unitary Local Authorities were not undertaking joint inspections of Houses of Multiple Occupancy. The risk was being managed and due to progress made the risk score was due to decrease.

People

Corporate Communications were no longer providing out of hours service for major/large incidents. Changes to the corporate communications structure were ongoing which will address the risk.

IT

A report on MDT Gateway Issues was due to be submitted to the Service Management Team for consideration.

Prevention

A meeting was scheduled in October for the Head of Prevention and Protection to update the risks on the Prince's Trust and Cadet Programme and to review their scoring.

Procurement

The risk on Team Capacity/Resource was addressed by increasing the capacity within the procurement team and the risk score was due to decrease.

The Chair requested a new risk to be added to the map under Operational Policy and Assurance relating to the lack of capacity for driver training and assessment. The Head of the Operational Policy and Assurance was to review and update the risk.

It was noted that a number of staff had left CFRS as a result of the new external body overseeing fire safety. A request was raised if staff leaving the Protection department, such as enforcement officers, should be escalated as a risk.

RESOLVED: That

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

ACTION: That

[1] the Head of Prevention and Protection provide a deep dive report on the current status and future plans for the Princes Trust;

[2] a new risk be added to the map under the Operational Policy and Assurance department to consider the lack of capacity for driver training and assessment; and

[3] the Head of Prevention and Protection advise if staff leaving the Protection department is a risk that needs to be added to the map.

5 RISK REGISTER DEEP DIVE: MCCLOUD/SARGEANT PENSIONS RISK UPDATE

Solicitor, Amy Caves and Andrea Harvey, Director of Transformation introduced the report outlining the position relating to Risk 1008 immediate detriment cases under the McCloud/Sargeant ruling.

Subsequent to the report being written the 'Memorandum of Understanding' (MOU) had been received outlining the National Framework.

Individuals would have their applications calculated in line with the MOU on a case-by-case basis, with the understanding that all the cases would be reconsidered once the full detail of the Government's approach was finalised and legislation was in place. Each applicant would be required to sign a disclosure form to ensure they understood that the calculations/figures would require reconsidering when legislation was in place.

The MOU outlined a timescale of 90 days from submitting an application to paying out a claim. This breaks down into 62 days to compile and calculate the figures and 28 days for the applicant to receive payment.

61 members of staff could retire before September 2022 and 21 staff had previously retired.

The Service's pension's administrator, XPS had quoted £845 per case. It was agreed that if XPS calculate the figures incorrectly they would be liable, however, if the Service interpret the framework incorrectly the Service would be liable to meet the cost of any claims. This is to be added to XPS's contract.

The Director of Transformation raised an issue with historical data being held on an obsolete computer without a copy or back-up. The IT department have been made aware of the severity of the risk and intend to mitigate it..

RESOLVED: That

[1] the McCloud/Sargeant Pensions Risk Update report be noted.

ACTION: That

[1] risk 1008 be updated after the next Pensions Board meeting and separate into the following four risks:-

- 1. Remove the Age Discrimination under Section 61 of the Equality Act**
- 2. Migrate the historical data from the obsolete computer and create a back-up**
- 3. The capacity within CFRS required to process the individual claims**
- 4. How the cost of the claims and associated work will be financed**

6 WORK PROGRAMME 2021-22

The Board discussed the proposed work programme for 2021-22. It was recommended that a report on Protection capacity and recruitment be considered at the next Risk Management Board meeting on Tuesday 15th March 2022.

RESOLVED: That

[1] subject to the addition of the reports for 15th March 2022, the Work Programme 2021-22 be approved.