



Buckinghamshire & Milton Keynes Fire Authority

MINUTES OF THE MEETING OF THE BUCKINGHAMSHIRE AND MILTON KEYNES FIRE AUTHORITY
HELD AT THE OCULUS, BUCKINGHAMSHIRE COUNCIL, ON WEDNESDAY 8 DECEMBER 2021 AT
11 AM.

Present: Councillors Bagge, Carroll, Chapple OBE, Christensen (part), Clarke OBE, Exon, Hall, Hopkins, Hussain, Marland, McLean, Rankine, Stuchbury, Waite and Walsh

Officers: M Osborne (Deputy Chief Fire Officer), G Britten (Director of Legal and Governance), M Hemming (Director of Finance and Assets), A Burch (Station Commander), A Quainton (Health and Safety Manager), K Nellist (Democratic Services Officer)

Remotely: J Thelwell (Chief Fire Officer), S Wells (Head of Prevention, Response and Resilience), S Tuffley (Head of Covid 19 Preparedness and Response), C Bell (Head of Protection, Assurance and Development), A Carter (Head of Technology, Transformation and PMO), E Hilling (Communication, Marketing and Engagement Manager), P Mould (Group Commander)

Apologies: Councillors Darlington and Lambert

Recorded Broadcast:

<https://www.youtube.com/channel/UCWmIXPWAscxpL3vIiv7bh1Q>

The Chairman welcomed everyone to the December Meeting of the Buckinghamshire and Milton Keynes Fire Authority.

The Chairman advised that although members of the public were now allowed to attend and observe in limited numbers, following the meeting a video recording would be uploaded to the Authority's YouTube Channel.

FA24 MINUTES

RESOLVED –

That the Minutes of the meeting of the Fire Authority held on 13 October 2021, be approved, and signed by the Chairman as a correct record.

FA25 DISCLOSURE OF INTERESTS

None.

FA26 CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that back in the summer this year, a number of operational staff performing the flexi-firefighter role, chose for differing reasons to transfer to other fire and rescue services, thereby creating vacancies. Owing to the adaptative element associated with this particular role, it was imperative that these vacancies were quickly filled, in order to continue the positive contribution this operational role offers to our innovative resourcing model. Through the coordinated efforts of both the Station Commander responsible for flexi-firefighters and Human Resources, a recruitment campaign for both internal and external applicants was launched during August 2021. The campaign attracted 30 applicants, 10 internal and 20 external, the latter being made up of existing wholetime and on-call firefighters from across five different fire services, as well as Royal Air Force (RAF) firefighters. Commencing September 2021, all applicants over a period of two months were required to undergo tests, in order to verify both their technical and practical competences. Those who were successful then progressed to a final interview and medical, which resulted in 10 candidates, split equally between external and internal applicants, being deemed suitable for appointment into the flexi-firefighter role. The success of this campaign has meant the Service has been able to limit the impact caused by losing a number of existing operational staff, whilst also being able to accommodate the internal transfer requests of some of the other flexi-firefighters, wishing to move into alternative operational frontline roles. The five external candidates joined Buckinghamshire Fire and Rescue on the 1 December 2021. They along with some of the internal candidates are currently undertaking an upskilling course, in advance of then being utilised operationally.

At a recent Overview and Audit Committee meeting, some Members expressed a wish to receive their meeting agenda packs electronically only. The Local Government (Electronic Communications) (England) Order 2015 allows for the provision of meetings summonses electronically subject to the consent of the Councillor. Links to the agenda pack are sent out by email; are available on the Buckinghamshire Fire and Rescue Service Website and are also available on Mod.gov. Members receive hard copies for all Fire Authority and Committee meetings but were given the following options in a recent email: to stop receiving hard copy agenda packs for all meetings; to receive a hard copy agenda pack for Fire Authority Meetings only; to receive a hard copy agenda pack for Committee Meetings only or to continue to receive a hard copy agenda pack for all Fire Authority and Committee meetings. Please can all Members respond to Katie Nellist, with their preference.

FA27

MATTERS ARISING FROM THE PREVIOUS MEETING

The Vice Chairman asked the following question in respect of Minute FA21 of the Authority Meeting on 13 October 2021.

“In connection with the officer’s report about the Authority’s people strategy, I asked questions of the Chief Fire Officer and Deputy Chief Fire Officer about the culture within Buckinghamshire Fire and Rescue Service (BFRS) particularly in light of the horrific events arising from the actions of serving Metropolitan Police officers. I was heartened by the Chief’s responses which are recorded in the Minutes in respect of the acknowledgement of the need to redouble events

within the fire and rescue service to ensure that its hard-earned public trust is not tarnished and for services to better reflect the communities which they serve. I am aware that the Home Secretary has commissioned Sir Tom Winsor, Her Majesty's Inspector of Constabularies and Fire and Rescue Services, to undertake a thematic inspection of the vetting and counter-corruption procedures in policing across England and Wales with a view to strengthening these procedures. May I ask what vetting of firefighters is currently undertaken by BFRS?"

The Deputy Chief Fire Officer advised that BFRS uses Buckinghamshire Council as its 'umbrella body' to undertake DBS checks on recruits and 3 yearly renewals for employees. In 2016 BFRS moved to require 'enhanced DBS' vetting in order to allow it to obtain details on applicants' convictions and cautions, both spent and unspent; police reprimands and warnings; and relevant police information. To achieve this was somewhat of an uphill struggle with the umbrella body, as the role of firefighter was not an 'excepted occupation' in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, nor was the firefighter's role a 'regulated activity' as defined by the Safeguarding Vulnerable Groups Act 2006. This meant that 'enhanced DBS checks' could not be undertaken universally across the fire and rescue sector as a matter of course, nor even the less stringent 'standard DBS' checks.

However, enhanced DBS vetting was something that the Chief Fire Officer pushed for, and in which he was supported by the FBU locally, in order to guard and protect the 'trusted brand' which enabled close working by our firefighters with vulnerable groups, young people, blue-light partners, and healthcare providers. The costs to BFRS of enhanced DBS checks reduced from £44.00 per check to £40.00 on 1 October 2019, with the 3 yearly update fees being £13.

The Deputy Chief Fire Officer advised that In July 2019, in advance of the National Fire Chiefs Council (NFCC) adopting its Safeguarding Position Statement, the Chief Fire Officer wrote to the NFCC expressing his disappointment about the lack of progress made by the sector to increase the vetting of its employees. It had been the agreed position over two years' previously in the CFOA National FRS People Strategy 2017/2022 that 'DBS (disclosure and barring) checks for all firefighters needed to become the norm'.

The NFCC Safeguarding Position Statement adopted in 2020 stated that "NFCC endorse[s] the position that basic disclosure checking is used as a minimum to ensure the suitability of staff and volunteers to undertake their roles. The NFCC recommend[s] that the Disclosure and Barring Service is utilised for all roles which bring staff and volunteers into contact with the public. The NFCC encourages Fire & Rescue Services to consider the need for increased level of checks for those roles that are required to carry out specific or regulated activities." The basic DBS certificate contained details of only unspent criminal convictions, conditional and unconditional cautions, or a statement that the individual has no such convictions or cautions. It currently costs £23, the same as a 'standard DBS' check.

The Chief Fire Officer as well requesting the NFCC in July 2019 that its Safeguarding Position Statement be strengthened to endorse 'standard DBS

checking' as the minimum requirement, had been lobbying the Home Office to bring forward legislation to amend the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 so that vetting procedures for firefighters were strengthened as a matter of course in every fire and rescue service.

The Chief Fire Officer has been supporting the NFCC Strategic Lead for Safeguarding in her submission of a series of businesses cases to the Home Office, the latest version of which was submitted on Wednesday 17 November, which put the case that a change in national legislation was long overdue and should be enacted as soon as possible.

The Chairman asked the Leader of the Labour Group if he was in agreement for a letter to be sent to the Home Office and the NFCC Chairman from the Group Leaders to push for enhanced DBS checks.

The Leader of the Labour Group was in agreement.

The Chairman would also ask the Leader of the Liberal Democrat Group who was not at the meeting.

FA28

RECOMMENDATIONS FROM COMMITTEES:

OVERVIEW AND AUDIT COMMITTEE – 10 NOVEMBER 2021

(A) APPOINTMENT OF EXTERNAL AUDITORS

The Director of Finance and Assets advised Members that this report was being presented to the Authority because it was the requirement of Public Sector Audit Appointments Limited. The report set out the proposals for appointing the external auditor to the Authority for the five-year period from 2023/24. There were two options, to either opt into the national agreement which the Authority was part of presently or look to undertake a local audit appointment. The recommendation was to opt into the national agreement.

RESOLVED –

To accept Public Sector Audit Appointments' invitation to opt into the sector-led option for the appointment of external auditors to principal local government and police bodies for five financial years from 1 April 2023.

(B) ENVIRONMENT AND CLIMATE ACTION PLAN

The Chairman advised Members that a recommendation from the Overview and Audit Committee was to appoint a Lead Member for climate change. The Chairman nominated the Lead Member for Finance and Assets, Information Security and IT because of the financial issues that climate change might bring and proposed that climate change be added to that Lead Member's responsibilities.

RESOLVED –

1. That the Environment and Climate Action Plan be approved.

It having been proposed and seconded and there being no other nominations it was

RESOLVED –

2. That the Lead Member for Finance and Assets, Information Security and IT be appointed as Lead Member for Finance and Assets, Information Security, IT and Climate Change.

FA29

FINANCIAL STRATEGY 2020-21 TO 2024-25 FIRST ANNUAL UPDATE

The Authority received a presentation from the Director of Finance and Assets who advised Members that this was the first annual update of the Financial Strategy which was approved by the Authority last year.

Starting with progress to date, the activities for the first year included continuing to lobby for an increase in Council Tax Referendum Limits and for other grants to become part of the Settlement Funding Assessment. A Value for Money (VFM) initial review by external providers was undertaken by a company called Proving Services Limited, who had completed this for a number of other fire and rescue services and BFRS was the eighth service to be reviewed. The senior management team completed a number of self-assessment questionnaires, looking at other external reports, customer feedback, trying to gauge economy, efficiency, stakeholder value, to come to an overall view of the service. There had been a review of the estate footprint and a review of Partnership arrangements would be presented to Members in March 2022. The Portfolio Management Office had been established and the recruitment of a Pensions Officer was complete.

The Director of Finance and Assets advised Members that in terms of second-year activities, there had been a review of the system requirements to either upgrade or replace the main Finance and HR system and it had been decided to continue with the current system because the cost of change would be very high. A review of the budget monitoring and performance reporting arrangements was on-going and a review of the skillset of non-finance staff and elected Members would be undertaken in the last quarter of this financial year.

The Director of Finance and Assets advised that with regard to budget monitoring and performance reporting arrangements, there was a wider review of the framework underway, and this would (amongst other things) bring together the workforce planning and financial reports all in one place.

The Director of Finance and Assets advised that the overall progress to date against the Strategy had been categorised into four key areas covering performance, people, governance and external factors.

The key points of the first annual update were that the funding position had not improved significantly since HMICFRS raised their cause for concern and the three-year Comprehensive Spending Review would hopefully give more certainty. The Council Tax referendum limits were to be announced in the Provisional Local Government Finance Settlement later this month and the outcomes of the settlement would determine how many firefighters and appliances the Authority could afford.

A Member asked why the presentation did not include any financial figures and was advised by the Director of Finance and Assets that this was a strategy rather than a detailed budget. The detailed budget would be presented to the Executive

Committee in February to be recommended to the Fire Authority for approval in February.

A Member asked regarding the recruitment and retention of staff mentioned in the presentation and was advised by the Director of Finance and Assets that the recruitment in the strategy referred to finance staff only. The Service was currently recruiting for 18 operational firefighter posts and had shortlisted 23 firefighters for medicals following final interviews.

A Member asked what was intended regarding looking at estates and was advised by the Director of Finance and Assets that this referred primarily to Unit 7, which was a non-operational building housing stores and the urban search and rescue team. At present, the Authority was not looking to reduce the number of fire stations.

A Member asked with regards to the 'headline increases of circa 3% per year for Local Government announces at Budget 2021' would that actually represent a net reduction to the Service on the basis of National Insurance increases and was advised by the Director of Finance and Assets that it should be a slight increase in real terms.

A Member asked if the referendum reserve contained an amount for campaigning and also how many other fire authorities had actually run referendums and how successful had they been, and was advised by the Director of Finance and Assets that in terms of the referendum reserve, there wasn't specifically an amount set aside for campaigning, the £600k was based on an estimate of the only referendum that has been run recently, for the Bedfordshire Police and Crime Commissioner. It was unsuccessful in its attempts to increase council tax by more than the referendum limit.

The Director of Finance and Assets was not aware of any other services that had held referendums recently and certainly not any fire services.

A Member asked what the Authority's current borrowing position was and was advised by the Director of Finance and Assets that in terms of current borrowing outstanding, it was roughly just under £7m. The Authority did not have a borrowing limit, but it had a prudential limit, so it was whatever was considered affordable and sustainable.

A Member asked about the problems of recruiting staff and was there provision to offer a salary above the market rate, and was advised by the Director of Finance and Assets that there wasn't any specific contingency to do so, but the Authority did have a small number of posts where a market supplement had been applied. It could be built in as part of the budget planning process if necessary.

A Member asked what a flexi firefighter was and was advised by the Deputy Chief Fire Officer that the flexi firefighter role was quite unique in the UK fire and rescue service, it was a firefighter that wasn't allocated to a particular station or watch, but could be used to cover annual leave and sickness on any station.

A Member asked if the Authority was not allowed to put up council tax by £5, what was the quantifiable gap, and was advised by the Chief Fire Officer, that the Authority wouldn't know what the quantifiable gap would be until it received the

local government finance settlement. At that point, the Authority would be able to anticipate what the quantifiable gap would be and what measures would have to be taken to bridge that gap.

A Member asked why there were no low, medium or high-risk scenarios in the strategy and was advised by the Director of Finance and Assets that when the Financial Strategy was approved last year, the scenarios were set out within it, and perhaps they should have been repeated in this update, but he would resend them around to Members after the meeting.

A Member asked what a 2% increase was in money terms and also what would the £5 be as a percentage. The Director of Finance and Assets advised that a 2% increase would roughly generate around £300k on council tax and a £5 increase would generate around £1.5m increase. A £5 increase would equate to about an 8% increase in a Band D equivalent.

FA30

BUILDING RISK REVIEW AND PROTECTION UPDATE

Group Commander Mould advised Members that this report was broken down into several areas and was to provide a quarterly update on the Protection Teams progress against the Building Risk Review programme (BRR) and Protection activity. The BRR had progressed well, with returns provided to the Protection Policy Reform Unit (PPRU) against all 57 premises identified within Buckinghamshire and Milton Keynes and the PPRU had confirmed that the programme had been completed for this Service a month ahead of schedule.

Group Commander Mould advised Members that the Service continued to deliver the Protection Uplift Programme, utilising the associated grant funding to deliver improvements in fire safety delivery, response staff knowledge and support wider business engagement. Fire safety training for operational staff had been secured. A pilot was delivered to a dozen Flexi Duty Officers last month, with a second planned for December. Following this and any necessary amendments due to feedback and clarity around the Fire Safety Act 2021, the training would be rolled out to crews. This training would broadly cover relevant legislation and any changes, the built environment and fire safety requirements. Training was due to start in January 2022.

Group Commander Mould advised Members that other areas covered within the report were Business Engagement, Technology, Competency Fire Standards and the Fire Safety Act 2021, which was due to go live in the very near future and an update on the Building Safety Bill's passage towards receiving Royal Assent in Spring – Summer 2022.

A Member asked regarding the pie chart of the initial assessment outcome and what sort of things were not in scope and was advised by Group Commander Mould that the scope of the project was 18 metre plus residential premises, anything below 18 metres was out of scope, including hotels and commercial high-rise premises over 18 metres.

A Member asked if the Authority was a consultee for any buildings over three floors and was advised by Group Commander Mould that the Authority was statutory consultees under the building regulation consultation.

A Member noted that in Appendix 7 it referred to the draft Building Safety Bill and in it, refers to an accountable person rather than a responsible person. What were the differences in these terms; and was advised by Group Commander Mould that the responsible person was identified under the Regulatory Reform Fire Safety Order and the accountable person would be identified under the Building Safety Bill, clarity would be provided when there had been further passage of the Bill.

A Member asked about inspection costs which seemed to be covered by a government grant, was there anything in the legislation that actually puts costs, onto the owners, and was advised by Group Commander Mould that within the Building Safety Bill, there were some processes for reclaiming costs associated directly with work and burdens placed under the Building Safety Bill. The Authority had received a grant to assist with third party accreditation and this was mirrored under the Fire Safety Act which would go live imminently. The National Fire Chiefs Council were continuing to lobby for further grants to support the ongoing costs of accreditation.

Councillor Marland who was the Leader of Milton Keynes Council advised Members that recently Milton Keynes Council had unanimously passed a motion regarding Grenfell, and he had been requested to write to the Secretary of State regarding building control and strengthening building control measures.

The Chairman asked if Council Marland could share the document and letter with Members.

RESOLVED –

That the Building Risk Review and Protection update be noted.

FA31

HEALTH, SAFETY AND WELLBEING ANNUAL REPORT 2020/21

The Lead Member for Health and Safety and Corporate Risk informed Members that he was pleased to be introducing the Health, Safety and Wellbeing annual report for the second year as Lead Member. He advised Members that the Service had responded to the demands of the pandemic with fortitude, implementing robust procedures quickly and efficiently which was evidenced by both the small numbers of positive cases amongst staff and the outcomes of the Health and Safety Executive's Covid spot audits on stations and at headquarters.

The external work carried out by some firefighters, officers and support staff in assisting partner agencies included driving ambulances, delivering PPE to other organisations, delivering medication and food to those members of the public who were shielding and setting up and running mass vaccination centres, whilst maintaining the core business of the Service throughout. All of which exemplifies the ethos of the Service.

The Lead Member for Health and Safety and Corporate Risk was proud the Health, Safety and Wellbeing statistics continued to demonstrate how importantly the Service treats these matters; however, it should not be complacent and must continue to reduce risks to employees and the public it serves.

The Health and Safety Manager advised that as the Lead Member had said, 2020/21 had required the Service to focus primarily on the response to, recovery

from and managing the Covid-19 pandemic as new variants emerge whilst maintaining business as usual. This had proved challenging at times especially during the four lockdowns with non-operational personnel working from home for much of the year and operational personnel being placed at risk of transmission of the virus when serving the community. It was to be noted that cases of Covid-19 within the Service for the year up to 31 March 2021 had been very low at 38 which was testament to the commitment of staff in adhering to the Covid Secure measures in place.

Early in the pandemic the Health and Safety Executive (HSE) went on record stating that, should they receive a complaint from an employee concerned about Covid-19 in their workplace, they would carry out an investigation. To date, the HSE had conducted Covid-19 spot audits at four fire stations and headquarters with excellent outcomes at each. There had been no requirement for any further action and comments received from the inspectors had been favourable.

Throughout the year the Service had assisted partner agencies and local authorities in ways that had never been experienced before. (Driving ambulances, delivering medication and food to those shielding, training care home staff in donning and doffing personal protective equipment and setting up and running mass vaccination centres). Whilst each activity came with its own challenges, the tenacity and commitment of staff ensured participation was a success. As these activities were over and above what staff would normally undertake the Service was cognisant of the potential impacts on both their physical and mental health and wellbeing. An example of how this was managed was by releasing operational staff who had volunteered to drive ambulances from their fire service duties and to provide them with time off prior to them returning. Access to additional trauma support and welfare support networks was also provided.

The HMI conducted a Covid-19 inspection in November 2020; the headline of the report read *"Buckinghamshire Fire & Rescue Service has been praised for the way it is coping with the challenges it faces during the COVID-19 pandemic, and for the positive contribution it is making to its community"*.

The Health and Safety Manager advised that overall, there had been reductions in five of the seven categories which was a considerable improvement in performance compared to last year. Personal injury, vehicle safety events, acts of violence and the number of events that come under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) had all decreased. There has been a significant decrease in the total number of persons injured from 38 in 2019/20 to 24 in 2020/21. Of these, 17 occurred at training events, three during routine activities and four at fires.

With regard to Working Time Regulation breaches, from April 2020 to March 2021 there were 3822 Bank shifts worked and of those there were seven breaches. A breach would occur when a worker does not have a full 24-hour uninterrupted rest break in any seven days or 48 hours in 14 days, or the total of hours worked per week exceeds 84. The Service had implemented a limit on the number of hours worked at 78 per week to build in extra protection against fatigue for staff. This was a significant improvement from the previous year,

providing assurance that should the HSE conduct an inspection on the Service there was a robust and effective monitoring process in place.

The Health and Safety Manager advised Members that the pandemic had provided the opportunity for the Service to review its working practices. With support staff working from home, productivity increased as employees did not have to commute into the workplace during lockdown and the systems technology available enabled work to be carried out efficiently. Working from home was not suited to everyone, the lifting of Government restrictions had meant that employees could return to the workplace in a safe and managed way.

Moving forward, the Service was taking the opportunity to explore ways in which people worked and how they prefer to work. This work would inform how hybrid working could be implemented throughout the Service for those groups of staff who were able to work both from home and in the workplace. However, this was not an option for all staff due to the nature of their role. "Work Evolution- work is what we make it" was the strapline for this project which was in its infancy. An update would be provided in next year's report.

The Chairman and Members gave their thanks to the Health and Safety team and every member of staff for all their hard work during the pandemic.

RESOLVED –

That the health, safety and wellbeing performance as detailed in the Health, Safety and Wellbeing Annual Report for 2020/21 be noted.

(Councillor Christensen left the meeting)

FA32

FIREFIGHTERS CHARITY

Station Commander Burch gave Members a presentation on the Fire Fighters Charity. Living Well Groups had been introduced and offered somewhere to socialise and reminisce with fellow retired members of the fire and rescue service. Back in 2018, the Charity noticed that it was extremely difficult to interact with retired staff who also remained beneficiaries of the charity and so they came up with this very simple concept to bring staff back into a familiar environment and create social opportunity. This was being introduced into the Service with monthly meetings, guest speakers, and access to charity services and refreshments would be provided. The introduction of the Living Well Groups would help support the delivery of agreed objectives set in the 2020-2025 People Strategy and would compliment the ongoing work of the Welfare Officer, improving the communications and support provided to retired members of the fire service community.

Station Commander Burch advised Members that 2020/21 was a challenging year for the Charity due to lack of opportunity to fundraise and the impacts of the pandemic. However, the fundraising update for the first six months of 2021/22 provided positive reading. Event fundraising had increased by 341% and recycling income by 197%. Two key events held were the tunnel to towers event which raised £7,809 and the Chesham to Brighton bike ride which raised £4,376. The figures were broken down into five key areas, events, fire service lottery, fire service regular giving, individual giving and recycling which was predominantly the clothing banks seen on many fire stations.

Projected fundraising income included post incident recognition, where donations had been raised following a large fire at the Kings Head hotel in Stokenchurch. Donations had been raised by the local community and pupils at Stokenchurch Primary School as a means of thanking the hard work and dedication shown by the operational crews. The Authority had agreed to donate £5 for every staff member providing a response to the next Culture Survey which would take place in January 2022. Various fire stations had started planning charity car washes in March 2022 and would be holding charity collections this month.

Station Commander Burch advised that a digital event registration form had been created that would automatically notify the Health and Safety team, Communications team and the Charity Coordinator with details regarding future events that were planned. This approach would provide support at the planning stage to ensure the appropriate risk assessments were completed, event insurance considered, and a communication plan put in place to maximise the opportunity to raise the profile and outreach of all future fundraising events.

Station Commander Burch highlighted how important the clothing banks were across the different sites in Buckinghamshire. Since 2010 when the first clothing bank was installed, the Service had raised in excess of £188k through clothing recycling which was in excess of 618 tons of clothing. The clothing banks had a performance poster placed on the back, informing the community and staff how much it had generated.

A Member stated that as some of the fire stations in Milton Keynes were inaccessible to members of the public, was it possible to locate the clothing banks on non-fire station sites and was advised by Station Commander Burch that the Charity was extremely supportive of banks being placed on other sites, that would be deemed suitable.

FA33

DATE OF NEXT MEETING

To note that the next meeting of the Fire Authority will be held on Wednesday 16 February 2022 at 11am, at The Oculus, Buckinghamshire Council.

The Chairman closed the meeting at 12.55 PM