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# CLEVELAND FIRE AUTHORITY

## MINUTES OF EXECUTIVE COMMITTEE MEETING

19 MAY 2023

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### PRESENT

#### CHAIR

Councillor Ben Clayton – Hartlepool

#### REDCAR & CLEVELAND BOROUGH COUNCIL

Councillor Mary Ovens

#### AUTHORISED OFFICERS

Chief Fire Officer, Deputy Treasurer

ACFO – Strategic Planning & Resources

ACFO – Community Protection

#### BRIGADE OFFICER

Head of Procurement (Min.No.136.1 & 136.2 only)

### APOLOGIES:

Councillor Naweed Hussain – Middlesbrough Council

Legal Adviser & Monitoring Officer

Treasurer

### 130. APPOINTMENT OF CHAIR

The ACFO-Strategic Planning & Resources (ACFO-SPR) opened the meeting and noted that following the recent local council elections and the retirement of the former Chair and Vice-Chair the Executive Committee was without a Chair for the meeting and would not be quorate to make any decisions. Members agreed that in line with accountability and transparency the meeting should take place and the minutes be deferred to the Executive Committee on 7 July 2023 for approval.

Councillor Clayton nominated himself as Chair for the purpose of this meeting. Councillor Ovens seconded the nomination.

**RESOLVED – That Councillor Ben Clayton be appointed as Chair of the Executive Committee for this meeting only.**

### 131. DECLARATION OF MEMBERS INTERESTS

It was noted no Declarations of Interests were submitted to the meeting.

### 132. MINUTES

**RECOMMENDED - that the Minutes of the Executive Committee on 3 March 2023 and Executive (Appeals) Committee on 24 April 2023 be deferred to the Executive Committee on 7 July 2023.**

**133. REPORTS OF THE CHIEF FIRE OFFICER****133.1 Minimum Service Provision Consultation**

The Chief Fire Officer (CFO) provided Members with details of the Home Office consultation on Minimum Service Levels (MSL) for Fire and Rescue Services which was launched on 9 February 2023 in response to the MSL Bill. This is aimed at limiting the impact of strike action on public services while recognising the right to strike.

He referred Members to the consultation at Appendix 1 which sought fire and rescue services' views regarding:

- appropriate MSL which should apply during strike action
- relevant services provided by fire and rescue services workforces to which the MSL should apply
- how to reasonably mitigate risk where possible to ensure public safety whilst maintaining workers' rights

The Consultation also specifically sought views on the definition of 'essential services'; and on five different approaches to setting them. The CFO referred Members to the consultation response detailed at Appendix 3, which had been considered by the former Chair prior to submission. He noted that the 'essential services' had largely focused on emergency response, but this Authority took a three-pronged approach to mitigating local risk by considering prevention, protection and response.

**RESOLVED:-**

- That the Home Office consultation on Minimum Service Levels in the Fire and Rescue Service be noted.**
- That Members noted the Chief Fire Officers response on behalf of the Cleveland Fire Authority as detailed at Appendix 3.**

**133.2 Values and Culture in Fire and Rescue Services**

The CFO presented the HMICFRS Spotlight Report on Values and Culture in the FRS and the assessment of the Brigade's current arrangements in relation to the 35 recommendations set out in the Report.

He referred Members to the Report at Appendix 1 which had been published on 30 March 2023 and focused on the following nine themes: raising concerns; background checks; misconduct handling; leadership; management and leadership training and development; diversity data; improving diversity; core code of ethics; and The Fire and Rescue National Framework for England.

The CFO reaffirmed the Authority's strategic direction in relation to its people as set out in the People Plan and captured in the corporate goals and objectives and reported that a comprehensive review and gap analysis had been undertaken against the 35 recommendations.

Progress on the implementation of the Brigade's actions will be captured in the Brigade's improvement planning framework and monitored by the Executive Committee.

### **133.2 Values and Culture in Fire and Rescue Services cont.**

Councillor Clayton referred to recommendations 9 and 10 and asked whether DBS checks would capture staff who are under investigation at the point of recruitment. The CFO confirmed that currently the Brigade applied the rule of the Rehabilitation of Offenders Act.

The CFO confirmed that he was organising a leadership event for all staff in supervisory roles to reinforce the message that they cannot be a by-stander. He acknowledged that this was a bigger issue than just meeting the requirements of the inspectorate. Councillor Clayton welcomed this approach and thanked the CFO for giving members reassurance that this was not just a 'box ticking' exercise.

The CFO acknowledged that cultural change required a long-term strategy and further reports would be brought to the Executive Committee to monitor the progress. Councillor Ovens thanked the officers for providing a clear overview of actions.

#### **RESOLVED – That Members noted:**

- the publication of the HMICFRS's Spotlight Report on Values and Culture in the Fire and Rescue Service (Appendix 1).
- Cleveland Fire Brigade's assessment of its current arrangements in relation to culture against the recommendations set out in the HMICFRS Spotlight Report (Appendix 2).
- the overview of the short, medium, and long-term recommendations for Government (Appendix 3).
- the overview of the short, medium, and long-term actions for the National Fire Chiefs' Council (Appendix 4).
- the overview of the short, medium, and long-term actions for the Chief Fire Officer (Appendix 5).
- that further reports will be brought to future Executive Committee meetings on progress of the implementation of Cleveland Fire Brigade's actions.

### **133.3 Gender Pay Gap Report**

The ACFO-SPR presented this annual report which looks at the difference between the average pay of men compared to the average pay of women across all roles within the Brigade. Analysis indicated that the Brigade has a mean gender pay gap of 8.4 % which is an increase from last year's figure of 6.9% but still significantly lower than the national figure of 15.4%. The ACFO-SPR confirmed that this was due to staffing changes and 'positive action' was underway to mitigate this.

**RESOLVED – that the report be noted and published on the Brigade's website.**

**133.4 Ethnicity Pay Gap Report**

Members received details of the Ethnicity Pay Gap report which captures the Brigade's data on pay as at 31 March 2022 and measures the difference in average earnings across all ethnic groups looking at mean and median. The Brigade had voluntarily published this data over the last two years as Best Practice. However, from 2023, this will be a Government requirement for all organisations with over 250 staff.

The ACFO SPR detailed how the calculations and comparisons were analysed and reported the following pay gaps against staff identifying as 'White British':

- 19.87% for those identifying as Mixed (12% increase)
- 9.49% for those identifying as Asian (9% increase)
- -0.63% for those identifying as Black (0.63% decrease)

She stated that the widening of pay gaps for Mixed and Asian staff compared to 2021 was disappointing and the Brigade would continue its efforts to attract staff in those under-represented groups.

**RESOLVED – That the Ethnicity Pay Gap Report be noted and published on the Brigade website.**

- 134. LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION ORDER) 2006** “That Under Section 100(A) (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business, on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1, 3 and 4 of Part 1 Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006, namely information relating to any individual; information relating to the financial or business affairs of any particular person (including the authority) holding that information and namely information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.”

**135. CONFIDENTIAL MINUTES**

**RECOMMENDED** - that the Confidential Minutes of the Executive Committee on 3 March 2023 and the Executive (Appeals) Committee on 24 April 2023 be deferred to the Executive Committee on 7 July 2023.

**136. CONFIDENTIAL REPORTS OF THE CHIEF FIRE OFFICER****136.1 Procurement Update Report**

Members received details relating to contract letting procedures, exemptions to contract procedure rule and future procurement plans.

**136.2 Provision of Level 3 Operational Firefighter Apprenticeship Qualification - Contract Awarding**

The Head of Procurement provided Members with the Brigade's analysis of Tenders for the Provision of the Level 3 Operational Firefighter Apprenticeship Qualification.

**COUNCILLOR BEN CLAYTON  
CHAIR**