

CLEVELAND FIRE AUTHORITY

MINUTES OF EXECUTIVE COMMITTEE MEETING

17 MAY 2024



PRESENT

CHAIR

Councillor David Coupe – Middlesbrough Council

HARTLEPOOL BOROUGH COUNCIL

Councillor Ben Clayton

REDCAR & CLEVELAND BOROUGH COUNCIL

Councillors Mary Ovens, Peter Chaney

STOCKTON ON TEES BOROUGH COUNCIL

Councillors Sufi Mubeen, Mick Stoker

AUTHORISED OFFICERS

Chief Fire Officer, Treasurer

Assistant Chief Fire Officer – Strategic Planning & Resources

Assistant Chief Fire Officer – Community Protection

MAZARS

Audit Director, Audit Engagement Lead

APOLOGIES

Legal Adviser & Monitoring Officer

Councillor John Leedham

113. DECLARATION OF MEMBERS INTERESTS

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

114. MINUTES

RESOLVED - that the Minutes of the Executive Committee on 15 March 2024 and Executive (Appointments) Committee on 15-16 April 2024 be confirmed.

115. REPORTS OF THE CHIEF FIRE OFFICER

115.1 Corporate Plan 2022-26: Priorities 2023/24

The CFO outlined the Brigade's progress against the Corporate Plan 2022-26 priorities contained within the CRMP, Culture & People, and Resource plans, specifically as set out in the 2023-24 Service Plan. He highlighted the following priorities which were ongoing and would continue to be high priorities for 2024/25:

- Tackling arson and deliberate fires
- On-Call availability system
- Introduction of 360 appraisals
- Diversifying the workforce
- Introduce a new Staff Engagement Strategy
- Sustainable Procurement / Environmental Policy

115.1 Corporate Plan 2022-26: Priorities 2023/24 cont.

Members thanked the CFO for the report and acknowledged the significant amount of work completed by the Brigade throughout 2023/24.

RESOLVED – that Members noted the position regarding the implementation of the Authority’s Corporate Plan 2022-26, and the priorities set out in the underpinning CRMP, Culture & People and Resource Plans 2022-26, specifically those detailed in the Authority’s Service Plan 2023/24.

115.2 Public Sector Equality Duty Report – 31 March 2023

The CFO presented this annual report which highlights the Authority’s work and reinforces its commitment towards complying with the Equality Act 2010 and Public Sector Equality Duty to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity for people with protected characteristics
- Foster good relations between people who have a protected characteristic and those who do not

The report at Appendix 1 covers: EDI Strategy; Gender Pay Gap; Diversifying our workforce; workforce profile; staff networks and activities.

Members asked why there was limited staff data recorded for certain protected characteristics. The ACFO-SPR confirmed that historically this had not been recorded but the Brigade had invested in new HR software which allowed this information to be captured and reported on in the future.

Councillor Mubeen welcomed greater engagement with the Muslim community in Stockton and invited the Brigade to attend the Project Harmony event at the Mosque on 26 June 2024.

RESOLVED – that the Public Sector Equality Duty Report up to 31 March 2023 be approved.

115.3 Gender Pay Gap Report – 31 March 2023

Members considered this statutory report which shows the Gender Pay Gap between the average pay of male and female employees within the Brigade using the standard methodologies from the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017. For the period up to 31 March 2023, analysis shows the Brigade to have a mean gender pay gap of 8.4% which is significantly lower than national average of 14.3% and no change from 2022.

RESOLVED – that in line with provisions set out in the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017, Members noted the gender pay gap data as detailed at Appendix 1.

115.4 Ethnicity Pay Gap Report – 31 March 2023

The CFO presented the Brigade's third Ethnicity Pay Gap report which is produced as a voluntary requirement and deemed good practice by the Government. This report uses data up to 31 March 2023 and measures the difference between employees identifying as 'White British' compared to those identifying within other ethnicity groups.

The report highlighted that analysis for 2023 using the 'mean' calculation indicated a negative pay gap of 14.8% for those staff identifying as 'white other' and negative gap of 8.49% for Asian. Those who identified as Black had a positive pay gap of 19.44% and 5.07% for 'Mixed'. There was a similar picture using the Median calculation. The CFO reported that the only way to address pay gaps is through the attraction, recruitment and retention of a diverse workforce.

RESOLVED – that the Ethnicity Pay Gap Report – 31 March 2023 be noted.

115.5 Maternity, Paternity & Adoption Policy and Procedure

The ACFO-SPR presented this Policy and Procedure which had been reviewed to reflect changes to legislation relating to paternity leave entitlement effective from 6 April 2024. The changes were:

- Two weeks paternity leave which previously had to be taken as either one or two consecutive weeks, employees can now request the leave to be taken in two separate one-week blocks
- Currently employees have to take Paternity Leave within 56 days of the birth or adoption; they can now take it anytime in the 52 weeks after the birth or adoption
- Employees now only need to give 28 days' notice of their intention to take paternity Leave; previously this was no later than 15 weeks before the expected week of childbirth or the week the main adopter is notified of having been matched with the child

The ACFO-SPR referred to the Grey Book pay offer for 2024 which includes an improved pay offer in relation to occupational maternity pay of 26 weeks at full pay and 13 weeks at Statutory Maternity Pay as a minimum. She asked Members to consider if the current pay award is accepted this would apply to all staff. Members agreed that the amendments would apply to all staff.

The ACFO-SPR confirmed that representative bodies had been consulted on this policy and procedure and it had been subject to an equality impact assessment with no issues highlighted.

RESOLVED:-

- (i) that the Maternity, Paternity and Adoption Policy and Procedure at Appendix 1 be approved.**
- (ii) that Members agreed that if the current Grey Book pay offer be accepted the changes relating to occupational maternity pay should be incorporated into the Maternity, Paternity and Adoption Policy and Procedure and the amendments would apply to all staff.**

115.6 Flexible Working Policy and Procedure

The ACFO-SPR presented this policy and procedure which had been updated to reflect the changes to the Flexible Working (Amendment) Regulations 2023 which came into effect on 6 April 2024.

The changes related to: employees now being entitled to request flexible working arrangements from the first day of employment (was after 26 weeks); employers now having to provide an explanation for refusal; employers now must respond to requests within two months; and employees are now able to make two statutory requests within any 12-month period (was one).

Members asked whether flexible working arrangements were reviewed periodically to assess whether they were still required. The ACFO-SPR confirmed that once granted, the changes become contractual therefore the individual would need to make a further request to change back to the original contract.

The ACFO-SPR reported that the policy had been equality impact assessed and the FBU and UNISON had been consulted on the changes with no issues highlighted.

RESOLVED – that the Flexibly Working Policy at Appendix 1 be approved.

115.7 Special Leave Policy and Procedure

This policy and procedure had been updated to reflect the changes in legislation to Carers Leave as outlined in the Carers Act 2023 effective from 6 April 2024. This now entitles carers to up to one week of unpaid carers leave every 12 months if they are caring for a dependent with long term care needs, as defined in the policy.

The ACFO-SPR confirmed that the policy and procedure had been equality impact assessed and the FBU and UNISON had been consulted on the changes with no issues highlighted.

RESOLVED – that the Special Leave Policy at Appendix 1 be approved.

115.8 Equality Impact Assessment Policy & Procedure

The ACFO-SPR reported that this Policy and Procedure had been reviewed to reflect NFCC guidance and wider best practice relating to the undertaking and recording of Equality Impact Assessments (EqIAs). She noted that while they are not a legal requirement, they are a credible tool for demonstrating due regard to the Public Sector Equality Duty, which is required by law.

The ACFO-SPR tabled a further amendment to the procedure relating to seeking views from different groups including the Brigade's staff networks and local Community Engagement Champions when completing EqIAs (para. 3.2, page 8).

RESOLVED – that the Equality Impact Assessment Policy and Procedure at Appendix 1 be approved, subject to the inclusion of the additional wording at paragraph 3.2 of the Procedure.

115.9 Fire Safety Enforcement Policy & Procedure

The Assistant Chief Fire Officer – Community Protection (ACFO-CP) presented the Fire Safety Enforcement Policy which had been reviewed in line with the Brigade's Key Document Framework and revised to include further information (Section 12) relating to the new powers provided to FRAs through the introduction of the Building Safety Act (2022). The procedure was also updated to include reference to new legislation (Section 16).

RESOLVED – that the Fire Safety Enforcement Policy at Appendix 1 be approved.

115.10 Safeguarding Staff and Managing Safeguarding Related Allegations Policy

The ACFO-CP provided Members with details of this policy which had been developed to provide guidance for when staff members have a safeguarding concern about their colleagues or when allegations are made against staff or those representing the Authority.

He reported that it had been closely aligned to the NFCC's managing allegations guidance published in July 2023 and to the Brigade's established procedures for safeguarding adults. It complies with both the requirements of the national safeguarding fire standard and the HMICFRS Spotlight Report recommendation on managing allegations against staff and people who work in the organisation. It also supports the application of the Disclosure Barring Service (DBS) checks introduced into the organisation in April 2024.

The Policy has been equality impact assessed and representative bodies have been consulted with no issues emerging.

RESOLVED – that the Safeguarding Staff and Managing Safeguarding Allegations Policy at Appendix 1 be approved.

115.11 State of Fire and Rescue Services in England 2023 (tabled)

The CFO outlined the details of the State of Fire and Rescue: Assessment of Fire and Rescue Services in England 2023 report which covered:

- Chapter 1 - Systemic Challenges are slowing improvement
- Chapter 2 - Interim Findings from the Round Three Inspections
- Andy Cooke, His Majesty's Chief Inspector of Fire and Rescue Services Concluding Statement

The CFO reported that he would ensure the findings from the 15 inspections of FRSs between January – March 2024 are built into the final preparations for Cleveland's inspection due in October 2024.

115.11 State of Fire and Rescue Services in England 2023 (tabled) cont.

RESOLVED:-

- (i) That the contents of the State of Fire and Rescue: Assessment of Fire and Rescue Services in England 2023 report at Appendix 1 be noted.
- (ii) That Members noted that the Chief Fire Officer will review the Report and ensure that any new areas for development are captured within the Authority's corporate planning processes and documented in the Internal Operating Plan for 2024/25 onwards.
- (iii) That Members noted that in line with the current arrangements the Chief Fire Officer will continue to provide the Executive Committee with update reports in regard to the current round (Round Three) of inspection.
- (iv) That Members noted that further reports will be provided as necessary.

116. JOINT REPORT OF THE TREASURER AND MAZARS

116.1 The Financial Report 2022/23 and Audit Completion Report

Members received the Audit Completion Report (ACR) and The Financial Report 2022/23 which had been scrutinised at the Audit & Governance Committee Extraordinary meeting on 19 April 2024.

The Audit Director (AD) reported that since the Audit & Governance meeting there were no matters to report and the outcome of the Whole of Government Accounts work was below the threshold therefore had no significant impact for the Authority.

He referred Members to Section 6 of the ACR report which highlighted that three misstatements were identified relating to: revaluation; Local Government Pension Scheme, and the classification of the Services Grant. He confirmed these had all been amended and the accounts adjusted to reflect this.

The AEL (Audit Engagement Lead) confirmed that there were no significant findings or recommendations in relation to internal controls to date. He stated that Mazars hoped to be in a position to issue an unqualified audit opinion without modification on the financial statements with the final audit opinion being issued once the financial statements have been approved by the Ful Authority on 7 June 2024.

The CFO asked when the Authority could expect to receive the Value for Money Opinion required before the HMICFRS inspection in October. The AEL confirmed this would be included in the draft Auditors Annual Report going to the 7 June 2024 meeting and the Audit Certificate was expected to be issued by the end of November 2024.

The AEL updated Members that Mazars was undergoing a re-branding from 1 June 2024 following a merger with US company Forvis and would be known as Forvis Mazars LLP. He also informed the Committee that Audit Director Ross Woodley was retiring and this would be his final meeting with the Authority. The Chair extended sincere thanks to Mr Woodley, on behalf of the Authority, for his dedication and professionalism working with Members and officers over the past 20 years and wished him well for his retirement.

116.1 The Financial Report 2022/23 and Audit Completion Report cont.

RESOLVED:-

- (i) That Members noted that the 2022/23 Financial Report at Appendix A will be approved by the Fire Authority at its meeting on 7 June 2024.
- (ii) That Members noted and agreed that should a material error be identified in the outstanding issues, that results in amendments to the Financial Report, these amendments are actioned and delegated authority be given to the Treasurer in consultation with the Chair of Cleveland Fire Authority to approve the updated 2022/23 accounts.
- (iii) That the Audit Completion Report at Appendix B be noted.
- (iv) That Members noted that the Management Letter of Representation will be issued once the audit is concluded.

117. 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, 2, 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 that is likely to reveal the identity of an 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.”

118. CONFIDENTIAL MINUTES

RESOLVED - that the Confidential Minutes of the Executive Committee on 15 March 2024 and Executive (Appointments) Committees on 15/16 April 2024 and 20/21 May 2024 be confirmed.

119. CONFIDENTIAL REPORTS OF THE CHIEF FIRE OFFICER

119.1 Procurement Update Report

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

119.2 Firefighters Pay Claim 2024

Members received an update on the status of negotiations for the Grey Book pay claim for 2024.

**COUNCILLOR DAVID COUPE
CHAIR**