
CLEVELAND FIRE AUTHORITY

MINUTES OF AUDIT & GOVERNANCE COMMITTEE MEETING



10 NOVEMBER 2017

PRESENT:

CHAIR:-

Councillor Norah Cooney – Redcar & Cleveland Borough Council

HARTLEPOOL BOROUGH COUNCIL

Councillor Marjorie James

MIDDLESBROUGH COUNCIL

Councillor Teresa Higgins

REDCAR AND CLEVELAND BOROUGH COUNCIL

Councillor Neil Bendelow

STOCKTON ON TEES

Councillors Gillian Corr, Mick Stoker

INDEPENDENT PERSONS

Mr Mike Hill, Mr Steve Harwood

AUTHORISED OFFICERS

Chief Fire Officer, Treasurer, Legal Adviser & Monitoring Officer

MAZARS

Ross Woodley (Audit Manager)

IN ATTENDANCE

Head of Risk & Performance, Head of Finance

APOLOGIES

FOR ABSENCE:

Councillor Ray Martin-Wells – Hartlepool Borough Council

Councillor Naweed Hussain – Middlesbrough Council

Councillor Paul Kirton – Stockton on Tees Borough Council

Director of Corporate Services – Authorised Officer

60. DECLARATION OF MEMBERS INTERESTS

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

61. APPOINTMENT OF VICE CHAIR FOR THE ENSUING YEAR

The Chair sought nominations for the position of Vice Chair of the Audit & Governance Committee for 2017/18. Councillor Bendelow was subsequently proposed and seconded whereupon nominations were closed.

RESOLVED – that Councillor Bendelow be appointed Vice Chair of the Audit & Governance Committee for the ensuing year.

62. MINUTES OF THE AUDIT & GOVERNANCE COMMITTEE - 25 AUGUST 2017

The Legal Adviser and Monitoring Officer (LAMO) reported that at the meeting of Cleveland Fire Authority on 13 October 2017, Councillor James queried Minute No. 42 of the Audit & Governance Committee meeting on 25 August 2017. The LAMO had advised that the minutes could not be approved unless deemed accurate and suggested they be re-presented at this meeting for consideration.

62. **MINUTES OF THE AUDIT & GOVERNANCE COMMITTEE - 25 AUGUST 2017 cont.**
Councillor James said she did not feel the minutes fully encapsulated the extent of her discussion and consequently reflected negatively on her long standing support of Sprinkler Systems.

The LAMO suggested these minutes be further deferred and agreed to liaise with Councillor James on the wording to be used before re-presenting the minutes for consideration at the meeting on 23 February 2018.

RESOLVED – That the minutes of the Audit & Governance Committee meeting on 24 August 2017 be deferred pending discussions between the LAMO and Councillor James in relation to wording to be used in Minute No. 42 and re-presented to the Committee for consideration on 23 February 2018.

63. **REPORTS OF MAZARS**
63.1 **Audit Progress Report**

The Audit Manager (AM) presented the Audit Progress Report which covered the Conclusion of the 2016/17 Audit and the Planning of the 2017/18 Audit.

He focused on seven key National Publications and updates as detailed at pages 4 – 7 of the report. Mike Hill referred to Item 2 – Statutory Inspection of Avon Fire and Rescue Service (Home Office - July 2017) and asked what lessons had been learned from that inspection. The Chief Fire Officer (CFO) outlined the immediate consequences of the outcome of Avon's inspection and assured Members that this Authority was not in breach of its statutory duties.

The CFO updated Members on the proposed forthcoming inspection programme and reported that differences in governance arrangement between police and fire had already become apparent and it was hoped these would be addressed.

Steve Harwood referred to Item 5: The call for evidence for the Independent Review of Building Regulations and Fire Safety (DCLG and Home Office - September 2017) and asked if the CFO was concerned that Fire and Rescue Authorities and insurance company views could be outweighed by other views. The CFO reported that the NFCC were coordinating a response and lobbying for change and was confident this would have a positive impact.

Councillor Bendelow reported a call for the Government to make £1b available for sprinklers to be fitted in all high rise buildings. The CFO reported that from a professional point of view there is no doubt that every building over 5 storeys high should have sprinklers fit.

Councillor James said she would query the '5 storey' argument and said personally that she believed sprinklers should be installed in all buildings over 3 storeys high where an able bodied person would not be able to escape from a window without harming themselves.

Councillor James felt that applying the new regulations only to new builds in the social sector was deplorable and installing sprinklers in private sector new builds made the sale of these homes more viable and the additional cost would be negligible over the term of the mortgage.

63.1 Audit Progress Report continued

Furthermore, she added that sprinklers should also be a necessity at the point a building becomes a House in Multiple Occupation (HiMO) and reiterated that there had never been a fire death in accommodation fitted with sprinklers.

Mr Harwood highlighted additional aspects for consideration when updating regulations for industrial and commercial buildings to limit the level of damage incurred in the event of a fire and the impact this would have on how the business functions after the fire.

Councillor James noted that as a result of austerity there were fewer officers available to inspect buildings and a need for more enforcement rights to ensure developers adhere to building regulations.

Mr Hill referred to Item 6 - Cyber Security and Information Risk Governance for Audit Committees (National Audit Office, September 2017) and asked if further details would be available to the Audit & Governance Committee. The CFO confirmed that this issue would be reported to the full CFA and could also be considered by this committee.

RESOLVED – that the report be noted.

63.2 Annual Audit Letter 2016/17

The AM presented the Annual Audit Letter 2016/17 summarising the work undertaken for Cleveland Fire Authority for the year ended 31 March 2017. This included:

- Executive Summary
- Audit of the Financial Statements
- Value for Money Conclusion
- Other reporting responsibilities
- Fees

The AM referred Members to Future Challenges at Page 12 of the report and highlighted the financial pressures following the government's removal of the 1% pay cap and also the HMIC Inspection programme as some of the more challenging aspects the Authority faces in the coming year and offered additional support.

RECOMMENDED - that the report be noted.

64. REPORTS OF THE CHIEF FIRE OFFICER

64.1 Organisational Performance & Efficiency Report April – September 2017

The Head of Risk & Performance (HoRP) outlined the performance of the Brigade for the period 1 April 2017 to September 2017 which included:

- Total incidents attended 5,747 – 786 incidents fewer than the same period last year (12% reduction).
- Emergency Medical Response (EMR) Calls have reduced in 2017/18 by 70% (918 calls).
- Fire fatalities – there have been 3 incidents this year compared to 1 last year.
- Fire injuries – these have reduced from 8 incidents in 2016/17 to 6 incidents this year.

64.1 Organisational Performance & Efficiency Report April – September 2017 cont

- Accidental Dwelling Fires – 20% increase (relates to 14 more incidents than the previous year) which has cost the economy of Cleveland £2.125m so far this year. The Top 3 main causes are: Electrical – 21 incidents (25%), Careless Handling - 18 incidents (21%) and Cooking – 14 incidents (17%).
- The Brigade has offered 4482 Safe and Well Visits (since 1 April 2017) and 2545 Safe and Well Visits have been conducted with 155 referrals being made to Slips, Trips and Falls teams. In addition 395 interventions for additional support have been made as a result of the visits.
- The Bonfire Strategy ran from 27 October – 10 November 2017 and saw a slight increase in Deliberate Secondary Fires from 161 in 2016/17 to 167 incidents during this period.
- Response Standards – our target is 75% for all benchmarks. In 2017/18 the Brigade significantly exceeded these benchmarks in all cases the lowest one being 83%.
- Sickness Absence
 - Current performance 2.94 duty shifts per employee 30% lower than 2016/17
 - Staff sickness to date for 2017/18 has cost the Brigade £307.389. Main causes of sickness are Anxiety/Depression (33%), RAD/Asthma (14%) and Gastro-Intestinal (12%).

Councillor Higgins informed Members that a 'Belfast Pole' CCTV camera had been installed in her ward as a deterrent for fire setting and other anti- social behaviour and she hoped to see a positive impact on fire and crime statistics in the future.

Councillor James asked how many prosecutions had been made in relation to secondary fires. The CFO agreed to provide this information for Members. Councillor James suggested the prosecution of fire setters should be heavily publicised to act as a deterrent and felt that relying on local papers to cover the cases might not be the best way to get the message across to schools and youth groups.

Councillor James expressed concern that properties with wheelie bins kept close to external utility meters could be used to instigate an explosion close to UPVC windows which could ignite and lead to death.

Councillor Higgins reported that Thirteen Group had been proactive in her ward threatening to evict families of youngsters reported for anti-social behaviour. The CFO noted that it takes a multi-agency response to tackle these issues.

Councillor Bendelow highlighted that Grangetown and South Bank had the highest number of deliberate fires and asked if the Brigade had a strategy for tackling rubbish and fly tipping. The CFO reported that multi-agency meetings took place at a local level to address these issues. Councillor Bendelow was concerned by reports from residents groups that these incidents were dropping when clearly they were not. The CFO confirmed that there was an issue with how these incidents were reported and that deliberate small rubbish fires had only recently been recognised as a crime by police.

64.1 Organisational Performance & Efficiency Report April – September 2017 cont.
Councillor Stoker pointed out that Stockton Borough Council no longer offered a removal service for rubbish reported as a potential fire hazard and asked the CFO for support in having this service reinstated. Councillor James pointed out that at this time of year it was often difficult to establish whether rubbish had been dumped as part of an agreed bonfire. The CFO reported that Control were briefed on all organised displays in the Brigade area.

Councillor Higgins asked if there had been occasions where response times had been affected due to parked cars making access difficult. The CFO confirmed that there had been issues with bollards being in place which crews were unaware of and agreed to find out if parking had been an issue in the Longlands and Beechwood wards of Middlesbrough.

RECOMMENDED – that the report be noted

64.2 Annual Statement of Assurance 2016/17
Members scrutinised the Annual Statement of Assurance 2016/17 outlined at Appendix 1 of the report and containing details relating to financial, governance and operational matters. The CFO reported that this document is a statutory requirement produced in line with the requirements of the Fire and Rescue National Framework for England 2012.

RECOMMENDED – That the Executive Committee consider and approve the Annual Statement of Assurance 2016/17 at its meeting on 24 November 2017.

64.3 Review of the Corporate Risk Register – October 2017
Members considered the Corporate Risk Register which had been reviewed in October 2017 by the Active Risk Team as part of the Brigade's strategic planning process. The outcome of this review was detailed at Appendix 1 and the CFO highlighted the following changes:

Financial Pressures - these had also been identified as a significant risk by Mazars. The CIRMP 2018/19-2021/22 would address how this profile will be delivered against a resource base reduced by £2.6m.

General Data Protection Regulations - failure to comply may lead to severe financial penalties. The LAMO confirmed that training had already taken place with officers and a further training session would be arranged for Members ahead of the 28 May 2018 implementation date.

Mr Hill asked if there should be some risk analysis regarding the ageing workforce and changing health issues, specifically timings of retirement and whether early retirement could be considered to phase-in new recruits.

The CFO confirmed that the Audit & Governance Committee would have the opportunity to scrutinise the Medium Term Financial Planning and Workforce Strategy, which was aligned to the Brigade's 4 year CIRMP. He reported that offering early retirement was not a great financial benefit to firefighters and any enhanced payments would be ultra vires. He added that the Authority had always done everything to avoid redundancies.

64.3 Review of the Corporate Risk Register – October 2017 continued

RECOMMENDED:-

- (i) that the report be noted.**
- (ii) That the LAMO arranges General Data Protection Training for Members.**

64.4 Internal Audit Progress Report to 30 September 2017

The CFO summarised the progress on the recommendations contained within the Action Plans from Internal Audits carried out to date and listed the areas subject to Audit Review during the period 1 April – 30 September 2017.

RECOMMENDED – that the progress made to date contained within the Internal Auditor’s Actions Plans be noted.

64.5 Progress Against Revenue and Capital Budgets 2017/18

The Head of Finance (HoF) presented the current position as at 30 September 2017 and informed Members of the forecasted outturn position which showed a net underspend of £0.4m. He confirmed that the forecast outturn mainly reflects lower occupancy levels as a result of retirements not being replaced to facilitate the implementation of the CIRMP and assumes that the firefighters pay award will be in line with the budget provision.

Councillor James referred to page 3 of the report and queried what constituted an ‘acceptable’ tolerance level. The Treasurer outlined the complexities of varying budgets and the need for a degree of flexibility. The CFO confirmed that a strict regime was in place to vire money from one budget to another and the Director of Corporate Services and the Treasurer have the delegated power to sign off any transfer between budgets.

Councillor James reported that at Hartlepool Borough Council (HBC) officers were not allowed to transfer money between budgets without Members approval. The LAMO confirmed that there was a £100k maximum at HBC. The CFO gave assurances that the Authority had not overspent on the budget and that underspends were not always considered positive.

RECOMMENDED - that the position at 30 September 2017 be noted

65. REPORT OF THE LEGAL ADVISER AND MONITORING OFFICER

65.1 Business Report – Consultation on Proposed Disqualification Criteria for Councillors and Mayors

The LAMO reported that this committee had previously received a report relating to Saddleworth Parish Council’s call for the resignation of one of its Members following a conviction for downloading indecent images.

The LAMO referred Members to the current Disqualification Criteria at section 3 of the report and outlined the Proposed Disqualification Criteria at section 4.

65.1 Business Report – Consultation on Proposed Disqualification Criteria for Councillors and Mayors continued

Councillor Higgins said she felt the criteria was too stringent and did not agree with civil injunctions being included. Councillor James agreed and questioned why Councillors and Mayors had been picked out for special treatment when Police & Crime Commissioners and Councillors within the City of London Council were exempt and argued that all those involved in legal issues should be included.

Mr Hill agreed with Members' comments and added that the whole process was flawed and needed to be collated into a single all-encompassing document about standards that affects every civil servant. Mr Harwood fully endorsed all comments made by Members.

Councillor James suggested that if a consultation was to take place it needed to be even handed and not exempt certain groups. She suggested a response be made on behalf of the Authority outlining Members' views that the proposed Disqualification Criteria was selective. The LAMO agreed to draft a response and circulate to Members before the 8 December 2017 deadline.

RESOLVED:-

- (i) **That delegated authority be given to the LAMO (in consultation with the Chair and Vice Chair of the Audit & Governance Committee) to provide a response before 8 December 2017.**

66. ANY OTHER BUSINESS

- 66.1** Councillor Stoker advised Members that he had been appointed as an LGA Fire Commission representative and would be available to substitute for Councillor Brunton-Dobson should she not be able to attend the meetings. Councillor Stoker confirmed that he would pay for his own expenses should he choose to attend LGA Fire Commission meetings other than as a substitute for Councillor Brunton-Dobson.

**COUNCILLOR NORAH COONEY
CHAIR**