
CLEVELAND FIRE AUTHORITY

MINUTES OF EXECUTIVE COMMITTEE MEETING

23 NOVEMBER 2018



PRESENT:

CHAIR
Councillor Jan Brunton Dobson - Middlesbrough Council

HARTLEPOOL BOROUGH COUNCIL
Councillor Rob Cook

MIDDLESBROUGH COUNCIL
Councillor Tom Mawston

REDCAR & CLEVELAND BOROUGH COUNCIL
Councillors Mary Ovens, Ray Goddard

STOCKTON ON TEES BOROUGH COUNCIL
Councillors Jean O'Donnell, William Woodhead

AUTHORISED OFFICERS
Chief Fire Officer, Director of Corporate Services, Legal Adviser & Monitoring Officer, Treasurer

BRIGADE OFFICERS
Martin Miley – Station Manager (observing)

65. DECLARATION OF MEMBERS INTERESTS

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

66. MINUTES

RESOLVED - that the Minutes of the Executive Committee on 28 September 2018 be confirmed.

67. REPORTS OF THE CHIEF FIRE OFFICER

67.1 Annual Statement of Assurance 2017-18

The Chief Fire Officer (CFO) informed Members that the Annual Statement of Assurance 2017-18 was a statutory requirement produced in line with the requirements of the Fire and Rescue National Framework for England 2012. He referred Members to Appendix 1 which outlined:

- Operational Assurance
- Financial Assurance
- Corporate Governance
- Performance

The CFO noted that the Audit & Governance Committee had scrutinised this report at its meeting on 9 November 2018. Councillor Cook commended the Brigade for providing excellent value for money for the people of Cleveland.

RESOLVED - That the Annual Statement of Assurance 2017/18 be approved.

67.2 Risk Management Framework

The CFO informed Members that that Authority's Risk Management Framework had been reviewed by the Head of Risk & Performance to take into account the following key changes:-

- The approval of the CIRMP 2018/22 and associated proposals
- The adoption of new strategic goals and associated objectives and outcomes
- The revised National Fire and Rescue Framework for England 2018

He referred Members to the Risk Management Policy at Appendix 1 and highlighted that as a result of the review this now contains a revised suite of Strategic Goals, Objectives and Outcomes that were approved in the Community Risk Management Plan 2018/22. The policy also reflects the requirements detailed in the new National Framework.

The CFO reported that the Brigade's main risk management activities are summarised within the Risk Management Framework at Appendix 2 and Appendix 3 which details all the risk management activities being undertaken throughout the organisation and demonstrates how the main components have been developed.

He confirmed that the documents contained within the appendices have been Equality Impact Assessed and no issues had been identified. The Chair thanked the Director of Corporate Services (DCS) and her team for the comprehensive report.

RESOLVED:-

- (i) That the Risk Management Policy attached at Appendix 1 be approved.**
- (ii) That the Risk Management Framework attached at Appendix 2 be noted.**

67.3 Community Risk Profile 2018

The CFO reported that it is a requirement of the National Framework for England (2018) that all Fire and Rescue Authorities 'identify and assess the full range of foreseeable fire and rescue related risks their area faces'. As the Brigade area faces a complex risk profile the Community Risk Profile is reviewed and refreshed annually to ensure it reflects the most current risks facing the area.

The CFO referred Members to section 4 of the report which summarises the risk assessments carried out in the following areas: built environment, transport infrastructure, industry, neighbourhoods and environment, national resilience and community health & wellbeing. He highlighted the single page Community Risk Profile outlining the main components at Appendix 2.

The Chair commended the report and noted that it contained a wealth of information that could be utilised by Members within their own wards. She noted the number of Road Traffic Collisions (RTCs) and asked if there was a breakdown of where they occur. The CFO reported that there were certain blackspots and that the Brigade works closely with other agencies to address this risk.

67.3 Community Risk Profile 2018 cont.

Councillor Ovens highlighted the reference to dwellings in Port Clarence and Lazenby being in close proximity to high hazard industries and asked if the profile changes as more houses are built. The CFO confirmed that this has always been a key risk factor for the Brigade.

Councillor Cook praised the one page summary at Appendix 2 for consolidating the key components of the full report. He added that he found some of the figures alarming and considering the level of risk the Brigade does a very good job under extenuating circumstances. The CFO reported that 29% of the population of Cleveland is classed as disabled or living with a long term illness and there was a close relationship between fire and socio economic deprivation.

Councillor Woodhead asked how attacks on firefighters affected the risk. The CFO confirmed that on the night the Brigade was featured on a local news report about violence to staff, two firefighters were attacked. He confirmed these attacks were carried out by children out of control while adults watched on and measures have been adopted, including CCTV and Body Worn Cameras to mitigate this risk.

Councillor Cook asked if violence towards firefighters was as prevalent in other areas. The CFO confirmed it was a mixed picture with Cleveland and some of the metropolitan fire and rescue services being most affected.

RESOLVED – that the Community Risk Profile at Appendix 1 be noted.

67.4 Values and Behaviours

The DCS presented the Brigade's Values and Behaviours Framework as detailed at Appendix 1. She reported that the Authority's values are currently established around the acronym PRIDE and are generally support by the personal, qualities and attributes (PQAs) that were developed at national level. The PQAs are being removed to allow Brigades to develop their own set of behaviours and in addition a new leadership model is being developed at national level.

As a result the Authority decided that work should be undertaken in 2018/19 to ensure that staff were clear on the behaviours expected of them working for Cleveland Fire Brigade.

The DCS confirmed that a priority had been set to look at values and behaviours and following the completion of a number of projects over the past 12 months a new suite of behaviours has been produced by the Equality, Diversity and Inclusion Forum (EDIF) which were still based around PRIDE but with the 'D' now standing for Doing the Right Thing – being Professional.

Councillor Cook commended the continued use of PRIDE and supported the minor changes. Councillor Ovens praised the Brigade for its engagement with a local school's remembrance assembly.

RESOLVED - That the Brigade's Values and Behaviours Framework at Appendix 1 be approved.

67.5 Anti-Bullying and Harassment Policy & Procedure

The DCS reported that the Anti-Bullying and Harassment Policy and Procedure had been updated as part of a wider project to review the Authority's current policy and procedures in line with PRIDE values.

The DCS referred Members to the policy statement contained at section 1 of the revised policy and procedure at Appendix A. This detailed the Authority's commitment to ensuring a workplace that recognises that bullying and harassment is unlawful and that allegations are investigated and managed appropriately with support available were required.

RESOLVED – that the Anti-Bullying and Harassment Policy & Procedure, specifically the policy statement contained within Section 1 of Appendix A, be approved.

67.6 Grievance Policy & Procedure

The DCS updated Members on the changes to the Grievance Policy and Procedure which had been carried out as part of a wider project to review the Authority's current policy and procedures in line with PRIDE values.

The DCS referred Members to the policy statement contained at section 1 of the revised policy and procedure at Appendix A. This detailed the Authority's commitment to providing a framework to enable staff to raise any issue or concern with trust and confidence without fear of discrimination, harassment or victimisation. It addition it related to the management of concerns, problems or complaints with the aim of achieving an appropriate resolution fairly, promptly and consistently.

RESOLVED – that the Grievance Policy & Procedure, and specifically the policy statement contained within section 1 of Appendix 1, be approved.

67.7 Disciplinary Policy & Procedure

The DCS informed Members that the Discipline Policy and Procedure had been updated as part of a wider project to review the Authority's current policy and procedures in line with PRIDE values.

The DCS referred Members to the policy statement contained at section 1 of the revised policy and procedure at Appendix A. This detailed the Authority's commitment to maintaining satisfactory standards with regards to conduct, attendance and performance. In addition it makes a commitment to deal with any disciplinary issues in a transparent, fair and consistent manner.

The DCS confirmed that this policy and procedure was currently with the Trade Unions for comment and would require a review of the Scheme of Delegation which was considered by the LAMO at minute no 68.1. The CFO confirmed that the final appeal in relation to any dismissal would continue be taken by the Authority.

Councillor Cook asked if all firefighters have to sign the Disciplinary Policy document. The DCS confirmed that they sign a contract of employment which covers the Disciplinary Policy.

67.7 Disciplinary Policy & Procedure cont.

Councillor Ovens asked about levels of bullying and harassment in the Brigade. The CFO confirmed that grievance cases were regularly reported and currently there was no trend for high incidents. The DCS added that all grievances are dealt with following ACAS guidance which is to achieve an outcome as soon as possible.

RESOLVED – that the Discipline Policy & Procedure, specifically the Policy Statement, contained at section 1 of Appendix A, be approved.

67.8 CIRMP 2018/19 – Progress Report

The CFO provided Members with an update on the progress of the implementation of the CIRMP 2018-22 in relation to the priorities detailed within the Authority's Service Plan 2018/19.

He referred Members to the Corporate Internal Operating Plan 2018/19 at Appendix 1 which sets out both the strategic priorities and high level directorate priorities for 2018/19, and highlighted the following priorities:-

SSC2.2 - Implement Staffing arrangements to ensure the availability of 18 fire appliances – the Brigade is currently in discussion with the FBU. Awaiting final sign off.

UOR8 - Review the outcomes of the national and local emergency medical responder project evaluations and determine the future of the scheme in Teesside. Still awaiting outcomes from the government on the broadening role of firefighters. The Brigade continues to deliver this service to East Cleveland.

UOR10.4 - Ensure audit of Information Governance Framework and compliance with GDPR – this audit is currently being undertaken by Hartlepool Borough Council.

UOR11 - Conduct a review of the recruitment, pay and contracts; and availability of retained duty system firefighters. A priority piece of work is well underway. Data from 2017/18 confirmed that three retained appliances are off the run every day between 9am and 5pm. Currently evaluating a way forward, to be established by the end of the financial year.

UOR12 - Develop a draft Police and Fire Prevention Strategy. Scope of Project is currently being developed.

UOR14 - Identify potential options to develop partnership arrangements for shared training and delivery options. Currently exploring how fire and police can enhance opportunities for training and development to ensure they are in the best position to deal with a major incident.

UOR18a - Complete New Complex on Queen's Meadow Business Park Training Unit – currently awaiting a review of the Asset Management Plan before proceeding to procurement of final aspects.

RESOLVED - That the progress of the corporate priorities set out in the Community Integrated Risk Management Plan 2018-22 and on the directorate priorities, as agreed by the Chief Fire Officer for progression within the Appendix 1, be noted.

67.9 Procurement Strategy

Members considered the Procurement Strategy which had been reviewed in line with the Authority's Policy Framework arrangements and updated to reflect changes including a revised organisational structure, Modern Slavery Act 2018, Public Contract Regulations, Transparency Code, Police and Crime Act and the National Framework for Fire and Rescue Authorities 2018.

The DCS referred Members to the Strategy at Appendix 1 and outlined the Procurement Objectives 2018-22 which were collaboration, positive procurement power, transparency, value for money and compliance.

She confirmed that the strategy sets out a clear framework to achieve compliant procurement which reflects the national agenda and is also aligned with the Authority's corporate plan and Contract Procedure Rules and Delegation Scheme.

RESOLVED – that the revised Procurement Strategy at Appendix 1 be noted.

67.10 Training & Education Strategy

Members considered the Training and Education Strategy which had been developed as one of the underpinning themes of the People Strategy.

The CFO referred Members to the Statement of Intent contained within the Strategy at Appendix 1 which outlines the Authority's key leadership role in promoting training, education and continuous professional development for all staff regardless of their role or conditions of service to achieve the strategic outcome: 'a competent and trained workforce'.

The CFO detailed the outcomes at section 3 of the Strategy and noted that the Strategy would be implemented through the Action Plan set out over pages 16 – 20 of the report. He confirmed that this Strategy had been considered by the FBU and Unison and no issues had reported.

RESOLVED:-

- (i) That the Training and Education Strategy attached at Appendix 1 be noted.**
- (ii) Members noted that the Strategy will be implemented through the Action Plan set out at pages 16 – 20 of the Strategy.**

68. REPORTS OF THE LEGAL ADVISER AND MONITORING OFFICER

68.1 Review of Delegation Scheme

The Legal Adviser and Monitoring Officer informed Members that he had undertaken a review of the Authority's Delegation Scheme in conjunction with the Treasurer, the Chief Fire Officer and the Director of Corporate Services to ensure the scheme:

- reflected the delegated powers of the Authority's Committees and its Officers
- reflected any new roles and responsibilities of Officers agreed during the year 2018/19
- reflected any new legislation that has emerged during 2018/19
- reflected more general than specific details of powers

68.1 Review of Delegation Scheme cont.

- outlines a distinction between 'delegated officer' (i.e. responsible officer) and 'authorised officer' (i.e. person who is authorised by the delegated officer to use the power)

The LAMO referred Members to Appendix A of the report which highlighted the changes for consideration.

RECOMMENDED:-

- (i) **That the recommendations emanating from the work that has been undertaken to date by the Legal Adviser, Treasurer, Chief Fire Officer and Director of Corporate Services on a review of the Authority's Delegation Scheme, as outlined in Appendix A, be noted.**
- (ii) **That the revised Delegation Scheme at Appendix A be approved by the Fire Authority on 14 December 2018.**

68.2 Contract Procedure Rules

The LAMO reported that a review of the Contract Procedure Rules had been undertaken in line with the Authority's Policy Framework arrangements taking account of changing legislation and in order to strengthen the Authority's corporate governance arrangements.

The LAMO reported that the Contract Procedure Rules had last been reviewed in 2014 and the need to review them was also recognised in a recent internal audit. He referred Members to Appendix A and outlined the key changes and additions.

RECOMMENDED - That the adoption of the revised Contract Procedure Rules, as attached at Appendix A, be approved by the Fire Authority on 14 December 2018.

68.3 Gap Analysis Against the Statutory Inspection of Avon Fire & Rescue Authority

The LAMO informed Members that following the Statutory Inspection of Avon Fire & Rescue Authority which concluded that the organisation was failing to comply with its Section 3 duties in the areas of governance, leadership and culture, he had produced a gap analysis against the published report.

He reported that the Inspection Report had highlighted 'poor decisions' which led to personal benefit of certain individuals 'who were not properly scrutinised' by Members. It also noted identifiable failings in leadership and culture and notably that the Service Management Board had seen 'rifts' which led to expensive exits and disharmony.

The LAMO referred Members to the Gap Analysis at section 5 of the report which outlined the arrangements Cleveland Fire Authority has in place for each of the areas highlighted by the inspection on Avon.

The Chair thanked the LAMO for the report and noted that it proves how well the Authority scrutinises and challenges but also supports Members and the workforce.

RESOLVED – That the report be noted.

69. LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION ORDER) 2006

RESOLVED "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 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 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."

70. CONFIDENTIAL MINUTES

RESOLVED - that the Confidential Minutes of the Executive Committee held on 28 September 2018 be confirmed.

71. CONFIDENTIAL REPORTS OF THE CHIEF FIRE OFFICER

71.1 Green Book Pay Scales 2019/20

Members considered a report outlining revised pay scales for Green Book staff.

71.2 Procurement Progress Report

Members received details relating to contract letting procedures and exemptions to contract procure rules.

**COUNCILLOR JAN BRUNTON DOBSON
CHAIR**