ROYAL BERKSHIRE FIRE AUTHORITY

Headquarters · 103 Dee Road · Tilehurst · Reading · Berkshire · RG30 4FS
Telephone Reading (0118) 945 2888 Facsimile (0118) 959 0510

Your reference:

My reference: RBFA/DRW
(please quote on all correspondence)

When calling ask for: David R Weller
Direct Line: (0118) 932 2288

Date: 30 June 1999

Dear Member

AGENDA FOR MEETING OF ROYAL BERKSHIRE FIRE AUTHORITY

I have pleasure in attaching your Agenda for the meeting of the Royal Berkshire Fire Authority to be held on Wednesday 7 July 1999 in the Council Chamber at Reading Borough Council, Civic Centre, Reading. A light buffet will be provided in the Council Chamber from 6.00pm onwards.

The Civic Centre is situated adjacent to the Butts Centre and Hexagon Theatre in Reading Town Centre as shown on the location plan reproduced overleaf. Members are advised that they should park in the Multi-Storey car park (marked "X" on the plan). Access to the car park is from Castle Hill or the Reading IDR.

Yours sincerely

David R Weller
Committee Administrator

To: All Members of the Royal Berkshire Fire Authority

ROYAL BERKSHIRE FIRE AUTHORITY

Headquarters · 103 Dee Road · Tilehurst · Reading · Berkshire · RG30 4FS
Telephone Reading (0118) 945 2888 Facsimile (0118) 959 0510

MEETING:	**Royal Berkshire Fire Authority**
DATE AND TIME:	**Wednesday 7 July 1999 at 6.30pm**
VENUE:	**Council Chamber, Reading Borough Council, Civic Centre, Reading Berkshire**

NOTICE OF MEETING

You are requested to attend the above meeting at the time and date indicated, when it is proposed to deal with the business set out in the attached Agenda.

D C H Williams
Clerk to the Authority

To: MEMBERS OF THE ROYAL BERKSHIRE FIRE AUTHORITY
D Ball, P A Barnett, Mrs C Bateson, J C G Brooks, R J Day,
T P Dredge, J M B Egan, B W Gardner, E E Herbert, Mrs V Howes,
A Gregory, A B V P Hickley, D W Liddiard, T Mills, J Morris,
J Orton, T O'Flynn, B J S Patman, K Peak, A W Spratling, T N Stephens,
R Turner, R G Vernon-Jackson, D A Veakins R J Webb

Briefing Meetings:

Conservative Group:	6.00pm - Committee Room 3
Labour Group:	6.00pm - Committee Room 4
Liberal Democrat Group:	6.00pm -Committee Room 2

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For Further Information regarding this meeting, please contact:
David R Weller (0118) 932 2288

ROYAL BERKSHIRE FIRE AUTHORITY

WEDNESDAY 7 JULY 1999

AGENDA

PART I AGENDA

PAGE NO.

CONSTITUTIONAL ITEMS

ITEMS FOR RESOLUTION

ITEMS FOR INFORMATION

PART II AGENDA - CONFIDENTIAL

AGENDA ITEM 3: **MEMBERSHIP OF THE ROYAL BERKSHIRE FIRE AUTHORITY**

To: **Royal Berkshire Fire Authority**
Date: **7 July 1999**
Officer Contributing: **Clerk & Monitoring Officer**

A PURPOSE OF REPORT

To advise Members of changes in the representative membership of the Fire Authority.

B PROPOSED ACTION

The Authority is invited to NOTE the report.

C FINANCIAL IMPLICATIONS

There are no financial implications.

D SUPPORTING INFORMATION

1 The Fire Authority has been notified of the following changes in the representative members of the Constituent Councils:

Slough Borough Council

Councillor E E Herbert replacing Councillor J J Connolly

Reading Borough Councillor

Councillor K Peak replacing Councillor Dr L Silverman
Councillor J Orton replacing Councillor C J Goodall

Royal Borough of Windsor and Maidenhead

Councillor Mrs V Howes replacing Councillor Mrs M R Gliksten
Councillor T O'Flynn replacing Councillor Mrs K Newbound

E BACKGROUND PAPERS

Confirmation from Slough Borough Council, Reading Borough Council and Royal Borough of Windsor and Maidenhead

Contact Officer: David R Weller (0118) 932 2288

AGENDA ITEM 4: MINUTES: 3 FEBRUARY 1999

MINUTES OF A MEETING OF THE ROYAL BERKSHIRE FIRE AUTHORITY HELD AT THE FRANK HUTCHINGS MEMORIAL HALL, BRADLEY MOORE SQUARE, HARTS HILL ROAD, THATCHAM ON WEDNESDAY 3 FEBRUARY 1999 COMMENCING AT 6.30PM AND CONCLUDED AT 8.52PM.

Present: **J C G Brooks (Chairman), B J S Patman (Vice-Chairman), D Ball, P A Barnett, Mrs C Bateson, J J Connolly, R J Day, J M B Egan, C J Goodall, B W Gardner, A Gregory, A B V P Hickley, Mrs K Newbound, T N Stephens, D A Veakins, R J Webb**

Apologies: **T P Dredge, Mrs M R Gliksten, D W Liddiard, T Mills, Dr L Silverman, A W Spratling**

1.01/99 CHAIRMAN'S COMMENTS

David Wallace, Director of Human Resources

The Chairman introduced David Wallace the recently appointed Director of Human Resources and welcomed him to the meeting.

Assistant Chief Fire Officer John Head

The Chairman referred to the fact that this was to be John Head's last meeting as he was retiring from the Brigade after 31 years service. On behalf of Members of the Fire Authority he placed on record his sincere thanks to John for his dedicated service and all his hard work for and on behalf of the Brigade and wished him every happiness for the future.

1.02/99 MINUTES: 8 AND 17 DECEMBER 1998

The Minutes of the Fire Authority meeting held on Tuesday 8 December and the Extraordinary meeting held on Thursday 17 December 1998, having been previously circulated, were taken as read and signed by the Chairman as a correct record subject to the following amendment:

Extraordinary Meeting - Thursday 17 December 1998

In list of those present insert:- "A Gregory"

1.03/99 MINUTES OF THE BUDGET WORKING PARTY

The Authority was advised (Agenda item 2 - not reproduced) of the Budget Working Party meetings that had taken place on Wednesday 11 November and Tuesday 8 December 1998.

NOTED

1.04/99 CHANGE OF DATE AND VENUE FOR FIRE AUTHORITY MEETING IN JUNE AND DATES/VENUES FOR FUTURE MEETINGS OF THE FIRE AUTHORITY

The Authority's approval was sought to a change of date and venue for the Fire Authority meeting in June together with dates/venues for future meetings of the Fire Authority.

RESOLVED: That:

1 The Fire Authority meeting scheduled to take place on Wednesday 9 June 1999 be postponed and rearranged for Wednesday 23 June 1999 to be held at Reading Borough Council or, if not available, at Whitley Wood Fire Station commencing at 6.30pm.

2 Subject to availability future meetings of the Fire Authority be held on the following dates and at the venues indicated commencing at 6.30pm:

Wednesday 15 September 1999 at Reading Borough Council
Wednesday 15 December 1999 at Reading Borough Council
Wednesday 15 March 2000 at Reading Borough Council
Wednesday 14 June 2000 at Wokingham District Council

3 In the event that meeting facilities are not available at the venues referred to in Resolution 2 above then the Clerk and Monitoring Officer/Committee Administrator, in consultation with the Chairman, be authorised to find alternative accommodation

1.05/99 PETITIONS AND QUESTIONS FROM THE PUBLIC

The Authority noted that no petitions or questions had been received from the public under Standing Orders 8 and 9.

1.06/99 CHAIRMAN'S COMMUNICATIONS

The Chairman had nothing further to report.

1.07/99 QUESTIONS FROM MEMBERS

The Authority noted that no questions had been received from Members under Standing Order 10.

1.08/99 NOTICES OF MOTION

The Authority noted that no Notices of Motion had been received from Members under Standing Order 12.

1.09/99 THE CONSTITUTIONAL POSITION OF THE AUTHORITY WITH PARTICULAR REFERENCE TO THE SSA REGIME

Members were requested (Agenda item 8 - not reproduced) to review the Authority's status having regard to possible changes to the SSA regime and to decide whether they wished to make representations to the Secretary of State.

In considering the report which summarised the background to the establishment of the Combined Fire Authority (CFA) Members were advised that representations had recently been made by several Unitary Councils that CFA's should become free standing Authorities, akin to Fire, Civil Defence and Waste Regulation Authorities in metropolitan areas.

The Chief Executive of the Royal Borough of Windsor and Maidenhead had received a response to his Authority's representations which made it clear that the Government were not proposing to make any changes to the present constitutional position, although the Government had stated that the SSA regime was to be reviewed. It was clear therefore that they were making slow progress and there would be no changes for the next two years. In the meantime Brigades were considering ways of collaboration, so as to achieve economies of scale, which, if successful, would weaken the case for regionalisation.

Officers were of the opinion therefore that further representations to secure enhanced status were very unlikely to be successful. At some later stage the Government would consult on revisions to the SSA regime and it was conceivable that changes to that regime would be connected to a regionalisation programme for emergency services.

Members therefore agreed to note the current position as set out in the report but requested that progress reports be presented to future meetings of the Authority.

NOTED

1.10/99 ROYAL BERKSHIRE FIRE CADET SCHEME

The Authority was advised (Agenda item 9 - not reproduced) of the intention to seek to implement a scheme, on a pilot basis, as part of the Young Firefighters' Association and approval was sought to the scheme in principle.

The Royal Berkshire Fire Cadets was a scheme intended for young people to enable them to work, develop and "have fun", whilst contributing to society in conjunction with the Fire Service. This scheme would enable the Brigade to contribute further as a caring organisation working within the community and its intention was to improve communications and relationships with the community whilst providing positive role models for local youth.

There were no financial implications for the Brigade in either the setting up or running of units as these costs would be covered through sponsorship or could be met through each unit's own fund raising activities. If Members were minded to approve the scheme in principle, Officers would seek to obtain sponsorship to develop a pilot unit attached to a fire station, where the scheme might prove most beneficial to youth in the community.

Councillor Egan in welcoming this initiative suggested that Bracknell Forest Borough. Council (BFBC) would be willing to discuss the development of a pilot unit in their area. In thanking Councillor Egan for his offer the Chief Fire Officer confirmed that officer level discussions with BFBC would take place on the establishment of a pilot scheme whilst continuing dialogue with the other Unitary Authorities. Progress reports would be presented to future meetings of the Authority.

RESOLVED: That:

1 The scheme be approved in principle and Officers be requested to discuss the development of a pilot unit in the BFBC area.

2 Dialogue continue with the other Unitary Authorities on the establishment of similar units in their areas and that progress reports be made to future meetings of the Authority.

1.11/99 BORROWING LIMITS FOR 1999/2000

The Authority was requested (Agenda item 10 - not reproduced), in accordance with its statutory duty, to determine its overall borrowing limits together with the limit on the proportion of total interest payable at a variable rate.

Borrowing for capital purposes was limited to the Authority's basic credit approvals plus any supplementary credit approvals which may be granted by the Home Office during the year. The total credit approvals received for 1998/99 and 1999/2000 stands at £797,000. The Berkshire Fire Services (Combination Scheme) Order 1997 provides that contributions from the constituent authorities shall be at all times sufficient to enable the financial obligations of the Authority to be met. The Treasurer advised Members that if the Authority were unable to adhere to the resolution as agreed then amended resolutions would be presented to future meetings of the Authority for consideration and approval.

RESOLVED: That the following determinations be made for 1999/2000:

(a) An overall borrowing limit of £1,297,000;
(b) A short term borrowing limit of £894,000;
(c) A maximum limit of 65% of total interest paid, being on variable rate loans.

1.12/99 1999/2000 CONTRIBUTIONS TO THE COMBINED FIRE SERVICE FUND

The Authority were requested (Agenda item 11 - not reproduced) to fix the contributions to be made by each constituent authority to the Combined Fire Service Fund for 1999/2000 as set out in Appendix A (not reproduced), in accordance with Part IV of the Berkshire Fire Services (Combination Scheme) Order 1997 presented in Appendix B (not reproduced).

RESOLVED: That the contribution to be made by each constituent authority together with the instalment payments as set out in Appendix A (not reproduced) be approved.

1.13/99 TREASURY MANAGEMENT POLICY AND STRATEGY 1999/2000

The Authority's approval was sought (Agenda item 12 - not reproduced) to its Treasury Policy Statement and Strategy Statement for 1999/2000 prepared in accordance with the Code which required the CFA to formulate and approve a

Treasury Policy Statement, an Annual Treasury Strategy Statement and an Annual Treasury Report.

In considering the Treasury Policy Statement and Treasury Strategy Statement, presented as an Appendix (not reproduced), the Treasurer drew Members' attention to paragraph 2 of the report (not reproduced) which set out the minor amendments that had been incorporated in the Treasury Policy Statement together with the following additional amendments to paragraph 7.1 (Policy on External Managers):

In first bullet point delete "reserves or"
Add at end of second bullet point:- "and of limited resources and provisions"

In paragraph 4.2 of the Treasury Strategy Statement Members were requested to insert the word "opportunity" at the end of the sentence.

In supporting the Policy and Strategy Statements as amended Members were of the opinion that reference to the Authority's commitment to Best Value should be included in the Policy Statement and requested the Treasurer to produce the appropriate amendment for recording in the Minutes.

RESOLVED: That the proposed Treasury Policy Statement and Strategy Statement for 1999/2000 (as amended) be approved and actioned accordingly subject to the inclusion of the following additional paragraph in the Policy Statement:

"8.8 The principles of Best Value will be followed as appropriate."

1.14/99 PROVISION OF SUPPORT SERVICES

The Authority's direction was sought (Agenda item 13 - not reproduced) on support services to the Royal Berkshire Fire and Rescue Service in accordance with the provisions of the Combination Scheme Order, which precludes the necessity for the Authority to seek tenders and quotations..

At various meetings in 1997 the former Fire Joint Committee received reports on the provision of support services previously provided by the County Council's central departments. At that stage the constituent councils were reluctant to take on the Fire Service's support services due to the additional workloads and disruption arising from Local Government Reorganisation. It was therefore agreed that the most important services would be provided by either Reading Borough Council or by extending the existing County Council contracts in respect of financial services, Internal Audit, building services, estates management and legal services.

The current arrangements would terminate on 31 March 2000 and it was suggested that it may be prudent to ask constituent councils whether they would be in a position

by the end of March 2000 to provide any of the services before the Brigade commits too much of its limited resources on this project.

RESOLVED: That the Chief Fire Officer be authorised to approach the constituent councils and enquire whether, by the end of March 2000, they would be in a position to provide any of the Brigade's support services as identified in the report, and present progress reports to future meetings of the Fire Authority.

1.15/99 IMPROVING LOCAL SERVICES THROUGH BEST VALUE

The Authority received a report (Agenda item 14 - not reproduced) on the progress being made on implementing "Best Value" initiatives and approval was sought to the Authority's Service Objectives and Priorities.

In accordance with the Outline Project Plan and Methodology as approved at the last meeting Members received a brief presentation on the main issues facing the Authority. Following the presentation Members were given the opportunity of asking questions.

The recently published Local Government Bill requires the Fire Authority to identify its strategic objectives and to establish performance measures. Once the latter had been established officers would be able to develop Performance Standards, Targets and Indicators. Officers had however developed a broad objective, together with six Service Priorities (performance measures) and these were presented in Appendix A (not reproduced) for Members approval.

Officers were currently working on developing relevant Performance Standards, Targets and Indicators for each of the Draft Measures and would report back to a future meeting of the Fire Authority.

RESOLVED: That the Service Objectives and Priorities as set out in Appendix A (not reproduced) be adopted and a further report be presented to a future meeting of the Fire Authority.

1.16/99 FIVE YEAR STRATEGIC PLAN

The Authority's approval was sought (Agenda item 15 - not reproduced) to the commencement of a medium to long term strategic planning process within the Brigade.

Given the many significant national issues likely to impact upon the Service over the next few years and the financial situation being faced locally, the Chief Fire Officer was of the opinion that a longer term view was essential if the Authority were to plan

effectively for the future. Therefore during the recent budget setting exercise, the Chief Fire Officer introduced a proposal to commence a five year strategic planning process. This was considered by the Budget Working Party at its meeting on Tuesday 8 December 1998 who resolved that the Chief Fire Officer present a report on this matter to the Authority in February 1999. Members attention was drawn to Appendix A (not reproduced) which set out the initial proposals that would enable the process to commence.

The Chief Fire Officer advised Members that in view of the many and significant existing and future pressures facing the Brigade it was anticipated that the five year plan soon develop into a ten year plan. It was unlikely during this initial stage of the Plan that any substantial cost savings would be identified. However, as the process developed, any potential cost savings identified would be presented to Members for consideration and ratification. He also confirmed that it was his intention to produce the Plan in a more user friendly format for future meetings.

In supporting the commencement of a medium to long term strategic planning process Members requested the Chief Fire Officer to present a report to the Authority at its meeting in June 1999 detailing the reporting mechanism to be introduced.

RESOLVED: That:

1 The Chief Fire Officer be asked to commence the suggested strategic planning process;

2 The issues identified within the Draft Plan be adopted as the initial focus for the exercise;

3 Regular progress reports be presented to future meetings of the Fire Authority;

4 The Chief Fire Officer be requested to present a report to the Authority at its meeting in June 1999 detailing the reporting mechanism to be introduced.

1.17/99 REDUCTION OF UNWANTED FIRE SIGNALS

The Authority was advised (Agenda item 16 - not reproduced) of the measures being taken to reduce the number of unwanted fire signals (false alarms) generated to the Brigade from automatic fire direction systems.

NOTED

1.18/99 HOAX CALLS TO THE BRIGADE

The Authority was advised (Agenda item 17 - not reproduced) of the methodology adopted to reduce the number of hoax calls it receives.

The Brigade currently receives approximately 1000 hoax calls per annum which represents about 7% of all incidents attended and recognises that deliberate false alarm calls are an unfair and unwelcome use of its resources. It has therefore adopted a false alarm call policy aimed at reducing the nuisance and financial burden of hoax calls. The Brigade were therefore introducing a Pro-Active and Re-Active Approach to combat the number of hoax calls

It was not the intention of the Brigade to stop attending suspected hoax calls whether incomplete or otherwise but where a hoax call was suspected, a reduced attendance may be mobilised.

NOTED

1.19/99 THE LOCAL GOVERNMENT BILL

The Authority was advised (Agenda item 18 - not reproduced) of the content of the Local Government Bill with particular reference to Best Value and the implications of the Bill for the Authority. In noting the contents of the report Members were advised that progress reports would be presented to future meetings of the Authority.

NOTED

1.20/99 CULTURE AND ORGANISATION REVIEW PROJECT (CORP) OF HM FIRE SERVICE INSPECTORATE

The Authority was advised (Agenda item 19 - not reproduced) of a proposed restructuring of the role of Her Majesty's Fire Service Inspectorate which proposed significant changes to the way in which future inspections would be handled. In noting the contents of the report Members were advised that the first Performance Review Inspection was scheduled to take place in January 2000 and progress reports would be presented to future meetings of the Authority.

NOTED

1.21/99 BUSINESS PRIORITIES 1998/99

The Authority received a report (Agenda item 20 - not reproduced) on the progress being made against the Brigade's Strategic Objectives for 1998/99 as presented to the Fire Authority at its meeting in June 1998.

The Chief Fire Officer had refined the Strategic Objectives into a number of officer targets against which progress could be monitored and these were set out in Appendix 1 (not reproduced). In response to a request from Members the Chief Fire Officer agreed to include the name of the Lead Officer in future reports.

NOTED

1.22/99 POWER TO HOLD RESERVES

The Authority was advised (Agenda item 21 - not reproduced) of the power to hold reserves where it was considered appropriate. The need for appropriate provisions and reserves would therefore be reviewed when closing the 1998/99 Accounts and a report outlining the Treasurer's proposals would be presented to a future meeting of the Authority. In noting the report Members were advised that the Final Statement of Accounts would be presented to the September meeting of the Authority for approval.

NOTED

1.23/99 1999/2000 BUDGET

The Authority received a report (Agenda item 22 - not reproduced) which detailed the budget for 1999/2000, consequent on the approval of the overall Revenue Budget of £20m at the Extraordinary meeting of the Fire Authority held on Thursday 17 December 1998. In response to a request from Members the Treasurer agreed to include the previous years figures in future reports.

NOTED

1.24/99 1998/99 BUDGET MONITORING

The Authority received a report (Agenda item 23 - not reproduced) on the revenue and capital expenditure against budgets up to the end of December 1998.

Revenue expenditure to December 31 1998 against budget was detailed in Appendix

A (not reproduced) whilst an explanation of the £890,000 underspend was set out in paragraph 2 of the report (not reproduced). There had been £274,000 capital expenditure on Fire Authority schemes to date as identified in Appendix B (not reproduced). Reading Borough Council had agreed to fund the £39,000 expenditure on County schemes, slipped from last year, as part of the closedown of the County Council. When all slippage had been agreed with Reading Borough Council a full report would be presented to a future meeting of the Authority.

NOTED

1.25/99 COMPETENCY BASED REPORT: PROGRESS REPORT

The Authority received a report (Agenda item 24 - not reproduced) on the progress made by the Chief Fire Officer in implementing a competency based approach in training in accordance with the approved Strategic Objective for 1998/99.

NOTED

1.26/99 PUBLICATION OF THE 1997/98 FIRE PERFORMANCE INDICATORS AND PERFORMANCE INDICATORS FOR THE FINANCIAL YEAR 1999/2000

The Authority was advised (Agenda item 25 - not reproduced) of the publication by the Audit Commission on 28 January 1999 of the 1997/98 Performance Indicators together with details of the Performance Indicators to be used for the 1999/2000 financial year. With the approval of the Chairman brief details (not reproduced) of the 1997/98 Performance Indicators comparing Berkshire against the national average was tabled at the meeting. Members noted that the net expenditure per head of population for Berkshire was £23.13 compared with the national average of £25.49.

NOTED

1.27/99 IMPLICATIONS OF HEALTH AND SAFETY IMPROVEMENT NOTICE: PROGRESS REPORT

The Authority was advised (Agenda item 26 - not reproduced) of the continued progress made by the Chief Fire Officer in implementing the plan agreed with the Health and Safety Executive to discharge the Improvement Notice served on the Authority in January 1997. In noting the contents of the report Members were advised that a Draft Policy Document would be presented to the Fire Authority meeting in June 1999.

In addition the Chief Fire Officer was requested to present a report to the next meeting on the number of staff hours lost as a result of health and safety related incidents.

NOTED

1.28/99 FIRE AND INCIDENTS OF INTEREST

The Authority received a report (Agenda item 27 - not reproduced)summarising some of the 1,817 incidents the Brigade had attended during the period 21 November 1998 to 11 January 1999.

NOTED

1.29/99 ADDITIONAL PART II AGENDA ITEM

In response to a request from the Chairman Members agreed to the inclusion of the following Additional Agenda item in the Part II Agenda on the grounds of urgency as detailed in Section A of the report:

Agenda item 30: Single Tender Action: Replacement Aerial Appliance

1.30/99 EXCLUSION OF THE PUBLIC

RESOLVED: That under Section 100(A)(4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the paragraphs of Part I of Schedule 12A of the said Act indicated:

	Agenda item	**Paragraph**
29	Treasury Management Consultants	9
30	Single Tender Action: Replacement Aerial Appliance	7 & 8

Note: The following is a summary of the items considered in the Part II Agenda of the Fire Authority meeting held on Wednesday 3 February 1999.

1.31/99 TREASURY MANAGEMENT CONSULTANTS

The Authority agreed to the appointment of Treasury Management Consultants for a three year period commencing 1 April 1999 on the terms set out in the report.

1.32/99 SINGLE TENDER ACTION: REPLACEMENT AERIAL APPLIANCE

In accordance with the Standing Orders Relating to Contracts the Authority approved, by single tender action, the purchase of an ex-demonstrator Aerial Ladder Platform as a replacement for the existing Hydraulic Platform.

AGENDA ITEM 5: **MINUTES OF PERSONNEL COMMITTEE AND URGENCY COMMITTEE**

To: **Royal Berkshire Fire Authority**
Date: **7 July 1999**
Officer Contributing: **Clerk & Monitoring Officer**

A PURPOSE OF REPORT

To advise Members on meetings of the Personnel Committee and Urgency Committee that have taken place since the last meeting.

B PROPOSED ACTION

The Authority is invited to NOTE the report.

C FINANCIAL IMPLICATIONS

There are no financial implications.

D SUPPORTING INFORMATION

1 The following meetings of the Personnel Committee and Urgency Committee have taken place since the last Fire Authority meeting in February 1999:

Personnel Committee: Monday 17 May 1999

Urgency Committee: Monday 1 March, Wednesday 14 April and Monday 17 May 1999

2 Copies of the Part I Minutes can be obtained from David Weller on (0118) 932 2288)

E BACKGROUND PAPERS

None

Contact Officer: David R Weller (0118) 932 2288

FB 104
2/93

Copy:

ROYAL BERKSHIRE FIRE AND RESCUE SERVICE

MEMORANDUM

From: Director Human Resources **Your ref:**

To: Chief Fire Officer **My ref:** HRD/ES

Clerk and Monitoring Officer

Location: **Date:** 15 June 1999

CONFIDENTIAL

Subject: QUESTION FROM MEMBER OF THE "PUBLIC"

Further to David Weller's memorandum of 8 June concerning the above, a draft response to Lincoln Ball's question to the Chairman is set out below:-

"The Brigade has a well established negotiating and consultation framework which includes an agreed disputes procedure which is set out in the Employee Handbook.

It also includes as a preamble to the Disputes Procedure, a Disputes Procedure Policy which states that the "Royal Berkshire Fire and Rescue Service seeks to prevent and resolve employment disputes and promote good practice. Employment disputes can be very costly both to employers and employees, so it makes sense to resolve workplace problems before they develop into disputes. The Brigade believes that disputes can best be prevented if management and employee representatives work together. Such an approach can help provide better thought out solutions, encourage acceptance of change and foster a move constructive long term working relationship between the Brigade and its employees".

The Brigade recognises and follows the model disputes procedure as detailed within the NJC for LA Fire Brigades Conditions of Services for uniformed staff. For non-uniformed staff, the Brigade and its staff support the principle that where disputes arise they should be resolved as speedily as possible.

The procedure has the following stages:-

Stage 1 **Referral to Service Area Commander/Senior Manager**
Stage 2 **Referral to Chief Fire Officer**
Stage 3 **Referral to the Disputes Panel of the Fire Authority composed of the Chairman and Vice-Chairman of the Fire Authority**

The procedure provides strict time limits at each stage of the procedure.

The outcome came of the Disputes Panel decision will be one of the following:

(1) **A resolution of the differences to the mutual satisfaction of the parties concerned.**
(2) **A refusal of the staff side to accept the decision. The refusal will be notified to the Fire Authority within seven days of receipt of the decision.**
(3) **A reference to the NJC on the grounds that the matter has implications outside the Fire Authority.**

(1) and (2) are applicable to non-uniformed employees and in the event of (2) occurring, trade union disputes procedures under employment law will apply.

(1), (2) and (3) are applicable to uniformed employees. In the event of (2) or (3) occurring, the Joint Secretaries of the NJC shall be informed by the respective parties once the decision, or the refusal to accept the decision, of the Staff Side of the Fire Authority is known.

The NJC of LA's .Fire Brigades Conditions of Service, Section X, procedures shall be followed thereafter, for uniformed employees."

I am not immediately able to say why Mr Ball has asked this question. We are not currently in official dispute with the FBU although there are a number of issues which are currently the subject of correspondence between us which could turn into formal disputes.

The most likely of these issues is the withdrawal of Mess Managers allowance, which is being challenged by the FBU. They have written to me requesting a reply by the end of June seeking clarification of the Brigades position on a number of points and indicating a formal dispute will occur if our response is not what they are seeking.

It is also possible that the supplementary question may be used to establish the Chairman's position on the current national dispute regarding proposals for changes to Conditions of Service which the National Employers have referred to ACAS for resolution.

David Wallace
Director Human Resources

ROYAL BERKSHIRE FIRE AUTHORITY

Copy
Clive William

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Telephone Reading (0118) 945 2888 Facsimile (0118) 959 0510

Your reference:

My reference: DI/SB
(please quote on all correspondence)

When calling ask for: Mr Illingworth
Direct Line: 0118 932 2284

Date: 2 July 1999

Dear Mr Brooks

ROYAL BERKSHIRE FIRE AUTHORITY 7 JULY 1999
QUESTION FROM MEMBER OF PUBLIC UNDER STANDING ORDER 9

I attach a copy of a memorandum that was on my desk when I came in this morning together with draft answers to the Question and Supplementary question I have compiled for your approval/views.

I have not had the opportunity to discuss the draft with the Clerk and the Chief Fire Officer.

For your information Mr McAllister is a Sub Officer of the Brigade at Windsor.

Yours sincerely

Donald H Illingworth
Treasurer

Mr J C G Brooks
Scoon Bank
253 Lower Way
Thatcham
Newbury
RG19 3TR

ROYAL BERKSHIRE FIRE AUTHORITY

Headquarters · 103 Dee Road · Tilehurst · Reading · Berkshire · RG30 4FS
Telephone Reading (0118) 945 2888 Facsimile (0118) 959 0510

Your reference:

My reference: CW
(please quote on all correspondence)

When calling ask for: Mr Williams
Direct Line: 0118 932 2284

Date: 5th July 1999

Dear

Questions at the Fire Authority - 7th July

Re Mr. McAllister's questions, the Chief and I are happy with the Treasurer's draft replies. But I think you could and indeed should refuse to deal with the supplementary, as it does not conform to SO9. In effect Mr. McAllister is trying to ask 2 questions and as he will not be at the meeting, that is not permitted.

In the case of Mr. Lincoln Ball, the following reply is suggested:

Question: *What machinery is in place within the Royal Berkshire Fire and Rescue Service for the resolution of disputes between the management and accredited representative bodies and what is the sequence of stages for the implementation of this machinery?*

Answer: *The Brigade has a well established negotiating and consultation framework, which includes an agreed disputes procedure, which is set out in the Employee Handbook.*

The Brigade recognises and follows the model disputes procedure as detailed within the NJC for LA Fire Brigades Conditions of Services for uniformed staff. For non-uniformed staff, the Brigade and its staff support the principle that where disputes arise they should be resolved as speedily as possible.

We are not sure whether Mr. Ball will try and ask a Supplementary but we believe that if he does it will not be on mess allowances. Our view, and I have discussed this with the Chief, the Treasurer, and David Wallace and David Noonan, is that this question and the Petition suggest that the FBU are seeking some kind of formal consultation machinery with the Authority as opposed to just the Brigade.

We would like to suggest that this possibility should be given serious consideration. The Consultative Group would have to involve both Unison and the FBU and we would envisage two meetings a year, with one meeting taking place in the run-up to

the Budget, so that there could be consultation on budgetary matters affecting the Unions. At the moment the only formal meeting at Authority level with the Unions takes place when there is a dispute. It would be more constructive to meet them before any dispute has arisen.

At the moment the Unions are aware that they can seek a meeting with the Authority at any time, but we feel that a Consultative group meeting regularly, albeit not too frequently, is the way forward. Perhaps we can discuss this further at the next informal.

Yours sincerely,

Clerk of the Authority

J C G Brooks Esq.,
Scoon Bank,
253, Lower Way,
Thatcham
Newbury RG19 3TR

copy to Chief Fire Officer,
Treasurer,
David Wallace
David Noonan
David Weller

ROYAL BERKSHIRE FIRE AUTHORITY

7TH JULY 1999

QUESTION FROM MEMBER OF PUBLIC TO THE CHAIRMAN OF THE FIRE AUTHORITY UNDER STANDING ORDER 9.

Question

Mr R McAllister has asked the following question.

"Could you please inform me of the amount which was underspent in the Fire Services 98/99 budget and indicate if and where it has been spent and why did we lose 12 posts if such a surplus did exist"

Answer

The Accounts for the year 1998/99 are in the process of being closed. The Accounts for 1998/99 showing the final position will be presented to the Fire Authority on 15 September 1999.

A report at Agenda Item 34 of this Agenda (a copy of which I will supply you) sets out the provisional outturn for 1998/99 compared with budget. After provisions for liabilities outlined in the report have been made it is not anticipated that there will be any remaining surplus.

The decision made in December 1997 to relocate Special Appliances (eg Operational Support Unit and Chemical Incident Unit) resulting in the reduction in the establishment of 12 fire-fighter posts was taken along with other measures to contain the overall budget to £18.9 million for 1998/99 and provide an ongoing saving for future years of the order of £250000 per annum.

Supplementary Questions

Mr R McAllister has asked the following supplementary question.

"If the surplus is in the region of the rumoured £1m and if that surplus is being used to assist purchases for the year 99/2000 budget does this mean that the 99/2000 budget was incorrectly set".

Answer

The answer to the main question indicates that there is unlikely to be any surplus after proper provision for liabilities has been made. I confirm that the Budget of £20m for 1999/2000 was correctly set.

AGENDA ITEM 7: **PETITIONS AND QUESTIONS FROM MEMBERS OF THE PUBLIC**

To: **Royal Berkshire Fire Authority**
Date: **7 July 1999**
Officers Contributing: **Chief Fire Officer**
Clerk & Monitoring Officer,
Director Human Resources, Authority Treasurer

A PURPOSE OF REPORT

To inform Members that the Fire Authority has received a Petition and two Questions from members of the public, under Standing Orders 8 and 9 respectively. Although the Petition Organiser or his representative will be permitted, under Standing Order 8(d), to address the Fire Authority at its meeting in September the Chairman has indicated that he will be seeking Members approval to suspend Standing Orders to allow the Petition Organiser to also address this meeting.

B PROPOSED ACTION

The Authority is invited to RESOLVE: That

1 **The Petition be received and referred to the next meeting of the Fire Authority on Wednesday 15 September 1999 for consideration and determination.**

2 **The Petition Organiser be informed of the Fire Authority's decision and invited to attend the next ordinary Fire Authority meeting to be held on Wednesday 15 September 1999.**

3 **The Chairman's answer to the questions and supplementary (if required) be noted and a copy of the reply be sent to the questioners.**

C FINANCIAL IMPLICATIONS

There are no financial implications.

D SUPPORTING INFORMATION

Petition (Standing Order 8)

1 The following Petition containing 39 signatures has been received from Mr L N C Ball:

"We, the undersigned, request the Royal Berkshire Fire Authority Members to consider the plausibility of giving accredited representative bodies a formal role during the meetings of the Royal Berkshire Fire Authority. This would bring Royal Berkshire into line with Fire

Authority practice in some of the neighbouring areas and may include some or all of the following principles:

(i) the presentation of a report to each Fire Authority meeting;
(ii) the answering of any questions raised by Fire Authority Members;
(iii) permanent role of accredited representative bodies on Fire Authority in an ex-officio capacity;
(iv) additional source of information and opinion for Fire Authority Members.

2 Under Standing Order 8(c) the petition will be referred, without debate, to the Fire Authority meeting in September 1999 for report and determination. At that meeting the Petition Organiser or his/her representative can, under Standing Order 8(d) address the Fire Authority on the subject of the petition for not more than five minutes. This time limit may however be extended with Member's consent.

3 Members attention is however drawn to paragraph A above which indicates that the Chairman will be seeking Members approval to suspend Standing Orders to enable the Petition Organiser or his representative to speak at this meeting for up to five minutes.

4 No Members of the Fire Authority are permitted to speak under the above mentioned Standing Orders.

5 Members are therefore asked to receive the Petition and resolve that it be referred to the Fire Authority meeting in September for report and determination.

Question (Standing Order 9)

6 The Fire Authority has received the following questions:

Mr L N C Ball:

"What machinery is in place within the Royal Berkshire Fire and Rescue Service for the resolution of disputes between the management and accredited representative bodies and what is the sequence of stages for the implementation of this machinery."?

Mr R McAllister:

"Could you please inform me of the amount which was under spent in the Fire Service 98/99 budget and indicate if and where it has been spent and why did we loose 12 posts if such a surplus did exist"?

7 As Mr McAllister is unable to attend the Fire Authority meeting he has also asked the following supplementary question:

"If the surplus is in the region of the rumoured £1m and if that surplus is being used to assist purchases for the year 99/2000 budget does this mean that the 99/2000 budget was incorrectly set"?

8 The Chairman will decide whether to accept and answer the supplementary question.

9 Under Standing Order 9(c) the Chairman may decline to answer a question, provide a written reply or nominate another Member of the Authority to answer on his behalf. If the Chairman decides to answer the questions at the Fire Authority meeting then under Standing Order 9(d) one supplementary question may be asked. Questions will be asked and answered without discussion.

10 The Chairman has indicated that he will be answering the questions at the meeting. Members are therefore asked to note the Chairman's response and resolve that a copy of the answer to the questions and supplementary (if required) be sent to the questioners.

E BACKGROUND PAPERS

Petition and Question received from Mr L N C Ball
Question received from Mr R McAllistor
Fire Authority Standing Orders 8 and 9

Contact Officer: David Weller (0118) 932 2288

ROYAL BERKSHIRE FIRE AUTHORITY

ROYAL BERKSHIRE FIRE & RESCUE SERVICE

Headquarters · 103 Dee Road · Tilehurst · Reading · Berkshire · RG30 4FS
Telephone Reading (0118) 945 2888 Facsimile (0118) 959 0510

Your reference:

My reference: DW/AM
(please quote on all correspondence)

When calling ask for: David Wallace
Direct Line: (0118) 932 2227

Date: 30 June 1999

Dear Councillor Patman

APPRAISAL - CHIEF FIRE OFFICER

Further to my letter of 23 June 1999, I have now spoken to David Weller. Unfortunately because membership of the Personnel Committee will not be confirmed until the Fire Authority meeting on 7 July, it is not possible to give the notice required by Standing Orders in order to hold a meeting on 9 July 1999.

I suggest that an early date for the Personnel Sub-Committee meeting is fixed at the Fire Authority meeting on 7 July 1999 when all Committee members will be present.

Yours sincerely

David Wallace
Director of Human Resources

Copy: David Weller

Councillor B J S Patman
Meadow View
Basingstoke Road
Spencers Wood
READING
Berkshire
RG7 1AL

ROYAL BERKSHIRE FIRE AUTHORITY

ROYAL BERKSHIRE FIRE & RESCUE SERVICE

Headquarters · 103 Dee Road · Tilehurst · Reading · Berkshire · RG30 4FS
Telephone Reading (0118) 945 2888 Facsimile (0118) 959 0510

Your reference:

My reference: DW/AM
(please quote on all correspondence)

When calling ask for: David Wallace
Direct Line: (0118) 932 2227

Date: 30 June 1999

Dear Councillor Brooks

APPRAISAL - CHIEF FIRE OFFICER

Further to my letter of 23 June 1999, I have now spoken to David Weller. Unfortunately because membership of the Personnel Committee will not be confirmed until the Fire Authority meeting on 7 July, it is not possible to give the notice required by Standing Orders in order to hold a meeting on 9 July 1999.

I suggest that an early date for the Personnel Sub-Committee meeting is fixed at the Fire Authority meeting on 7 July 1999 when all Committee members will be present.

Yours sincerely

David Wallace
Director of Human Resources

Copy: David Weller

Councillor J C G Brooks
Scoon Bank
253 Lower Way
Thatcham
Newbury
Berkshire
RG19 3TR

AGENDA ITEM 10: **APPOINTMENT OF COMMITTEES AND APPOINTMENTS TO OUTSIDE BODIES**

To: **Royal Berkshire Fire Authority**
Date: **7 July 1999**
Officer Contributing: **Clerk & Monitoring Officer**

A PURPOSE OF REPORT

To invite the Authority to re-appoint the Personnel and Urgency Committees, and the Budget Working Party for the ensuing year; and to appoint the Fire Authority's representative on the Fire Committee of the Local Government Association and up to four representatives to attend the Association's General Assembly.

B PROPOSED ACTION

The Authority is invited to RESOLVE: That:

1 **The Personnel Committee be re-appointed for the ensuing year with the following membership:**

2 Conservative, 2 Labour, 2 Liberal Democrat

2 **The Urgency Committee be re-appointed for the ensuing year with the following membership:**

1 Conservative, 1 Labour, 1 Liberal Democrat

3 **The Budget Working Party be re-appointed for the ensuing year with the following membership:**

2 Conservative, 2 Labour, 2 Liberal Democrat

4 **..... be appointed as the Fire Authority's representative on the Local Government Association's Fire Committee for the ensuing year.**

5 **..... be appointed to represent the Fire Authority at the General Assembly of the Association.**

C FINANCIAL IMPLICATIONS

There are no financial implications.

D SUPPORTING INFORMATION

1 Under Standing Order 27, the Authority is required to decide by resolution at its Annual Meeting which Committees it intends to establish as "Standing Committees" and to appoint Members to each Standing Committee.

2 Members are therefore invited to re-appoint the Personnel and Urgency Committees and the Budget Working Party and approve their membership which is currently as follows:

Personnel Committee

Mrs C Bateson, J C G Brooks, J J Connolly,* A B V P Hickley, B J S Patman, D A Veakins

Urgency Committee

J C G Brooks, J J Connolly,* B J S Patman

Budget Working Party

J C G Brooks, J J Connolly,* A B V P Hickley, T Mills, B J S Patman, Dr L Silverman*

* Retiring Member

Members are also requested to appoint one representative on the Fire Committee of the Local Government Association and up to four representatives to attend the Association's General Assembly.

E BACKGROUND PAPERS

None

Contact Officer: David R Weller (0118) 932 2288

AGENDA ITEM 11: PROPOSED PERFORMANCE REVIEW AND AUDIT PANEL

To: **Royal Berkshire Fire Authority**
Date: **7 July 1999**
Officer Contributing: **Chief Fire Officer**
Treasurer
Clerk & Monitoring Officer

A PURPOSE OF REPORT

To request that Members consider the creation of a Performance Review and Audit Panel.

B PROPOSED ACTION

The Authority is invited to consider the report and RESOLVE that:

1 **a Performance Review and Audit Panel be appointed and that its terms of reference as shown in Appendix 1 be approved and adopted.**

2 **the Panel has a membership of six, comprising the nominated deputy party spokesperson of the three largest party groups, together with the following three named Members:**

....

3 **The spokespersons of the three largest party groups shall be ex officio of the Panel.**

C FINANCIAL IMPLICATIONS

There will be minimal additional costs to the Fire Authority to cover refreshments for which financial provision exists.

D SUPPORTING INFORMATION

1 The proposed Local Government Bill, includes provision for local authorities to adopt a Best Value approach to the delivery of its services. A report on the progress being achieved in implementing these proposals is included elsewhere on this agenda. The Government believes that for local authorities to successfully implement Best Value it is imperative that elected Members are involved.

2 The Audit Commission identifies that there is a need for clear political direction in implementing Best Value and also for monitoring the Authority's performance by reviewing the outcome of fundamental performance reviews. At the moment these

issues are directed by the full Fire Authority of 25 Members. It is suggested that a smaller group of Members could provide a more focused approach to these issues.

3 Members may also wish to consider how they manage the internal and external audit arrangements for the Fire Authority, including the District Auditor's Annual Management Letter. The Audit Commission have identified the setting up of a separate Audit Committee or Sub Committee as good practice.

4 It is suggested that to enable the Fire Authority to give appropriate attention to Best Value and Audit that it sets up a Performance Review and Audit Panel with Terms of Reference as set out in Appendix 1.

E BACKGROUND PAPERS

The Audit Commission Management Paper 'Better by Far - Preparing for Best Value'

Contact Officer: David Noonan (0118) 932 2250

APPENDIX 1

PERFORMANCE REVIEW AND AUDIT PANEL

TERMS OF REFERENCE

1 To oversee via the Best Value Local Performance Plan

- i setting of clear priorities for the Fire Authority
- ii the consultation arrangements with local residents and other stake holders
- iii the selection of services for thematic areas to review
- iv the setting of targets for improvement and reports to the Authority as appropriate

2 To review the outcome of fundamental performance reviews.

3 To monitor performance and challenge failure.

4 To oversee the internal and external audit arrangements for the Fire Authority and to ensure adequate monitoring and effective co-ordination between the Internal Audit function and the appointed External Auditor (District Audit), within the overriding requirement to provide an adequate and effective Audit service in accordance with Section 151 of the Local Government Act 1972 and the Accounts and Audit Regulations 1983.

5 To ensure that recommendations contained in the internal and/or external audit reports, including the Annual Management Letter, particularly those detailing opportunities for achieving efficiency savings and/or cost reductions are adequately addressed by the Chief Officers.

6 To receive reports as necessary from the Treasurer concerning all significant irregularities.

Membership

The Performance Review and Audit Panel shall comprise 6 members, including the nominated deputy spokespersons of the three largest party groups concerned. The spokespersons of the three largest party groups shall be ex officio members of the Panel.

Quorum

The quorum for the Performance Review and Audit Panel shall be three members.

AGENDA ITEM 12 : REVIEW OF BRIGADE STRUCTURE

To: **Royal Berkshire Fire Authority**
Date: **7 July 1999**
Officers Contributing: **Chief Fire Officer**

A PURPOSE OF REPORT

To advise Members of the preliminary findings of the agreed review of the structure that was introduced on the 5 May 1998 and to seek approval to certain variations.

B PROPOSED ACTION

The Authority is invited to RESOLVE: That:

1 **The preliminary findings of the review be noted, and**

2 **The additional posts referred to in the report be approved subject to costs being contained within existing budgetary provision, and**

3 **The Chief Fire Officer report to the next meeting of the Authority with the findings in respect of the outstanding areas of review, including the number of Directorates.**

C FINANCIAL IMPLICATIONS

Funding for the additional posts identified within this report will be achieved by way of compensatory savings from variation in other posts and salary lines and will therefore be contained within existing budgetary provisions. At the time of preparing this report, the posts are still being evaluated and costings will, therefore, be confirmed verbally at the meeting.

D SUPPORTING INFORMATION

1 A new management structure was approved by the then Shadow Combined Fire Authority and introduced into the Brigade with effect from the 5 May 1998. At that time the Chief Fire Officer agreed to review the perceived effectiveness of the initiative within a twelve month period and to report the findings back to the Authority.

2 To that end, a thorough review of all of the new functional areas was commenced in March of this year and it is pleasing to report that the findings have fully supported the principles that were adopted and reinforced the underlying criteria that were cited as the justifications for change.

3 Unfortunately, it has not been possible to fully assess all areas, and in particular some of those constituent to the Support Services and Human Resource Directorates. This has been mainly due to unavoidable vacancies and staff movement not permitting realistic expectations to be met. This situation is now more stable and the areas in question are to be closely monitored over the next six months with a view to a further report on the outcomes to the Authority at that time.

4 The review process identified a 'weakness' in management support within the Service Delivery Directorate which will be overcome by a diversion of existing resources. Underprovision in the Audit and Project Team has been similarly addressed.

5 A separate scrutiny of the Health and Safety function by an internal audit process has identified a need to strengthen the current Team to enable the Brigade to maintain standards statutorily required of it and to meet future workloads. This could most appropriately be achieved by the creation of a full time non uniformed assistant to the Health and Safety Adviser. There is also a need for administrative support to the Team which can then be shared with the Audit and Project Team - currently, staff in both Teams are undertaking these duties which clearly represents an inappropriate use of qualified resources.

Similarly, experience has proved there to be a significant weakness in the current Information Systems Department by the absence of a key post having responsibility for responding to the users technical needs and assisting the IS Manager with the identification/formulation of the strategic needs of the Organisation. The need for such a post was recognised in the PE Consultant's IT Strategy which was approved by the then Public Protection Committee in 1996 but which was not pursued on the basis of overall cost.

In recognition of both the importance and urgency connected with these reference areas, it is the intention of the Chief Fire Officer to seek to address the shortfall by utilising compensatory savings achieved by a reappraisal of other posts, thereby containing costs within current budgetary provisions.

6 One further area of potential concern is that of Contracts and Facilities where under resourcing is one possible cause of difficulties currently being experienced in meeting expectations. The functional area has been the subject of an internal audit process and the Director of Central Services is, at the time of writing, preparing a detailed report which, if appropriate, will be referred to the Authority at a future meeting.

Members should also be aware that the current budgets in respect of those service areas which had previously been provided centrally by the County Council have now proved to have been based on unreliable figures and that a substantial underfunding will have resulted. This, in turn, is thought to have given rise to some of the concerns expressed within this report.

7 Having scrutinised the functional areas, the final aspect of the structure that remains to be reviewed is that of the number of actual Directorates. This is currently being undertaken and the results will be reported to the next meeting of the Authority.

F BACKGROUND PAPERS

Agenda and minutes - Shadow Combined Fire Authority 18 December 1997

Contact Officer: David Harper (0118) 932 2225

AGENDA ITEM 13: **AUTHORITY ANNUAL REPORT 1998/99 AND STRATEGIC PLAN**

To: **Royal Berkshire Fire Authority**
Date: **7 July 1999**
Officers Contributing: **Chief Fire Officer**

A PURPOSE OF REPORT

To seek Member endorsement of the Annual Report for 1998/99 and formal adoption of the accompanying long term Strategic Plan.

B PROPOSED ACTION

The Authority is invited to RESOLVE: That:

1 The Annual Report be endorsed, and

2 The Strategic Plan be adopted as the basis for the long term direction of the Brigade.

C FINANCIAL IMPLICATIONS OF PROPOSED ACTION

The costs of the preparation and distribution of both documents will be met from within current budgetary provisions. Financial impact of the individual strategic planning issues will be reported to the Authority as these are progressed.

D SUPPORTING INFORMATION

1 In accordance with established practice, the Chief Fire Officer has prepared a report (which has been distributed separately from the agenda papers) on the activities and significant aspects of the Brigade covering the twelve month period from the 1 April 1998 through to the 31 March 1999.

2 The format of the Annual Report reflects that successfully introduced for last year and which received favourable comment from a cross section of recipients. It aims to not only reflect upon the achievements and challenges of the past year but to also provide an insight into the changing culture of the Service and how the Chief Fire Officer intends to address the many significant national and locally initiated issues that lay ahead.

For the first time, however, the Annual report is, this year, accompanied by a Strategic Plan which identifies targets and objectives that span beyond the current financial year.

3 At it's meeting on 3 February of this year the Authority approved the principle of a long term strategic planning process and noted the intention to bring a refined document to the next meeting.

4 The submitted Plan includes a Statement of Purpose, Service Aims and Service Targets all of which reflect those recently proffered by the Local government association but suitably adapted to retain the intent but acknowledge the perceived local needs Also incorporated are succinct explanations as to the purpose, basis and levels of ownership of the Plan, it's tactical underpinning strategy (including four yearly reviews of the functional areas and the individual annual specific reviews) and the methodologies for review, audit and amendment.

5 Included within the review targets are all current 'expectations' of the Service including the criteria/timescales for Best Value, Millennium preparedness, Government and local targets and the expectations of HM Fire Service Inspectorate (as recently notified to Brigades). The Brigade has also been assessed against the Business Excellence Model and the results incorporated within the Plan.

6 The underlying principle of the Plan is that it is a 'living' document which will, by necessity, be a continuous cycle of improvement and incorporate the ability to reflect national and local issues as they arise. Updated versions of the Plan, together with strategy for years beyond the initial period of five, will be presented every twelve months to the Authority at it's annual general meeting for approval.

7 Each of the individual targets within the Plan are supported by tactical GANNT formatted plans that are the subject of monthly debate between the Directors and their 'lead' staff and then with the Chief Fire Officer who is personally overseeing the planning process.

8 During the preparation of the Strategic Plan, District Audit and HM Fire Service Inspectorate have been consulted as have the Authority's Clerk Monitoring Officer and Treasurer - both of whom have targets within the Plan in respect of their referenced areas.

9 Key staff of the Brigade will utilise 'working copies' of the Plan as opposed to the bound version which are intended for general circulation.

10 It is the Chief Fire Officers intention to provide copies of both the Annual Report and Strategic Plan to each member of the Authority's staff, to selected Members and officers of the constituent Unitary Authorities, Berkshire's MP's and dignitaries, HM Fire Service Inspectorate, other Emergency Services and to prospective partners in the local commercial/industrial community.

F BACKGROUND PAPERS

Agenda and minutes - Budget Working Party 8 December 1998
Agenda and Minutes - Royal Berkshire Fire Authority, 3 February 1999

Contact Officer: David Harper (0118) 932 2225

AGENDA ITEM 14: **SUPPORT FOR THE IMPLEMENTATION OF A NEW FIRE SAFETY ACT**

To: **Royal Berkshire Fire Authority**
Date: **7 July 1999**
Officers Contributing Chief Fire Officer
Treasurer
Clerk and Monitoring Officer

A PURPOSE OF REPORT

To advise Members of the campaign by the Chief and Assistant Chief Fire Officers Association (CACFOA) and other groups to support the early introduction of a new Fire Safety Act into the parliamentary timetable.

B PROPOSED ACTION

The Authority is asked to consider the report and RESOLVE: That:

1 the Fire Authority should write to local MP's asking them to support this course of action, and

2 the Fire Authority should write to the constituent authorities seeking their support for this campaign.

C FINANCIAL IMPLICATIONS

There are no financial implications in this report.

D SUPPORTING INFORMATION

1 The Chief and Assistant Chief Fire Officers Association (CACFOA) has called on the Government to introduce a new Fire Safety Act, to consolidate and rationalise all existing fire safety legislation into a single piece of legislation. This is to include the imposition of an additional duty on the Fire Service of providing community fire safety education. These proposals are fully and actively supported by the Local Government Association who, as you will be aware, have consistently encouraged the Government to bring forward appropriate legislation, to rectify the current situation where we have over 60 individual pieces of fire safety legislation. These are often overly prescriptive, difficult to interpret and in some cases contradictory and have led to procedures which are at times excessively bureaucratic and do not allow fire services to use their resources in the most effective way. In the past few years there has been a need for the United Kingdom to implement European Safety Legislation and this has further complicated an already complex situation. Furthermore, existing legislation does not always adapt well to the modern risk assessment approach to the safe management of buildings.

2 The cost of fire to the public purse is estimated at over £4.5 Billion a year with consequent unrecorded environmental damage. By utilising a systematic risk assessment based approach fire services would be able to target their resources more precisely and better ensure that communities are kept safe from fire and that the consequential losses to homes and businesses as a result of fire are minimised

3 The new Act would be an integral part of the Governments strategy - begun by the comprehensive spending review and continued with the modernising local government initiatives - to co-ordinate national and local levels of government. The aim is to provide clear links between policy, objectives and performance, leading to the delivery of a more efficient and effective and public centred service which will be much more responsive to local needs. It would be instrumental in shifting the emphasis of fire services from cure to prevention and allowing the proper and targeted use of resources which will have a worthwhile and measurable effect on fires and the consequences of fires.

4 The Chief Fire Officer, in his professional capacity, has written to each of the Berkshire MP's inviting their support to the formation of the Act and to which there have been positive and constructive responses.

5 It is felt, however, that if Fire Authorities and their constituent authorities were also to make similar representations, this would add significant weight to the campaign. With that in mind, attached as Appendix A is a copy of a letter which has been drafted by CACFOA, which the Authority, if they think it appropriate, are invited to approve and have addressed to the MP's who's constituencies lie within Berkshire . Also attached as Appendix B, is a similar letter asking the constituent authorities to support the campaign.

E BACKGROUND PAPERS

Appendix A - draft letter to Berkshire MP's.
Appendix B - draft letter to Constituent Authorities.

Contact Officer: Olaf Baars (0118) 932 2228

ROYAL BERKSHIRE FIRE AUTHORITY

ROYAL BERKSHIRE FIRE & RESCUE SERVICE

30

APPENDIX A

Headquarters ·103 Dee Road·Tilehurst·Reading·Berkshire·RG30 4FS
Telephone Reading (0118) 945 2888 Facsimile (0118) 959 0510

Your reference:

My reference: CW/FPG 21.10
(please quote on all correspondence)

When calling ask for: Mr C Williams
Direct Line: (0118) 932 2284

Date:

Dear [MP]

A NEW FIRE SAFETY ACT

The Royal Berkshire Fire Authority have asked me to urge you to support the introduction in the next Parliamentary Session of a new fire safety act, we feel that without such an act we are unable to provide as good a service to the public as we would wish. Simply put, there is too much fire safety legislation ~ over 60 different pieces of Statute, few of which correspond to the current risk assessment based approach.

The authority feel that the public would benefit twofold from the introduction of such an Act; firstly by receiving a service focused on the areas of greatest risk rather than the areas of statutory responsibility - at present the two do not coincide; secondly, by the increased efficiency of service we could provide by operating to clearer rules. There would also be a benefit to businesses in that we can move away from overly prescriptive measures which are often dictated by regulation or implied by guidance documents.

Such a new Act would clearly align with the governments intentions outlined in the Modernising Local Government White Paper.

- It would allow us to direct our efforts to achieving the outcomes that the public and businesses want, fewer fire deaths and injuries and a reduction in the number and extent of fires, by targeting the high risk areas.

- It will result in "joined up, integrated government" as we will be able to deliver a service in a transparent and comprehensible way, by removing statutory requirements that are no longer effective or necessary.

- It will allow us to protect the public by regulating efficiently when necessary, rather than wasting resources on ineffective regulatory measures that often cost more than they achieve.

cont'd

- It will allow us to collaborate more effectively with other enforcing authorities, resulting in greater efficiency and a simpler more cohesive service to the public.

We are now acquiring better information about those members of society, and those premises, that are most at risk from fire. A new Act would enable us to concentrate our efforts on reducing such deaths and injuries and on reducing the estimated £4.5 billion p.a. loss to the countries economy from fire and its consequences.

We do hope that you will lend your support to this new Act and help in any way that you can towards the drafting and passage of a new Fire Safety Act. If any of the members or officers of the authority can assist in any way we would be only too pleased to do so.

Yours sincerely

C Williams
Clerk and Monitoring Officer
Royal Berkshire Fire Authority

ROYAL BERKSHIRE FIRE AUTHORITY

ROYAL BERKSHIRE FIRE & RESCUE SERVICE

32

APPENDIX B

Headquarters · 103 Dee Road · Tilehurst · Reading · Berkshire · RG30 4FS
Telephone Reading (0118) 945 2888 Facsimile (0118) 959 0510

Your reference:

My reference: CW/FPG 21.10
(please quote on all correspondence)

When calling ask for: Mr C Williams
Direct Line: (0118) 932 2284

Date:

Dear [Chief Executive]

A NEW FIRE SAFETY ACT

The Royal Berkshire Fire Authority have asked me to urge you to support the introduction in the next Parliamentary Session of a new fire safety act, we feel that without such an act we are unable to provide as good a service to the public as we would wish. Simply put, there is too much fire safety legislation ~ over 60 different pieces of Statute, few of which correspond to the current risk assessment based approach.

The authority feel that the public would benefit twofold from the introduction of such an Act; firstly by receiving a service focused on the areas of greatest risk rather than the areas of statutory responsibility - at present the two do not coincide; secondly, by the increased efficiency of service we could provide by operating to clearer rules. There would also be a benefit to businesses in that we can move away from overly prescriptive measures which are often dictated by regulation or implied by guidance documents.

Such a new Act would clearly align with the governments intentions outlined in the Modernising Local Government White Paper.

- It would allow us to direct our efforts to achieving the outcomes that the public and businesses want, fewer fire deaths and injuries and a reduction in the number and extent of fires, by targeting the high risk areas.

- It will result in "joined up, integrated government" as we will be able to deliver a service in a transparent and comprehensible way, by removing statutory requirements that are no longer effective or necessary.

- It will allow us to protect the public by regulating efficiently when necessary, rather than wasting resources on ineffective regulatory measures that often cost more than they achieve.

cont'd

- It will allow us to collaborate more effectively with other enforcing authorities, such as Environmental Health, resulting in greater efficiency and a simpler more cohesive service to the public.

We are now acquiring better information about those members of society, and those premises, that are most at risk from fire. A new Act would enable us to concentrate our efforts on reducing such deaths and injuries and on reducing the estimated £4.5 billion p.a. loss to the countries economy from fire and its consequences.

We do hope that you will lend your support to this new Act and help in any way that you can towards the drafting and passage of a new Fire Safety Act. If any of the members or officers of the authority can assist in any way we would be only too pleased to do so.

Yours sincerely

C Williams
Clerk and Monitoring Officer
Royal Berkshire Fire Authority

AGENDA ITEM 15: **ENFORCEMENT CONCORDAT**

To:	**Royal Berkshire Fire Authority**
Date:	**7 July 1999**
Officers Contributing	Chief Fire Officer Treasurer Clerk and Monitoring Officer

A PURPOSE OF REPORT

To advise Members of the Enforcement Concordat initiative sponsored by the Cabinet Office.

B PROPOSED ACTION

The Authority is invited to consider this report and RESOLVE to authorise the Chief Fire Officer to make arrangements to adopt the Enforcement Concordat.

C FINANCIAL IMPLICATIONS

There are no financial implications.

D SUPPORTING INFORMATION

1 The Enforcement Concordat requires that participating enforcing authorities adopt and publish in plain language, appropriate standards of performance and that they actively work with local businesses to advise and assist with compliance. They must also have an effective and timely complaints procedure and ensure that the costs of compliance for businesses are proportionate to the risks and that their duties are carried out in a fair, equitable and consistent manner.

2 Royal Berkshire Fire and Rescue Service have undertaken an initial self assessment of the requirements of the concordat and have scored 88% for enforcement policy and 100% for enforcement procedure. The areas for improvement are centred around better consultation procedures for clients and the public. The aim of the concordat is to provide a transparent and comparable set of indicator's to demonstrate that enforcement is being carried out appropriately.

3 If the Authority approves this initiative, the Regulatory Impact Unit (previously the Better Regulation Unit) of the Cabinet Office will be informed of our desire to sign up to the concordat. The normal procedure following this is for the Chairman of the Authority and the Chief Fire Officer to attend the Cabinet Office, normally with Mr Peter Kilfoyle MP, to officially sign a parchment copy of the concordat, with the appropriate attendant press coverage.

4 The Enforcement Concordat is an expression of good practice which should increase public confidence in the way in which the Fire Service carries out its enforcement role. At present 14 Brigades, and over 90 local authorities, have signed up to the concordat. It also fits very well with the principles of Best Value and will therefore, if adopted, become incorporated into Brigade procedures.

E BACKGROUND PAPERS

1 A copy of the Regulatory Impact Unit Enforcement Concordat - Appendix A.
2 A copy of the Enforcement Concordat Self Assessment form - Appendix B.

Contact Officer: Olaf Baars (0118) 932 2228

APPENDIX A

ENFORCEMENT CONCORDAT

The Principles of Good Enforcement: Policy and Procedures

This document sets out what business and others being regulated can expect from enforcement officers. It commits us to good enforcement policies and procedures. It may be supplemented by additional statements of enforcement policy.

The primary function of central and local government enforcement work is to protect the public, the environment and groups such as consumers and workers. At the same time, carrying out enforcement functions in an equitable, practical and consistent manner helps to promote a thriving national and local economy. We are committed to these aims and to maintaining a fair and safe trading environment.

The effectiveness of legislation in protecting consumers or sectors in society depends crucially on the compliance of those regulated. We recognise that most businesses want to comply with the law. We will, therefore, take care to help business and others meet their legal obligations without unnecessary expense, while taking firm action, including prosecution where appropriate, against those who flout the law or act irresponsibly. All citizens will reap the benefits of this policy through better information, choice and safety.

We have therefore adopted the central and local government Concordat on Good Enforcement. Included in the term "enforcement" are advisory visits and assisting with compliance as well as licensing and formal enforcement action. By adopting the Concordat we commit ourselves to the following policies and procedures, which contribute to Best Value, and will provide information to show that we are observing them.

Principles of Good Enforcement: Policy

- **Standards**

  In consultation with business and other relevant interested parties, including technical experts where appropriate, we will draw up clear standards setting out the level of service and performance the public and business people can expect to receive. We will publish these standards and our annual performance against them. The standards will be made available to businesses and others who are regulated.

- **Openness**

  We will provide information and advice in plain language on the rules that we apply and will disseminate this as widely as possible. We will be open about how we set about our work, including any charges that we set, consulting business, voluntary organisations, charities, consumers and workforce representatives. We will discuss general issues, specific compliance failures or problems with anyone experiencing difficulties.

- **Helpfulness**

  We believe that prevention is better than cure and that our role therefore involves actively working with business, especially small and medium sized businesses, to advise on and assist with compliance. We will provide a courteous and efficient service and our staff will identify themselves by name. We will provide a contact point and telephone number for further dealings with us and we will encourage business to seek advice/information from us. Applications for approval of establishments, licenses, registrations, etc, will be dealt with efficiently and promptly. We will ensure that, wherever practicable, our enforcement services are effectively co-ordinated to minimise unnecessary overlaps and time delays.

- **Complaints about service**

  We will provide well publicised, effective and timely complaints procedures easily accessible to business, the public, employees and consumer groups. In cases where disputes cannot be resolved any right of complaint or appeal will be explained, with details of the process and the likely timescales involved.

- **Proportionality**

  We will minimise the costs of compliance for business by ensuring that any action we require is proportionate to the risks. As far as the law allows, we will take account of the circumstances of the case and the attitude of the operator when considering action.

  We will take particular care to work with small businesses and voluntary and community organisations so that they can meet their legal obligations without unnecessary expense, where practicable.

- **Consistency**

  We will carry out our duties in a fair, equitable and consistent manner. While inspectors are expected to exercise judgement in individual cases, we will have arrangements in place to promote consistency, including effective arrangements for liaison with other authorities and enforcement bodies through schemes such as those operated by the Local Authorities Co-ordinating Body on Food and Trading Standards (LACOTS) and the Local Authority National Type Approval Confederation (LANTAC).

Principles of Good Enforcement: Procedures

Advice from an officer will be put clearly and simply and will be confirmed in writing, on request, explaining why any remedial work is necessary and over what timescale, and making sure that legal requirements are clearly distinguished from best practice advice.

Before formal enforcement action is taken, officers will provide an opportunity to discuss the circumstances of the case and, if possible, resolve points of difference, unless immediate action is required (for example, in the interests of health and safety or environmental protection or to prevent evidence being destroyed).

Where immediate action is considered necessary, an explanation of why such action was required will be given at the time and confirmed in writing in most cases within 5 working days and, in all cases, within 10 working days.

Where there are rights of appeal against formal action, advice on the appeal mechanism will be clearly set out in writing at the time the action is taken (whenever possible this advice will be issues with the Enforcement Notice).

March 1998

Enforcement Concordat

How does the organisation's enforcement policy measure up?

Criteria 1.0 Standards	Result			Objective evidence to support result/Suggestions for improvement
Section 1.1 Are clear standards for the level of service and performance the public and private business can expect to receive in existence?	3	☑	Yes, written and clear	Service Guarantees published, covering fire fighting and rescues, Fire Safety Certification, Fire Safety Training, Fire Safety Education, Fire Safety in Places of Public Entertainment and Licensed Premises. Require updating to take account of local government changes ie, the move to unitary authorities.
	2	☐	Yes, written but some standards not included	
	1	☐	No, not written but some standards known	
	0	☐	No, nothing written or really known on standards	
Section 1.2 Are the Standards: (I) The result of consultation with business and other relevant interested parties, including where appropriate, technical experts?	3	☐	Yes, regular consultation	New legislation guidance documents promulgates normally by Home Office also CACFOA Fire Safety Working Parties where consultation takes place. Normally do not consult with businesses. CACFOA membership consists of technical experts who make up their committees and working parties.
	2	☑	Yes, most of the time	
	1	☐	Sometimes	
	0	☐	No	
(II) Published and shown with the organisation's performance against the standards?	3	☐	Yes, regular clear publication	As above service guarantees include most of relevant information on time scales. Brigade Annual Report sent out to libraries etc, contains some statistical information (public satisfaction ratings).
	2	☑	Yes, most performance measures published	
	1	☐	Information available but not published	
	0	☐	No information on performance	
(III) Available to businesses and others who are regulated?	3	☑	Yes, widely available	All information available on request. Where new legislation is produced that has widespread application, companies may be informed as a matter of policy eg a letter to all ref. Compliance with Workplace Regs 1997
	2	☐	Yes, available to most	
	1	☐	No, limited availability	
	0	☐	No, inaccessible	

Criteria 2.0 Openness	Result	Objective evi ice to support result/Suggestions for improvement
Section 2.1 Is information and advice provided in plain language on the rules that the organisation applies?	3 ☑ Yes, clear commitment 2 ☐ Yes, most of the time 1 ☐ Sometimes 0 ☐ Not really	Model Terms are produced on all aspects of fire safety in plain language so far as this is possible while still meeting requirements of the law
Section 2.2 Is the information and advice on the rules "disseminated" as widely as possible?	3 ☐ Yes, in writing when relevant 2 ☑ Yes, to a limited group 1 ☐ No, only when requested 0 ☐ Not really	Brigade Orders Fire Prevention (BOFP's) are available to all Inspecting Officers, so that they have clear direction on policy.
Section 2.3 Is the organisation open about the way it sets about its work, including any charges that are made?	3 ☑ Yes, written policy followed 2 ☐ Yes, generally 1 ☐ Sometimes 0 ☐ No	Yes all charges for fire safety work including issue of certificate charges are outlined in Model Terms. BOFP's also list charges for special services and interviews with Fire Service Personnel eg ref Fire Investigation
Section 2.4 Do business, voluntary organisations, charities, consumers and the organisation's own workforce have a say in the way work is done?	3 ☐ Yes, written procedures for recording and action 2 ☑ Yes, receptive to requests but no procedures 1 ☐ Sometimes 0 ☐ Not really	Policy regarding consultation work, licensing and other "agency" work is written in co-operation with external users eg Social Services, Environmental Health etc. Businesses as such do not have a say
Section 2.5 When someone experiences difficulties with either a general issue or a specific compliance failure/problem, is the matter discussed?	3 ☑ Yes, written procedures for recording and action 2 ☐ Yes, receptive to requests but no procedures 1 ☐ Sometimes 0 ☐ Not really	Complaint procedures documented. Have facilities to discuss fire safety problems with Inspecting Officer. If not satisfied can discuss with supervisor.

Criteria 3.0 Helpfulness	Result			Objective evidence to support result/Suggestions for improvement
Section 3.1 Does the organisation get actively involved in working with business, especially small and medium sized businesses, to advise on and assist with compliance?	3	☐	Yes, to a clear plan	Inspecting Officers discuss items such as statutory notices, certification procedures etc prior to issuing.
	2	☑	Yes, most of the time	
	1	☐	Sometimes	
	0	☐	Not really	
Section3.2 Is the organisation's service provided with courtesy and efficiency, by staff who identify themselves by name?	3	☑	Yes	Yes, name badges worn by staff, policy documents, complaints procedures, quality assurance and customer care policy.
	2	☐	Yes, most of the time	
	1	☐	Some of the time	
	0	☐	No	
Section 3.3 Are customers provided with a contact point and telephone number for future dealing with the organisation?	3	☑	Yes,	Model Terms identifies the Officer dealing with a Fire Safety matter; all correspondence bears HQ number and direct dial where appropriate.
	2	☐	Yes, most of the time	
	1	☐	Some of the time	
	0	☐	No	
Section 3.4 Is business encouraged to seek advice /information from the organisation?	3	☑	Yes	Yes, as outlined in Service Guarantees, red card on Workplace Regs etc.
	2	☐	Yes, most of the time	
	1	☐	Some of the time	
	0	☐	Not really	
Section 3.5 Are applications for approval of establishments, licences, registrations etc dealt with efficiently and promptly?	3	☑	Yes	Management Information System (Workbook) ensures all work is logged and dealt with within deadlines. Time limits for different kinds of work outlined in BOFP R/3/A1.
	2	☐	Yes, most of the time	
	1	☐	Some of the time	
	0	☐	Not really	
Section 3.6 Are enforcement services provided in a co-ordinated way to minimise unnecessary overlaps and time delay?	3	☑	Yes	BOFP R/3 sets out priorities of inspections and activities. Also workbook (See above)
	2	☐	Yes, most of the time	
	1	☐	Some of the time	
	0	☐	Not really	

Criteria 4.0 Complaints about the Service	Result			Objective evi. .ice to support result/Suggestions for improvement
Section 4.1 Are complaints procedures (i) In place?	3	☑	Yes, written	Quality assurance and customer care section and complaints procedures. Recorded on FB 75.
	2	☐	Yes, informally	
	1	☐	No, nothing clearly understood	
	0	☐	Not really	
(ii) Well publicised?	3	☐	Yes	On the whole where a customer actually complains ie we tend to be reactive rather than pro-active. Customer care cards are issued however --in respect of fire safety and operational incidents.
	2	☐	Yes, most of the time	
	1	☑	No, limited ineffective publicity	
	0	☐		
(iii) Effective and timely?	3	☑	Yes	All complaints are investigated.
	2	☐	Yes, most of the time	
	1	☐	Some of the time	
	0	☐	Not really	
(iv) Easily accessible to the public, employee's and consumer groups?	3	☐	Yes	Published in Service Guarantee cards – How to complain
	2	☐	Yes, most of the time	
	1	☑	Some of the time	
	0	☐	Not really	
Section 4.2 If a dispute cannot be resolved, is the right of complaint or appeal explained, including details of the process and the likely time-scale involved?	3	☑	Yes, clearly explained and backed up in writing if required	Yes, for example, procedure for Workplace Regs is comprehensively covered in Model Terms.
	2	☐	Yes, most of the time	
	1	☐	Some of the time	
	0	☐	Not really	

Criteria 5.0 Proportionality	Result			Objective evidence to support result/Suggestions for improvement
Section 5.1 Is any action the organisation requires from business proportionate to the risks, in order to minimise compliance costs?	3	☑	Yes, policy and plans on enforcement action in place and followed	Liaise with occupier – take least cost option. We look for what is considered reasonable in the circumstances of the case eg F/2 (BOFP 1st page) Certification Procedures,
	2	☐	Yes, nothing written but most of the time	
	1	☐	Some of the time	
	0	☐	Not always	
Section 5.2 When considering action, are the circumstances of the case and attitude of the operator taken into account, as far as the law allows?	3	☑	Yes, policy and plans on enforcement action in place and followed	Yes, see above.
	2	☐	Yes, nothing written but most of the time	
	1	☐	Some of the time	
	0	☐	Not always	
Section 5.3 Does the organisation take particular care to work with small businesses and voluntary and community groups, to ensure legal obligations re met without unnecessary expense, where practicable?	3	☑	Yes, policy and plans on enforcement action in place and followed	BOFP L/3/A2. Section 7. Small, multi-purpose community premises. 7.4 places emphasis on need only require **reasonable** fire safety measures following a risk assessment of the premises.
	2	☐	Yes, nothing written but most of the time	
	1	☐	Some of the time	
	0	☐	Not always	

Criteria 6.0 Consistency	Result			Objective evidence to support result/Suggestions for improvement
Section 6.1 Are duties carried out in a fair, equitable and consistent manner?	3	☑	Yes, policy and plans on enforcement action in place and followed	BOFP's Service Guarantees Customer Care OMPI's
	2	☐	Yes, nothing written but most of the time	
	1	☐	Some of the time	
	0	☐	Not always	
Section 6.2 Are arrangements in place to promote consistency, including liaison with other authorities and enforcement bodies, but allowing for the exercise of inspectors' judgement in individual cases?	3	☑	Yes, policy and plans on enforcement action in place and followed	Eg, Procedural Guidance Document – FB and BOFP control. Social Service – liaise with Inspectorate, BOFP H/1 Licensing Procedures ect L/2, L/3/A2
	2	☐	Yes, nothing written but most of the time	
	1	☐	Some of the time	
	0	☐	Not always	

How do the organisations enforcement procedures me .re up?

				Evidence/ Suggestions
1.	Is advice from an officer:	1	☑ Yes	Use of Model Terms
(a)	Put clearly and simple?	0	☐ No	
(b)	Confirmed in writing on request?	1	☑ Yes	All noted and confirmed in Model Terms
		0	☐ No	
1.	Does the advice:	1	☑ Yes	Stat notices
(a)	Explain why any remedial work is necessary and over what time-scale?	0	☐ No	Enforcement notices 14 days/21 days etc Deadline notified
(b)	Clearly distinguish legal requirements from best practice advice?	1	☑ Yes	Separate correspondence often sent – distinguishing stat notice from goodwill advice, for example
		0	☐ No	
1.	Before formal enforcement action is taken, unless immediate action is required (eg Health and Safety or environment protection or evidence destruction), do officers provide an opportunity to discuss the circumstances of the case and if possible resolve points of difference?	1	☑ Yes	Inspecting Officer has discretion – but can this be documented ? BOFP F/2. Brigade policy to keep people fully informed. Statutory notice must incorporate reasonable this to set works done – speak to contractors etc
		0	☐ No	
2.	Where immediate action is considered necessary, is an explanation of why such action is required given at the time an confirmed in writing for most cases within 5 working days and in all cases with in 10 working days?	1	☑ Yes	Section10/ enforcement notice/ enforcement order – prohibition notice. All of these signed and served as soon as possible.
		0	☐ No	
3.	Where there are rights of appeal against formal action, is advice on the appeal mechanism clearly set out in writing at he time the action is taken, where possible with the enforcement notice?	1	☑ Yes	All stated clearly in Model Terms in improvement notice/ enforcement notice stated on the back of X3t. Insight of appeal M notice
		0	☐ No	

Enforcement Concordat

Assessment results

Total enforcement policy score out of 75 = 66 As a percentage = 66/78 x 100 = 88%

Total enforcement procedure score out of 7 = 7 As a percentage = 7/7 x 100 = 100%

AGENDA ITEM 16: **LOCAL GOVERNMENT PENSION SCHEME: STATEMENT OF POLICY**

To	**Royal Berkshire Fire Authority**
Date	**7 July 1999**
Officer Contributing	**Chief Fire Officer** Clerk and Monitoring Officer Treasurer

A PURPOSE OF REPORT

To seek the Authority's approval for a revision of the Authority's statement of pension policy as required by the Local Government (Discretionary Payments) (Amendment) Regulations 1999 subject to consultation with representative bodies.

B PROPOSED ACTION

The Authority is invited to RESOLVE that its statement of pension policy is amended to provide that:

1 **the award of any discretionary compensatory benefits will only be considered on a case by case basis with reference to the financial or other benefits to the Authority.**

2 **In all cases the employer will obtain the full capital cost of retiring any employee earlier than their normal date of retirement.**

C FINANCIAL IMPLICATIONS OF PROPOSED ACTION

The proposed amendment to the Authority's statement of pension policy avoids prior commitment to benefit levels beyond those statutorily required. It will also ensure that the Authority is fully aware of the costs of any proposed discretionary compensatory benefits prior to their determination.

D SUPPORTING INFORMATION

1 The Authority approved a statement of pension policy in August 1998. With effect from 1 April 1999 the Local Government (Discretionary Payments) (Amendment) Regulations 1999 came into force. This change provides a further option when considering compensatory benefits for early retirement on the grounds of redundancy, in the efficient exercise of the employer's functions, or on a voluntary basis. The regulations have been changed to provide employing authorities the opportunity to grant a lump sum compensatory payment as an alternative to compensatory added years.

2 Employing authorities are required to formulate and publish a written policy statement on how they intend to exercise their discretion under the powers available in parts 2, 3 and 4 of the Local Government (Discretionary Payments) Regulations 1996 and the subsequent amendments under the 1999 Regulations. The deadline for producing written policy statements was 30 June 1999.

3 The Local Government Pension Scheme is open to the Brigades non-uniformed staff and uniformed control staff but not uniformed firefighters and officers who are covered by the Firemans Pension scheme.

4 In considering the Authority's needs in relation to the exercise of its discretionary powers it is not practical to make a general policy statement that can be applied to all potential early retirement cases. In arriving at its original statement of pension policy, the Authority adopted a cautious approach and it is recommended that this is continued. The exercise of discretion can involve significant costs and it is not possible to predict the circumstances in which it might be appropriate. There are no current plans which involve early retirement on efficiency or redundancy grounds but they may arise in the future. There is however a requirement to produce a policy statement as soon as possible.

5 In these circumstances it is recommended that the Authority adopts a policy that the award of any discretionary compensation benefits is considered on a case by case basis with reference to the financial or other benefits to the Authority. This policy has the drawback that staff will not know in advance how the Authority will exercise its discretionary power and has the potential for inconsistency of treatment. However it will give the Authority full control over the costs of discretionary benefits and will enable the Authority to decide the appropriate balance between benefits to staff and costs to the Authority in particular cases. This approach is recommended to participating Authorities by the Berkshire Pension Fund.

6 Because of the short timescales involved, consultation with representative bodies has not been undertaken prior to the drafting of this report. It will be undertaken as quickly as possible and reported back verbally to the Authority when it meets.

E BACKGROUND PAPERS

1 Local Government Pension Scheme Regulations 1997

2 Local Government Pensions Scheme: Statement of Policy - Report to Urgency Committee 18 August 1998

3 Local Government (Discretionary Payments) (Amendment) Regulations 1999

Contact Officer: David Wallace (0118) 932 2227