



**Agenda
for the Meeting
of the
Royal Berkshire Fire Authority**

Monday, 19th December, 2022

At

6.30 pm

RBFRS Headquarters
Lynda Kenyon Suite
Newsham Court
Pincents Kiln
Calcot
Reading
Berkshire
RG31 7SD

For further information regarding this meeting, please contact:

Committee Team

0118 938 4611

E-Mail at committeeteam@rbfrs.co.uk

Headquarters, Newsham Court, Pincents Kiln, Calcot, Reading, Berkshire RG31 7SD



MEETING: Royal Berkshire Fire Authority Meeting

DATE AND TIME: Monday, 19th December, 2022 at 6.30 pm

VENUE: Lynda Kenyon Suite
RBFRS Headquarters
Newsham Court
Pincents Kiln
Calcot
Reading, Berkshire RG31 7SD

S U M M O N S

You are hereby summoned to attend the meeting of the Royal Berkshire Fire Authority at the time, date and venue indicated above, when it is proposed to deal with the business set out in the enclosed Agenda.

A handwritten signature in black ink, appearing to read 'Graham Britten'.

GRAHAM BRITTEN
Monitoring Officer

To: Members of the Royal Berkshire Fire Authority:

| | |
|-----------------------------------|-------------------------------------|
| Councillor Christine Bateson | Councillor Jo Lovelock |
| Councillor Dennis Benneyworth | Councillor Sandra Malik |
| Councillor Tricia Brown | Councillor Morag Malvern |
| Councillor Jeff Brooks | Councillor Tina McKenzie-Boyle |
| Councillor David Cannon | Councillor Biyi Oloko |
| Councillor Haqeeq Dar | Councillor Mike Smith |
| Councillor Colin Dudley | Councillor Dexter Smith |
| Councillor Paul Gittings | Councillor Rachelle Shepherd- DuBey |
| Councillor Pauline Helliar-Symons | Councillor Dave McElroy |
| Councillor Tony Linden | Councillor Simon Werner |

Copy to: Senior Leadership Team (SLT), Royal Berkshire Fire and Rescue Service

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AGENDA

- 1. Apologies for Absence**
- 2. Declarations of Interest**

Purpose:

To receive declarations of interest from Councillors relating to items to be considered at the meeting, in accordance with the provisions of the Fire Authority's Local Code of Conduct, and any from Officers.

- 3. Minutes of the meeting held on 4 October 2022 (Pages 7 - 20)**

Recommendation:

That the minutes of the meeting and any recoded actions held on 4 October 2022, be confirmed as a correct record and signed by the Chair.

- 4. Receipt of Announcements**

Purpose:

To receive any announcements from the Chair or the Chief Fire Officer.

- 5. Issues arising from the Audit and Governance Committee**

Recommendation:

That it be noted that no reports have been referred by the Audit and Governance Committee.

- 6. Petitions and Questions from the Public under Standing Orders 19 and 25**

Purpose:

To receive any questions from members of the public, in accordance with Standing Orders 19 and 25.

7. Questions from Members under Standing Order 30

Purpose:

To receive any questions from Members under Standing Order 30.

8. Notices of Motion under Standing Order 44

Purpose:

To receive any notices of Motion under Standing Order 44.

9. Recommendations of Committees

Purpose:

There were no recommendations of Committees.

10. Corporate Plan and Community Risk Management Plan (Pages 21 - 120)

Purpose:

To agree the proposed Corporate Plan and Community Risk Management Plan for public consultation.

11. Review of Constitutional and Governance Arrangements (Pages 121 - 148)

Purpose:

To approve the amended Standing Orders (Appendix A) and all references to Chairman and Vice-Chairman is changed to Chair and Vice-Chair in all documents within the Members Handbook.

12. Royal Berkshire Fire Authority (RBFA) Firefighters' Pension Scheme - Administration, Management and Governance Strategy (Pages 149 - 178)

Purpose:

To approve the RBFA Firefighters' Pension Scheme Administrative, Management and Governance Strategy.

13. Royal Berkshire Fire Authority (RBFA) Firefighters' Pension Scheme - Discretion Statements (Pages 179 - 226)

Purpose:

To approve RBFA Firefighters' Pension Scheme – Discretion Statements.

14. Annual Treasury Management review 2021/22 and Mid-Year Treasury Management Update 2022/23 (Pages 227 - 248)

Purpose:

To note the Annual Treasury Report for 2021/22 and Mid-Year Treasury Management Update for 2022/23.

15. Forward Plan (Pages 249 - 250)

Recommendation:

That the Forward Plan be noted.

16. Minutes of the Standing Committees

Recommendation:

To note that the minutes of recent meetings were published on RBFRS website <http://www.rbfrs.co.uk/about-us/fire-authority/fire-authority-meetings/>

17. Date of the Next Meeting

Wednesday 15 February 2023, 6.30pm at Royal Berkshire Fire and Rescue Service, Newsham Court, Pincents Kiln, Calcot, Reading, Berkshire RG31 7SD.

18. Exclusion of the Public (Pages 251 - 252)

Recommendation:

To Resolve that under Section 100(A)(4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following Agenda Items on the grounds that they involve the likely disclosure of exempt information, as defined in the Paragraphs 2, 3 and 4 of Part I of Schedule 12A of the said Act indicated and is exempt information if, and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

19. Resilience Arrangements: Industrial Action (Pages 253 - 260)

Purpose:

To note the range of planned resilience measures available in order to make reasonable endeavours to fulfil its statutory duties.

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**MINUTES OF THE MEETING OF THE ROYAL BERKSHIRE
FIRE AUTHORITY**



Held on Tuesday, 4th October, 2022 at 6.30 pm

RBFRS Headquarters, Pincents Kiln, Newsham Court, Calcot,
Reading RG31 7SD

- Members:**
- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>(*present)</p> <ul style="list-style-type: none"> * Councillor Christine Bateson * Councillor Dennis Benneyworth * Councillor Tricia Brown Councillor Jeff Brooks * Councillor David Cannon * Councillor Haqeeq Dar * Councillor Colin Dudley * Councillor Paul Gittings * Councillor Pauline Helliar-Symons * Councillor Tony Linden | <ul style="list-style-type: none"> * Councillor Jo Lovelock * Councillor Sandra Malik * Councillor Morag Malvern Councillor Tina McKenzie-Boyle * Councillor Biyi Oloko * Councillor Mike Smith * Councillor Dexter Smith * Councillor Rachelle Shepherd-DuBey * Councillor Dave McElroy * Councillor Simon Werner |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

- In Attendance:**
- Mark Antell (Senior Communication and Engagement Officer, SC&EO)
 - Mark Arkwell (Deputy Chief Fire Officer, DCFO)
 - Wayne Bowcock (Chief Fire Officer, CFO)
 - Paul Bremble (Head of Corporate Services, HCS)
 - Graham Britten (Monitoring Officer, MO)
 - Abdifatar Hassan (Democratic Support Assistant, DSA)
 - Becci Jefferies (Head of Human Resources and Learning and Development, HHR&L&D)
 - Ryan Maslen (Deputy Head of Finance and Procurement, DF&P)
 - Andrew Mclenahan (Head of Facilities, Fleet and Equipment, HFF&E)
 - Katie Mills (Assistant Chief Fire Officer, ACFO)
 - Jim Powell, (Area Manager, Collaboration and Policy, AM C&P)
 - Nikki Richards (Deputy Chief Executive, Dep ChEx)
 - Fayth Rowe (Democratic Support Lead, DSL)
 - Tregear Thomas (Area Manager, Prevention and Protection, AM P&P)
 - Tony Vincent (Head of Business and Information Systems, HBIS)

21. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Jeff Brooks, Christine Bateson and Tina McKenzie-Boyle.

Action

22. DECLARATIONS OF INTEREST

There no Declarations of Interest received from Members or Officers.

23. MINUTES OF THE MEETING HELD ON 30 JUNE 2022

RESOLVED that the Minutes of the meeting held on 30 June 2022, be approved as a true record and signed by the Chair.

24. PETITIONS AND QUESTIONS FROM THE PUBLIC UNDER STANDING ORDERS 19 AND 25

There were no petitions and questions from members of the public under Standing Orders 19 and 25.

25. RECEIPT OF ANNOUNCEMENTS

The Fire Authority held one minute silence as a mark of respect of the passing of Her Late Majesty the Queen.

The Chair made the following announcements.

Passing of Her Late Majesty the Queen and proclamation of King Charles III

The Chair, stated, he was sure everyone across Royal Berkshire Fire and Rescue Service (RBFRS) was saddened, to hear of the passing of Her Late Majesty The Queen on Thursday, 8 September 2022.

Queen Elizabeth II reigned for 70 years from 1952 to 2022 and was a symbol of great unity for the United Kingdom.

Following the announcement of the death of Her Majesty, the Service supported 'Operation London Bridge', the name given to the funeral plan.

RBFRS staff worked hard alongside partners to ensure that this operation was appropriately supported and that the normal high level of operational response was maintained. He thanked everyone who supported this effort.

With part of the funeral procession and the committal service taking place in Windsor, a collective effort ensured the normal operational response was maintained during this period of national mourning.

Ahead of the funeral, our Protection Team also worked closely with Fire Safety Inspectors from Oxfordshire Fire and Rescue Service and Surrey Fire and Rescue Service to inspect over 150 sleeping premises in Windsor, Maidenhead and the surrounding areas.

With the Proclamation of King Charles III, the Chair, on behalf of the Fire Authority, wished King Charles III well as he begins his reign.

Ministerial Appointment – Jeremy Quin MP

Following the announcement of Liz Truss as Prime Minister on Monday 5 September, further Ministerial appointments have been made.

Jeremy Quin MP has been appointed as the Minister of State with responsibility for Fire, Policing and Tackling Crime at the Home Office.

On behalf of the Fire Authority, the Chair welcomed Jeremy to his new post and stated he looked forward to working with him in the future.

Chairman's Internship

In August, 10 interns joined different teams from across the Service as part of the Chairman's Internship Scheme.

The scheme was a first of its kind for the Service and offered the interns opportunities to develop their workplace skills and gain experience working in teams from across Royal Berkshire Fire and Rescue Service.

The interns visited four different stations over the course of their placements, where crews and cadet instructors led a range of activities that provided both informative learning input as well as fun demonstrations.

Interns also contributed to work in their designated departments, took part in career development sessions and core skills courses aimed at preparing them for their future careers and educational pursuits.

At the end of the five weeks, interns were presented with certificates at an event to celebrate the completion of their internships. The Chair stated, he had the pleasure of meeting the interns at the beginning of the Internship. He thanked them all for their efforts and wish them all the best for the future.

He expressed his thanks to the Project Team behind the internship who had worked so hard over the past year to prepare and deliver the scheme.

Community Engagement

Since the Fire Authority last met, the Service has been hard at work engaging with communities across Berkshire.

Both Newbury and Whitley Wood Fire Stations have hosted successful open days in recent weeks, attracting hundreds of visitors and helping us to reconnect with our communities following the pause of Open Days caused by the COVID-19 pandemic.

These events provided an excellent opportunity to share prevention, recruitment

and other important messaging as well as offering a family friendly day out for guests.

We were also proud to once again show our support for the LGBTQ+ community at Reading Pride. A crew from Caversham Road Fire Station joined other staff from across the Service at Kings Meadow to join in this year's celebrations.

The Chair thanked everyone who was involved in preparing and supporting these invaluable community engagement projects.

Service of Remembrance

On Sunday, 4 September, the Service joined the Firefighters Memorial Trust's Service of Remembrance at Holy Sepulchre Church, London.

We were pleased to join fire and rescue services from across the country in recognition of the commitment and dedication of firefighters across the United Kingdom. After a short church service, standard bearers and guests proceeded to the memorial for a wreath-laying ceremony.

On 9 September, staff across the Service also paused to remember all those who tragically lost their lives, including 343 firefighters, in the terror attacks on the World Trade Centre in New York in 2001.

He stated, it was important we continue to remember all those who have made the ultimate sacrifice in the line of duty.

Wayne Bowcock, Chief Fire Officer (CFO) made the following announcements.

The CFO made a warm welcome to Paul Bremble, Head of Corporate Services.

Tony Vincent, Head of Business and Information Service (HBIS) will be leaving RBFRS at the end of October. He thanked him for his contribution to the Service and wished him well in his future endeavours.

The Service will be receiving His Majesty's Inspectorate Constabulary Fire and Rescue Service (HMICFRS) pre-publication report on RBFRS recent inspection in mid-October. The formal HMICFRS inspection report will be published in January 2023.

HMICFRS held a hot de-brief following the inspection period. The inspection team commented on the positive culture of the Service. On discussing the improvements for the Service that had been identified in the last inspection in 2018/19, one was not progressed which was a decision made by the Service and the other, was an improvement. The CFO thanked Katie Mills, Angela Smith and colleagues.

The Chair echoed his thanks to all teams for their assistance during the inspection period.

Councillor Dudley congratulated all of the young people that participated as part

of the Chairman's Internship in the summer. He welcomed, Abdifatar Hassan, Democratic Support Assistant to his first Fire Authority meeting, as well as wished Tony Vincent a happy retirement.

Date of Next Meeting

Since the publishing of the agenda for this meeting, the date of the next Fire Authority meeting previously scheduled for the 1 November has been moved to 19 December. Outlook invitations to Fire Authority Members have been subsequently updated and RBFRS website has also been updated.

26. ISSUES ARISING FROM THE AUDIT AND GOVERNANCE COMMITTEE

There were no issues arising from the Audit and Governance Committee.

27. QUESTIONS FROM MEMBERS UNDER STANDING ORDER 30

There were no questions from Members under Standing Order 30.

28. NOTICES OF MOTION UNDER STANDING ORDER 44

There were no notices of Motion under Standing Order 44.

29. RECOMMENDATIONS OF COMMITTEES

There were no recommendations of Committees.

30. REVIEW OF CONSTITUTIONAL AND GOVERNANCE ARRANGEMENTS

Graham Britten, Monitoring Officer (MO), took Members through the proposed changes to the Standing Orders, Fire Authority and Management Committee Terms of Reference and Member Roles Description document. He highlighted the following:

- 1) Page 28. SO3 – He stated, Democratic Support, in liaison with Unitary Authorities will arrange the June Fire Authority annual meeting within summonses to be issued seven calendar days after the date of the last of the councils' annual Council meetings in May.
- 2) Page 29. SO8 and SO9 – was the process for appointing the Chair for the Municipal year.
- 3) Page 35. SO45A – expresses vote of no confidence can be made against any Member receiving a Special Responsibility Allowance (SRA)

supported by seven Members and to include a good cause such as breach of the Code of Conduct.

- 4) Page 46 – relates to the date of inaugural annual committee meetings will not be held on the same date of Fire Authority annual meeting. Graham Britten highlighted a typo error in paragraph SO107B (b), and stated the reference within the paragraph should be read as SO107 (a) and it would be amended accordingly.
- 5) Page 52 – (Appendix B) the highlighted sections reflect the expansion of the Lead Member role of Strategic Asset to include and Sustainability, the merger of Member Champion role of Safety, Health, Fitness Wellbeing and Member Development Champion and the role of Equality, Diversity and Inclusion Champion has been moved into a substantive Champion role.
- 6) Page 58 – (Appendix C) –amendments to the Terms of Reference of the Management Committee to reflect the expansion of Lead Member role of Strategic Assets and Sustainability.
- 7) Page 70 – (Appendix D) – has been amended to reflect the changes made in Appendix B and C, and for Lead Member reports to be made annually instead of bi-annual.

Councillor Dudley asked whether the vote of no confidence clause in Appendix A was in accordance with the Members Code of Conduct? Graham Britten confirmed that the vote of no confidence clause should reflect the Members Code of Conduct. He reiterated two Member Champions roles had been merged into one, to allow for the Equality, Diversity and Inclusion (EDI) Champion role to be converted into a substantive Champion role.

Councillor Dudley queried whether the items on the agenda could have waited to be discussed at the next scheduled Fire Authority meeting, instead of calling and Extraordinary Fire Authority meeting?

The Chair stated he called for an Extraordinary Fire Authority meeting to amend the Standing Orders and to make the changes referred to the Strategic Assets and Sustainability Lead Member role and the merger of Safety, Health, Fitness Wellbeing and Member Development Champion and the substantive move of the EDI Champion role. In addition, he stated he felt the time between the June and scheduled meeting in November was too long a period and he felt the meeting was timely for Members to receive an update on the Service response to the summer Heatwave.

In referring to page 46, SO107B (b), Councillor Mike Smith queried what would happen if the Vice-Chair from the presiding year was no longer a Fire Authority Member, who would preside over the meeting? Graham Britten reported that it would revert back to SO107B (a) ‘ *a Member will be chosen by vote to preside over the election of the Chairman for the year*’.

In referring to page 29, SO8, Councillor Dexter Smith queried what would happen if the Vice-Chair from the preceding year, wanted to stand for Chair at the annual meeting, therefore the Vice-Chair from the preceding year could not preside over the annual meeting? He stated, the proposed amendment does not

make allowances for the above possible scenario. He suggested, a solution could be that the preceding Chair, chair's the annual meeting.

Graham Britten advised that he would revisit the above points and will present a revision at the Fire Authority meeting in December.

In answer to a question from Councillor Cannon, the Chair confirmed that the Armed Forces Honorary Champion role remained.

In answer to Councillor Linden, it was confirmed that the Special Responsibility Allowances (SRA) remained within the 10 SRA rule.

Councillor McElroy advised there was a typo on page 70, 7.2.3 which should be amended to 'Head of Facilities, **Fleet** and Estates' and 'regularly' [amendment highlighted in bold].

The Chair reported that he will move an amendment at the Fire Authority meeting in December to change roles to be more gender neutral e.g Chair instead of Chairman.

In answer to a question from Councillor Dudley, Wayne Bowcock, Chief Fire Officer (CFO), reported paragraph 3.14 explained the intention is for Lead Member reports to be consolidated into an annual report at the end of the year. In referring to page 71 (Appendix D), he reported the Communication and Engagement Team were the recognised media contact and that they would signpost media queries to the relevant Lead Member.

Councillor Dudley felt that there were political issues Lead Members should be dealing with. The Chair clarified the intention of the deletion of media contact and stated that Members were free to talk to the media and that the wording in that section could be reworded.

Nikki Richards, Deputy Chief Executive (DChX), proposed Appendix D, paragraph 7.2.5 be reworded to read the following, '*Lead Members* To be a recognised media contact directed via Communications and Engagement Team'.

In response to Councillor Cannon, the Chair reiterated he requested for an Extraordinary Fire Authority meeting due to there was a new administration of the Fire Authority and for the need to amend the Standing Orders, Strategic Assets and Sustainability Lead Member role and Champion roles, mentioned earlier.

Councillor Cannon felt that Lead Member roles were being limited. The Chair reported the section on Lead Member roles in Appendix D was referring to Members role within the Fire Authority and not their political role.

Wayne Bowcock stated the paragraph in question, was not reducing the role of the Lead Members, the intention was to ensure that media enquiries were signposted to the relevant Lead Member via the Communications and

Engagement Team.

The Chair advised that the paragraph in question was ensuring the Lead Member received a briefing from the Communications and Engagement Team, providing additional support to the Lead Member.

Graham Britten proposed the motions to be taken individually, and suggested 2.1 be revised and postponed to the December meeting, and that recommendation 2.2 – 2.6 could be approved by the Fire Authority.

The Chair moved recommendation 2.2 – 2.6, seconded by Councillor Lovelock.

Councillor Cannon stated he felt unclear what he was expected to vote on and felt it was unwise to vote in a rush.

Councillor Dudley stated that he could not vote on this paper, due to he felt it was ambiguous and confusing.

Councillor Werner felt the proposed changes were simple and was disappointed. He stated when joining the Fire Authority, he was told there were no party politics and stated Members should be working as one Fire Authority.

Councillor Linden disagreed with Councillor Werner and suggested that the decision on the report is made at the Fire Authority meeting in December.

Councillor Lovelock [as seconder] suggested each recommendation be voted on individually.

Councillor Helliar-Symons stated she felt the Fire Authority was not political and saw no rush to agree the recommendations outlined in the report, until further amendments were made. She stated that she could not vote on the report.

Councillor Brown stated she felt Members could agree on the changes made to the Strategic Assets and Sustainability Champion, the merger of the Member Champion roles and the EDI Champion role, due to its importance.

Councillor Dexter Smith stated he felt there was a lack of clarity and ambiguity and suggested for a Working Party to be established to discuss in greater detail. He stated he could not vote on the report and proposed the report was deferred to the next meeting.

Councillor Oloko also stated he could not vote on the report due to the amendments raised.

Councillor Dudley stated Appendix A, B, C and D required rewording.

The Chair apologised for the confusion and proposed recommendation 2.2 – 2.6 subject to minor changes to the wording be approved, and moved recommendation 2.1 (Standing Orders) be approved at the meeting in December.

Councillor Lovelock seconded the motion. The amended motion was put to the vote.

MO

RESOLVED that:

- 1) Standing Orders (Appendix A) be brought back to the Fire Authority in December, be approved.
- 2) Subject to minor amendments to Appendices B - D:
 - a) The amended Fire Authority Terms of Reference, Appendix B be approved;
 - b) The amended Management Committee Terms of Reference, Appendix C be approved;
 - c) The amended Member Role description; Appendix D, be approved;
 - d) The EDI Champion receive a Special Responsibility Allowance, effective from 5 October 2022, in line with the Member Scheme of Allowance approved by the Fire Authority on 15 February 2022, be approved;
 - e) Lead Member and Member Champion reports are presented to the last Fire Authority meeting of each Municipal Year, be approved.

31. BUSINESS CONTINUITY PRESENTATION

Mark Arkwell, Deputy Chief Fire Officer (DCFO), reported the risk of Industrial Action (IA) had increased and the purpose of the presentation was to inform the Fire Authority on what the Service was doing to mitigate this risk.

On 27 June, 2% pay increase offer was made to Grey Book staff. This offer was rejected on 2 September. The Fire Bridge Union (FBU) will ballot its members to strike. A revised pay offer of 5% was made on 4 October (today). If accepted, it would be an additional pressure of £500,000 to the Fire Authority. No additional funding would be received from central government.

The Service will continue to prepare for IA. The Fire Authority has a statutory requirement under the Fire and Rescue Act 2004 to make provision for the purpose of firefighting, road traffic collisions and other emergencies.

The DCFO explained the timescale and scenarios and stated IA could be held as early as mid-November. He stated FBU could vote no, or two options if yes - strike or yes - ASos (this could be a ban on pre-arranged overtime).

A full strike could be the maximum disruption to Service. We will not know until the results of the ballot. He outlined three guiding principles the Service were adhering to, and added the Service has a positive culture and relationship with FBU.

- Undertake best endeavours to deliver core services to our communities taking a risk based and public value approach
- Seek to maintain positive relations with our workforce, and those bodies that represent them, by respecting individual views, rights and choice
 - Take a zero tolerance stance on unacceptable behaviours to safeguard RBFRS' One Team culture

In answer to a question from Councillor Linden, the DCFO reported the original pay offer for Grey Book staff, including Control staff was 2%. A revised offer was made on 4 October which was increased to 5%. If the offer is accepted it would cost the Fire Authority unbudgeted, £500,000. In referring to the Green Book pay offer, the DCFO explained staff were offered a flat rate which had been accepted by two out of three unions.

Councillor Helliard-Symons stated she was pleased there was a good relationship with the FBU and asked how many staff were FBU members. The DCFO reported, he was unable confirm the number due to the process used to determine the number of FBU being paid from salaries had been removed. He stated he estimated at least 90%.

Councillor Mike Smith asked what confidence did management have in Securitas in fulfilling its contractual arrangements during a possible strike period?

The DCFO reported Doug Buchanan, Area Manager Response and Resilience, and Tregear Thomas, Area Manager, Prevention and Protection were liaising with Securitas.

In answer to a question from Councillor Cannon, the DCFO reported that RBFRS appliance and PPE will be used during possible strike. Training and familiarisation will be provided.

Councillor Mike Smith asked what was the percentage of fire cover by Securitas? The DCFO reported the number of wholtime appliance across Berkshire were 14. Securitas will provide up to four. It was the discretion of management on how they were deployed.

Councillor Linden asked whether the Service's Specialist vehicles would be available during this period. The DCFO stated the Service would ensure capability, however until management know how many people will be working over IA period, will depend on the Special vehicles deployed. He added the Service were working with partners across Thames Valley and beyond on providing Specialist availability during this period.

The DCFO stated there would be one appliance per shift – four shifts during IA. Subject to strike tactics, provision may need to be made for rest periods, which could drop to three appliances.

In referring to the revenue cost to the Authority of the last IA held in 2014, he stated, it had cost the Authority £1.2 million.

Councillor Dudley explained the ballot result from FBU in London and large metropolitan areas will determine whether IA is held nationally, due to the sheer majority in those areas. He commended the positive relationship between the Authority and FBU, and stated a level of sympathy towards the FBU should be applied.

For copies of the presentation contact committeeteam@rbfrs.co.uk

32. SUMMER HEATWAVE REPORT AND PRESENTATION

Katie Mills, Assistant Chief Fire Officer (ACFO), introduced the report before handing the presentation to Doug Buchanan, Area Manager, Response and Resilience.

Doug Buchanan reported the organisational impact and operational demand the summer heatwave in July and August had on the Service. He stated the hottest day on record, 18 July, stretched the Service's resources. RBFRS attended 48 incidents in Berkshire, one of which was a large incident in Sulham Woods which at its peak had 10 RBFRS fire appliances in attendance. Of the incidents attended both within our borders and into neighbouring Services, there was a total number of 108 fire appliance attendances. 31 of these were fires in the open. As a result of this demand, the response standard on that day fell to 58.3%.

In addition to the pressures felt by the increased operational demand to fires, tragically during the period three people lost their lives through drowning in open water within Berkshire.

He stated a Critical Event Management Team – Command and Control was established in early July. Operational Support Room – Support, Resourcing and Logistics was formed to implement decisions from Corporate Emergency Management Team (CEMT) and the continued engagement with the Local Resilience Forum had provided resilience and common understanding of partner pressures and provided opportunities for mutual aid and support.

Tregear Thomas, Area Manager Prevention and Protection outlined the increased activity across prevention during the above period. Prevention teams and station crews plan water and wildfire related activity through the summer months. CEMT provided direction on targeting higher risk areas and crews ensured safety messages were getting out to the community. One particular activity was a partnership initiative with Royal Borough of Windsor and Maidenhead (RBWM). Free swimming lessons for teenagers were offered every weekday of the school holidays. The Service used that time slot to provide water safety advice to those young people.

Councillor Werner commended the prevention activity listed and queried whether the Service were providing safety advice to land owners. Tregear Thomas reported, the Service worked closely with Crown Estate. He added, Local Safety Plans was a tool used to inform the public.

In referring to over the border incidents, Councillor Dudley queried whether the Service refused to attend incidents over the border, due to capacity? Doug Buchanan reported of the collaboration arrangement the Service has with Thames Valley Fire and Rescue Service partners and beyond the Thames Valley. There were occasions during the period, where over the border attendance needed to be restricted due to our own capacity pressures.

Wayne Bowcock, CFO outlined the Fire and Rescue Services Act 2004, sections 13 and 16 require Fire and Rescue Services to provide a basic level of support.

In response to a question from Councillor Lovelock on whether the Service needed to look a different equipment / appliances and whether the Service provide water safety advice at schools, Doug Buchanan reported the Service were part of a mutual aid arrangement in terms of using appliances from other FRs. He added, as part of the Community Risk Management Plan, the Service's capabilities will be reviewed.

Tregear Thomas reported the Service attend schools. He stated, every school in the county were offered water safety advice, and reported of work in partnership with the Canals and Rivers Trust. He listed the Service's engagement with the Community Safety Partnership and the safety advice communicated via social media throughout the year.

In response to a question from the Chair, Katie Mills, ACFO, advised a Water Rescue Review was underway and was looking at the risk profile and additional resources into the East of the county to take into account skills, training and equipment. She added significant changes would be brought to the CRMP consultation. Mark Arkwell, DCFO, stated the Service will be meeting with South Central Ambulance Service (SCAS) and Thames Valley Police (TVP) as part of Berkshire Resilience.

RESOLVED that the content of the report and associated presentation be noted.

For copies of the presentation contact committeeteam@rbfrs.co.uk

33. ROYAL BERKSHIRE FIRE AUTHORITY'S (RBFA) RESPONSE TO WHITE PAPER FIRE REFORM CONSULTATION

Nikki Richards, Deputy Chief Executive, provided a brief outline on Fire Authority's response to the recent Home Office consultation on Fire Reform. Members were invited to an online workshop on 12 July and stated Appendix A was the final version of the consultation submitted.

Councillor Linden stated he felt the Police Crime Commissioner (PCC) should only be concentrating on the Police Service, and not Fire and Rescue Service. Councillor Werner echoed the sentiment and stated collaboration work was outstanding and there was no need to go in that direction.

RESOLVED that the response submitted by the Authority to the Home Office Fire Reform Consultation as shown in Appendix A, be noted.

34. FORWARD PLAN

RESOLVED that the Forward Plan be noted.

35. DATE OF THE NEXT MEETING

Tuesday ,1 November 2022, 6.30pm at Royal Berkshire Fire and Rescue Service Headquarters, Newsham Court, Pincents Kiln, Calcot, Reading, Berkshire RG31 7SD.

The above meeting was moved to Monday, 19 December 2022, 6.30pm at Royal Berkshire Fire and Rescue Service Headquarters, Newsham Court, Pincents Kiln, Calcot, Reading, Berkshire RG31 7SD.

36. EXCLUSION OF 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 Agenda Items on the grounds that they involve the likely disclosure of exempt information, as defined in Paragraphs 1, 2 and 3 of Part I of Schedule 12A of the said Act indicated and is exempt information if, and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

37. LOCAL GOVERNMENT PENSION SCHEME DISCRETION ON TRANSFER IN OF PENSION RIGHTS

In relation to the individual case considered.

RESOLVED that it be agreed, to exercise discretion to allow transfer of former pension rights into the Local Government Pension Scheme outside of the 12 month transfer.

(The concluded at 21.01)

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ROYAL BERKSHIRE FIRE AUTHORITY REPORT

| | |
|---------------------------|--------------------------------------------------------------------------------------|
| COMMITTEE | FIRE AUTHORITY |
| DATE OF MEETING | 19 DECEMBER 2022 |
| SUBJECT | CORPORATE PLAN AND COMMUNITY RISK MANAGEMENT PLAN |
| LEAD OFFICERS | PAUL BREMBLE, HEAD OF CORPORATE SERVICES AND TIM READINGS, GROUP MANAGER CRMP |
| LEAD MEMBER | COUNCILLOR PAUL GITTINGS |
| EXEMPT INFORMATION | NONE |
| ACTION | FOR DECISION |

1. EXECUTIVE SUMMARY

- 1.1 Royal Berkshire Fire and Rescue Authority (RBFA) is required to set out its understanding of the risk it is responsible for mitigating in the community. The document that describes how RBFA intends to accomplish this is the Corporate Plan & Community Risk Management Plan (CRMP).
- 1.2 These plans propose change in line with the requirements of the Fire and Rescue Service National Framework for England 2018.
- 1.3 The proposed changes affect all areas of Royal Berkshire Fire and Rescue Service and are based on a range of evidence.
- 1.4 The plans are critical to shaping the success of the organisation and set out strategic objectives to ensure measurable progress towards improving the safety of stakeholders.
- 1.5 This report explains the decision criteria for acceptance of the Corporate Plan & CRMP to allow commencement of public consultation in January 2023.

2. RECOMMENDATION

That the Fire Authority:

- 2.1 **AGREE** that the proposed Corporate Plan & CRMP for public consultation meets the requirements set out in the Fire and Rescue National Framework for England 2018.

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- 2.2 **AGREE** that 4 years is a suitable timeframe for the proposed Corporate Plan & CRMP.
- 2.3 **AGREE** that the Evidence Base represents a suitable and sufficient assessment of risk to support the priority recommendations of the CRMP.
- 2.4 **AGREE** the restated purpose of the Fire and Rescue Authority.
- 2.5 **AGREE** the strategic commitments of RBFA.
- 2.6 **AGREE** the Corporate Plan & CRMP priority actions are appropriate and suitable measures to mitigate fire and rescue related community risk in Royal Berkshire.
- 2.7 **AGREE** to commence a 10 week public consultation in January 2023, on a date to be confirmed at the Chief Fire Officers discretion, to inform a future decision on the adoption of the proposed Corporate Plan & CRMP and consequently, RBFRS' response to managing risk in the community for the proceeding four years.

3. REPORT

- 3.1 The production of an Integrated Risk Management Plan (IRMP) is a requirement of the Fire and Rescue National Framework for England. In line with guidance from the National Fire Chiefs' Council, RBFA should now refer to the IRMP as a Community Risk Management Plan (CRMP).
- 3.2 When carrying out its functions, RBFA, is required to "have regard" to the Framework. As non-statutory guidance it should be conscientiously taken into account.
- 3.3 RBFA should be clear that the Corporate Plan & CRMP under consultation and subsequently, for publication, meets the requirements of the Framework.
- 3.4 The Framework states that the Corporate Plan & CRMP "must" meet certain requirements. These are set out below.
- 3.5 To assist with the consideration of these matters' a short commentary has been provided following each item.
- 3.6 **The Corporate Plan & CRMP "must";**
- 3.7 **Reflect up to date risk analyses including an assessment of all foreseeable fire and rescue related risks that could affect the area of the authority;**
- 3.8 The Evidence Base will be RBFA's 'assessment of all foreseeable fire and rescue related risks'. It will set out all foreseeable risks to which RBFRS might be expected to respond and assess their risk based on a combination of their likelihood and consequence measured against existing and proposed mitigation. The Evidence Base sits alongside the Corporate Plan & CRMP document as a supporting analysis. RBFA should ensure the Corporate Plan & CRMP adequately reflects the Evidence Base's analysis.

- 3.9 When considering whether the Evidence Base is properly reflected in the Corporate Plan & CRMP it is not necessary that the document reproduces it exactly but instead that it represents it accurately, in an appropriate and proportional manner.
- 3.10 There should be clearly identifiable links between the findings of the Evidence Base and the strategic priorities outlined in the Corporate Plan & CRMP, these should;**
- 3.11 Demonstrate how prevention, protection and response activities will best be used to prevent fires and other incidents and mitigate the impact of identified risks on its communities, through authorities working either individually or collectively, in a way that makes best use of available resources**
- 3.12 Having considered the Evidence Base and Corporate Plan & CRMP RBFA should form a view on whether the Corporate Plan & CRMP does indeed 'demonstrate' that this requirement is met. It is not sufficient to state by reference to another document that they are met, the Corporate Plan & CRMP itself must demonstrate this.
- 3.13 To 'demonstrate' does not require that every aspect of the prevention, protection and response activities be set out. RBFA should consider whether the Corporate Plan & CRMP allows a sufficient understanding of how these activities will prevent fires and other incidents and mitigate the impact of identified risks.
- 3.14 Outline required service delivery outcomes including the allocation of resources for the mitigation of risks;**
- 3.15 To outline something does not require every aspect to be set out in full. RBFA should be content that the service delivery outcomes are rational, clearly set out, comprehensible and that the documents include appropriate reference to the allocation of resources.
- 3.16 For clarity, supporting documentation can provide context, but the Corporate Plan & CRMP must fulfil the Framework requirements as a stand-alone document.
- 3.17 Set out its management strategy and risk-based programme for enforcing the provisions of the Regulatory Reform (Fire Safety) Order 2005 in accordance with the principles of better regulation set out in the Statutory Code of Compliance for Regulators, and the Enforcement Concordat;**
- 3.18 This requirement is for a 'management strategy and risk-based programme'. RBFA should consider whether the information provided in the Corporate Plan & CRMP provides a suitable description of the Risk Based Inspection Programme and how this is managed to target regulation to risk.
- 3.19 RBFA should further consider if the Corporate Plan & CRMP is compliant with the principles of better regulation set out in the Statutory Code of Compliance for Regulators, and the Enforcement Concordat.

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- 3.20 Cover at least a three-year time span and be reviewed and revised as often as it is necessary to ensure that the authority is able to deliver the requirements set out in this Framework.**
- 3.21 There is no requirement to set out a review or revision criteria, process, or timetable now or at the start of the Corporate Plan & CRMP, a review or revision may be undertaken at any time that it becomes necessary to ensure the delivery of the Framework's requirements. The annual planning cycle and annual review of risk are the mechanism RBFRS will use to ensure delivery of the requirements of the framework.
- 3.22 The proposed Corporate Plan & CRMP duration is four years. RBFA should ensure that it is confident that this is a reasonable timeframe.
- 3.23 Reflect effective consultation throughout its development and at all review stages with the community, its workforce and representative bodies and partners;**
- 3.24 The consultation process for the Corporate Plan & CRMP will be in line with the RBFRS Consultation Strategy and will seek to build upon previous consultation learning. The consultation will be overseen by Programme Office and the Communications and Engagement Team and supported by Service Delivery and Corporate Services. RBFA will need to form a view before agreeing and publishing the final Corporate Plan & CRMP that suitable and sufficient consultation has taken place in line with established good practice.
- 3.25 The Fire Standards Board**
- 3.26 The Fire Standards Board has developed a new Fire Standards (2021) "Community Risk Management Planning", which sets out standardised tools for fire and rescue services to enable consistent identification, assessment and mitigation strategies for community risks. In development of this CRMP, RBFRS has used this standard to ensure that the CRMP complies with the standard.
- 3.27 Be easily accessible and publicly available.**
- 3.28 Publication of the Corporate Plan & CRMP consultation document and finalised Corporate Plan & CRMP will be in accordance with established RBFRS practices.
- 3.29 Strategic Commitments**
- 3.30 The Corporate Plan & CRMP contains a set of strategic commitments that reflect the intent of the Fire authority.
- 3.31 RBFA should ensure that they are in agreement that the proposed commitments are suitable and will sufficiently support organisational change, the discharge of the statutory functions of RBFA and the purpose of the RBFA.
- 3.32 Corporate Plan & CRMP Priorities**
- 3.33 The CRMP process has identified a number of areas where improvements can be made to deliver a more efficient and effective service to the communities of

Berkshire. These priorities represent the significant change programmes for RBFRS over the lifespan of the Corporate Plan & CRMP.

- 3.34 RBFA should ensure that they are in agreement that the proposed priorities address service delivery gaps identified in the Evidence Base document and that they appropriate support the Authority's strategic commitments.
- 3.35 The draft CRMP and Evidence Base are found in Appendix A and B.
- 3.36 To ensure RBFA can make the best possible decisions, it is necessary to consult publicly on any changes it makes to its Service Delivery arrangements.
- 3.37 RBFRS is in a position to build on the positive consultation experiences of recent years and ensure we are able to reach 'seldom heard' groups within our communities as well as focusing on key stakeholders by conducting a thorough equality assessment and stakeholder analysis.
- 3.38 The service will utilise all its existing and embedded communication channels and provide focused community engagement through the Service Delivery Hubs to ensure we maximise involvement across Royal Berkshire.
- 3.39 The Service intends to commence the consultation on 09 January 2023. The recommendation at 2.7 provides some flexibility on this date should it be required however it is expected that any change in start date would be minimal.
- 3.40 A full report would be presented to Fire Authority in April 2023, to enable members to conscientiously consider the views of stakeholders when making a decision.
- 3.41 Should members take a decision in April 2023 to adopt the Corporate Plan & CRMP following the consultation, the service will conduct an exercise to allocate resources and support to the delivery of the CRMP priority work streams.

4. CONTRIBUTION TO STRATEGIC COMMITMENTS

- 4.1 The proposed Corporate Plan & CRMP for consultation contains a revised set of strategic commitments.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no additional financial burdens in delivering the consultation identified at this time. There are likely to be some incidental expenditures, such as printing costs, however this can be made available from existing budgets.
- 5.2 The Corporate Plan & CRMP programme has substantial cost implications and each priority work stream will be costed and monitored through existing service governance procedures.
- 5.3 Changes to service delivery will be accommodated in the Medium Term Financial Plan.

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- 5.4 The intent of the Corporate Plan & CRMP is to ensure the provision of an efficient and effective service to stakeholders in Royal Berkshire. Work streams will identify efficiency savings where possible.

6. LEGAL IMPLICATIONS

- 6.1 As a strategic risk management document the Corporate Plan & CRMP affects the delivery of the statutory functions of RBFA, including but not limited to those contained in;
- 6.2 The Fire and Rescue Services Act 2004
- 6.3 The Policing and Crime Act 2017
- 6.4 Civil Contingencies Act 2004
- 6.5 The Fire and Rescue Services (Emergencies) (England) Order 2007
- 6.6 Regulatory Reform (Fire Safety) Order 2005
- 6.7 The Fire and Rescue National Framework for England requires RBFA to conduct a public consultation. This will be conducted in line with the common law Gunning Principles (R v London Borough of Brent [1985] 84 LGR 168).
- 6.8 Undertaking a public consultation will support RBFA in determining that any future decision is proportionate, appropriate and reasonable.

7. EQUALITY DIVERSITY AND INCLUSION IMPLICATIONS

- 7.1 A full stakeholder analysis and equality impact assessment will be conducted prior to the launch of the consultation and any resultant actions will inform the consultation plan.
- 7.2 Following the conclusion of the consultation an equality impact assessment will be completed for the Corporate Plan & CRMP based on the feedback from the consultation.

8. RISK IMPLICATIONS

- 8.1 If the Corporate Plan & CRMP are not effectively consulted upon, which may be more likely if external factors such as industrial action impact the process, then we can expect delay or challenge to our adoption of the Corporate Plan & CRMP. This is significant as it may lead to legal challenge, additional cost and delay to change programmes.

9. CONSISTENCY WITH DUTY TO COLLABORATE

- 9.1 The Corporate Plan & CRMP reflect the community risk in Berkshire. We will consult on our proposals with partner agencies to ensure all relevant parties are able to comment.
- 9.2 The work streams will consider collaborative opportunities as they are developed.
- 9.3 There are no proposals to stop or limit existing collaborative activities.

10. PRINCIPAL CONSULTATION

- 10.1 Chief Fire Officer
- 10.2 Chief Finance Officer
- 10.3 Senior Leadership Team
- 10.4 Monitoring Officer

11. BACKGROUND PAPERS

- 11.1 [Fire and Rescue National Framework for England 2018](#)
- 11.2 [Fire Standard \(2021\) for 'Community Risk Management Planning'](#)

12. APPENDICES

- 12.1 Appendix A – Corporate Plan and Community Risk Management Plan 2023-2027
- 12.2 Appendix B – Evidence Base

13. CONTACT DETAILS

- 13.1 Paul Bremble bremblep@rbfrs.co.uk
- 13.2 Tim Readings readingst@rbfrs.co.uk

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Royal Berkshire Fire Authority

Corporate Plan and Community Risk Management Plan

2023 - 2027



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- DRAFT - Corporate Plan and CRMP

Foreword

Welcome to the Royal Berkshire Fire Authority's Corporate Plan 2023 – 2027, which includes our Community Risk Management Plan (CRMP). We are very pleased to be jointly introducing this important document, which sets out, in strategic terms, the aims and objectives of what Royal Berkshire Fire and Rescue Service (RBFRS) intends to achieve over the next four years.

This plan explains how we evaluate risk in the community and make decisions about how best to allocate our resources. This enables us to reduce risk to the community, work effectively with our partners and ensures we remain a professional, well-trained and diverse Service. A Service that is dedicated to reducing harm, saving lives and protecting all communities within the Royal County of Berkshire.

Through the collective effort of our staff, we have overcome many challenges within Berkshire over the past years, including our response to adverse weather conditions and other major incidents. As we look ahead to the next four years, we are preparing to meet similar challenges, in addition to managing the difficult economic circumstances the Service faces.

The years ahead are likely to be some of the most challenging we have faced, which is why we are focussed on working ever closer with our local communities, businesses and partner agencies to deliver a first-rate service.

Of course, this would not be possible if it were not for the most important asset we have at our disposal – **our people**. We are committed to being an employer that all communities want to work for and will endeavour to invest in, recruit and retain staff to meet the future demands upon our service. We are proud of the work that our staff deliver and we will continue to challenge ourselves to be the best that we can be.

With a sustained 'oneteam' culture, we will face these challenging times together, while delivering on our goals, and meeting the high-standards that the community expects.

Our Corporate Plan and CRMP clearly sets out what our priorities are for protecting Berkshire. It explains, not only the importance of our work, but also why we need to do it and how we intend to achieve it. The plan will also set out how we intend to measure our effectiveness in meeting our objectives and evaluate our success.

We welcome your feedback, and your views on how you, as a valued member of our community, can be best served by your fire and rescue service. We manage community risk and we need your help to shape our future.



Councillor Paul Gittings
Chair
Royal Berkshire Fire Authority



Wayne Bowcock
Chief Fire Officer and Chief Executive,
Royal Berkshire Fire and Rescue Service

Our Corporate Plan and CRMP

All Fire and Rescue Authorities are required to produce a CRMP. This plan must consider all foreseeable fire and rescue related risks that could affect our communities. These risks include those traditionally associated with Fire and Rescue Services such as house fires, road traffic collisions and chemical spills. They also include other less common hazards such as wide area flooding, terrorist attacks and building collapse.

We have a plan that explains how we will reduce or manage these risks. We do this either by changing the way we work, collaborating with other agencies, or by building new capabilities. We understand the impact such incidents have on the lives of people in Berkshire so our aim is to prevent emergencies from happening whenever we can. We do this by providing education and support to people who need our help and by enforcing fire safety law. When emergencies do happen we respond as quickly as possible. This CRMP will explain what we believe to be significant risks to the people of Berkshire and provide an overview of how we intend to manage them with the resources we have at our disposal.

Our Corporate Plan explains how Royal Berkshire Fire Authority (RBFA) intends to meet its goals and achieve its objectives. The Corporate Plan describes how we make decisions, allocate our resources and ensure we are an effective and resilient organisation. Our corporate planning process makes sure that our operations are orderly and that everyone is working towards the same goals. The Corporate Plan also helps us to identify challenges and gives us the tools to overcome them.

Legal requirements and mandatory duties

RBFA has a number of legal powers and duties that derive from a range of Acts of Parliament, Frameworks and national standards:



- DRAFT - Corporate Plan and CRMP

[Fire and Rescue Services Act 2004](#)
[The Regulatory Reform \(Fire Safety\) Order 2005](#)
[Civil Contingencies Act 2004](#)

[Health and Safety at Work etc. Act 1974](#)
[Equality Act 2010](#)
[Policing and Crime Act 2017](#)

The Fire and Rescue National Framework for England 2018

[The Fire and Rescue National Framework](#) for England explains the priorities that Government sets out for RBFA.

In order to comply with the National Framework a CRMP must:

- Reflect up to date risk analyses including an assessment of all foreseeable Fire and Rescue related risks that could affect the area of the authority.
- Demonstrate how prevention, protection and response activities will best be used to prevent fires and other incidents and mitigate the impact of identified risks on its communities, through authorities working either individually or collectively, in a way that makes best use of available resources.
- Outline required service delivery outcomes including the allocation of resources for the mitigation of risks.
- Set out its management strategy and risk-based programme for enforcing the provisions of the Regulatory Reform (Fire Safety) Order 2005 in accordance with the principles of better regulation set out in the Statutory Code of Compliance for Regulators, and the Enforcement Concordat.
- Cover at least a three-year time span and be reviewed and revised as often as it is necessary to ensure that the authority is able to deliver the requirements set out in this Framework.
- Reflect effective consultation throughout its development and at all review stages with the community, its workforce and representative bodies and partners.
- Be easily accessible and publicly available.

The Framework sets out the following priorities for RBFA:

- Make appropriate provision for fire prevention and protection activities and response to fire and rescue related incidents.
- Identify and assess the full range of foreseeable fire and rescue related risks their areas face.
- Collaborate with emergency services and other local and national partners to increase the efficiency and effectiveness of the services they provide.
- Be accountable to communities for the services they provide.
- Develop and maintain a workforce that is professional, resilient, skilled, flexible and diverse.

Royal Berkshire Fire Authority

RBFA is a combined fire authority, which means it is made up of 20 elected councillors from six unitary authorities within Royal Berkshire (Bracknell Forest, Reading, Royal Borough of Windsor



and Maidenhead, Slough, West Berkshire and Wokingham). It is led by a democratically elected Chair from the 20 councillors.

It is the responsibility of RBFA to provide an effective and efficient fire and rescue service for communities across Berkshire. The Fire Authority is accountable to the residents and business owners of Berkshire and is fully committed to delivering the CRMP to improve community outcomes.

The Fire Authority is a legal body with statutory duties and responsibilities, including the scrutiny of the Service as a whole. It is responsible for setting the strategic direction, policies and priorities of the Fire and Rescue Service. [The Fire and Rescue Services Act 2004 \(FRSA\)](#) obliges RBFA to secure the provision of the personnel, services and equipment that efficiently meet all normal requirements and to secure the provision of training for such personnel in relation to firefighting.

Summary of FRSA 2004 duties:

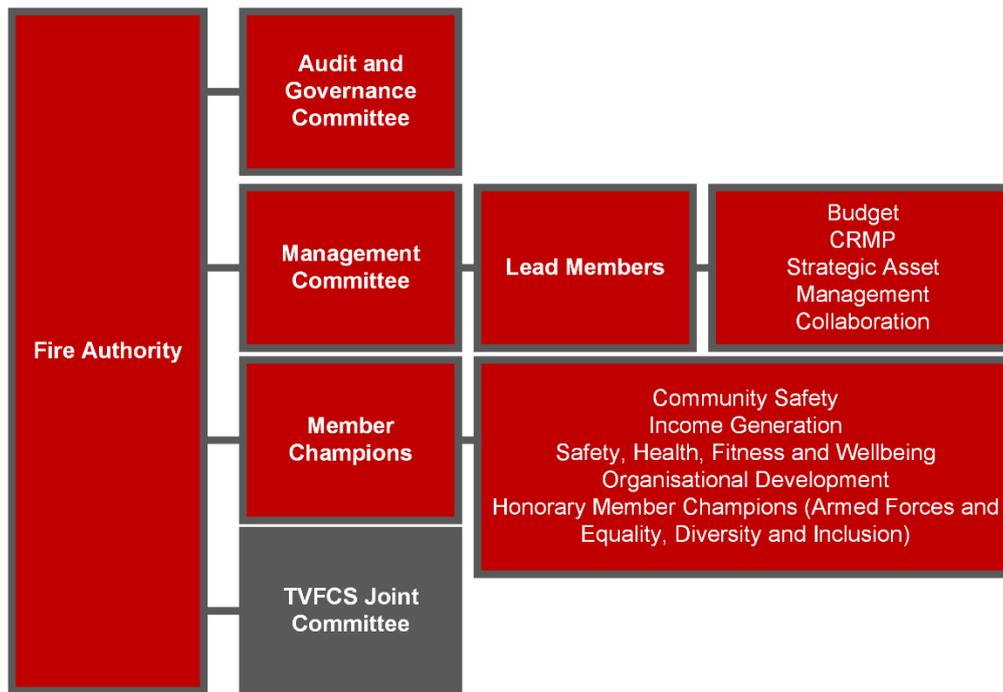
- Promotion of fire safety.
- Extinguishing fires, and protecting life and property when fires do occur.
- Minimising damage to property arising from firefighting operations.
- Rescuing people involved in road traffic collisions.
- Dealing with other types of emergencies, as specified by the Secretary of State in Statutory Instruments (Orders). Currently, a single Order has been issued – [The FRS \(Emergencies\) \(England\) Order 2007](#).
- Ensuring the provision of the resources necessary to meet all normal requirements (Our Evidence Base defines what constitutes 'normal').
- Ensuring necessary training for firefighters.
- Ensuring that calls for assistance can be dealt with effectively.
- Obtaining information needed to respond safely and effectively to emergencies.

Delivery of these services and professional advice to RBFA is the responsibility of the Chief Fire Officer.

The Fire Authority manages its responsibilities through full Fire Authority meetings and two committees, the Audit and Governance Committee and the Management Committee. They meet regularly to ensure the proper running of RBFRS. You can find out more about RBFA on our [website](#).



- DRAFT - Corporate Plan and CRMP



RBFA publishes an annual [Statement of Assurance](#). This explains how RBFA and RBFRS have ensured that our Service is meeting its legal duties and how we are managing risk. This annual statement is designed to provide assurance to the community and government that we are managing our finances, governance and operational duties.

The purpose of RBFA

We create safer more resilient communities by preventing incidents, protecting homes and businesses and responding to emergencies.

Strategic commitments of RBFA

RBFA has a set of commitments that we regularly review. They explain how we intend to achieve our purpose:

Prevention

We will reduce the risk to our communities through our partnership duties and prevention activities, ensuring that our services are accessible to all.

Protection

We will support those with responsibility for premises to understand their duties in ensuring the safety of all people using buildings covered by the [Building Safety Act 2022](#) and [Regulatory Reform \(Fire Safety\) Order 2005](#), whilst ensuring that our services are accessible to all.



Response

We will ensure that our people are trained and resources are located to provide the most effective response and to have a positive impact on incidents in our communities.

Resilience

We will ensure our resilience and work with our partners to promote and build resilience in the communities we serve.

Sustainability

We will ensure that we provide a financially sustainable and environmentally friendly service to our communities.

People

We will support our staff by providing a safe and inclusive environment for them to thrive in, building a diverse organisation that is engaged with, and accessible to, our communities.

RBFRS vision

To achieve our purpose, we place the community at the heart of all that we do and deliver the service through our four overarching principles:

Culture

- We work together as One Team for the communities we serve. We co-create ways of working that support our staff to fulfil their potential and enjoy being part of RBFRS.
- Enjoyment and sense of belonging encourages professional curiosity and innovation and ultimately drives every part of the Service to want to be really good at what they do.
- Our One Team culture is visible both within and outside the Service and is part of our attraction to new staff and partners. Our inclusive approach and culture is clear and we always strive to improve it.
- Our staff never 'walk past an issue', they are honest and realistic about what we do and this is one of our key strengths, it makes us good at what we do.
- Placing communities at the heart of all we do means that we continually focus on the relationships we have with our communities. This inspires trust, confidence and pride in their service and encourages people from all communities to want to join us.

Capability

- We value and invest in developing our people to ensure we can deliver the best possible service.
- We challenge ourselves when we fall short of our own high standards and we commit to learn from each other to continually improve.
- Our behaviours and employee code of conduct guide us and support our excellent culture, and we hold ourselves and others to account by these commitments.



- DRAFT - Corporate Plan and CRMP

- We focus our limited resources to make sure they are used as efficiently as possible to manage risk and ensure community trust.

Risk Management

- We carefully and robustly analyse the risks to our communities and use this intelligence transparently to make sure we use our resources as well as we can.
- We work closely with partner organisations to ensure that we are prepared for all foreseeable risks and importantly we deal with them well together.
- We protect the availability and resilience of our valuable assets and resources to make sure that we can continually deliver our purpose

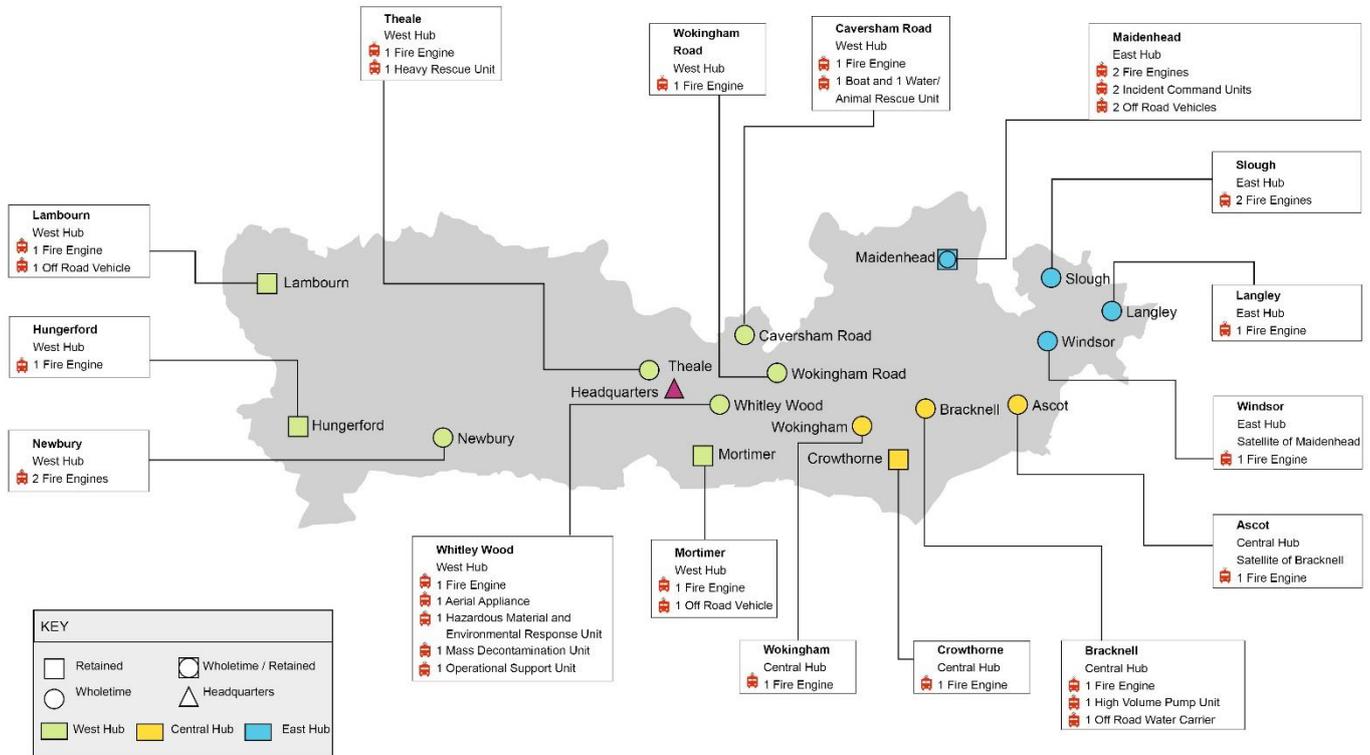
Sustainability

- We care about protecting the environment and our impact upon it and we will significantly improve our environmental sustainability in the next five years.
- We will ensure that as custodians of public resources we provide the best possible value and that we develop resilient systems and processes in order to fulfil our purpose.





Your Fire and Rescue Service



Fire Stations 16

| | |
|-----------------------|----|
| Wholetime | 11 |
| On call | 4 |
| Wholetime and on-call | 1 |

Incidents attended 2021-2022

| | |
|--------------------------|------|
| Fires in the home | 410 |
| Fires in other buildings | 181 |
| Road traffic collisions | 390 |
| Outdoor fires | 573 |
| Water rescues | 46 |
| Automatic fire alarms | 3047 |

Staff 584

| | |
|-----------------|-----|
| Non-operational | 168 |
| Wholetime | 324 |
| On-call | 65 |
| Volunteers | 27 |

Prevention & Protection 2021-2022

| | |
|------------------------|-------|
| Safe and well visits | 6,734 |
| Fire safety audits | 947 |
| Building consultations | 1127 |

Workforce and culture

The RBFRS Vision is to work together as One Team for the communities we serve. In order to fulfil our vision it is vital that our staff work in a safe, supportive and inclusive environment. We continue to drive towards creating a Service that reflects the communities it serves, although we recognise that there is more work required to achieve this goal.



- DRAFT - Corporate Plan and CRMP

The Service has a well-developed Health and Wellbeing Action plan and we have made a commitment to improve the mental health of every employee and volunteer across the Service. We continue to deliver a range of activities in support of this aim:

- Tackling mental health stigma.
- Improving workplace wellbeing.
- Building resilience.
- Improving access to information.
- Improving pathways to support.

The safety of our workforce remains a priority for the Service and firefighter safety is regularly reviewed at a senior level, as part of the [Corporate Risk Register](#).

How we are financed

We are committed to delivering value for money across the services we provide. During 2022-23 our funding comes from three sources:

- Council Tax: 69%
- Central Government Funding: 22%
- Business Rates: 9%

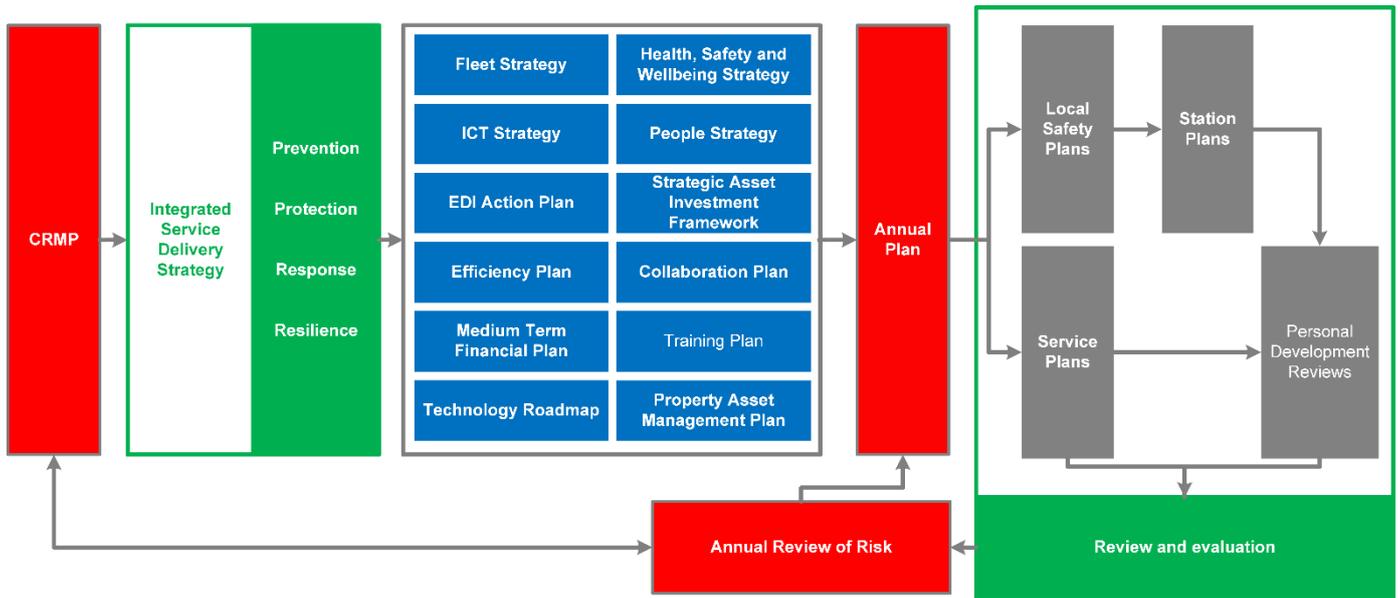
In terms of financial support from the Government, the Authority was expecting a multi-year settlement for 2022-23. The Government decided on a one-year rollover of funding when it announced the Settlement Funding Assessment for local government. Our Settlement Funding Assessment (SFA) for 2022-23 increased by just 0.97%, which equates to an extra £101,000. The SFA comprises Revenue Support Grant, Business Rates Top-up Grant and the Government's estimate of our share of Berkshire business rates.

Our Efficiency Plan has now delivered £2.4m of savings since 2016-17. Officers are continually looking at how the service provided to the public can be more efficient and effective.

We were granted precept flexibility by the Government for 2022-23, enabling the band D precept to be increased by £5 (7.25%). We remain in the lowest quartile of precepting Fire Authorities in the country. The average band D householder in Berkshire pays £73.95 per year for their Fire and Rescue Service. At just under £1.42 per week we think this represents excellent value to the people we serve.

Delivering our objectives

The way we manage risk throughout RBFRS ensures that the CRMP informs the plans of the whole organisation. We ensure that we regularly review what we are doing to ensure that everyone understands how their work contributes to making Berkshire safer. We have processes in place to help us gather learning and assist the ongoing development of our CRMP.



Integrated Service Delivery Strategy

We manage the risks we identify through an integrated approach. This means we consider the full range of treatments we have at our disposal and identify the most effective and efficient way to reduce community risk. We intend to formalise this approach by adopting an Integrated Service Delivery Strategy (ISDS). This means that for each hazard we manage, we will consider all of the methods at our disposal to drive down risk in our communities.

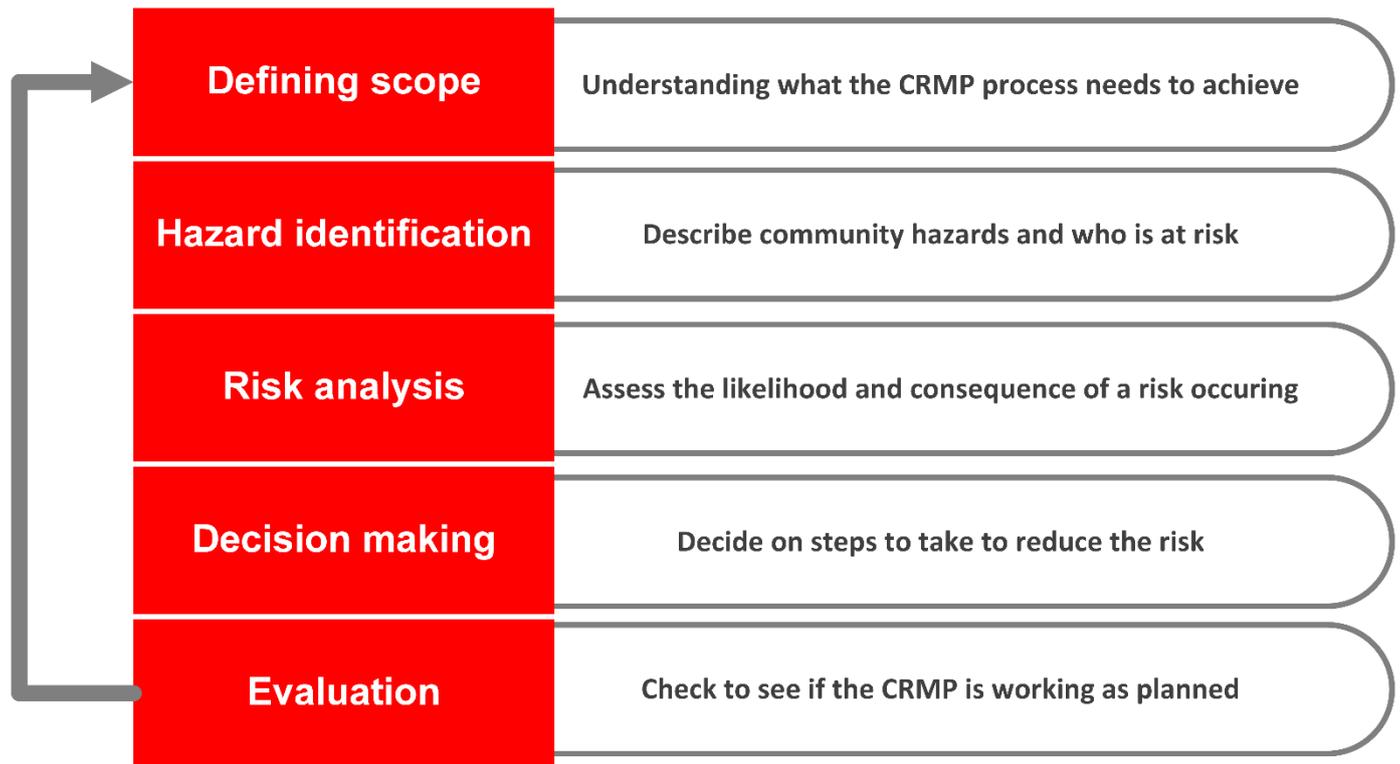
We work closely with our neighbouring Fire and Rescue Services, notably through long standing collaboration with Thames Valley partners and the wider Thames Valley Local Resilience Forum. These partnerships and collaborative activities allow us to share our understanding of risk and contribute to wider regional risk reduction. We actively seek collaborative opportunities, such as sharing the facilities in our fire stations with Thames Valley Police and South Central Ambulance Service, joint procurement arrangements and our joint Thames Valley Fire Control Service. Working together leads to greater resilience and increases our efficiency and effectiveness.

CRMP methodology

We use a five-step process to assess community risk and prioritise our actions to mitigate the risks we identify. We understand risk by focusing on the hazards in our community, identifying the people, places, environment and economy at risk and prioritising our resources where we have the greatest impact. We align with national good practice and have contributed to, and adopted, community risk management work undertaken by the [National Fire Chiefs Council](#).



- DRAFT - Corporate Plan and CRMP



Our Approach to Managing Risk in Berkshire

Our analysis of community risk helps us understand the range of foreseeable Fire and Rescue Service related risks and their potential impact on the communities we serve. This analysis of risk can be found in our CRMP Evidence Base document.

We will use our ISDS to identify the most appropriate intervention for incidents. Our first principle is that we want to stop emergencies happening whenever we can. Our prevention and education activities are the most effective way to achieve this. We also use our duty to enforce fire safety law to reduce the chances of fires starting and, if there is a fire, effective fire protection measures should be in place to ensure people escape quickly and safely.

Unfortunately we will never be able to prevent all emergencies. When they happen we respond swiftly and professionally to resolve the situation and support the restoration of normality.

We have identified that the following hazards represent the greatest risk to communities in Berkshire. This section of the CRMP explains our existing activities and outlines areas where we think we can do more to reduce the impact.

Fires in the home

Fires in the home are one of the biggest concerns for our communities. In 2021-22, 334 people died in accidental dwelling fire in Great Britain. Over the past 6 years in Berkshire there have been



9 fatalities and 167 non-fatal casualties in dwelling fires. Even when there are no casualties, the impact of a fire on the lives of those involved can be catastrophic.

Current activities

- [Schools education programme](#) including [teacher resources](#)
- [Fire cadets](#)
- [Adults at risk programme](#)
- [Safe spaces initiative](#)
- [Partner referral Safe and Well visits \(SAW\)](#)
- Provision of assistive fire safety technologies to the most vulnerable
- [Community visits and provision of meeting rooms](#)
- [Preventing fire-setting behaviours](#) amongst children
- [Arson prevention advice](#)
- Fire safety advice in [languages other than English](#)
- Joint inspections of high-risk dwellings, such as high-risk multi-occupancy
- Hub based integrated delivery model
- We provide training and equipment for firefighters to respond to incidents in the home

CRMP development

Our evidence suggests that we can do more to target those at greatest risk from dwelling fires. We will address this by using our understanding of risk to better inform how we approach prevention. We propose that a Risk Based Prevention Programme will help us to identify and work with those at the greatest risk from fires in the home.

We will also strive to target our resources to risk more effectively and increase resource availability to ensure we use the most appropriate interventions within our integrated service delivery strategy. For example increasing our efficiency in fighting fires in the open will allow us to maintain higher levels of fire appliance availability for dwelling fires. The integrated approach will allow RBFRS to adapt to change in the community, both in the built environment and in demographic shifts such as the increasing density of dwellings in town centres and Berkshire's growing population changing the risk RBFRS must manage.

Fires in other premises

Fires in buildings which are not dwellings, present a significant risk to our communities. Examples of these higher risk properties include places where people sleep, hospitals, hotels and residential care homes. In addition to life risk, buildings often have cultural, economic or heritage value that is worthy of protection. Reducing loss and harm caused by fires in these buildings represents a significant objective for RBFRS.

Current activities

- Our Risk Based Inspection Programme (RBIP) helps us enforce fire safety law in premises which are at risk from fire and where risk to life is greatest. A consequence of our



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intervention is to reduce potential financial loss and protect economic wellbeing. The RBIP has been developed in line with the principles of better regulation as set out in the [Statutory Code of Compliance for Regulators](#), and the [Enforcement Concordat](#)

- Undertake proactive and reactive fire safety audits including short audits where appropriate.
- Enforcement of the Fire Safety Order, including using our powers to prosecute where necessary.
- We provide operational intelligence, training and equipment for firefighters to respond to incidents in these buildings.
- Firefighters carry out site visits to familiarise themselves with the premises in case there is an incident.

CRMP development

The Unitary Authority development plans in Berkshire indicate a drive to build new homes. We will monitor both strategic housing developments and construction methods to ensure our activities match new and emerging risk in the built environment. We will also need to continuously develop our response model to mitigate the risks within the county. This will help us to ensure our fire appliances, specialist vehicles and staff are best placed to respond to incidents.

We will evolve our Risk Based Inspection Programme to ensure we are targeting those premises that represent the greatest risk and that we are making the best use of our inspecting officers' skills to regulate where they are most needed.

In order to improve our efficiency we will work with businesses to reduce the impact of unwanted fire alarms to drive down the need for our operational crews to attend these types of incidents. We will provide training and development to our operational crews to help educate businesses about their responsibilities under the Fire Safety Order 2005 in lower risk, simple premises. This will assist us in the delivery of our statutory duties and improve safety outcomes.

Tall Buildings

Tall buildings include residential flats, hotels, institutions, hospitals, commercial offices and mixed occupancy buildings. Due to the complex nature of these types of buildings, fires in tall buildings are difficult and require a lot of resources.

Current activities

- We provide [advice and guidance](#) to residents and regulate where appropriate.
- Our Risk Based Inspection Programme helps us to ensure that fire safety precautions are in place and adequate.
- Firefighters carry out site visits to familiarise themselves with premises in case there is an incident.
- Partner referral Safe and Well visits.
- We provide operational intelligence including electronic premises information plates, training and equipment for firefighters to respond to incidents in these buildings.



- Since the Grenfell tragedy, we have been engaged at a national level, to improve information sharing and learning.
- We remain up to date with the latest developments and legislation to ensure we provide the most appropriate response to fires in tall buildings

CRMP development

Many of our objectives for managing risk in tall buildings are shared with our approach to fires in other premises. Developing our response model, our Risk Based Inspection Programme and monitoring change in the built environment will help us to reduce risk. In addition to this work our proposed Risk Based Prevention Programme will help us to identify tall buildings in areas of higher fire risk and develop suitable interventions.

Road traffic collisions

Incidents on our roads have a tragic impact on communities and lives in Berkshire. On average over the last decade someone is killed or seriously injured every 16 minutes on UK roads. During our CRMP analysis period there have been 91 fatalities and 954 serious injuries (not including pedestrians) in road traffic collisions in Berkshire. These incidents represent a significant risk.

Current activities

- We carry out [road safety education](#) in schools for 11–15 year-olds;
- We participate in the delivery of [Safe Drive Stay Alive](#) to young adults who are at risk road users;
- Collaborative delivery of [Biker Down](#) workshops for motorcyclists;
- We provide training and equipment for crews to deal with these types of incidents; and
- We provide a heavy recue vehicle to support crews at incidents.

CRMP development

We propose that a Risk Based Prevention Programme will help us to identify and work with at-risk road users. This programme will also support collaborative road safety initiatives. Development of our response model will take account of the need to mitigate the risk to road users, recognizing that road traffic collisions are dispersed across Berkshire. We will ensure our response model takes account of changing road use, for example the implementation of smart motorways and the increase in use of battery powered electric vehicles. This work will help us to protect the community and ensure firefighters have safe systems of work in place.

Fires in the Open

Incidents involving fires in the open range from large wildfires, as we saw in the summer of 2022, to field fires involving farm land and small fires in the open such as trees, refuse and vehicles. In Berkshire they primarily cause harm to the environment and property. During hot weather multiple



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fires in the open happening at the same time reduces our capacity to respond to other emergencies.

Current activities

- We work with landowners and educate members of the public to reduce the number of fires in the open.
- We work with Community Safety Partnerships to reduce antisocial behaviour and fire setting.
- Training and equipment for crews to deal with these types of incidents.
- Provision of specialist vehicles including high volume pumping equipment, water carrier and 4x4 vehicles to support crews at incidents.

CRMP development

We have identified a need to develop a comprehensive response to the impact of climate change. Although the effect of human activities on climate will continue to be felt well beyond the life of this CRMP, it is important that we put mechanisms in place now to adapt the services we deliver. This includes provision of equipment and training in wildfire tactics, gathering suitable operational risk information, developing tactical plans and adapting our response model. This work will support the ongoing development of safe systems of work for our staff. We must ensure we can provide resilience in the face of the increased likelihood of spate conditions from spring through summer when fires in the open are more likely.

We will include fires in the open and wildfires in our Risk Based Prevention Programme, building on evidence gathered during this CRMP, to identify the communities at most risk. We will develop operational risk information and tactical plans relating to wildfire risk in Berkshire. We will also develop our operational crewing model to improve our ability to respond to risk across Berkshire, recognising the differing levels of community risk.

Water incidents - flooding and rescues from water

RBFRS attends a variety of water related incidents. These can be due to flooding caused by sudden rainfall or rising water levels in our water courses. These incidents can have an impact over wide areas of Berkshire or may be localised (for example, flooding caused by burst water mains). We also attend water rescue incidents, where a person or animal has become stranded in a body of water. Although we undertake this work, it is not a statutory duty and we receive no funding for water incidents.

Current activities

- We deliver water safety education to 11–15 year-olds.
- We train for and provide equipment to crews to deal with these types of incidents.
- Provision of specialist vehicles including high volume pumping equipment and 4x4 vehicles to support crews at incidents.



- We utilise a water rescue unit, to support rescues from large scale flooding incidents
- Work with partners on the Thames path, to provide advice on the best location for life rings and emergency information.

CRMP development

We will develop our prevention activities and response model to reduce the impact of flooding both to the Service and the people of Berkshire. We will use our data and local knowledge to lead our prevention activities. Implementing a Risk Based Prevention Programme will help us identify water risk in the community, improve equality of access to our services by targeting our prevention resources to those at most risk, and ensure that we use our resources in the most efficient and effective way. We will identify those that are at most risk from water incidents and build on our current prevention activities.

We will work collaboratively with partners who have a statutory duty to manage water risk to support the improvement of community outcomes. We will engage with these partners to develop the most effective approach to resolving incidents that currently are not part of our statutory duties. We will do this through our targeted prevention activities and, if required, our emergency response model. These changes will support us to use capacity to deliver our other priorities

Major Incidents and high risk premises

Major incidents are those incidents which greatly disrupt our ability to provide our services and require a level of resourcing beyond our normal planning assumptions. They happen infrequently and usually require RBFPS to request support from other agencies. Major incidents can happen in any part of Berkshire.

We have also identified a number of high risk premises in Berkshire that, if involved in fire, present a significant risk to the occupants or to the wider community.

Current activities

- Partnership working with other agencies to develop plans and training to be able to deal with such incidents.
- Active membership of [Thames Valley Local Resilience Forum](#).
- Collaborative input to Thames Valley [Community Risk Register](#)
- Carry out [site specific risk inspections](#) and familiarisation visits to understand the risk presented by these types of premises

CRMP development



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We will ensure our service delivery model is resourced as efficiently as possible to meet fluctuating levels of demand to provide a resilient service. We want to continue to deliver good value for money and to provide our services as efficiently as possible.

We will aim to crew all 19 of our frontline appliances, whenever possible, to maximise our resilience. As a baseline service provision (where it is not possible to crew all 19 appliances) we will provide a minimum service of 14 frontline fire appliances. To ensure this baseline provision we will work to improve the availability of our on-call crews.

Other incident types

There are a number of other types of incident that are infrequent but may result in a major impact to communities. These include rail and air incidents, building collapse, terrorism and hazardous materials.

Current activities

- Mutual aid agreements with each of our neighbouring Fire and Rescue Services.
- Access to specialist equipment and trained personnel both in Service and from the wider UK Fire and Rescue Service community.
- Long standing [national resilience arrangements](#) that allow us to scale our emergency response to meet the demands of complex or protracted incidents.
- Provision of a national resilience specialist capability within Berkshire.

CRMP development

We will ensure that we embed our process of monitoring local, regional and national resilience issues through an ongoing horizon scanning process and an annual review of risk.

Automatic Fire Alarms (AFA)

False alarms caused by automatic systems continues to be a real problem for businesses and RBFRS. Over a 5 year period, on average, RBFRS was called to 2937 automatic fire alarm activations each year. We do not send a response to approximately a quarter of these calls.

This is an unacceptably high level and it is diverting the service from more impactful work that could be carried out to better reduce community risk.

Only 1% of automatic fire alarm activations are actually fires. They represent a drain on our resources, reducing our fire cover and our ability to carry out essential activities such as training, risk information gathering, fire safety education and prevention activity.

Current activities



- Call challenge (checking whether people at the building have confirmed if there is a fire) carried out by Thames Valley Fire Control.
- AFA reduction activities carried out by Protection Officers.

CRMP development

We will continue to seek ways to reduce this burden while ensuring we provide a response to high-risk premises such as dwellings, hotels, care homes and hospitals.

We will further develop our work with businesses to reduce the impact of unwanted fire alarm calls. It is our intention to reduce these as far as possible. We will develop our operational crews to educate businesses about their responsibilities under the Fire Safety Order 2005 in lower risk premises to help with this goal. Avoiding the unnecessary diversion of our resources will help us use our valuable people and assets in the most effective way to reduce risk through prevention and ensure we are maximising the time for operational training and risk intelligence gathering.

How we mobilise to incidents

We have collaborated with Buckinghamshire and Oxfordshire County Council Fire and Rescue services, to provide a joint control room, Thames Valley Fire Control Service. Our state-of-the-art control room receives 999 calls and maintains a borderless mobilising system that send the nearest available fire appliance, irrespective of borders across Thames Valley.

Response Standard

When an incident occurs we provide lifesaving interventions as quickly as possible to reduce the impact of the incident to individuals and the community. We have a single response standard for our first attending fire appliance at all incidents, this helps us to monitor our performance.

Our response standard is that the time from a call being received until the first fire appliance arrives at the incident should be within 10 minutes. We aim to achieve this standard on 75% of occasions.

Resilience

To ensure that we can sustain our commitments to the communities of Berkshire, we have national and local agreements in place to support large scale incidents such as flooding and wildfire. These arrangements are co-ordinated nationally by the [Fire and Rescue Service Coordination and Advisory Framework](#) (NCAF) and locally with signed agreements between our neighbouring Fire and Rescue Services.

We are an active member of the [Thames Valley Local Resilience Forum](#) (LRF), which brings together a variety of agencies under the Civil Contingencies act 2004. The forum assesses the risk of an emergency occurring and develops plans for dealing with the emergency.



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We have business continuity arrangements in place to ensure the continued operation of the Service in the event of local disruptions such as loss of power.

Our priorities for the next four years

Through our CRMP process we have identified a number of areas where we feel improvements can be made to deliver a more efficient and effective service to the communities of Berkshire. We will work on these areas during the lifespan of this CRMP.

Priority 1. We will develop our Integrated Service Delivery Strategy to meet the changing profile of risk in Berkshire due to climate change, societal and technological shifts.

We anticipate that climate change and technological adaption will change the types of emergency incidents we attend. The summer heatwave of 2022, saw RBFRS attend a very large number of fires across the county. Increasingly wet winters are also predicted and we anticipate more frequent flooding. As society adapts, through increased use of alternative and renewable energy systems in vehicles, homes and businesses, we must adapt what we do to mitigate the risk. The hazards we manage are changing and we must keep pace with these changes.

We will develop our prevention activities and response model to reduce the impact of wildfires and to support our response to flooding. These changes will improve the resilience of RBFRS and the community.

We will develop our prevention activities and response model to reduce the impact of incidents from alternative fuel sources, both to the Service and the people of Berkshire.

Through our annual review of risk we will continue to monitor developments in new technology.

Priority 2. We will develop a Risk Based Prevention Programme to target those most vulnerable and at risk from emergency incidents.

We will implement a Risk Based Prevention Programme which helps us identify those that are most at risk in the community. To enable us to carry out early intervention activities, preventing them from becoming vulnerable to risk. We will ensure that we use our resources and capability in the most efficient and effective way.

We will identify those most vulnerable through our various partnerships such as safeguarding referrals, to ensure that we are targeting our prevention interventions most effectively.

We will better understand our communities by using data and local knowledge to reduce the likelihood and severity of emergency incidents across Berkshire.

Priority 3. We will develop our response model to ensure that we are providing the most effective response to incidents within Berkshire, ensuring that it is sustainable and provides value for money.



We recognise that we are entrusted with public money and have a duty to spend it wisely. In order to ensure we provide our services efficiently we will seek to ensure that we deliver good value for money.

We will develop our response model to ensure its effectiveness in responding to incidents. We will match our resources to the risks within the county by ensuring our fire appliances, specialist vehicles and staff, are best placed to respond to incidents.

We will ensure that we continue to maintain our response standard of the first fire appliance arriving at the incident within 10 minutes on 75% of occasions, and that this is maintained or improved with any development of our Service.

Priority 4. We will review the incidents we attend and reconsider whether we should continue to go to those that do not form part of our core statutory responsibilities.

We will work with our partners to develop the most effective approach to resolving incidents that currently are not part of our statutory duties. We will do this through our targeted prevention activities and after careful consideration of our emergency response model. These changes will support us to use capacity to deliver our other priorities.

Priority 5. We will develop our Fire Protection service to support the resilience of businesses, to ensure the safety of all people using buildings covered by the building safety act and Regulatory Reform (Fire Safety) Order 2005 and to ensure that our enforcement role is effective and clear.

We will develop and build upon our Risk Based Inspection Programme to ensure we are targeting those premises with the greatest risks and using our inspecting officers skills to regulate where they are most needed.

We will work with businesses to educate them on their responsibility under the Regulatory Reform (Fire Safety) Order 2005. Fire Safety Order 2005 to reduce the impact of unwanted fire signals (automatic fire alarms) on our operational crews.

Sprinkler systems within buildings are an effective initial intervention in reducing the impact of fires in commercial buildings, we will strengthen our campaign for introducing these in buildings where it is not currently a requirement.

We will work with the Building Safety Regulator within our capacity under the new Building Safety Act 2022.

We will develop our way of working to be able to enforce the Regulatory Reform (Fire Safety) Order 2005.

Priority 6. We will provide a minimum of 14 frontline fire appliances utilising our Wholetime and on-call staff as effectively as possible.

We will aim to crew all 19 of our frontline appliances, whenever possible. As a baseline service provision, where it is not possible to crew all 19 appliances due to training and unforeseen short



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term staff absences, we will provide a minimum service of 14 frontline fire appliances. Ensuring that we continue to maintain our response standard of the first fire appliance arriving at the incident within 10 minutes on 75% occasions.

We recognise that we are entrusted with public money and have a duty to spend it wisely. In order to ensure we provide our services efficiently we will seek to ensure that we deliver good value for money.

Corporate strategies

Our corporate strategies provide direction and guidance to our organisation. They drive change and improvement and provide a clear picture of how we intend to achieve our objectives.

People Strategy

The People Strategy supports our staff to become the best they can be, creating a workforce that can deliver an efficient and effective service to our communities on behalf of the Fire Authority, and to manage all foreseeable Fire and Rescue related risks that could affect the people of Berkshire.

The People Strategy supports our workforce planning. We take a proactive approach to workforce planning, looking ahead and at previous trends to assess the overall health of the organisation. Pressures on the workforce remain due to the rising cost of living, pension agreements and staff turnover. We forecast staff turnover and look at skills mapping to ensure we have the right skills in the right places.

Health, Safety and Wellbeing Strategy

Our commitment to ensuring the health, safety and wellbeing of our staff and volunteers extends beyond our legal obligation. We recognise the economic benefits of establishing a healthy workforce and working environment and that paying attention to wellbeing is morally the right thing to do.

The three core aims of our Health, Safety and Wellbeing Strategy are safe and healthy people, safe and healthy places, and safe and healthy processes. Each of our planned activities will contribute towards those aims, and our key objective, which is to continually improve the health, safety and wellbeing of our staff and reduce work related injuries, physical and mental ill health, which will in turn improve employee engagement and performance. We recognise that the health and wellbeing of our staff is of equal importance as their safety so we take an integrated and holistic approach to our activities.

Employee Code of Conduct

Every RBFRS employee is expected to behave in a professional manner and to offer the highest standards of service to the public. The way we carry out our duties must promote and maintain



public confidence and trust in our Service. Our Employee Code of Conduct provides a framework for the behaviour, decisions and actions of employees. It is based on the national Core Code of Ethics for Fire and Rescue Services in England and supports a consistent approach to ethics and behaviours across RBFRS.

Behavioural Competency Framework

The link between our People Strategy and Employee Code of Conduct is the RBFRS Behavioural Competency Framework (BCF). This is a tool which allows us to easily identify the behaviours that drive successful performance. The BCF builds on the NFCC Leadership Framework and defines how, as a team, we can work together to ensure that we deliver an outstanding service to the communities we serve. The BCF ensures we all understand the organisations goals and can identify ways to improve and embrace change.

Medium Term Financial Plan

The economic backdrop presents significant challenges for RBFA. The increased inflationary pressures are pushing up the cost of supplies and services. The Authority is one of the lowest precepting fire authorities in the country and those authorities in the lowest quartile of precepts face the greatest challenges in addressing immediate pressures. The Medium-Term Financial Plan (MTFP) sets out how the Authority intends to manage its finances. It provides clarity on how RBFA is funded, how it makes efficiency savings through the efficiency plan, generates income and explains where we face budgetary pressure. The MTFP sets out the overall impact of funding and how RBFA will prudently manage its finances to ensure the best possible service to the public.

Strategic Asset Investment Framework

Our Strategic Asset Investment Framework (SAIF) sets out how we will maintain and renew the vital capital assets, necessary to support our service delivery. Our capital assets include:

- Our buildings, which includes 16 fire stations and our headquarters.
- Our fire appliances, equipment and support fleet.
- Our ICT infrastructure and systems.

Together, these assets represent a major capital investment. The efficiency of these assets can also have a significant impact on our revenue budget as older stations, fire appliances and ICT require additional maintenance and are often more expensive to run.

Property Asset Management Strategy

The Property Asset Management Strategy (PAMS) provides a statement of the overall approach to providing property to meet the needs of Royal Berkshire Fire Authority. It considers property as just one of the many corporate resources needed by the Service to deliver its essential emergency response to the people who live and work within the county of Berkshire. This Strategy identifies the extent of the property portfolio owned by the Authority, our approach to property management, what we have and its condition. Through the adoption of best practice and collaboration in



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everything we do, the Service seeks to make best use of the assets and investment available to achieve its objectives.

Vehicle Fleet and Equipment Strategy

This strategy sets out how we design and implement an efficient, reliable and resilient, fit-for-purpose vehicle fleet that supports effective delivery of services across RBFRS. It enables the infrastructure we need to provide our technical and operational capability. This strategy also facilitates the design and implementation of delivery plans that support the CRMP, Corporate Plan, Strategic Commitments and Strategic Asset Investment Framework.

ICT Strategy

People and Information are the two key resources available to RBFRS. The ICT strategy exists to enable the provision of technology that enhances, amplifies and accelerates the capabilities of the organisation. It helps us to make access to information secure, fast, simple and intuitive. The ICT Strategy supports our staff to become the best public servants they can be, by providing tools that enable an efficient and effective service on behalf of the Fire Authority. It is critical in our management of all foreseeable fire and rescue related risks that could affect the people of Berkshire.

Evaluating our performance

We will review our CRMP, associated risk analysis and our strategic priorities annually to ensure we are delivering on our commitments. In order to achieve this and ensure our interventions are helping to reduce the impact of these risks we will use the following forums to monitor our progress.

- Strategic Leadership Team meeting- we will report progress to the meeting and commission the work required to achieve our CRMP.
- Performance management framework- this framework will create key performance measures that we will report on quarterly to the Fire Authority.
- Strategic Performance Board- will monitor the key performance measures.
- Annual review of risk and annual planning cycle- to see how our priorities are having an impact on the risk.
- Programme Board- will monitor the progress of our individual projects.
- Equality, Diversity and Inclusion Steering Group - will ensure that any changes will not adversely affect our staff or the public
- We carry out operational audits of our fire stations, to ensure they are well run and to identify any requirements for support

We will continue to develop our programme of evaluation of projects and interventions to ensure we are confident that these are effective and have the intended impact.



Corporate risk

To help us effectively manage community risk we must manage risks that affect our organisation. These are risks that could stop us achieving our objectives. We monitor and manage these risks and have a comprehensive organisational risk management policy, to ensure that organisational objectives can be achieved.

Assurance

Public assurance is provided by rigorous external audits that is supported by regular reporting of our performance.

His Majesty's Inspectorate of Constabulary and Fire and Rescue Services

His Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) awarded us with 'Good' across all three areas of Efficiency, Effectiveness and People. Actions for improvements identified in the findings have been incorporated into our plans and we continue to work to deliver the necessary changes. During the COVID-19 pandemic HMICFRS stated that RBFRS adapted and responded effectively. We were since inspected in 2022 and await the outcome report from HMICFRS.

For more information on the inspection of Fire and Rescue Services, please visit the [HMICFRS website](#).

RBFA Audit and Governance Committee

The RBFA Audit and Governance Committee monitors and receives reports on the performance of Royal Berkshire Fire and Rescue Service and summaries from Internal and External Auditors. It has nine members appointed by the Fire Authority and is politically balanced.

Respond to our consultation

If you need this document in an accessible format, please email consultations@rbfrs.co.uk call [0118 945 2888](tel:01189452888) or get in touch via our website www.rbfrs.co.uk/consultations with details of the request and your contact information. We will consider the request and respond to you. For more information on accessibility at Royal Berkshire Fire and Rescue Service, please read our [Accessibility Statement](#).

Responding to this consultation

We are committed to consulting with our communities, and our key internal and external stakeholders, on our Corporate Plan and CRMP. This is an opportunity for interested parties to offer feedback and to help shape and influence our plans. We want to hear your views on the



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content of our plans and we also want to understand whether it has been presented in an appropriate format.

Consultation is vital to ensuring that our plans truly represent the needs of the communities we serve and that they express risk as it is experienced in the community. Consultation is also a legal requirement and we are accountable for ensuring that all feedback is consciously considered before we make decisions that change the services we provide.

We will ensure that there is sufficient time available for consultation and will publicise opportunities for comment. These will be through a variety of channels. When our consultation period ends we will review all feedback and include it in a consultation report. This report will also be publically available to provide transparency in our decision making processes.

We welcome your feedback on our plans. You can respond to our consultation in a number of ways.

Online survey

Please click this link to be taken to a short survey where you can share your thoughts.

Respond by post

CRMP Consultation

Royal Berkshire Fire and Rescue Service

Newsham Court

Pincents Kiln

Reading

Berkshire

RG31 7SD

Respond by email

You may also respond by email to consultations@rbfrs.co.uk

respond by telephone

Please call: [01189 452888](tel:01189452888)

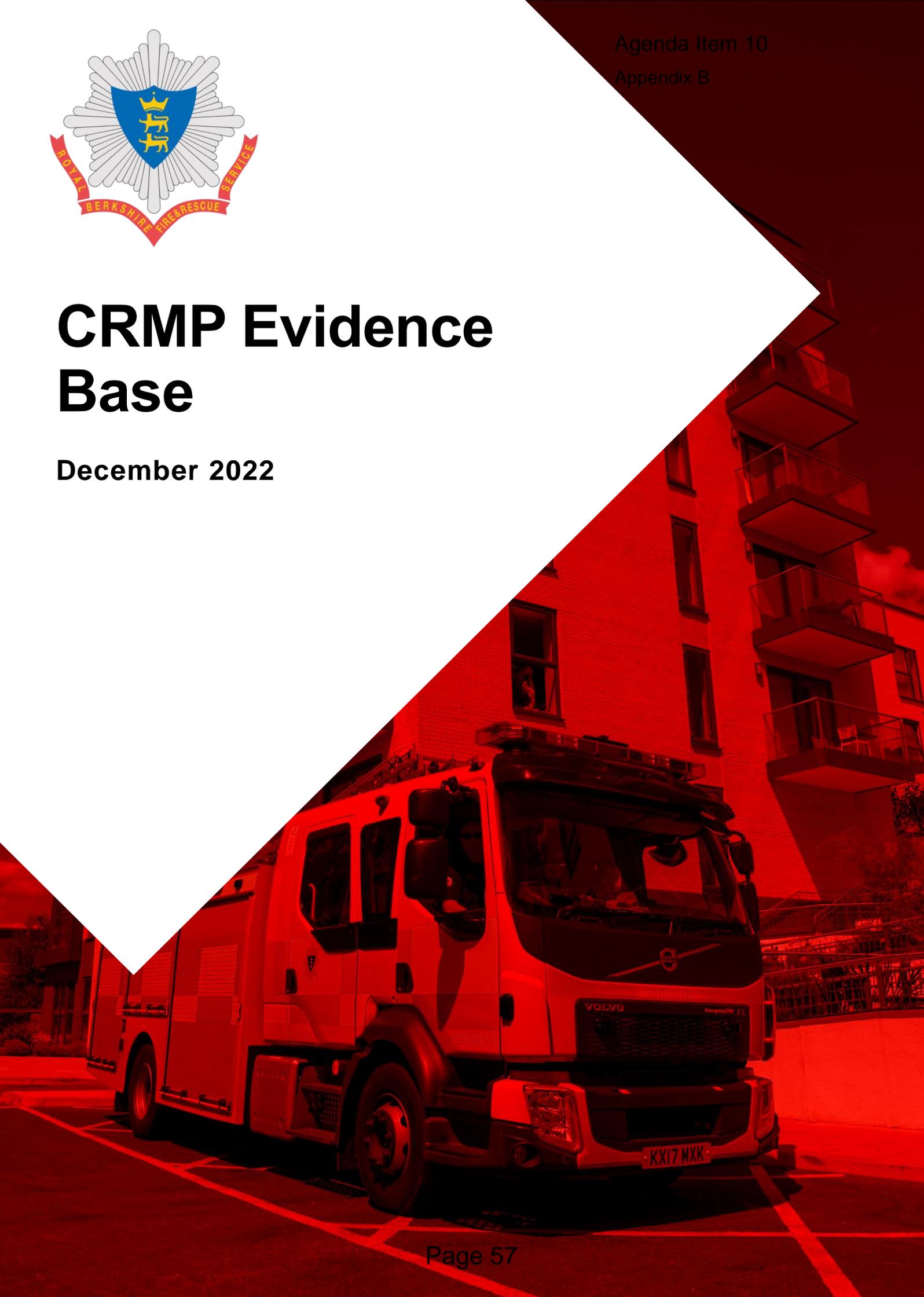
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CRMP Evidence Base

December 2022





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Glossary of terms

| | |
|---------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Accidental fires | Accidental fires include those where the motive for the fire was presumed to be either accidental or not known (or unspecified). |
| CBRN(e) | A term used to describe Chemical, Biological, Radiological, Nuclear and Explosive materials. CBRN(e) terrorism is the actual or threatened dispersal of CBRN material (either on their own or in combination with each other or with explosives), with deliberate criminal, malicious or murderous intent |
| COMAH | The Control of Major Accident Hazards (COMAH) Regulations 2015 ensure that businesses take all necessary measures to prevent major accidents involving dangerous substances and limit the consequences to people and the environment of any major accidents which do occur. |
| Consequence | The outcome of an event. Specifically, the severity or extent of harm caused by an event. |
| Deliberate fires | Deliberate fires include those where the motive for the fire was 'thought to be' or 'suspected to be' deliberate. This includes fires to an individual's own property, others' property or property of an unknown owner. Despite deliberate fire records including arson, deliberate fires are not the same as arson. Arson is defined under the Criminal Damage Act of 1971 as 'an act of attempting to destroy or damage property, and/or in doing so, to endanger life'. |
| Emergency | The Fire and Rescue Services Act 2004 defines an emergency as an event or situation that causes or is likely to cause one or more individuals to die, be seriously injured or become seriously ill, or serious harm to the environment (including the life and health of plants and animals). |
| Foreseeable | Sufficiently likely to occur such that a reasonable person would take it into account in reaching a decision. |
| Hazardous event | A potential event that can cause harm |
| Hazmat | Abbreviation for hazardous materials although it is commonly used in relation to procedures, equipment and incidents involving hazardous materials where the origin of the incident is not thought to be malicious. |
| HMA | Hazardous Materials Advisor – Specialist fire service officer, able to advise on incidents such as chemical spills, radiation and explosives. |
| Likelihood | The chance of something happening. May be described by the probability, frequency or uncertainty of events. |
| MACR | Ministry of Defence - Major Accident Control Regulations. Analogous to COMAH Regulations. |
| NFCC | National Fire Chiefs Council |
| On call firefighter | Professional firefighter who trains once a week at a fire station and responds to emergencies via a pager message |
| Prevention | Providing education about fire safety to the public and businesses |
| Primary fire | Primary fires are potentially more serious fires that harm people or cause damage to property and meet at least one of the following conditions: <ul style="list-style-type: none"> any fire that occurred in a (non-derelict) building, vehicle or (some) outdoor structures |



| | |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <ul style="list-style-type: none">• any fire involving fatalities, casualties or rescues• any fire attended by five or more pumping appliances |
| Protection | Reducing the likelihood and impact of fires through the regulation and enforcement of fire safety law |
| RBFA | Royal Berkshire Fire Authority |
| RBFRS | Royal Berkshire Fire and Rescue Service |
| Response | Sending pumping appliances, specialist vehicles and officers to resolve emergency incidents |
| Secondary fire | Secondary fires are generally small outdoor fires, not involving people or property. These include refuse fires, grassland fires and fires in derelict buildings or vehicles, unless these fires involved casualties or rescues, or five or more pumping appliances attended, in which case they become primary fires. |
| UA | Unitary Authority |
| Wholetime firefighter | Professional salaried firefighter working a full time 42-hour week |



Introduction

This document summarises the detailed analysis and evidence that has been used to develop our CRMP. The document describes how we understand the range of foreseeable fire and rescue service related risks as they relate to the communities we serve. We have identified a range of hazards and at risk groups and locations. This assessment of risk will allow us to make appropriate provision for fire prevention and protection activities and response to fire and rescue related incidents.

The evidence base also includes analysis that we have used to inform the priorities set out in the CRMP document.

The requirement to complete this activity is driven by the [Fire and Rescue Service National Framework 2018](#) which sets out a range of requirements for fire and rescue authorities. Every fire and rescue authority must have regard to the Framework in carrying out their functions.

We publish an annual statement of assurance which explains how we comply with the Framework.

The County of Berkshire

In the [2021 Census](#) the county of Berkshire had a population of 949,776 people and spans 1,262 square kilometers (487 square miles). The County is made up of 6 Unitary Authorities: Bracknell Forest, Reading, Slough, West Berkshire, Windsor & Maidenhead and Wokingham. These authorities are responsible for the provision of local government services within Berkshire including, through the Royal Berkshire Fire Authority, Royal Berkshire Fire and Rescue Service (RBFRS).

Berkshire borders the counties of Hampshire, Surrey, Oxfordshire, Buckinghamshire, Wiltshire as well as Greater London.

Berkshire has an average population density of 753 people per square kilometer. In West Berkshire the population density is 229 people per square kilometer. In contrast, Slough has a population density of 2935 people per square kilometer. Generally, urban population centres represent higher risk areas for Fire and Rescue Services; however, rurality and isolation present their own challenges.

Berkshire is a diverse county, with a unique demographic picture in each Unitary Authority. RBFRS actively monitors the latest demographic data, including the [2021 Census](#) releases, and as more detailed 2021 Census releases become available from the ONS, more detailed demographic data will be updated by the Service.

According to the [2021 Census](#), Berkshire has a younger population than the national average. The Unitary Authority with the highest proportion of people aged under 16 is Slough, where 25% of the population is aged under 16 years old, whereas West Berkshire and Reading have the lowest



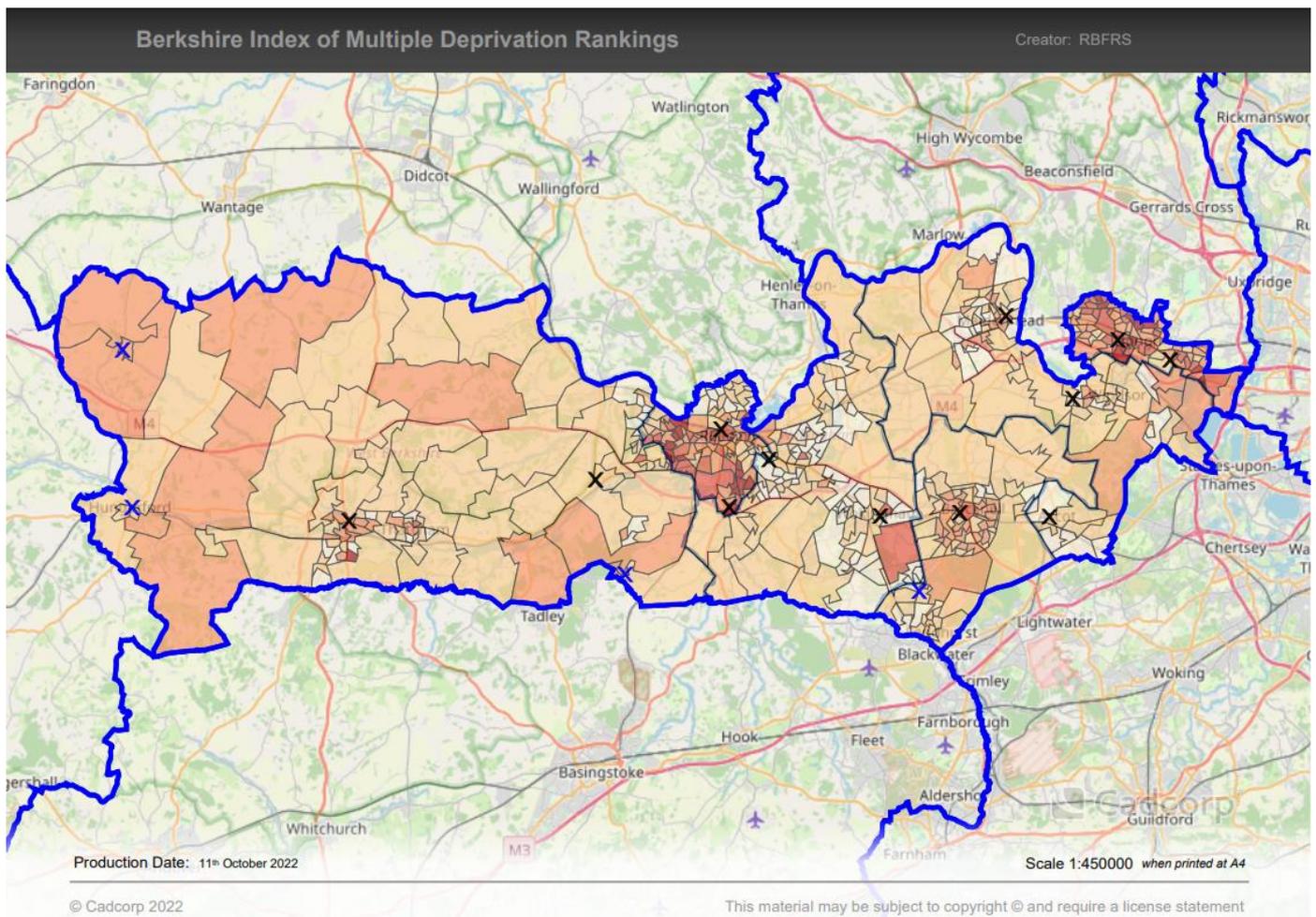
proportion under 16 (19%). However, this is still above the England and Wales average of 18% of people aged under 16 years old.

Correspondingly, Slough is also the Unitary Authority with the lowest proportion of people aged 65 and over (9%). Of all Berkshire's Unitary Authorities, only West Berkshire is above the England and Wales average for proportion of people aged 65 and over (19% and 18% respectively).

Of all Berkshire's Unitary Authorities, West Berkshire is the least ethnically diverse, with 85.6% of the population identifying as White: English, Welsh, Scottish, Northern Irish or British, which is well above the England and Wales average of 74.4%.

Reading and Slough are the most ethnically diverse Unitary Authorities in Berkshire, with 46.5% and 76.0% of people respectively in these areas with an identity other than White: English, Welsh, Scottish, Northern Irish or British. Berkshire has a significant number of people in our community who identify as Asian, Asian British or Asian Welsh, with Reading (17.7%), Slough (46.9%), Windsor & Maidenhead (13.1%) and Wokingham (12.9%) Unitary Authorities having above the England and Wales average (9.2%) of people who identify in this group.

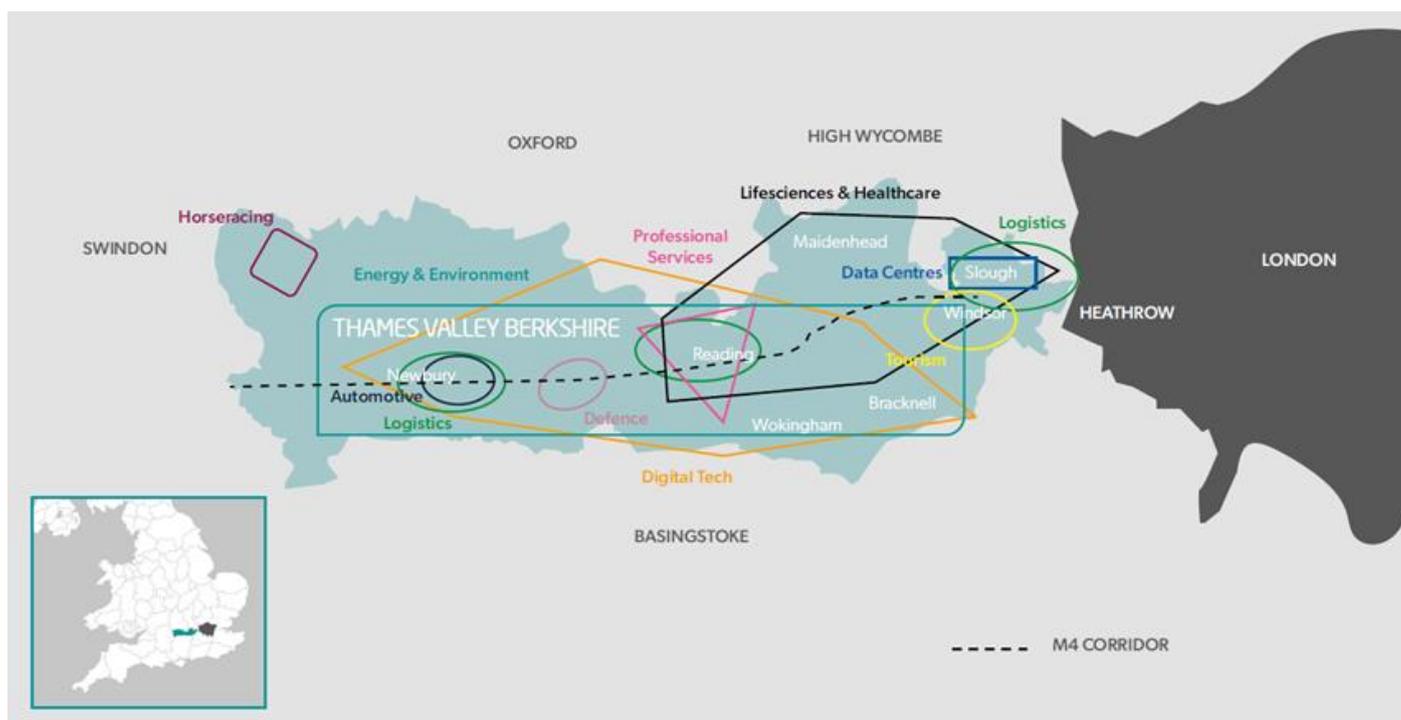
According to the English Indices of Multiple Deprivation ([IMD](#)) in 2019 and the 2021 Census, Slough and Reading are the areas of Berkshire that are proportionally the most deprived, with over half of residents (57.7%) of Slough in the 2021 Census being deprived in at least one dimension. Comparatively, Wokingham has the lowest proportion of deprived residents (38.5%). The map below illustrates the geographical spread of IMD results in Berkshire by Lower Layer Super Output Area (LSOA), which are areas designed to be consistent in population size and on average contain 1500 residents. This map shows how deprivation in Berkshire is generally more concentrated in urban areas.



According to the [Thames Valley Local Enterprise Partnership](#) (2020), Berkshire's largest employment sectors are:

- Wholesale and Retail Trade; Repair of Motor Vehicles and Motorcycles (16% of employees)
- Information and communication (13% of employees), which is three times higher than the national average for this sector.
- Professional, Scientific and Technical Industry (12% of employees).

The map below from Thames Valley Local Enterprise Partnership illustrates the geographical locations of the major employment sectors in Berkshire.



Royal Berkshire Fire & Rescue Service

RBFRS has 16 fire stations placed in strategic positions across the county with 19 pumping appliances in total, supported by a variety of specialist appliances. These vehicles and their crews provide us with the capability to respond to a wide range of emergencies. Our newest station, Theale, was officially opened in October 2022 but has been operational and serving the community since October 2021. Eleven of our fire stations are crewed by wholetime firefighters, four are crewed by on call firefighters and one has a mixed crew of wholetime and on call firefighters.

In 2015 Berkshire, Oxfordshire and Buckinghamshire Fire and Rescue Services established the Thames Valley Fire Control Service, in Calcot, Reading. This shared service provides emergency call handling and mobilising for Thames Valley.

RBFRS delivers its services to Berkshire through three management hubs, each of which covers two Unitary Authorities. Each hub is responsible for providing Prevention, Protection and Response activity to meet their local risks.

- **East Hub:** Windsor and Maidenhead, Slough
- **Central Hub:** Wokingham, Bracknell Forest
- **West Hub:** West Berkshire, Reading

Central and East Hubs consist of predominantly urban areas, such as Maidenhead, Bracknell, Slough etc, whilst West Hub is combination of the predominantly rural area of West Berkshire, and the urban centres of Newbury, Thatcham and Reading.



Understanding risk

RBFRS have adopted the National Fire Chiefs Council definition of risk. For community risk management in the fire and rescue service, risk is defined as:

Risk: A combination of the likelihood and consequences of hazardous events

Key terms

We expand the key terms in this definition as follows:

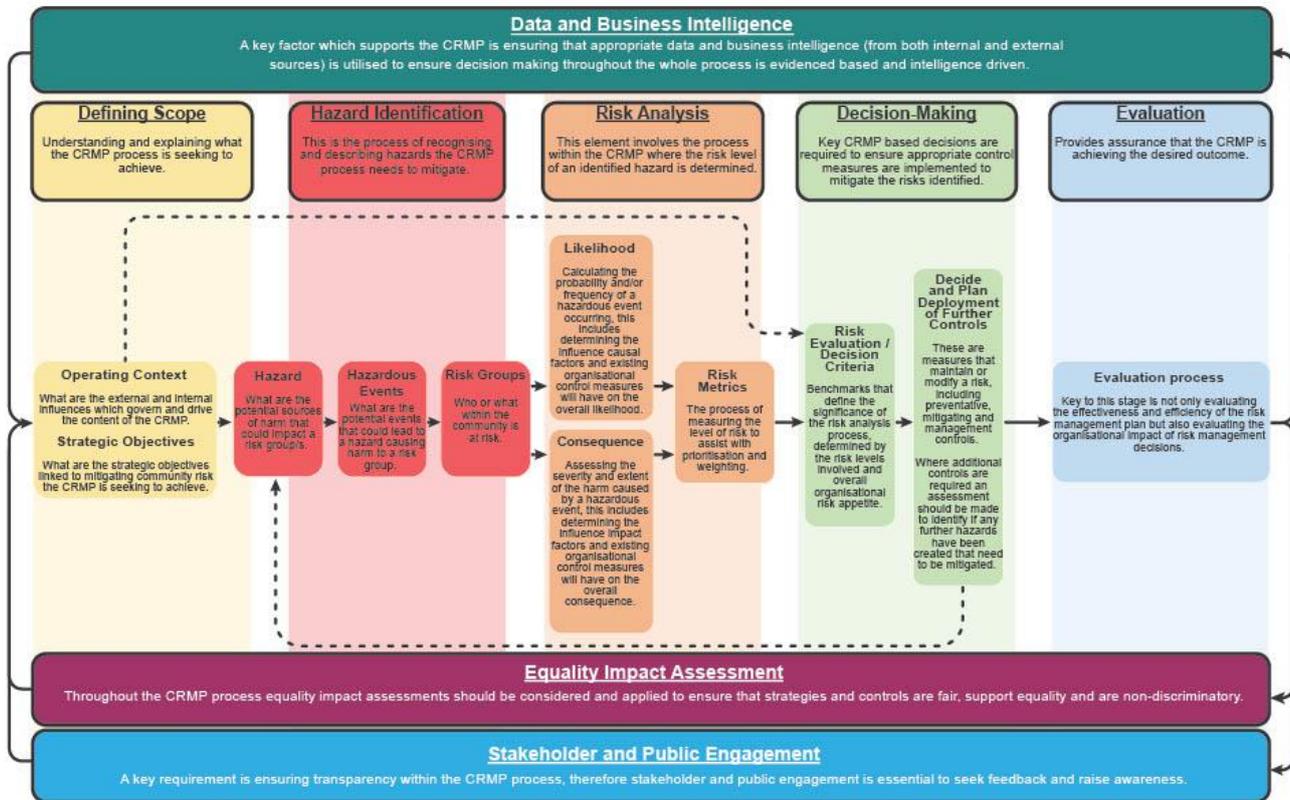
| Term | Definition |
|-----------------|-------------------------------------------------------------------------------------------------------------|
| Hazardous event | A potential event that can cause harm |
| Likelihood | The chance of something happening. May be described by the probability, frequency or uncertainty of events. |
| Consequence | The outcome of an event. Specifically, the severity or extent of harm caused by an event. |

This definition helps to explain the core process within our Community Risk Management Plan. It refers to “hazardous events”, which are potential events that can cause harm to peoples, places the environment and/or the economy. Fire and rescue services record actual incidents of these types and produce statistics on their frequency and consequence. However, “hazardous events” also include potential incidents that have not yet happened but might happen in the future. A suitable and sufficient risk assessment should consider this possibility too. The definition allows for any “combination” of likelihood and consequences, to emphasise that risk might be the two components multiplied together, but they might be combined in other ways if appropriate.

In preparing our CRMP we have used the NFCC Community Risk Management Planning Strategic Framework. This has provided the structure of our approach to risk namely, that we have approached the process by considering the hazards to the communities of Berkshire and identified those which present the greatest risk.



Community Risk Management Planning Strategic Framework





Normal and Foreseeable Risk

The Fire and Rescue National Framework for England requires us to identify and assess the full range of foreseeable fire and rescue related risks Berkshire faces. Within that, we need to plan for both what is normal demand and what is beyond normal demand. This is driven by [The Fire and Rescue Services Act 2004](#), which states that (in relation to fires and road traffic collisions) fire and rescue services must secure the provision of the personnel, services and equipment necessary efficiently to meet all normal requirements. The Act does not define what normal requirements are. The CRMP is the process we undertake to ensure we are able to understand what is required to ensure we can manage normal demand in Berkshire.

When we describe foreseeable Hazards and Risks in later sections of this document, we identify whether we consider them to be normal or beyond normal. At the end of the document, we set our Planning Assumptions and expectations for normal conditions based on our analysis of risk and demand.

Normal Risk

Our normal conditions operation are the incidents (and false alarms) we manage in our communities on a day to day basis, and those risk which whilst less common, are still normal and to be expected (e.g. larger incidents). We know from our experience, and from our risk analysis, that there will be some days when the demand for a response to incidents is significantly higher than on others. These circumstances include some large incidents that require us to deploy multiple resources to one location or because there are multiple incidents happening at the same time (known as spate conditions). Spate conditions are commonly caused by bad weather such as heatwaves, flooding, high winds or snow. Although these risks are normal, they are unusual and we set specific expectations around our response in these conditions.

When we identify a normal risk, we have also highlighted whether this is a risk that whilst normal, is less frequent. How frequently an incident occurs has an impact on how we plan our resourcing, and can have an impact on our overall fire cover.

Beyond Normal Risk

When demand is beyond normal this means that we will need to request assistance to support our service. These conditions are caused by particularly large incidents, or periods of spate conditions that are very unusual. We have long standing arrangements in place with neighbouring fire and rescue services to support each other during these periods, ensuring we can provide an ongoing response to incidents. These arrangements are known as reinforcement schemes, or more commonly as mutual aid.

When the scale of an incident or spate conditions is so severe that it outstrips mutual aid arrangements, such as during regional or national storms, or where an incident is very large or requires specialist technical support we can call upon national assets to support our deployment.



These national resilience assets are continuously available and provide specialist capabilities, personnel and resources which enhance our ability to respond effectively to large-scale or critical incidents. Those incidents may be natural disasters, industrial accidents or terrorist attacks.

The next sections of this document explore specific Hazards, the risk they present, and how we mitigate them.

DRAFT

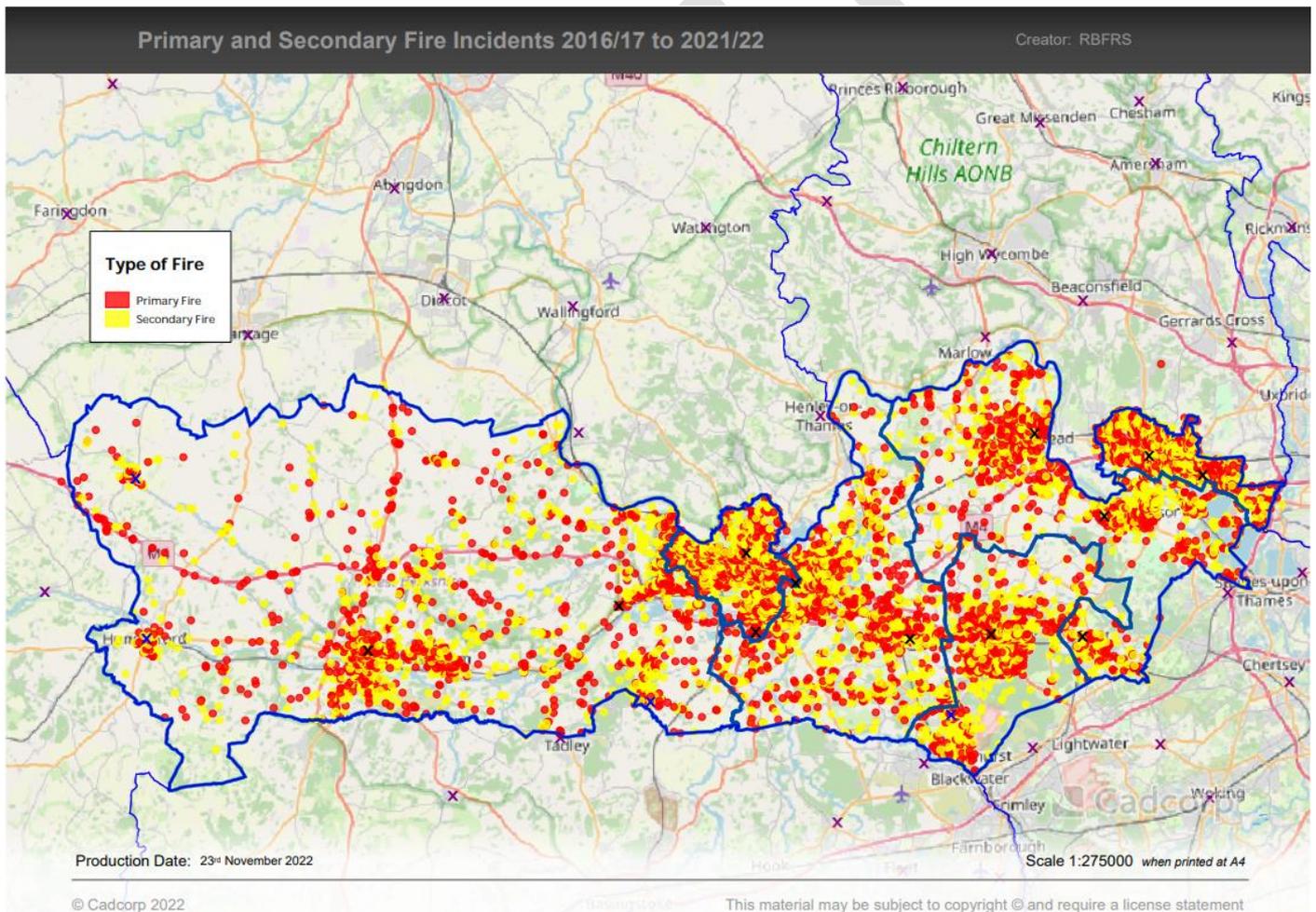


Fire Risk in Berkshire

Statutory duty

RBFA is required by The Fire and Rescue Services Act to promote fire safety, to make provision for protecting life and property from fires and ensuring we have the resources necessary to meet all normal requirements.

To best plan our activities we need to understand the risk fire across the county. Over the past 6 years we have been called to over 10,000 fire incidents in Berkshire. Of these, around half are more serious, 'primary fires' including house fires and vehicle fires, and the other half are secondary fires – for example rubbish fires or fires on open land.



Map xx shows the location of the fires we have been called over the past 6 years. The incidents are concentrated in our towns and other residential areas.

Fires start in many different circumstances and have different impacts. For many fire types, knowing where we have attended fires previously is a good starting point, however as many fire



types are thankfully rare, we also need to consider that there may be other high risk areas to identify. Different types of fires have different causes and different factors associated with them. We have considered these associated factors in our risk analysis. We have followed the NFCC definition of risk in considering factors related to people, place and property.

As these factors are different for different fire types, and because there are some fire types that present specific risks and warrant particular attention when we are planning our mitigation activity, we have considered the main types of fire risk separately, covered in the following sections.

Fires in Dwellings

The hazard

Fires in the home are one of the biggest concerns for our communities. Nationally, around 200 people die in dwelling fires each year. 'Dwellings' includes all homes, but doesn't include some other residential properties types such as care homes or hotels. Over the past 6 years in Berkshire there have been 9 fatalities and 167 non-fatal casualties in accidental dwelling fires. Even when there are no casualties, the impact of a fire on the lives of those involved can be catastrophic.

[Stats on dwelling fires, types of dwelling, locations, when do incidents occur]

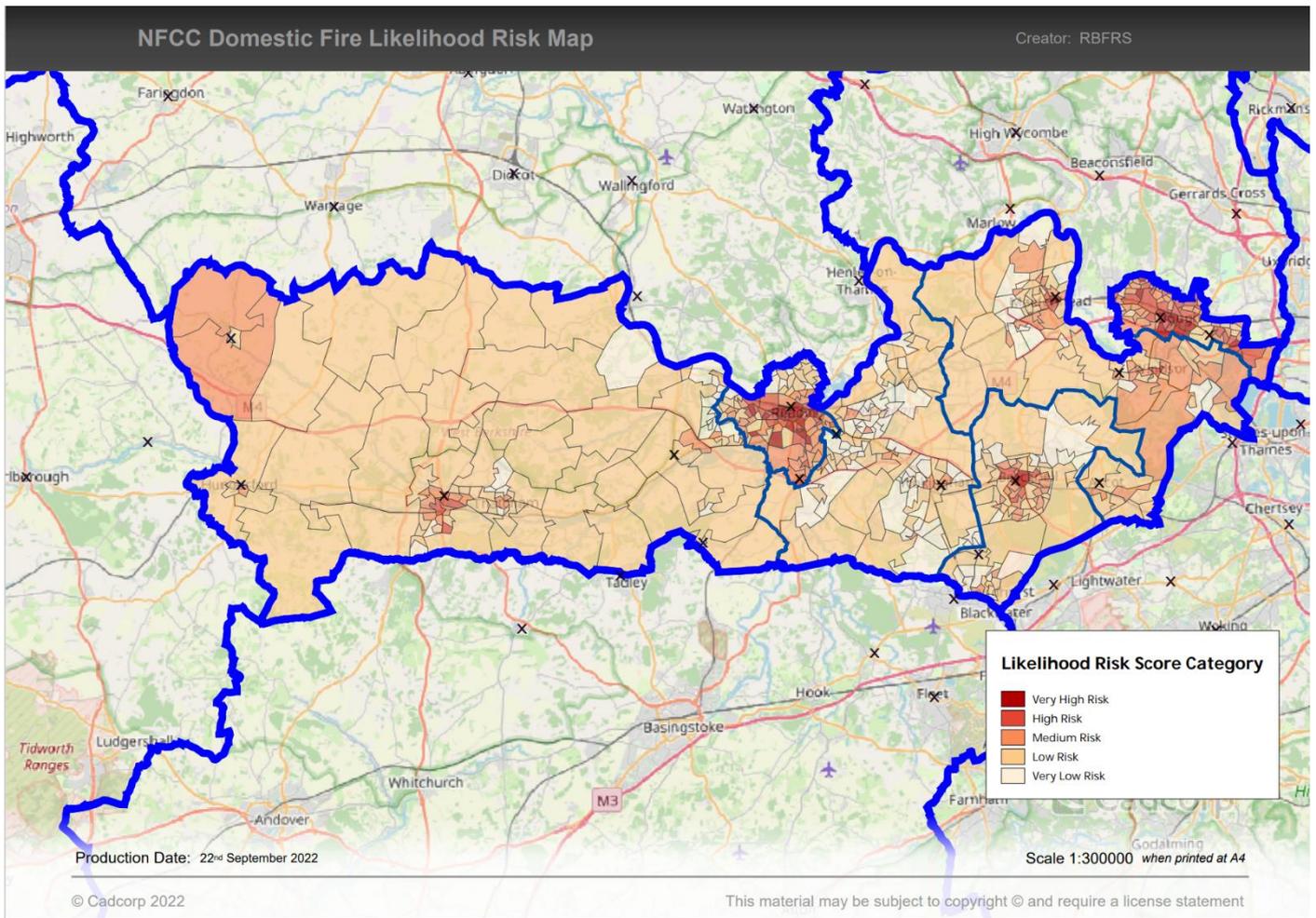
This hazard type represents a **normal risk** that RBFRS manage on an ongoing basis. Large incidents may be beyond normal.

The NFCC have recently developed a Dwelling Fire Risk Model, using national incident data and demographic datasets to establish the factors that predict dwelling fire risk. This is useful because at a county level these incidents are quite unusual and whilst the historic pattern is helpful, it may not identify all high risk areas. More detail of the NFCC Dwelling Fire Risk Model methodology can be found in [Appendix x](#).

The Domestic Fire Risk Model looks at risk by Lower Super Output Area (LSOA), which are small local areas containing approximately 650 households or 1500 people. The model enables us to rank our LSOA areas by risk and identify those that are high risk. These are high risks relative to the rest of the county, not a comparison with other areas of the UK.

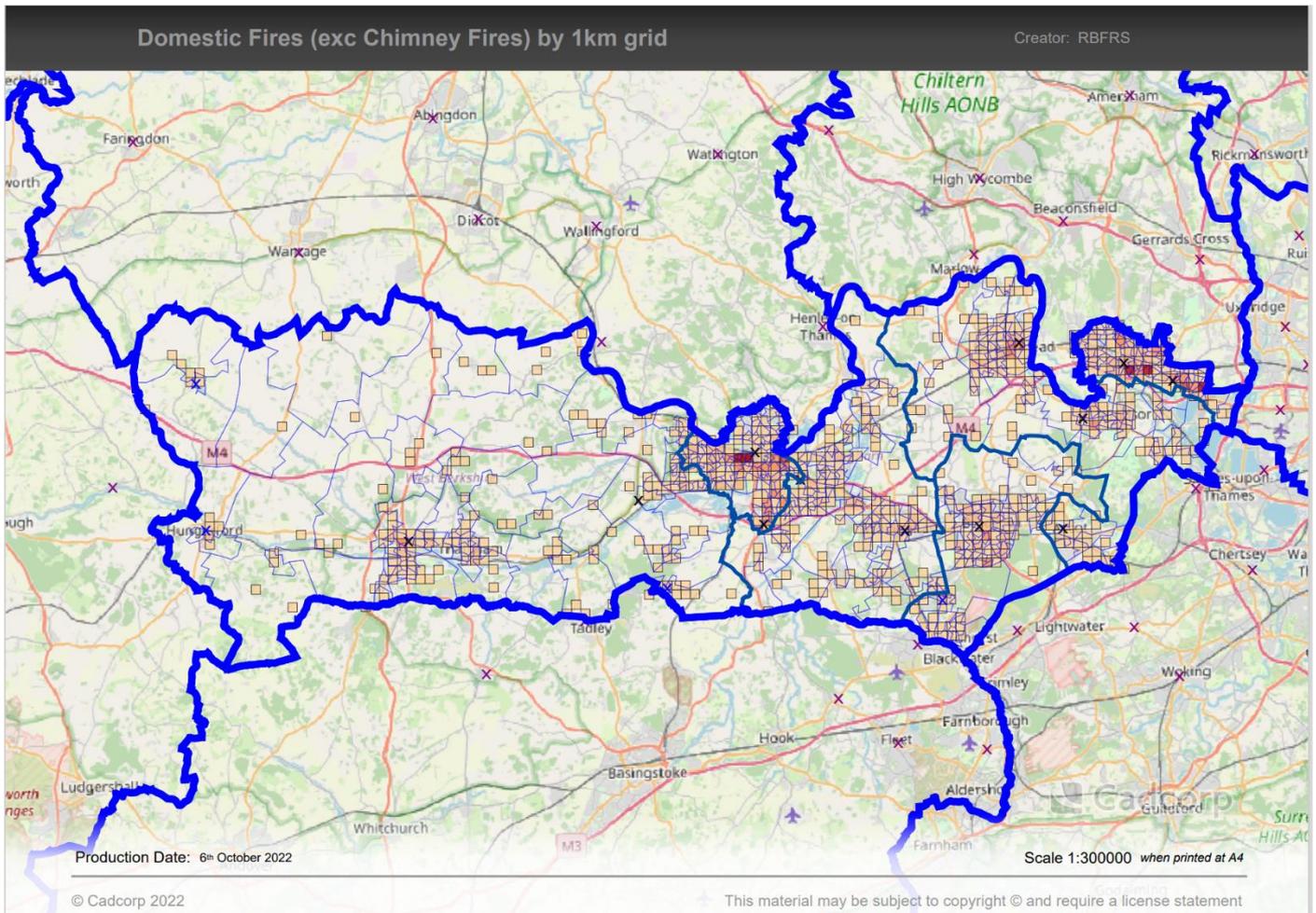
Likelihood

Map 1 below shows the local area risk levels identified using the NFCC Domestic Fire Risk Model for incident likelihood. Each of the small areas on the map have a similar number of households or people – so where the area is small, the same number of people are affected as in a large area



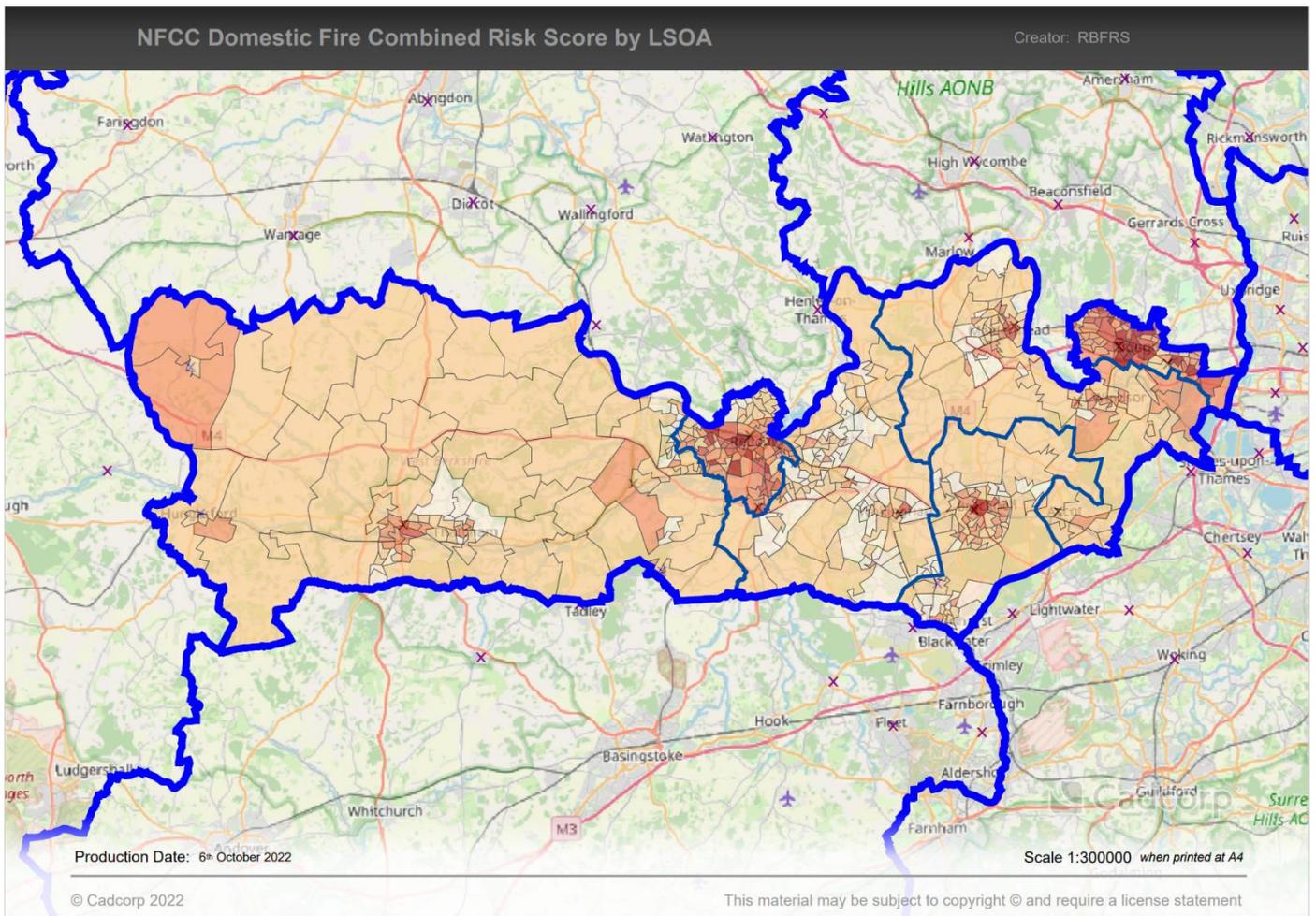
The map shows that our highest risk areas for domestic fires are, as we might expect, in our urban centres, particularly Reading and Slough.

We have compared these predicted dwelling fire risk areas to our historic incidents. Map x below shows where our domestic fire incidents have been concentrated in the last 6 years. This shows a good association between the predicted high likelihood areas and our historic incidents.



Consequence What is at risk?

The NFCC model also allows us to calculate the impact or consequence of dwelling fires – to enable us to see if there are any areas where the seriousness is particularly high. The results of this analysis can be found in [annex]. The below map shows the combined risk profile of Berkshire when both likelihood and consequence are taken into account.

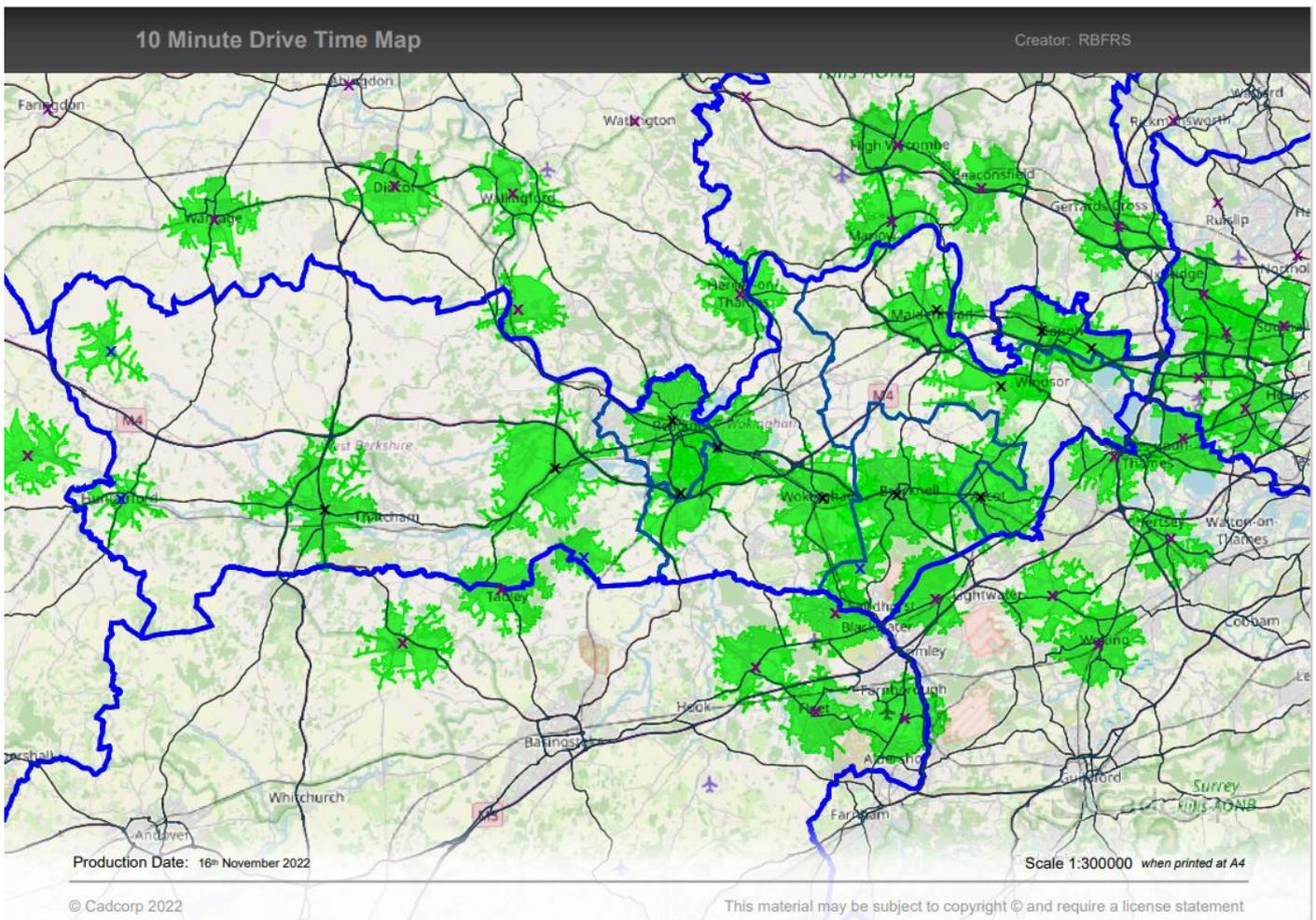


Treatment of risk

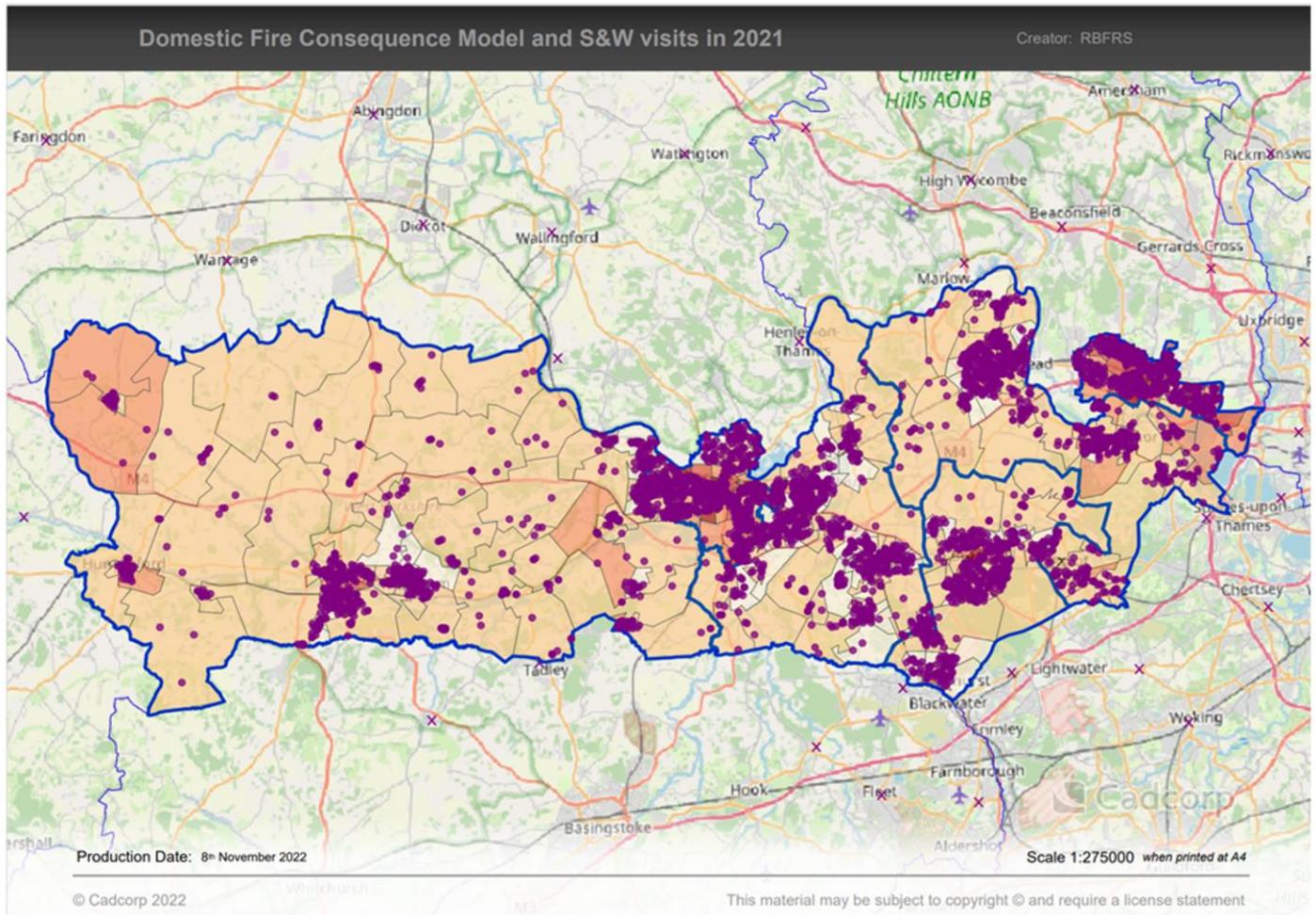
This risk model can help us plan our activity by showing where the highest risk areas are – in our urban centres, particularly Reading and Slough. These are the areas in the county with the highest population density, higher levels of deprivation and the riskiest types of housing – including the majority of our High Rise Residential Buildings. A map showing the locations of these buildings can be found in the ‘High Rise Fires’ section.

We are now able to assess our ability to respond to incidents in these areas, and also to consider how we can best target our effort to reduce the likelihood of these incidents occurring, or of them having serious consequences, through our prevention and protection activities.

Map xx shows the areas our fire appliances and those of our neighbouring services can reach within 10 minutes of receiving a call, based on the average road speeds. We may be able to travel faster than this on some roads, or at night, but the map shows that almost all our high and medium risk areas are within a 10 minute travel time.



The next map, map xx, shows where we carried out Safe and Well visits in the 2021-22 year (the most recent year we have examined as part of this CRMP analysis). The map shows that broadly these visits are taking place in the higher risk areas in the county. There is some room for improvement in Slough, as the rate of visits we carry out there is lower than in the other areas in the county, despite Slough having a high number of high risk areas.



[action – risk based prevention programme]

Fires in other premises

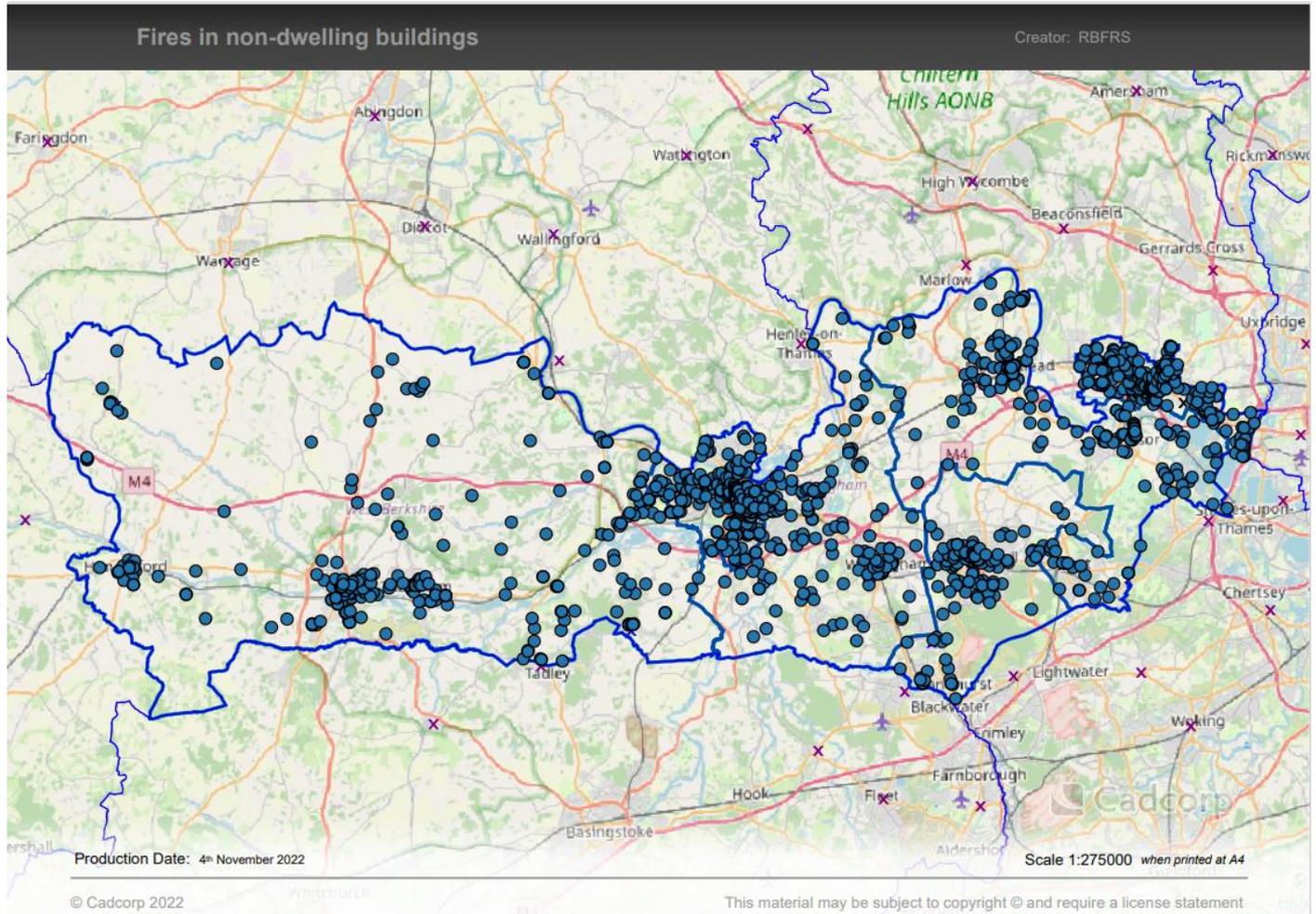
The hazard

Dwelling fires are a particular cause for concern in our communities but fires also occur in other buildings or premises, some of which also include significant risk to our communities. For example, other property types where people sleep, including hospitals, hotels and residential care homes.

Likelihood



Map xx shows the fires we have been called to in these premises types over the past 6 years.



Consequence

There are a large number of different non dwelling property types and each have particular risks and risk factors associated with their use. The NFCC is currently developing a non-dwelling premises risk model, to be used alongside the dwelling fire model we have discussed above. However, the analysis for the model is not yet complete.

Treatment of Risk

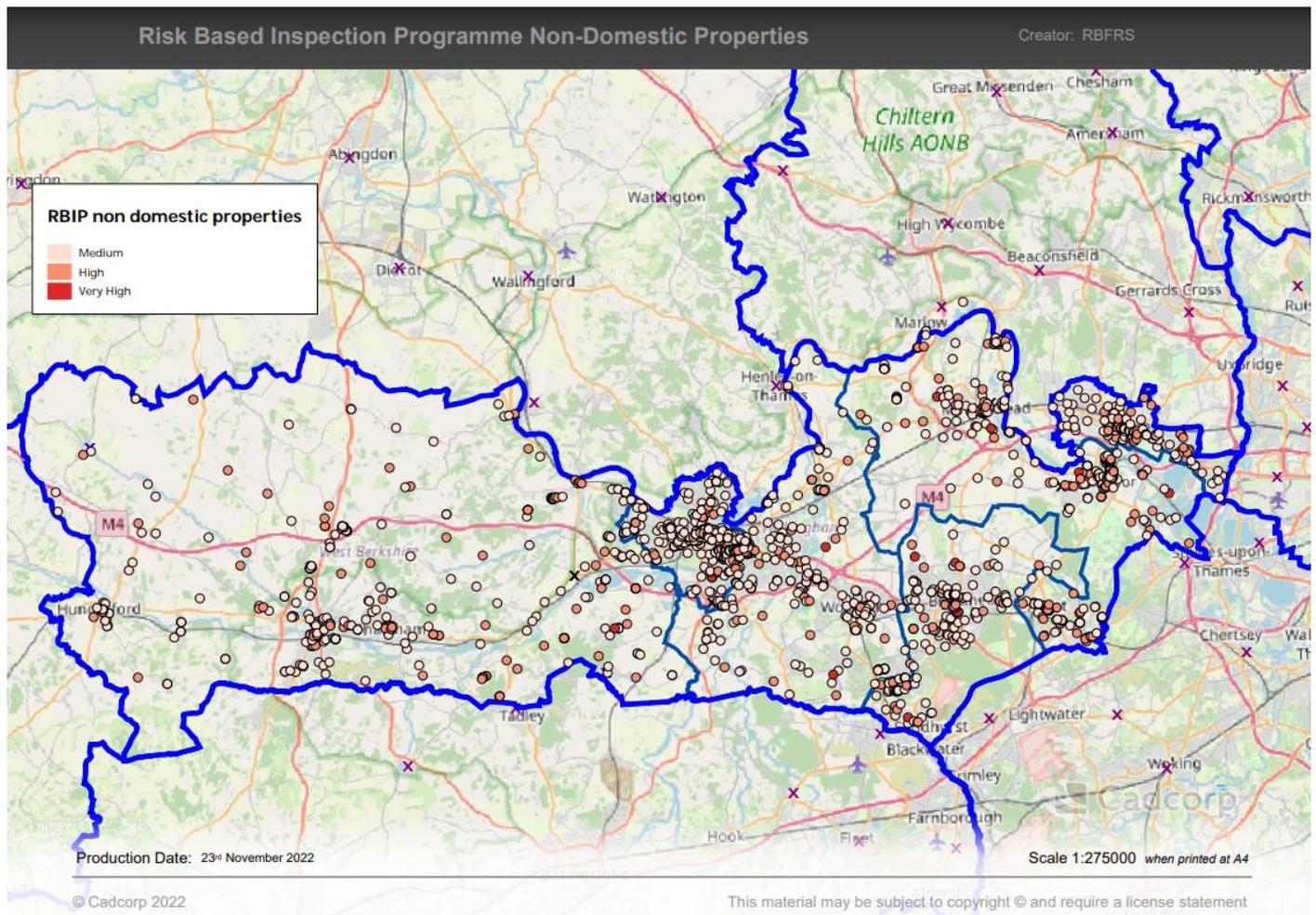
Our Risk Based Inspection Programme identifies property types which we can inspect under the Regulatory Reform Order which we consider to be higher risk. The RBIP methodology identifies a number of factors associated with increased fire risk and where available, assesses and scores these factors for each individual property, leading to a prioritised programme of inspection. This



new methodology was launched in April 2022 and will be subject to evaluation and review in 2023, which will include considering alignment to the forthcoming NFCC model.

The risk factors in RBIP include those relating the property itself, such as size and number of floors, factors that indicate previous compliance such as previous enforcement activities and local area factors including the level of deprivation.

Map xx shows the location of the non-domestic properties on our Risk Based Inspection Programme (Medium, High and Very High Risk).



[Add Map of Audits for 2021-22 – locations, are we managing the risk.]



High Rise fires

Tall buildings present a particular set of challenges due to the complex nature of firefighting within these premises, the numbers of people often present, and the sometimes difficult evacuation routes.

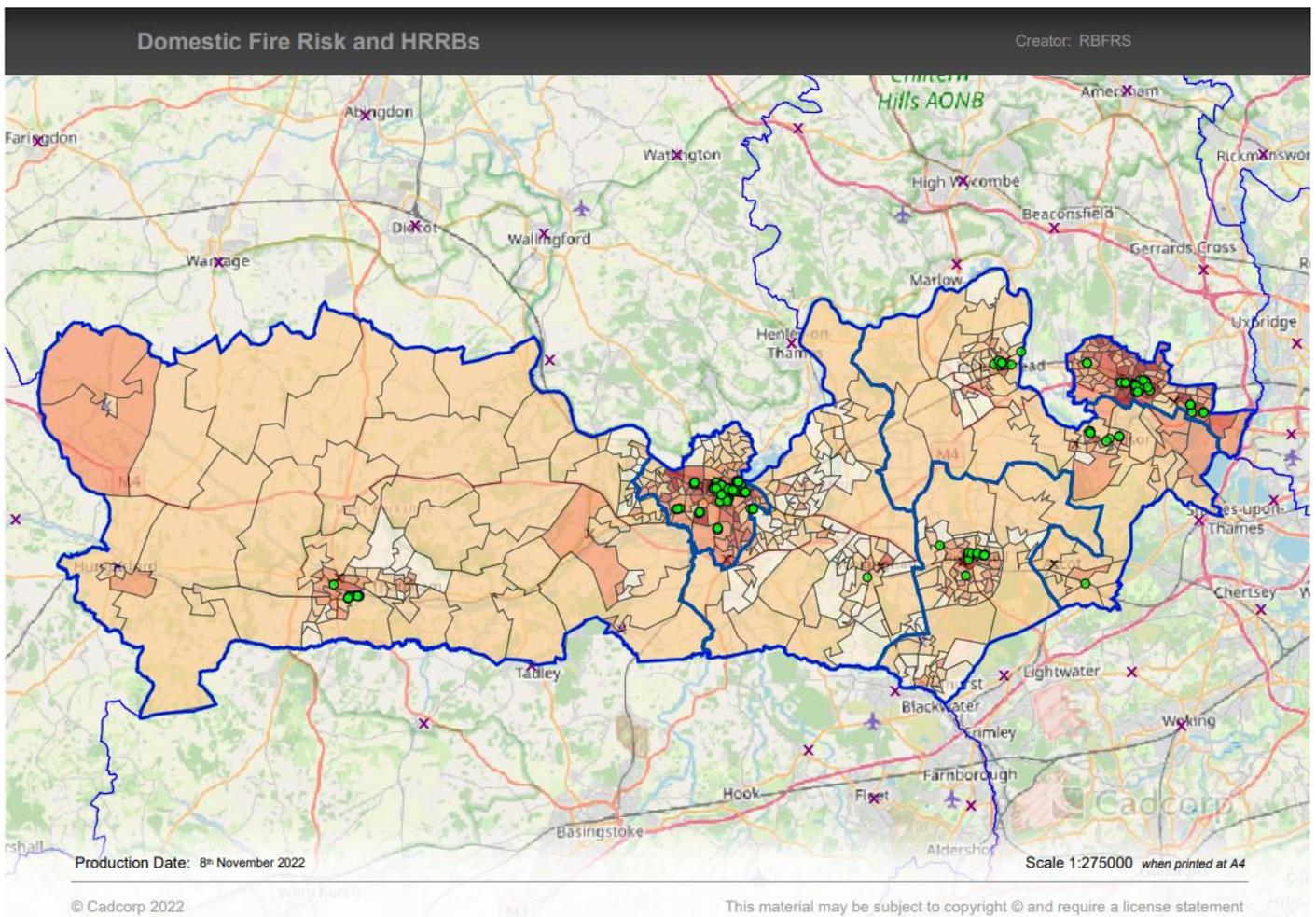
RBFRS defines tall buildings as any building that has an occupied floor more than 18m above the Fire Service access level, which generally means a building of 6 floors or more. Tall building types include residential flats, hotels, institutions, hospitals, commercial offices and mixed occupancies.

Following the Grenfell tragedy on 14 June 2017, RBFRS implemented a four-phase Built Environment Programme to ensure we are able to effectively manage the risk presented by tall buildings.

Operational response

Any significant high rise fire will require the commitment of considerable operational resources. RBFRS will send a pre-determined attendance of 6 main pumps, 1 aerial appliance, 1 small incident command unit, 3 level 2 officers and 1 level 3 officer. We consider tall building fires to be foreseeable normal risk, however a confirmed fire is likely to require mutual aid from neighbouring services. It is easily conceivable that an established fire in a tall building would be declared a major incident. This progression would lift the incident beyond our normal operational planning assumptions.

This map shows the location of the 170 High Rise Residential Buildings identified within the Built Environment Programme in November 2022, overlaid on the domestic fire risk map. As expected, the High rise Building are clustered in the urban areas and may be in areas we know to be of high risk.



Berkshire Unitary Authority Strategic development plans indicate that a mixture of urban regeneration and new building around existing settlements is planned to meet the need for housing drive by population growth. This is likely to result in increased urban population density and will necessitate the ongoing development of tall residential buildings. These developments are often in areas we have identified as being at higher risk of dwelling fires, specifically in Reading and Slough.

Our integrated approach to risk of fire in tall buildings is to ensure the vulnerabilities associated with high rise living are accommodated in our risk based prevention programme and that our regulatory activity proactively targets high risk premises. Our response modelling helps us to understand if we have the correct resources in optimum locations to attend incidents.

We have analysed the likely response times for our PDA of 6 pumping appliances to our HRRB locations, based on point to point travel times and assuming a standard call handling and turnout time. This analysis finds two specific HRRBs where our first pump response takes longer than 10 minutes. There are other high rise blocks in these locations, and in addition there are a further three clusters where our response time is over 9.5 minutes.



Map XXXX. Historic England GIS data showing listed buildings¹

Heritage premises are distributed across Berkshire and are present in all parts of the County. As a Unitary Authority area West Berkshire has the highest number of listed buildings, but Reading has the highest density. This is expected as West Berkshire is the largest UA by area and Reading is a long established county town.

The cultural and economic value of heritage premises means that it is important for RBFRS to work with responsible persons to improve their protection.

To do this we:

- Carry out fire safety audits of regulated premises where they fall within our risk based inspection programme
- Provide fire safety advice and guidance as necessary
- Undertake firefighter risk information gathering visits as per the requirement of s7.2(d) of the Fire and Rescue Services Act 2004 including the development of tactical plans for the most complex premises
- Support landlords, property managers and other responsible persons to produce salvage plans to help identify high value items
- Undertake routine familiarisation visits
- Undertake training exercises where required

Outdoor Fires

[ADD- Hazard intro]

Single incidents of this type can be a specific hazard if they are large – this is known as a wildfire.

In addition, the nature of these incidents, their causes and relationship with hot, dry weather means there are times when large volumes of these incidents occur, stretching our resources – this is known as spate conditions.

We will consider these two aspects separately below to help us to plan effective deployment of our resources.

¹¹ © Historic England 2022. Contains Ordnance Survey data © Crown copyright and database right 2022. The Historic England GIS Data contained in this material was obtained on 16/11/2022. The most publicly available up to date Historic England GIS Data can be obtained from [HistoricEngland.org.uk](https://historicengland.org.uk).

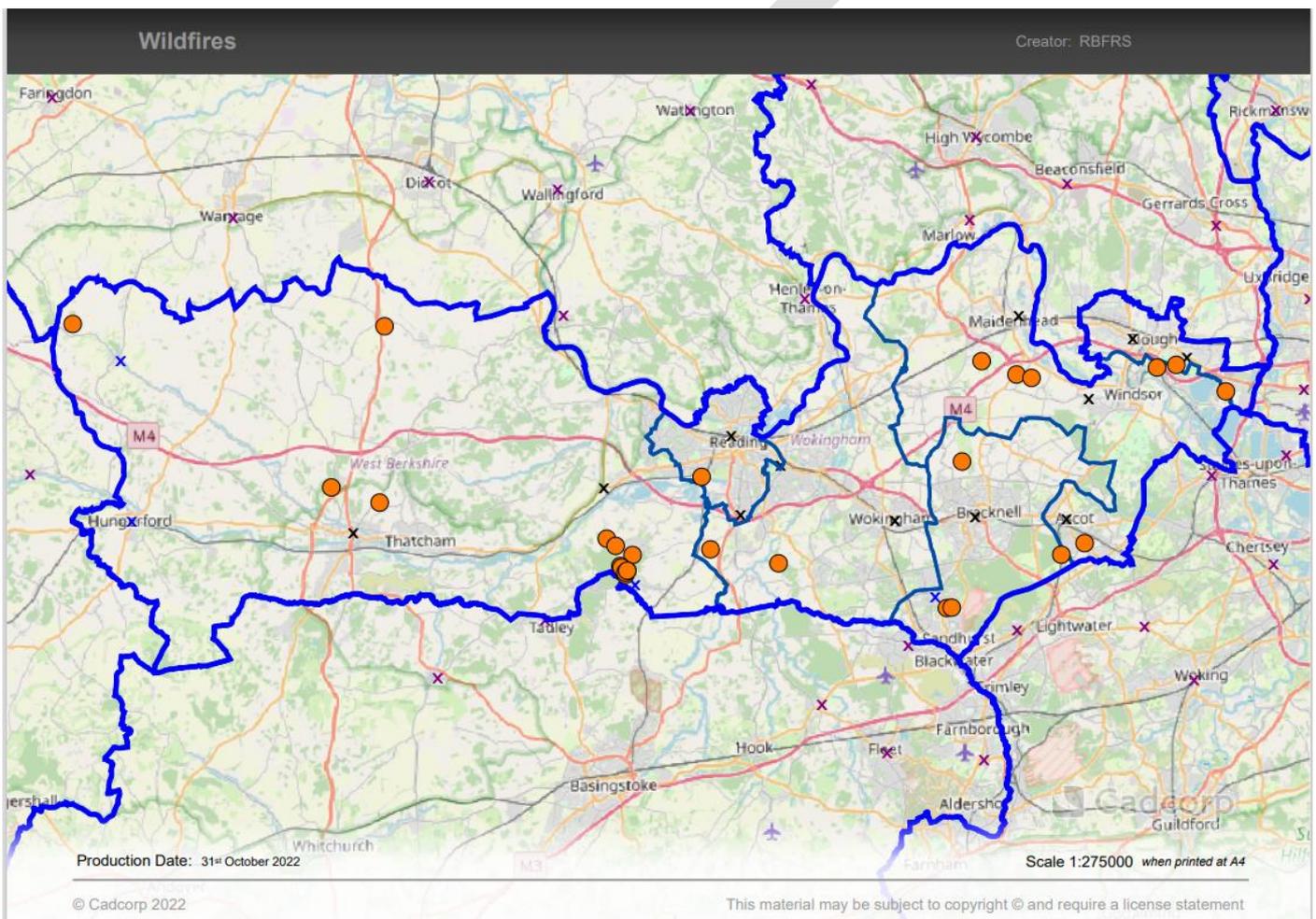


Large incidents - Wildfires

A wildfire is defined as “Any uncontrolled vegetation fire which requires a decision, or action, regarding suppression.” But is usually considered to require either a large number of appliances or to continue for six or more hours.

Wildfires have the potential to destroy property and equipment and cause injuries, as well as being a very real threat to wildlife and the safety of firefighters and communities.

Map xx shows the location of incidents meeting wildfire criteria in the past 6 years in Berkshire.



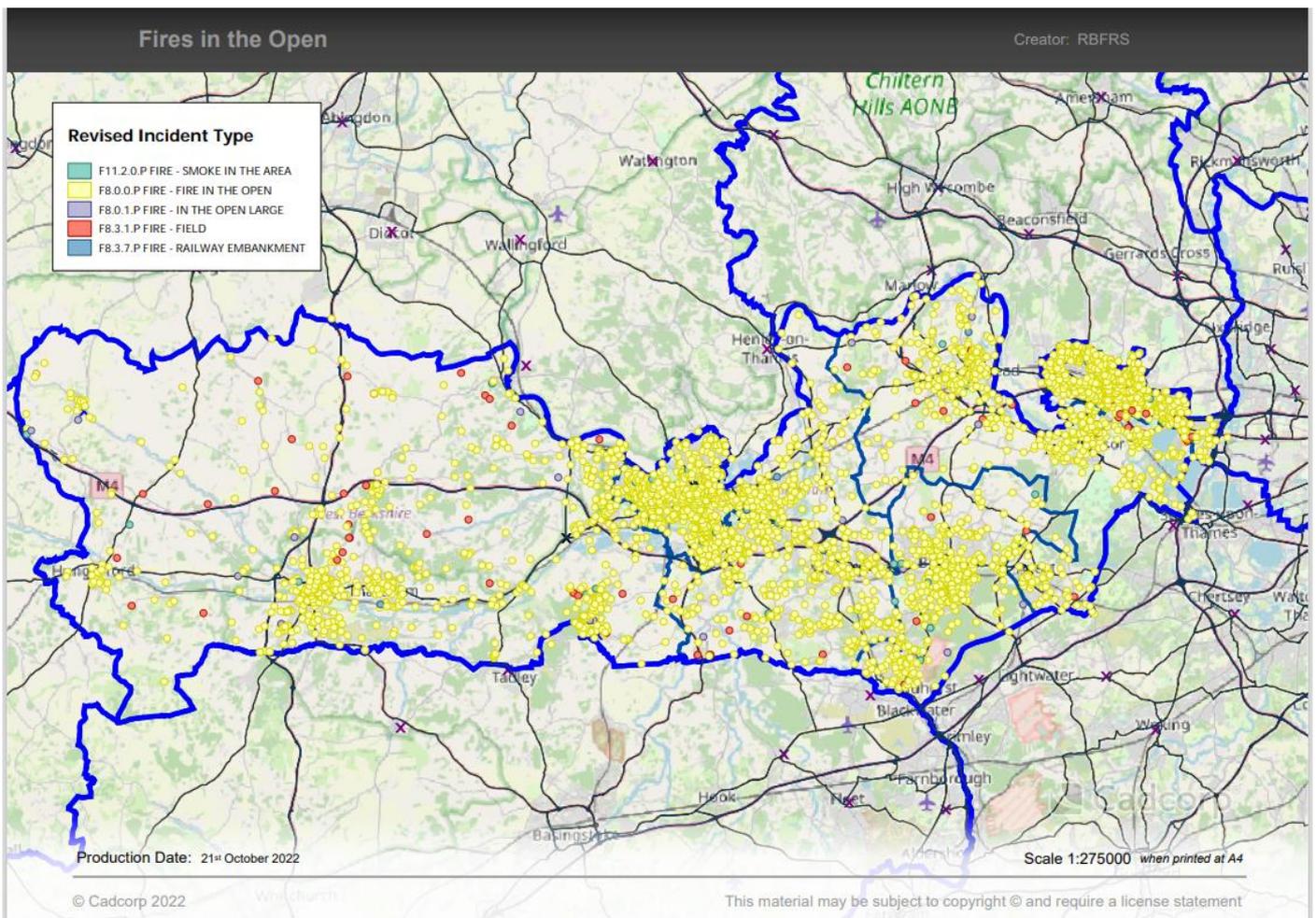
The map confirms that these incidents do usually fall outside urban areas.

Map xxx shows the vegetation types in Berkshire.



Seasonal outdoor fires

What should also be borne in mind is that the sheer number of vegetation fires during hot, dry weather periods, which do not fall within the criteria listed above but still require a response, can have an equally detrimental and significant impact on RBFRS simply because of their volume, frequency and disruption of the provision of business as usual services (see below, Fires in the open).



[ADD - Summer 2022 case study]

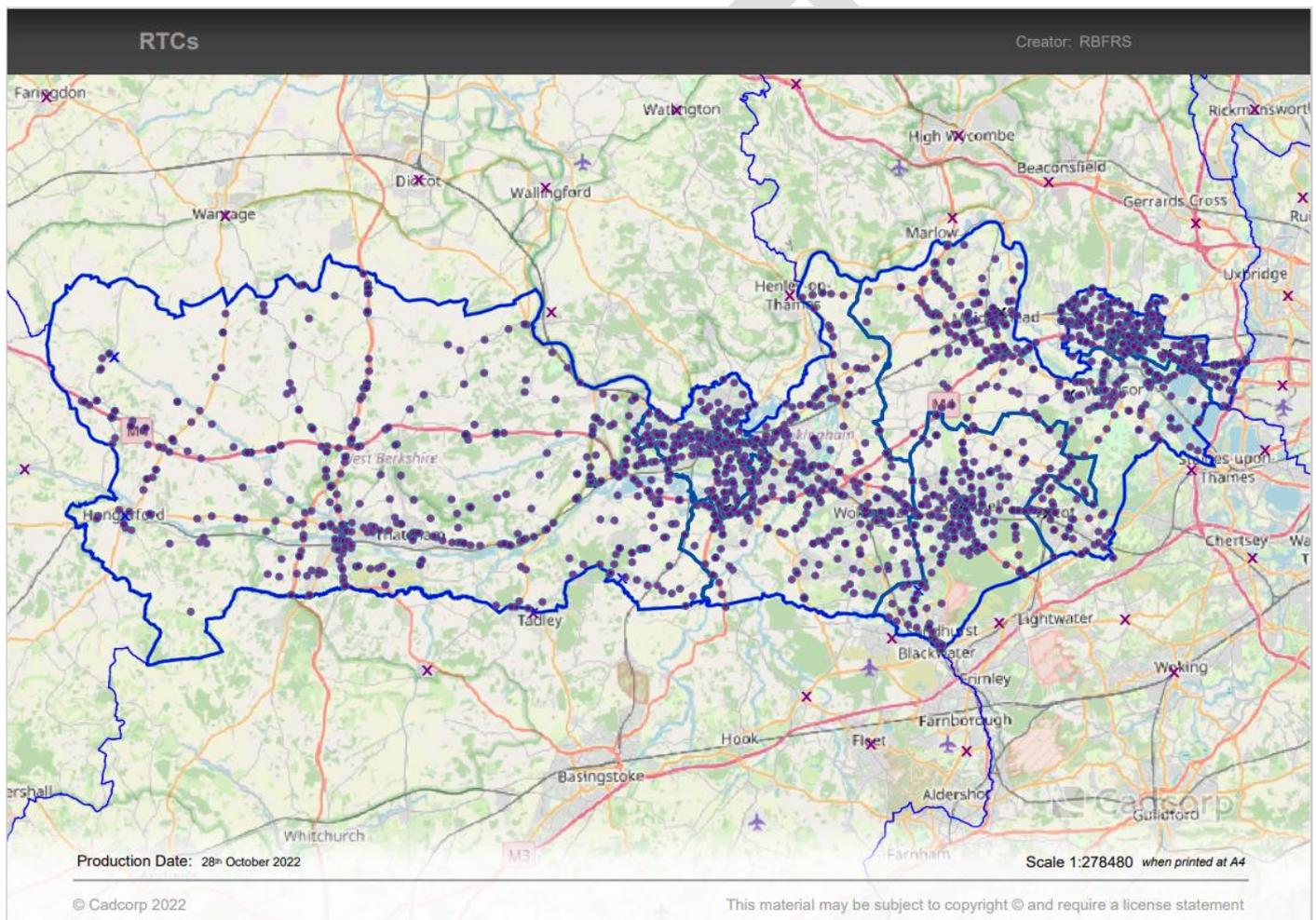


Road Safety

Statutory duty

Incidents on our roads have a big impact on communities and lives of Berkshire.

ADD – STATS including DfT figures on casualties



[ADD – analysis re road users and other risk factors]



Water Safety

Statutory duty

This document differentiates between the community risk of flooding and of water rescues. Although there is a degree of commonality (flooding events often necessitate rescues from water) water rescues tend to be single site incidents with a high association with mortality where flooding is often over a wide area, with a high degree of economic loss and proportionally fewer fatalities.

Water rescue and flooding response are not statutory duties of RBFRS. The FRS National Framework states that non-statutory activities should not be carried out at the expense of services' core functions around prevention, protection and response as that is ultimately what the taxpayer funds fire and rescue services to deliver.

Flooding

Flooding events can occur over a limited area due to heavy rain leading to surface water (pluvial) flooding, burst water mains or overflowing sewerage systems. Our incident data suggests that vehicles are sometimes stranded in water, at fords, particularly in the south of the County following periods of heavy rain. Equally a burst water main may flood a limited area necessitating a response that is within the capabilities of RBFRS. These events are foreseeable and are considered a normal risk.

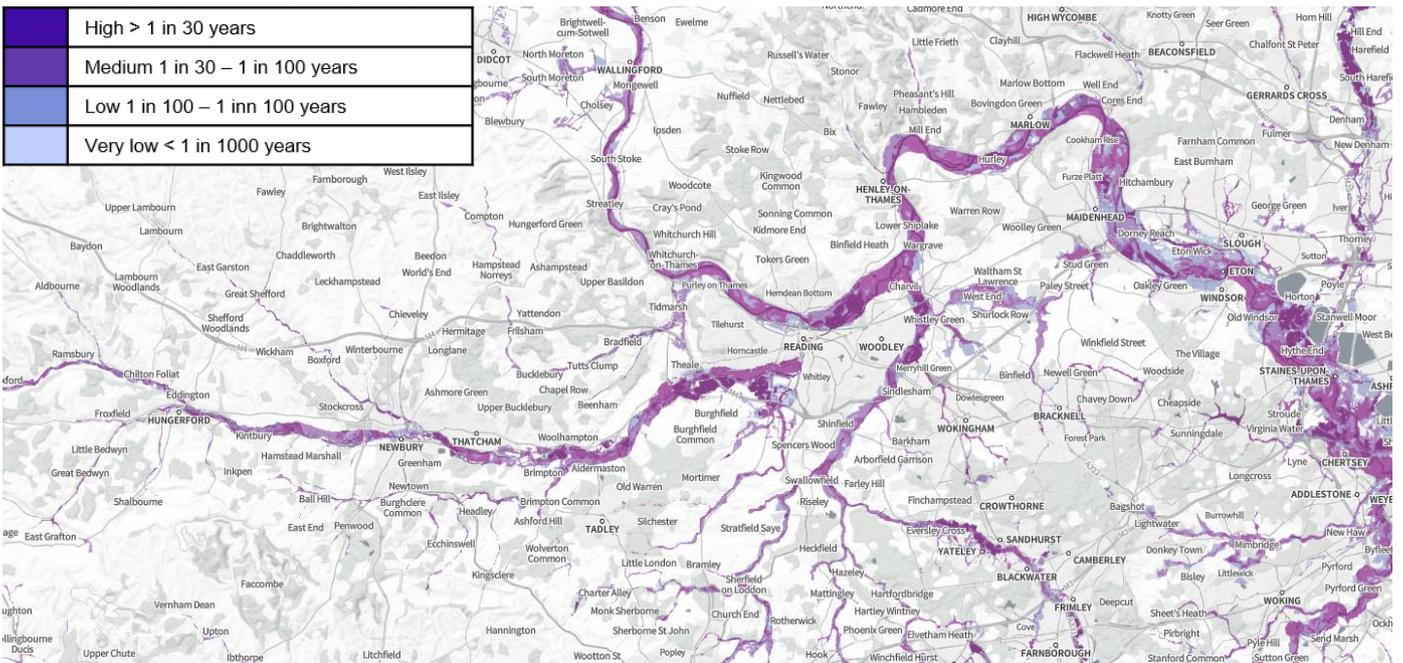
Wide area flooding is less common, but is foreseeable. Rivers overtopping (fluvial flooding) or failure of flood defences causing a wide area flood will necessitate a multi-agency response. This is a complex process that requires a coordinated approach through TVLRF. The response may require the use of national assets in support of RBFRS and as such these incidents types can be considered beyond normal.

Likelihood

Areas of Berkshire have been rated as having a high likelihood of flooding by the EA. This rating means there is a >3.3% chance of flooding each year. Wide area flooding occurred in 2007, 2014 and 2016 in Berkshire.



| | |
|----------|----------------------------|
| High | > 1 in 30 years |
| Medium | 1 in 30 – 1 in 100 years |
| Low | 1 in 100 – 1 in 1000 years |
| Very low | < 1 in 1000 years |



Consequence

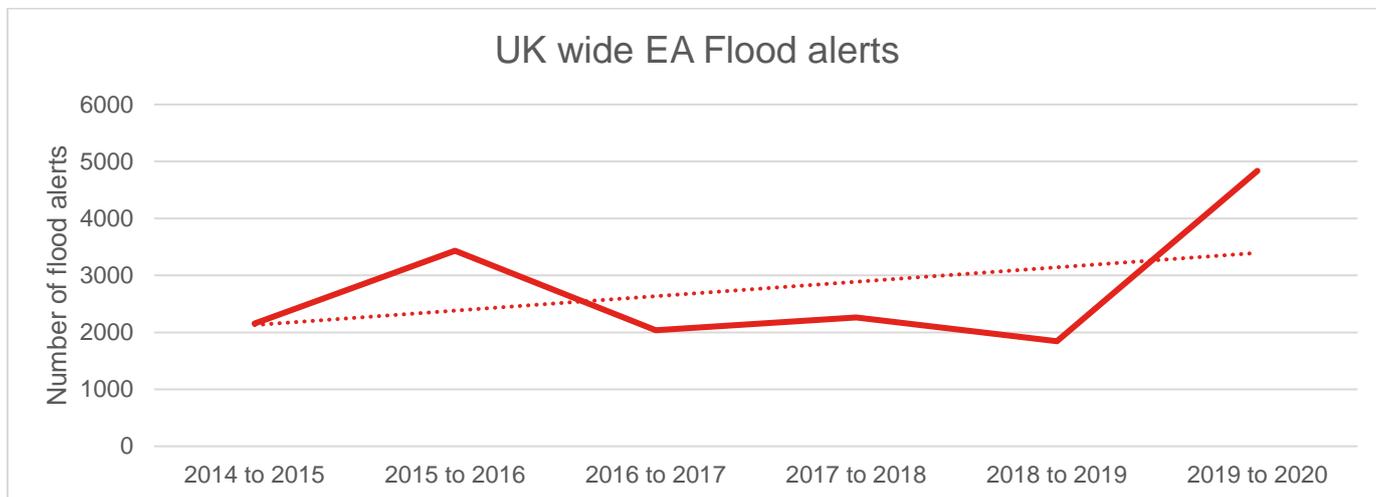
In rare circumstances wide area flooding can cause injuries and deaths. The most likely impact is damage to property and the environment leading to high levels of economic loss.

What is at risk?

| | |
|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| People | A variety of groups are at risk of harm. Residents of Berkshire, people who work in or commute in or through Berkshire. People who travel through Berkshire. RBFRS staff and volunteers. People who visit Berkshire for tourism and leisure. The primary risk is to residents, particularly those who are vulnerable and unable to self-evacuate in the event of flooding. |
| Place | Low lying areas, including development on flood plains, are at particular risk from flooding. Flooding has a long lasting impact on dwellings and affected business premises. |
| Environment | Flooding can have a negative effect on wildlife, causing drowning, disease proliferation, and habitat destruction. Floodwater can also alter the landscape, for instance, by eroding riverbanks and causing them to collapse. Floodwater can be contaminated with pollutants such as agricultural pesticides, industrial chemicals, debris, and sewage. Flood events also lead to an increase in some forms of zoonosis, such as leptospirosis. |
| Economy | The flooding across the UK in 2015/16 was estimated to cost the economy £1.6 billion. The economic losses from flooding between November 2019 and March 2020 are estimated to be about £333 million. Flooding has a substantial, long term impact on the economy. |



The RBFRS horizon scan recognises that there is increased risk of warmer summers and wetter winters. However there [is unlikely to be an increased risk of flooding over the lifespan of this CRMP](#). However systems for warning and informing the public about flooding continue to improve and demand for response resources will continue.



Statutory duty

The duty to coordinate the response to civil emergencies lies with the police, who have the duty for coordination during major flood events at both a strategic and tactical level. Although it was a recommendation of the [Pitt Review](#), FRAs do not have the responsibility for managing flooding nor a legal duty to mount a response. Although there is no duty in the FRSA 2004 to respond to flooding RBFA may use its permissive powers to take action it considers appropriate in the event of flooding.

Treatment of risk: RBFRS Flood response capabilities

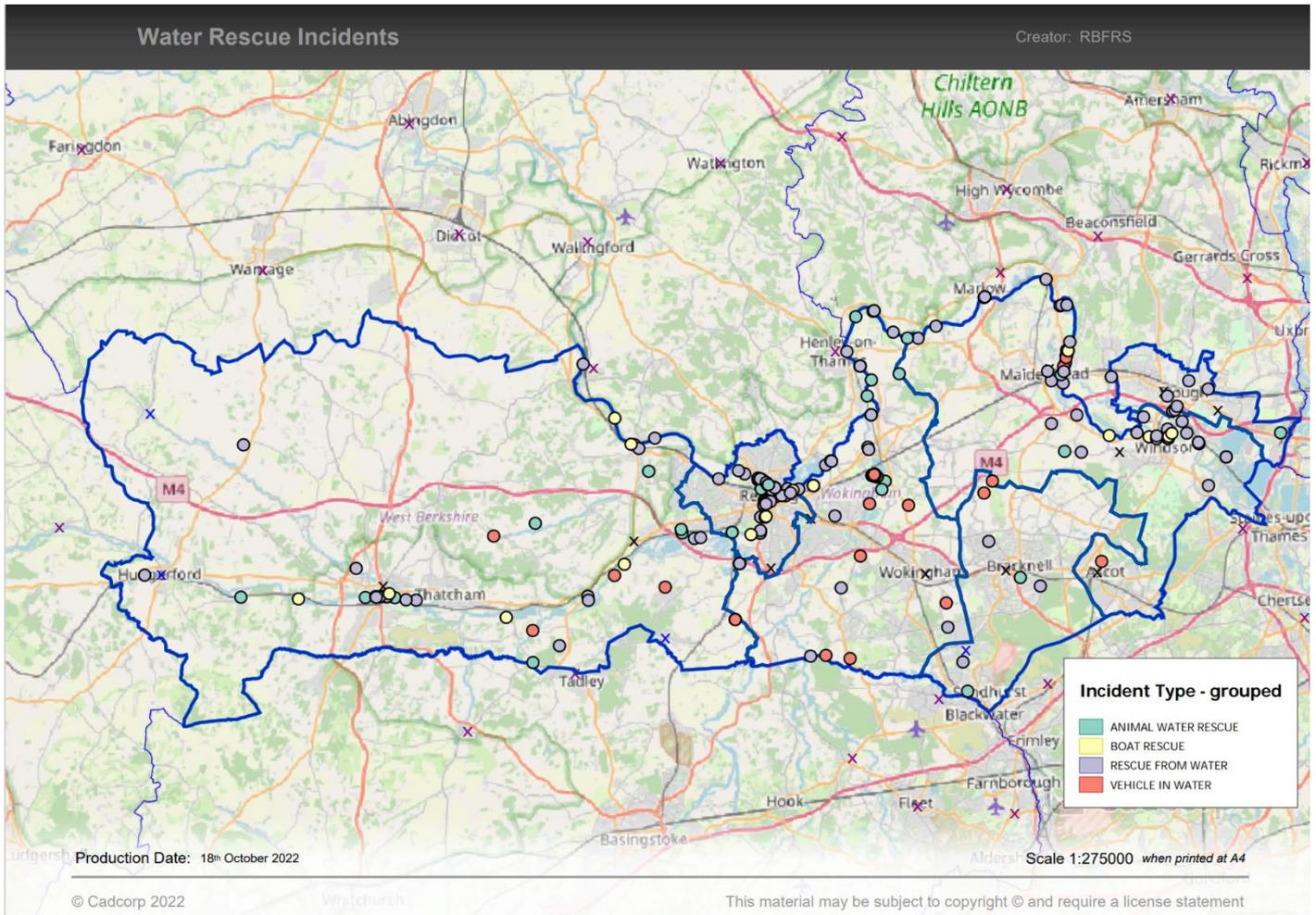
RBFRS work closely with the police and other partner agencies to provide a response to wide area flooding incidents. We maintain a Type B water rescue team which is available on the national asset register. This incident response will require resourcing beyond normal demands in Berkshire, especially as these incidents are likely to be protracted. It should be noted that multi-site, multi-agency flooding incidents may require many times the resources again.

Our DEFRA Module 3 and Module 4 trained water rescue personnel with 2 powered boats and associated water rescue equipment are located at our Caversham Road station All other personnel are currently trained to DEFRA Module 2, which enables them to carry out non-buoyant rescues including wading rescues, bank-based rescues, shallow water crossings and self-rescue techniques appropriate to the risk. The training provides awareness of unstable surface hazards such as mud and ice which may also be encountered at water and flood incidents.

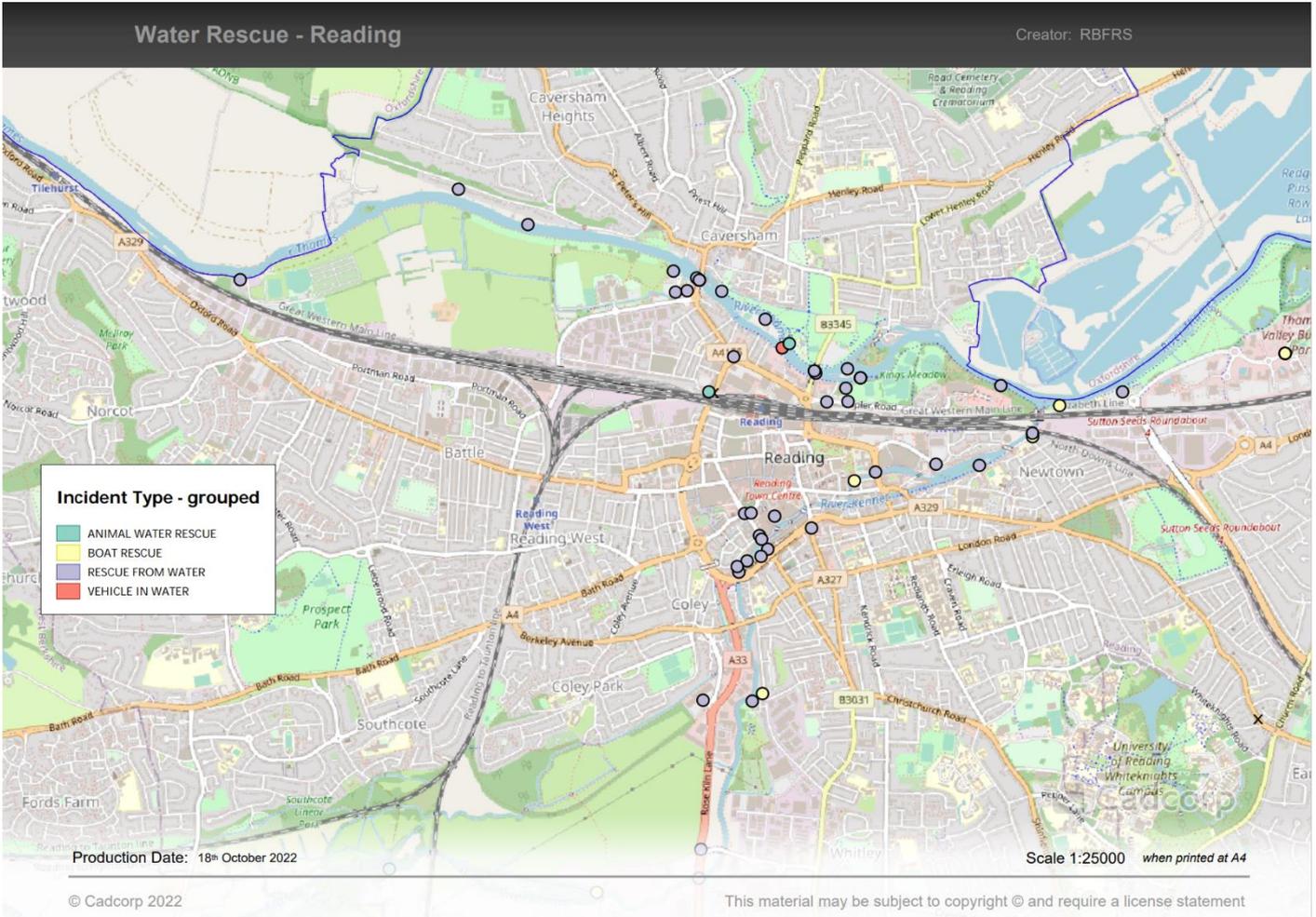


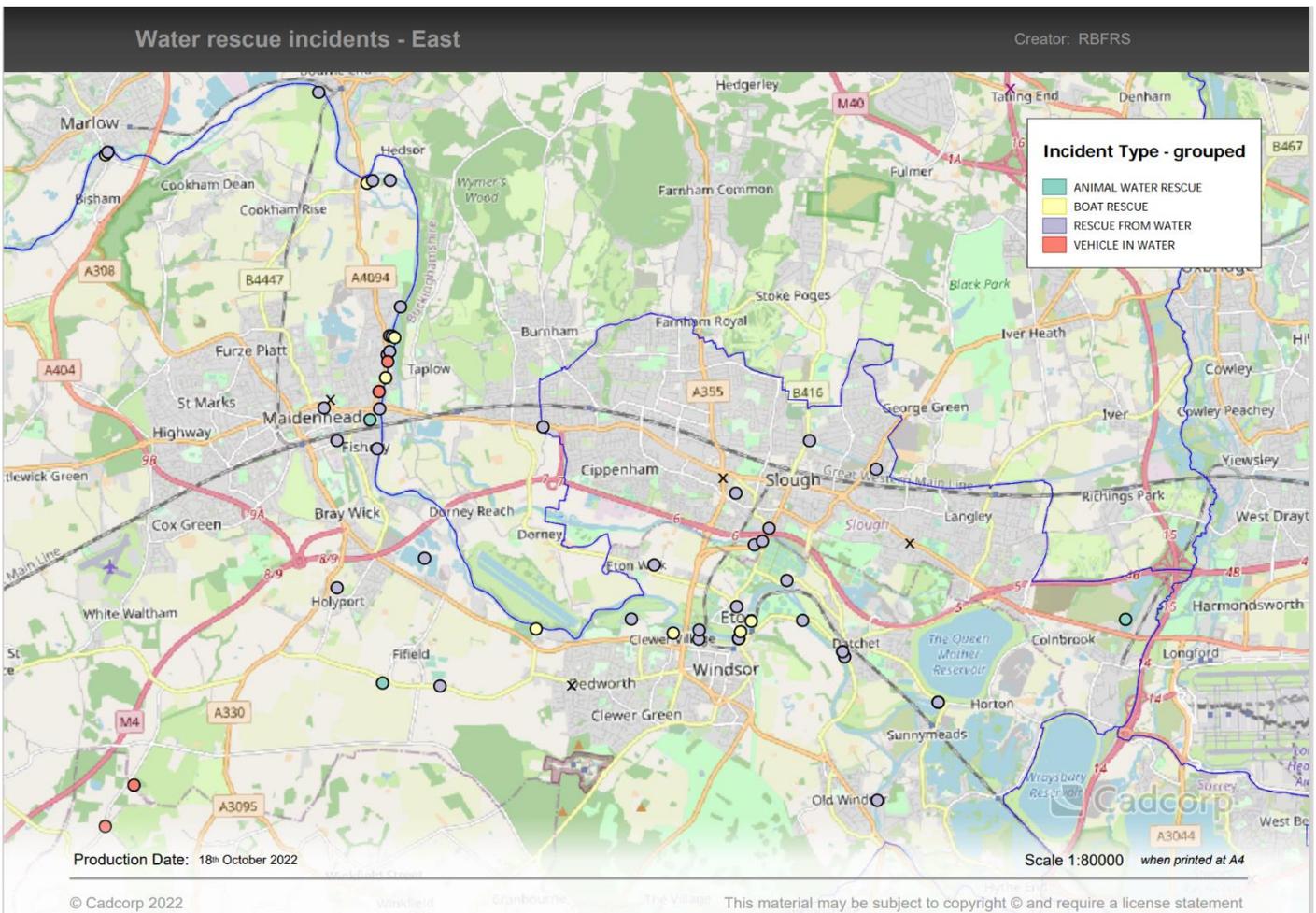
Water rescue

Map x shows the location and type of water rescue incidents in Berkshire in the 6 years to March 2022.



The map shows, as would be expected, that rescues are located along the main rivers and bodies of water. There are two clusters of incidents, particularly rescues of people (shown as purple dots on the map), in Reading, and in the East of the county. Maps x and x below show these areas in more detail.





Treatment of risk

[To add, link to water review outcomes and priorities in CRMP doc]

Hazardous materials and decontamination

The hazard

Small scale hazmat incidents are foreseeable, routine incidents, and are considered normal risk. The Emergency Services deal with many small-scale hazmat incidents that may involve small releases and be non-casualty transport incidents. These incidents are managed proportionately and safely under business as usual for Police Roads Policing Unit, Fire and Rescue Services and the Ambulance Services. **Some incident types (such as large scale**



chemical, biological, radiological, nuclear or explosive (CBRN(e) emergencies) are foreseeable but beyond normal risk.

The term hazardous materials means solids, liquids, vapours or gases that can harm people, animals, other living organisms, property or the environment. They include materials that are:

- Toxic
- Radioactive
- Flammable
- Explosive
- Corrosive
- Oxidisers
- Asphyxiates
- Biohazards

Berkshire has a large number of commercial premises that utilise hazardous materials in their processes. This ranges from premises storing and using small quantities of hazardous materials to large regulated sites and installations. Berkshire has two upper tier Control of Major Accident Hazard Regulations (COMAH) sites, 6 lower tier COMAH sites including two that are regulated by the [Office for Nuclear Regulation](#) and one MACR site. There are multiple regulated waste handling and processing sites in Berkshire. Note that hazardous materials are not exclusively found in commercial premises and are also encountered in domestic settings although usually in small quantities.

Statutory duty

Yes, fires, road traffic collisions and other emergencies as per duties in FRSA 2004.

To comply with the regulations, RFRS must take all practicable steps to prevent environmental damage as a result of its activities including where there is an imminent threat of damage occurring or where some damage has already occurred and there is a threat of further damage.

Likelihood

There were just under 700 hazmat incidents in the 6 year analysis period. The majority of there were gas release and leaks, small hazmat incidents and vehicles leaking fuel.

Consequence

Incidents involving hazardous materials have a range of potential consequences depending on the quantity, location and nature of the material involved. Examples of routine incidents include:

- Fuel leaking from vehicle
- Containment of fire water run off
- Incorrect mixing of swimming pool chemicals
- Fires involving limited quantities of compressed gases such as liquefied petroleum gas
- Chemical spillage following road traffic collision



These normal risk incident types generally have a localised impact.

Hazardous material incidents may have wider and longer lasting ramifications that require a longer term or larger deployment of resources to mitigate the risk.

What is at risk?

| | |
|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| People | People who live, work or commute to or through Berkshire. People who travel through Berkshire. RBFRS staff and volunteers. People who visit Berkshire for tourism and leisure. |
| Place | Generally building or road vehicle. Hazmat incidents can result in significant cordons being put in place. These can necessitate road closures and evacuations. Potential for significant property damage. |
| Environment | Environmental impact depends on the nature of the substance involved. They may be low where containment and mitigation are easily achieved. May result in significant damage where watercourses, protected habitats or SSSIs are impacted. Low likelihood high consequence CBRN(E) incidents may result in both acute and chronic environmental harm. |
| Economy | Economic losses caused by hazardous material incidents are related to the location and extent of the incident and the materials involved. Cordons can disrupt road and rail travel and impact on the economy at a regional level leading with the potential for widespread disruption. The mitigation of environmental damage can carry high costs. |

Treatment of risk

Due to the technical nature of hazardous materials operations, RFRS ensures that responders have access to the appropriate advice, equipment, skills, knowledge and understanding to maintain safety. All RBFRS firefighters are trained to respond to hazardous materials incidents and every fire appliance carries hazardous materials personal protective equipment and environmental protection equipment. These crews form our initial operational response. Incident commanders can access hazardous materials information sources, both printed and in electronic format. Additional RBFRS resources include:

- One Hazardous Materials Advisor (HMA) is on duty at all times – these officers provide specialist advice to the on-scene commander and where appropriate, tactical and strategic co-ordinating groups.
- Hazardous Environmental Response Unit (HERU) - carries a wide range of hazardous materials response equipment
- Mass Decontamination Unit – a specialist unit that enables RBFRS to decontaminate large numbers of people following contact with a substance



When RBFRS visits premises to carry out operational information gathering we ensure we make accurate records of the presence of hazardous materials for firefighter safety and environmental protection.

Fire Safety Inspecting Officers will provide advice to landlords and premises managers which relates to the storage of flammable goods and may enforce fire safety law where they find breaches of the law.

RBFRS can also access regional and national assets to support our response at larger or more complex incidents as part of specialist operational response.

Malicious threat

Normal or beyond normal risk type

Beyond normal risk, foreseeable.

Type of hazard

The [National Risk Register \(NRR\)](#) and the TVLRF [Community Risk Register](#) identify a range of malicious threats. These can be broadly categorised as acts of terrorism and cyber-attacks.

The operational principles for resolving CBRN(e) events are essentially the same as hazardous materials incidents. However, malicious CBRN(e) threats require a more specific response because of exacerbating factors.

The key difference between a hazardous materials incident and a CBRN(e) event involving deliberate, criminal or otherwise malicious intent is that the latter is declared by the police, who will co-ordinate the multi-agency response. Many possible scenarios could lead to an incident being identified as a suspected or confirmed CBRN(e) event.

Statutory duty

Thames Valley Police are the lead agency for terrorist incident response in Berkshire. Fire Authorities may deploy resources to this incident type under adoptive powers in S11 of the [Fire and Rescue Services Act 2004](#).

RBFRS has a duty to risk assess, plan for and work collaboratively with partner agencies to address the risk presented by terrorist incidents. These incidents fall within the definition of an emergency provided by the [Civil Contingencies Act 2004](#).

The Civil Contingencies Act 2004 places a collective risk assessment duty on all Category One responders. This process is further detailed in Chapter 4 of the [ERR Guidance](#), which details key requirements that can be aligned to the CRMP process. Summarised as follows, these require:

- An accurate and shared understanding of risk so plans are proportionate to risk



- A rationale for the prioritisation of objectives and the allocation of resources
- That responders assess their capabilities to identify existing appropriate control measures and any gaps in provision
- Promoting multiagency planning and consistent understanding of planning assumptions
- Provision of access to the context of emergency planning and business continuity arrangements
- Consideration of national risk assessments to support emergency planning and developing capability

Acts of terrorism

Likelihood

Acts of terrorism are a rare occurrence and in the absence of intelligence are impossible to predict. Ideological drivers for this type of incident may be religious belief, extreme right wing political beliefs, or left wing, anarchist or single issue such as animal rights or climate change. The Security Services use available intelligence, judgement of the terrorists' capability, the terrorists' intention and a consideration of timescale to assess likelihood. These factors facilitate the publication of a [UK Threat Status](#), which currently stands at substantial. This means an attack is likely.

In the last decade the UK threat level has not dropped below substantial and has twice reached critical which meant an attack was considered highly likely. Berkshire has suffered a recent terror attack (Forbury Gardens, June 2020) and coupled with the current threat status it is reasonable to prepare for another occurrence.



Graph showing changes to UK terror threat levels, [MI5](#).

Consequence

The consequences of malicious action are wide ranging and various depending on the attack methodology. They vary in consequence depending on the nature of the perpetrator from self-



initiated single location acts of violence, through to sophisticated state actors. Impacts include personal injuries and/or deaths, economic loss and criminal damage. May have local, regional or national level impacts.

What is at risk?

| | |
|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| People | A variety of groups are at risk of harm. Residents of Berkshire, people who work in or commute in or through Berkshire. People who travel through Berkshire. RBFRS staff and volunteers. People who visit Berkshire for tourism and leisure. |
| Place | Attack targets vary depending on a number of factors including the ideology of the perpetrator. These targets comprise high profile locations and accessible areas where members of the public gather. These include transport hubs and transit systems. |
| Environment | Environmental impacts are generally low. Low likelihood high consequence CBRN(E) attacks may result in both acute and chronic environmental harm. |
| Economy | Malicious threats present a hazard to the economy through harm to people and property. |

Marauding Terrorist Attacks

Recent terror attacks have seen an increase in low sophistication self-initiated attacks perpetrated by an individual. These events have occurred with little or no notice and have involved the use of bladed weapons, vehicles as weapons and, less frequently, improvised explosive devices and incendiaries. These attacks are known as marauding terrorist attacks (MTA).

Counter-Terrorism and Security Act 2015

Certain bodies have a duty under the [Counter-Terrorism and Security Act 2015](#) to have due regard to the need to prevent people from being drawn into terrorism. RBFRS is not a duty holder, but [Prevent duty statutory guidance](#) states that:

“Other local authorities, including stand-alone fire and rescue authorities, are not listed in the Act and are not subject to the duty, but it is anticipated, considering their wider prevention role, that in many areas they will be partners in local efforts to prevent people from being drawn into terrorism.”

RBFRS has a well-established prevention programme, which includes training for all staff on the safeguarding of vulnerable children and adults. This process allows us to identify those at risk in our community and seek referral to partner agencies for support.

Cyber

The risk from cyber-attack is growing and RBFRS may be subject to cyber-attack in the form of hostile actors (foreign states or criminals), computer network attack (malware or denial of service) and computer network exploitation (cyber espionage).



As an emergency service RBFRS recognises the importance of protecting our systems and data from these threats. The Service takes a holistic approach that focuses on the end user as the weakest link in the system. To help protect our systems RBFRS provides:

- Annual Staff training cyber security
- Secure network design including robust user authentication and regular security updates
- Cloud based back up
- Regular ICT health checks to improve our system security

We follow national cyber security advice and have scalable support to ensure the resilience of our systems.

Building collapse

Normal or beyond normal risk type

Likely to be beyond normal, but foreseeable risk.

Type of hazard

Structural collapse of dwelling or other premises. May be the result of a variety of causes for example, fire, extreme weather and natural disaster, explosion, transport incident, malicious action or structural failure. Only the most minor structural collapse would result in an operational response that is within the bounds of RBFRS normal service delivery.

Statutory duty

Yes, building collapse following fires or road traffic collisions and other emergencies as per duties in FRSA 2004 require RBFRS to attend. A further duty exists in The Fire and Rescue Services (Emergencies) (England) Order 2007 which requires RBFRS, to make provision for the purpose of rescuing people who may be trapped and protecting them from serious harm, to the extent that it considers it reasonable to do so, in the event of an emergency involving the collapse of a building or other structure (note this does not include tunnels or mines).

Likelihood

Building or structure collapses are relatively rare occurrences, we attended 7 rescues from collapsed structures in the 6 year period of analysis.

Consequence

Ranges from small single property or structural collapse with few or no injuries to major structural collapse with multiple fatalities.



What is at risk?

| | |
|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| People | A variety of groups are at risk of harm. Residents of Berkshire, people who work in Berkshire. RBFRS staff and volunteers. People who visit Berkshire for tourism and leisure. |
| Place | Buildings and structures within Berkshire, including temporary structures such as scaffolds and tower cranes. There are reports of the early failure of timber frame buildings in fire. |
| Environment | Environmental impacts are generally low. Low likelihood high consequence collapse, such as a high rise building, may result in chronic environmental harm. |
| Economy | Building collapse results in economic loss, generally insurable. Although large building collapse may cause high levels of disruption, both social and business, and consequent economic loss. |

Treatment of risk

In the event of a call to carry out rescues from a building or structure collapse RBFRS will mobilise 2 main pumps, 1 heavy rescue unit and a Level 2 Officer. The pre-determined attendance varies if there is a report of explosion, in these circumstances we will mobilise 3 main pumps, 1 Level 2 Officer and 1 HMA.

Operational crews are able to seek professional advice from Local Authority Building Control Officers with respect to structural integrity at incidents. Detailed weather analysis is also available to help incident commanders assess the impact of weather on the unstable or collapsed structure to facilitate the revision of cordons during incidents. Operational staff take part in risk familiarisation visits and exercises at high risk sites.

Prevention comprise advice to homeowners around the safe storage of flammable materials and specialist intervention regarding gas safety for vulnerable adults.

Protection Officers are able to advise responsible persons on the safe storage of flammable materials in premises that we regulate.

In the event of a large or complex building collapse RBFRS can request mutual aid from neighbouring FRS or from national assets. The available national assets for this incident type are Urban Search and Rescue Units (USAR). USAR capability is equipped, trained and available to respond to large-scale events such as collapsed structures or major transport incidents. These units can also assist with searches for missing people, technical rescue expertise, such as confined space operations.



Non-RTC transport incidents

Rail Incidents

Normal or beyond normal risk type

Likely to be beyond normal, but foreseeable risk.

Type of hazard

Incidents on the railway are a normal risk as they are relatively frequent. For clarity, this CRMP distinguishes between fires in trains, stations, on the permanent way and embankments (which are dealt with in the section on fires in the open and non-dwelling fires) and rail incidents such as derailments and collisions. This hazard concerns RBFRS's response to the latter two incident types.

These incident types cause transport network disruption and may result in injury or loss of life. They may also involve freight in transit which can include hazardous materials. Rail incidents present a risk to firefighters due to the hazardous nature of railway working. Train operators in Berkshire use diesel electric, third rail and overhead line electrification which present differing operational hazards. Major incidents are a significant but infrequent hazard, they are foreseeable but beyond normal risk.

Statutory duty

Yes. RBFRS is required to attend emergencies as per duties in FRSA 2004. The Fire and Rescue Services (Emergencies) (England) Order 2007 requires RBFRS, to make provision for the purpose of rescuing people who may be trapped and protecting them from serious harm, to the extent that it considers it reasonable to do so, in the event of an emergency which involves a train, tram, or aircraft, and is likely to require a fire and rescue authority to use its resources beyond the scope of its day to day operations.

Likelihood

Berkshire has 36 mainline stations. Reading is one of the busiest in the country. Significant railway incidents are a low likelihood occurrence. The Rail Accident Investigation Branch has published 4 investigation reports relating to reportable incidents in Berkshire in the last 10 years. RBFRS have been called to attend 3 train incidents in the six years from April 2016.

Consequence

Injuries and fatalities. Damage to or loss of critical national infrastructure. Economic loss and environmental damage.



What is at risk?

| | |
|-------------|----------------------------------------------------------------------------------------------------|
| People | Rail network users and staff. Road users at level crossings. RBFRS staff and volunteers. |
| Place | Rail routes across Berkshire, stations, railway access points, bridges, tunnels and cuttings. |
| Environment | Environmental impacts due to spilt fuel or freight. May include hazmat contamination. |
| Economy | Disruption of rail network has wide reaching economic impact including significant remote impacts. |

Treatment of risk

Firefighters receive training in how to respond safely to incidents on the rail network. There are formal arrangements for coordinating a multi-agency response on the rail network alongside tactical commanders from Network Rail.

Aircraft Incidents

Normal or beyond normal risk type

Likely to be beyond normal, but foreseeable risk.

Type of hazard

The hazard presented by aircraft includes ground incidents and crashes. Hazard type may involve civil or military aviation, fixed or rotary wing. Incident may be located on or off an aerodrome.

There are no UK Civil Aviation Authority certificated aerodromes or RAF stations in Berkshire. Certificated civil aerodromes are located in neighbouring counties: Farnborough, London Heathrow, Oxford (Kidlington). Military aviators fly from RAF Odiham, RAF Benson, RAF Boscombe Down and RAF Brize Norton. There are numerous smaller licenced aerodromes in and around Berkshire including White Waltham which operate light aircraft, gliders and helicopters for general aviation and pilot training.

The airspace above Berkshire is busy due to the proximity to London airports. Berkshire airspace includes the Lambourne stack which is used to hold passenger aircraft waiting for clearance to land and the approach and departure flight paths from London Heathrow.

Different aircraft types present a variety of hazards. Large civilian aircraft carry a wide range of cargo as well as passengers. Military aircraft may be armed and carry a variety of weapons



systems, pyrotechnics and electronics. Aircraft construction involves man made mineral fibres which present a personal and environmental hazard in the event of a crash or fire.

Statutory duty

Yes. RBFRS is required to attend emergencies as per duties in FRSA 2004. The Fire and Rescue Services (Emergencies) (England) Order 2007 requires RBFRS, to make provision for the purpose of rescuing people who may be trapped and protecting them from serious harm, to the extent that it considers it reasonable to do so, in the event of an emergency which involves a train, tram, or aircraft, and is likely to require a fire and rescue authority to use its resources beyond the scope of its day to day operations.

Likelihood

Incidents involving aircraft are infrequent, we attended 6 light aircraft incidents over the 6 year analysis period and no large aircraft incidents.

Consequence

Injuries and fatalities, ranging from single figures to the low hundreds depending on incident circumstances and aircraft type involved. Economic loss and environmental damage.

What is at risk?

| | |
|-------------|----------------------------------------------------------------------------------------------------------------------------------------|
| People | Pilots, aircrew, passengers. Residents and other persons on the ground. RBFRS staff and volunteers. |
| Place | Potential to happen anywhere in Berkshire. |
| Environment | Environmental impacts due cargo, aircraft construction material and fuel. |
| Economy | Potential for significant economic loss due to disruption of air transport, damage to infrastructure, litigation and insurance claims. |

Treatment of risk

Firefighters receive training in how to respond safely to incidents involving aircraft. Provision of rescue and firefighting equipment suitable for incidents involving aircraft. Operational familiarisation visits to aerodromes and liaison with aerodrome firefighting teams.

RBFRS will mobilise the following resources to aircraft incidents:



Animal rescue

Normal or beyond normal risk type

Normal, foreseeable risk.

Type of hazard

The rescue or evacuation of small and large animals in distress. May be from water, above or below ground. Protecting owner or well-intentioned members of the public from personal harm. Animals in transit may be involved in road traffic collisions. West Berkshire is a predominantly rural community with a high level of agriculture and equine industry.

Statutory duty

No. The owner is legally regarded as being responsible for it. However FRS personnel can be responsible for the animal on a temporary basis if they are safeguarding an animal's welfare at an incident as set out in [s3 Animal Welfare Act 2006](#).

The [FRS National Framework](#) states that non-statutory activities should not be carried out at the expense of services' core functions around prevention, protection and response as that is ultimately what the taxpayer funds fire and rescue services to deliver.

Likelihood

Incidents involving animal rescues happen relatively frequently, with around 400 incidents of small and large animals rescues (including rescues from water) over the 6 year period we have examined in our analysis.

Consequence

Injuries and potential fatalities to members of the public, animal owners and RBFRS staff. Injury and death of an animal.

What is at risk?

| | |
|-------------|-------------------------------------------------------------------------------------------------------------------------|
| People | Animal owners, members of the public, RBFRS staff. |
| Place | Not generally applicable, potential for structural damage when animals are trapped within structures. |
| Environment | Not applicable. |
| Economy | Generally low risk, may be relevant where incident involves a valuable animal or large numbers of livestock in transit. |



Treatment of risk

RBFRS staff receive training in animal rescue. Fire appliances have equipment for working at height and safe systems of work for working in, on or near bodies of water. Operational crews will undertake risk familiarisation visits which may include gaining information about the presence of animals on site.

A specialist animal rescue unit is located at Caversham Road fire station.

Specialist resources may be requested to support RBFRS at incidents involving animals, these include:

- Veterinary surgeons – including registers held by British Equine Veterinary Association (BEVA) or with the British Animal Rescue and Trauma Care Association (BARTA)
- Veterinary organisations
- Animal welfare charities and organisations
- Animal rescue specialists
- Animal keepers or handlers
- Environmental specialists
- Search and rescue organisations
- Local authorities (who may have dedicated animal welfare officers)
- Police dog handlers
- Police firearms teams
- Government departments responsible for the natural environment

Rescue from height

Normal or beyond normal risk type

Normal, foreseeable risk.

Type of hazard

The rescue of persons (and by occasion, animals) who are at risk of a fall from height.

Statutory duty

The Work at Height Regulations 2005 (WAHR) require employers and those in control of any work at height activity must make sure work is properly planned, supervised and carried out by competent people. This includes using the right type of equipment for working at height and ensuring a rescue plan is in place. It is not the duty of emergency services to rescue a worker who has fallen from a height, although they may be contacted in order to offer medical assistance to the individual who has fallen.



RBFRS does have a duty to its employees to ensure its own safe systems of work are in place for its staff who are required to work at height under The Health and Safety at Work etc. Act 1974 and associated Regulations. This includes while undertaking rescues of persons involved in emergency incidents.

Likelihood

Incidents involving working at height are commonplace and routine for RBFRS staff. Rescues from height are less common, we attended between 16 and 31 per year in our 6 year period of analysis.

Consequence

Falls from height resulting in injury or death, generally of an individual.

What is at risk?

| | |
|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| People | Members of the public, RBFRS staff. |
| Place | May occur at numerous locations across Berkshire, such as building sites (including tower cranes and on temporary structures), at commercial and domestic premises, persons threatening suicide from tall structures, during emergency response to fires, at RTCs in elevated positions |
| Environment | Limited environmental impact |
| Economy | Limited economic impact |

Treatment of risk

RBFRS trains its operational staff in safe working at height as part of core firefighter training. A range of suitable working at height equipment is provided, including ladders, lines, harnesses and an aerial appliance based at Whitley Wood fire station.

Risk familiarisation visits are undertaken to improve firefighter's awareness of hazards and liaison with responsible persons is undertaken during these visits where firefighter risk is identified.

Major incidents

Major incidents are those incidents which require a level of resourcing beyond our normal planning assumptions or which will greatly disrupt our ability to provide our services. They happen infrequently and usually require RBFRS to request support from other agencies. Major incidents are often foreseeable and we have a duty to assess their likelihood and make plans for our response.



A major incident is defined as:

An event or situation with a range of serious consequences which requires special arrangements to be implemented by one or more emergency responder agency.

The Civil Contingencies Act (2004) and associated guidance further explains major incidents as being beyond the scope of business-as-usual operations, and likely to involve serious harm, damage, disruption or risk to human life or welfare, essential services, the environment or national security.

A major incident may involve a single-agency response, although it is more likely to require a multi-agency response, which may be in the form of multi-agency support to a lead responder. The severity of the consequences associated with a major incident are likely to constrain or complicate the ability of responders to resource and manage the incident, although a major incident is unlikely to affect all responders equally.

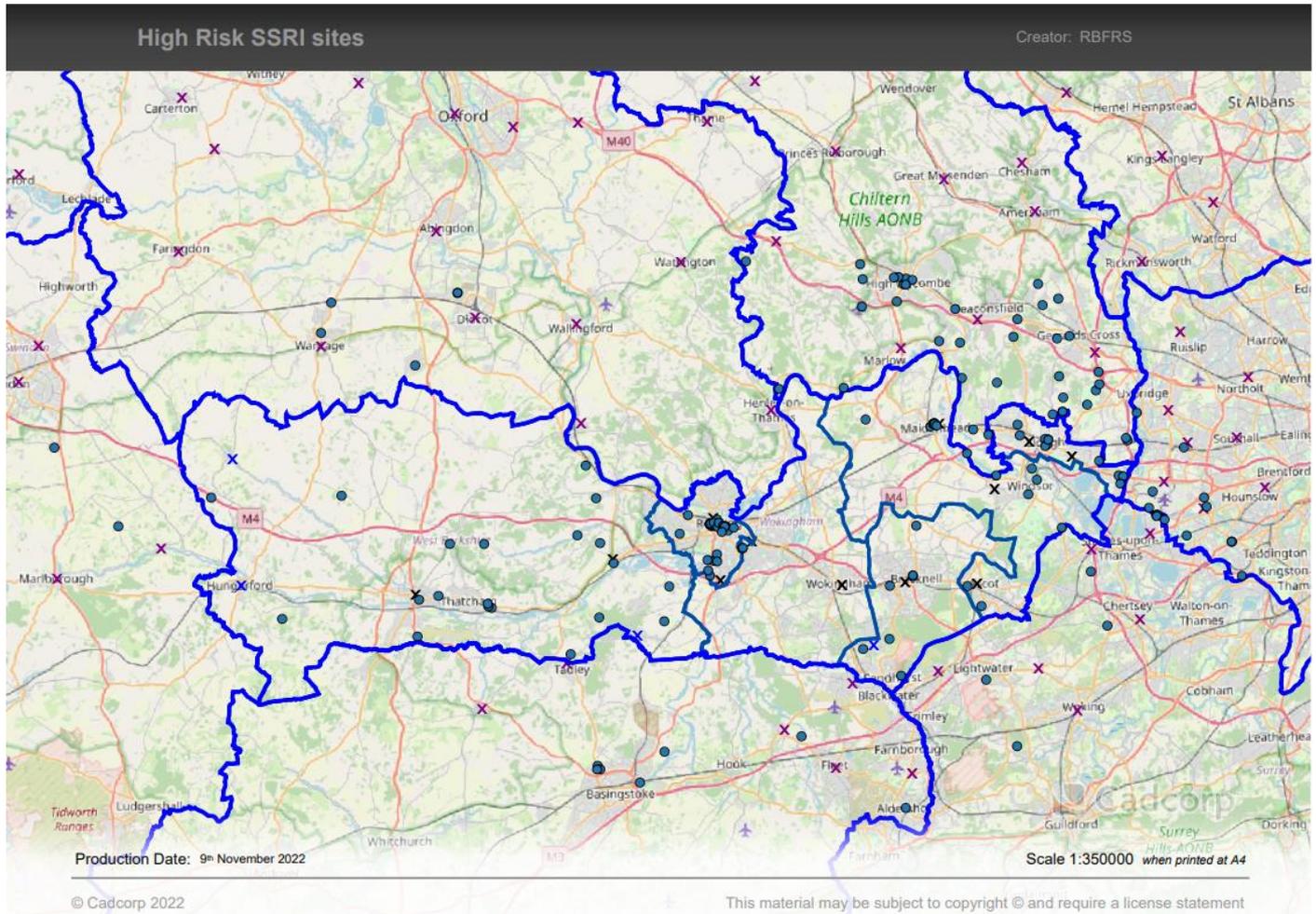
The decision to declare a major incident will always be a judgement made in a specific local and operational context, and there are no precise and universal thresholds or triggers.

RBFRS works with partner agencies through the Thames Valley Local Resilience Forum. TVLRF is not a legal entity, nor does a Forum have powers to direct its members. Members of TVLRF have a collective responsibility to plan, prepare and communicate in a multiagency environment.

RBFRS responds to major incidents by enacting its own operational procedures and playing its part in the TVLRF major incident plans.



High risk premises



[ADD – narrative. Plus – travel times to these?]

Normal or beyond normal risk type

New and emerging risk

RBFRS uses horizon scanning to consider the potential impact of new and emerging risks. This helps us to think about how we may need to change and adapt our services to provide the best possible fire and rescue service for Berkshire.

We review a variety of sources:

- News coverage of local, national and international events
- National Fire Chief’s Council’s document “Fit for the Future”

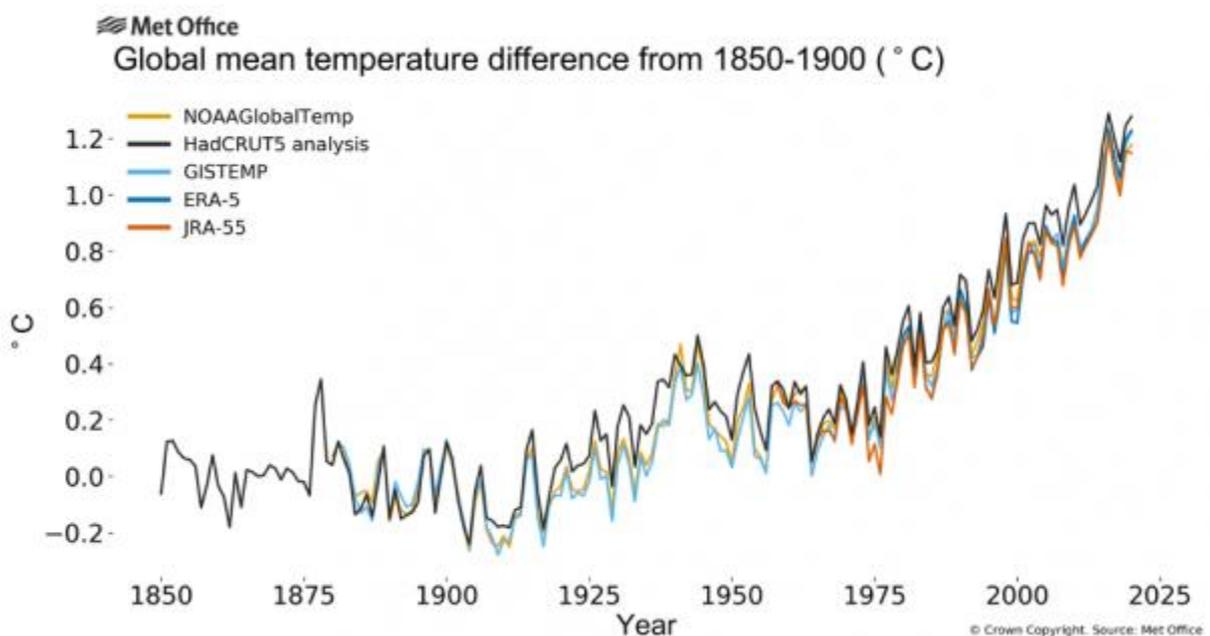


- National Police Chief's document "Police Futures"
- National Standards for Fire and Rescue Services
- Insight delivered through the National Incident Liaison Officer network
- Berkshire unitary authority development plans
- Data from the Office of National Statistics, including census information
- Insights from professional organisations such as Pool-Re and Gartner
- The national risk register produced by the government
- The community risk register produced by the Thames Valley Local Resilience Forum
- The outcomes of our public consultations
- Local and national incident data
- RBFRS Annual Review of Risk
- Her Majesty's Inspectorate of Constabularies and Fire and Rescue Services' annual "State of Fire" report, and FRS inspection reports including our own
- The government's Brief Guide for Futures Thinking and Foresight (Feb 2021)

Issues we identify during our horizon scanning process are discussed by our Senior Leadership Team in order to inform long term organisational development. Many of the issues raised will take longer than the duration of this CRMP to be realised. Others may have more short term impacts.

Climate change

Climate change refers to long-term global shifts in temperatures and weather patterns. Since the 1800s, [human activities have been the main driver of climate change](#), primarily due to greenhouse gas emissions. The Earth is now about 1.1°C warmer than it was in the late 1800s. [The last decade \(2011-2020\) was the warmest on record](#). [Provisional figures](#) show the summer of 2022, covering June, July and August, had an average temperature of 17.1C, tying with 2018 to be the warmest on record. Four of the five warmest summers on record for England have occurred since 2003, as the effect of human-induced climate change is felt on the country's summer temperatures. The summer months of 2022 represented the busiest period experienced by RBFRS over the reporting period of this CRMP (representing 6 years of data analysis). The [University of Reading](#) has indicated that future global rises in average temperature will increase the dangers of wildfires and that the absolute danger in the UK now and into the future is greatest in the south and east of England. Climate change acts as a risk multiplier for RBFRS. Extreme weather events place extra demand on resources, increasing the likelihood of spate conditions, the severity of individual incidents and degrading our ability to respond to incidents across the County.



The [consequences of climate change](#) include, among others, intense droughts, water scarcity, severe fires, rising sea levels, flooding, melting polar ice, catastrophic storms and declining biodiversity. With increasing global warming, compound, low likelihood, or unprecedented extremes such as the European dry and hot summers of 2018 and 2022 or the extreme rainfall following storm Desmond in the UK in 2015, become more frequent. A recent [UN report](#) stated that precipitation has raised river flood hazards in the UK by 11% per decade from 1960 to 2010.

Storm Dennis triggered a national fire service response to the wide spread flooding caused by the storm and in 2018 there was a [28 per cent increase in secondary fires](#) linked to a hot, dry summer. The Toddbrook Reservoir dam in Whaley Bridge, which started to collapse following days of heavy rain in summer 2019, led to a nationally supported and coordinated FRS response. But like Toddbrook, much of our infrastructure is Victorian, it's aging and it wasn't designed for the more extreme weather climate change is causing. These factors are indicative of greater community risk. These hazards will have implications for Fire and Rescue Services. Longer term, climate change may require significant changes to appliances, to the equipment available to firefighters, to training, greater awareness of firefighters' health implications, to pumping capability and water use and Control Room capacity.

In terms of managing the impacts of climate change (both in respect to mitigation and adaptation) RBFRS faces a challenge insomuch as not only do we need to manage and maintain our own assets and resources when faced with extreme events but we are also expected to mobilise those assets and resources promptly and effectively in order to intervene and help the public, businesses and communities when their own plans have failed. Our primary role is to help others in emergency situations when they are struggling to help themselves.

The NFCC expected FRSs will continue to build on already well-established policies, procedures, plans, capabilities and partnerships with other emergency services, the Environment Agency,



councils, the NHS, utility companies and the voluntary and community sector. These will not only be focussed on dealing with extreme weather events when they occur but also on the subsequent combined efforts of Local Resilience Forums to return their communities back to normality after the emergency phase of any incident has subsided.

The anticipated increase in likelihood and consequence of climate change related incidents and the related health and wellbeing impacts both on people's physical and mental health means that RBFRS will continue to play a key collaborative role with partners at both local and regional resilience levels.

DRAFT



Resourcing to Risk

Response Requirements

When planning our resourcing for responding to incidents, we consider two primary requirements – how quickly we can get to the incident, and ensuring we provide the right amount and type of resources.

Our current **Response Standard** gives a commitment to the people of Berkshire that we will attend 75% of incidents within 10 minutes. Built into this standard is an acknowledgement that there will be some times and some places where we will not be able to attend in 10 minutes, due either to the geography of the county, or to fluctuations in the numbers of incidents happening at any one time. The response standard balances our desire to respond quickly with the resource available.

Some incidents require more than one appliance, or specialist resources or firefighting equipment. Our **Pre-determined Attendance (PDA)** identifies the resources required at the time of call for a particular emergency incident type. We have assessed our PDAs based on risk, they allow us to ensure that we scale our response and importantly, that we have sufficient resources on scene to implement safe systems of work and to manage the risk at the incident.

Our Planning Assumptions

Our risk analysis has identified what we consider normal and beyond normal risk. We need to ensure that our resourcing is planned to meet these normal risks.

Our response resourcing needs to take into account that there are often multiple incidents of different types happening at the same time, so we need to ensure we can meet a normal level of incidents occurring in the county. Our **Planning Assumptions** set out what circumstances we expect to be able to manage without asking for assistance from neighbouring services.

Planning Assumptions for normal conditions

Our expectations for normal conditions are:

- In most circumstances we expect to achieve our response standard consistently in any monthly or quarterly time period.
- In some circumstances, when demand is high, but still within normal conditions – for example a large incident, or a period of spate conditions, we are likely to see some impact on our ability to meet our response standard during the time the incident or incidents are occurring.
- We expect to meet our response standard over each financial year as a whole.



- During periods of normal conditions, we expect to meet the PDAs to our incidents.

Our Thames Valley Fire Control collaboration means that in practice we use borderless mobilising over the three FRSs, we also have agreements in place with other neighbouring services which mean that they are automatically called into action depending on the location of each incident. Our Thames Valley Fire Control collaboration means that in practice we use borderless mobilising over the three FRSs, we also have agreements in place with other neighbouring services which mean that they are automatically called to attend depending on the location of each incident. However, the basis of our planning is our ability to respond to the incidents within our borders without assistance. In some beyond normal conditions (e.g. those related to weather events and climate change), our neighbouring services will be facing the same challenges.

Our understanding of risk and resourcing is dynamic, changing according to the specific circumstances that occur. For example, the assistance we request for an incident close to our borders is likely to be different to that we request for an incident in the middle of county.

Our planning takes into account our current and future risk analysis. Our risk analysis has shown that the risk from major hazards is broadly reflected in our historic incident patterns and this should be the starting point for planning our response resourcing.

Our risk analysis above sets out what we consider to be normal conditions and we would expect to be able to respond in these circumstances without significant assistance from our partners.

Over the past 6 years, we have been called to over 43,000 incidents in Berkshire. 2020-21 saw a particularly low level of incidents due to the Covid-19 pandemic, with fewer incidents of road traffic collisions and automatic fire alarms in particular.

The number of incidents we are called to varies by time of day and across the year. The average number of incidents per day is 22, but there are more incidents in the summer months than in winter, with the peak in July being around 40% higher than the level of incidents in the quietest month, February.

There are also notable differences between the number of incidents in the day and at night, with a lower rate of incidents occurring between midnight and 7am, with the rate slowly rising during the day, peaking between 6 and 7pm and then falling.

One of our assumptions for managing normal, continuous risk is that overall incident levels may rise in the near future due to increases in some incident types due to social, economic and climate change. Of recent years, 2018 saw a high number of incidents both within Berkshire and nationally, with a particular peak in fire incidents due primarily to hot, dry weather conditions in the summer months. The current year, 2022-23 has also seen high numbers of incidents so far, matching those in the same months in 2018-19. The incident numbers in these years can be seen as a normal expectation for the immediate future time period covered by this CRMP.

The response standard was introduced in April 2017. Performance against the standard has improved over time and for the last three years we have consistently exceeded the target.



| Year | Percentage of emergency incidents attended in 10 minutes |
|---------|----------------------------------------------------------|
| 2017-18 | 73.1% |
| 2018-19 | 72.9% |
| 2019-20 | 76.3% |
| 2020-21 | 78.2% |
| 2021-22 | 77.2% |

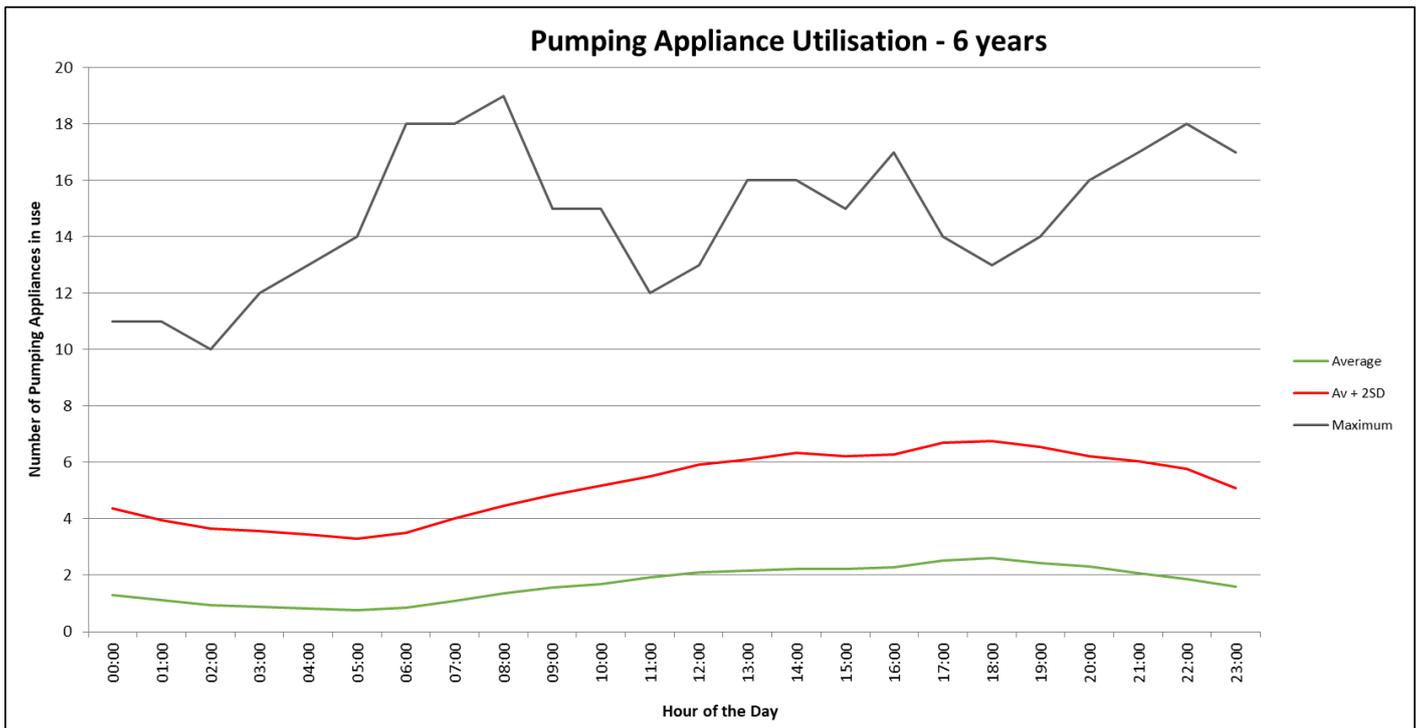
Meeting the response standard in years with higher incident numbers is a challenge, and as the historic performance data shows, this was not achieved in 2018-19. However our overall performance has improved over time which should help give us resilience to cope with a year of higher incident numbers.

In addition, this CRMP analysis identifies several areas where we intend to develop our plans to resource more efficiently to risk, for example in how we respond to outdoor fires. This will reduce the impact of these incidents on our resourcing. In addition, our plans to develop a risk based prevention programme, and refine our risk based inspection programme, should contribute to counteracting any increase in occurrences of some incident types.

We will revisit our detailed planning assumptions to incorporate pumping appliances and specialist resources during the course of this CRMP [which priority?]

Resource Requirements to meet our Planning Assumptions

The chart below shows the utilisation of our pumping appliances by hour of the day over the past 6 years (using Cadcorp Workload Modeller). This takes into account not just the number of incidents, but the number of appliances we needed to manage them. The chart shows the average number of appliances used at each hour of the day, the maximum (this could have only happened once), and a measure of 'normal range' – which tells us what number of appliances was sufficient most of the time. The chart shows clearly the difference between appliances needed at night and during the day.

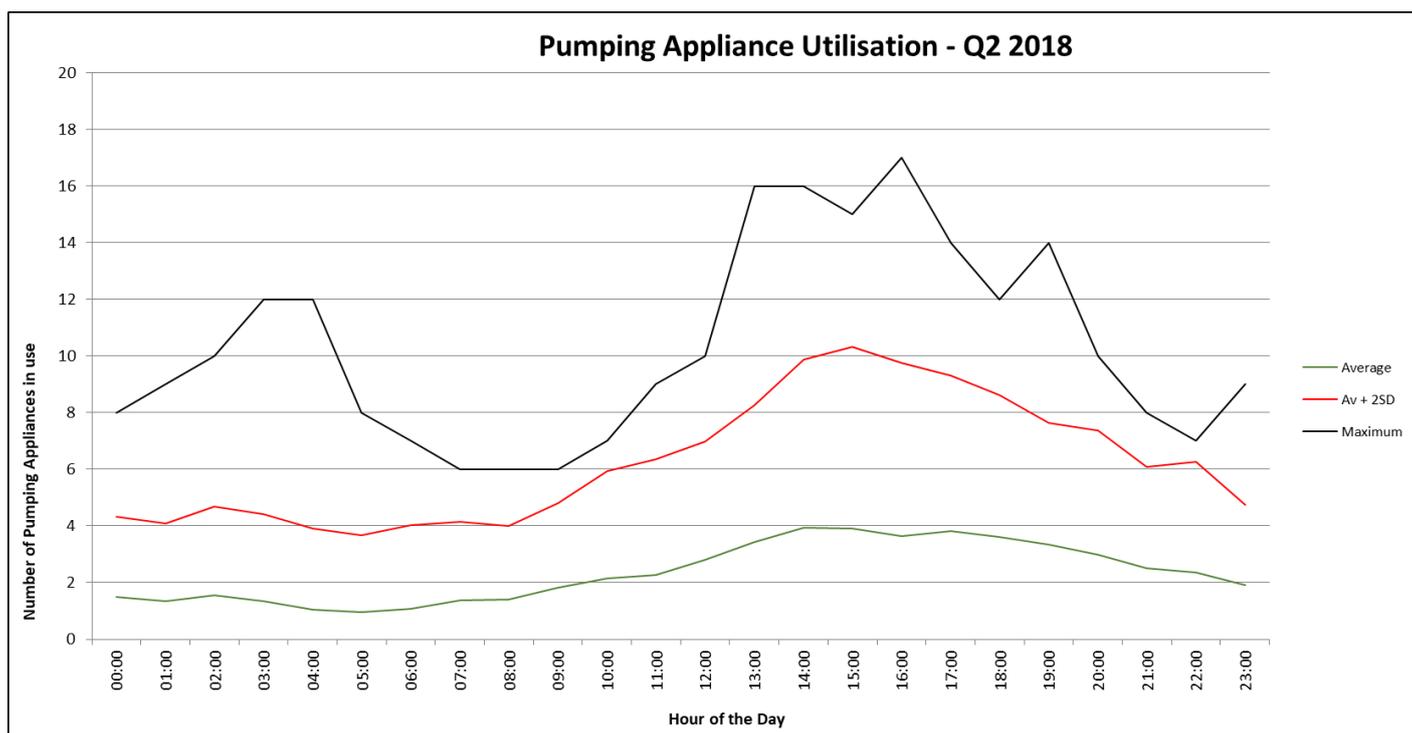


The chart shows that the majority of the time, we have up to 7 pumping appliances in use.

Responding in a timely way to incidents across the county requires additional appliances, as geographic location and travel times mean that we need appliances in key strategic locations.

We currently have 14 wholtime and 5 on call appliances in the county, and have aimed to ensure all of the 14 wholtime appliances are available at all times. We know that the current availability of our on call appliances improves our cover and helps contribute to achieving our response standard. This arrangement has ensured we have consistently exceeded our response standard target performance over the past 3 years.

The utilisation chart above shows that the average and normal range of use of our appliances varies by time of the day, corresponding to the variation in incident numbers. The second utilisation chart below shows the use of our appliances during the summer of 2018, which had a high number of incidents due to hot and dry weather conditions. Summers in general have more incidents and utilise more appliances, 2018 is an example of particularly high demand, seeing the normal range of utilisation rise from around 7 to 10.



Historically we have aimed to maintain the same cover levels during the day and at night and across the year. Our analysis suggests that further consideration should be given to whether efficiencies can be made by adopting a more tailored approach to cover. We will address this during this CRMP period.

We have used Cadcorp Workload Modeller to test our likely ability to meet demand (based on historic incidents) with different combinations of appliances available. This analysis, in combination with the utilisation analysis above suggests that as long as key locations are covered (in accordance with our degradation planning), we should be able to meet our expectations of fire cover and response standard in normal conditions with a minimum of 14 appliances.

Wholetime and On Call

Previously, we have stated our aim to maintain the availability of our 14 Wholetime Pumping Appliances in order to meet our planning assumptions. Our 5 On-call Pumping Appliances have provided additional cover and resilience.

Our analysis suggests that we will still be able to meet our appliance utilisation levels and response standard if we include on call pumps in our 14 appliance requirement, changing our aim to maintain a minimum of 14 appliances available. This will allow us to take a flexible approach to crewing, utilise our on-call availability, and potentially reduce our wholetime overtime bill during periods when our on-call appliances are available.



In the 2021-22 year, there were over 300 shifts when at least one wholetime firefighter was brought in on overtime to ensure our 14 wholetime pumps remain available.

The likely impact of this approach on our response standard performance is small – around one percentage point based on 2021-22 availability. Our response standard performance in 2021-22 was 77.2%.

The use and impact of this change should be monitored and evaluated.

Managing our resources - Automatic fire alarms

Under the Fire and Rescue Services Act 2004, it is an offence to knowingly cause a false alarm of fire to a fire authority. This offence carries a maximum penalty of a fine not exceeding level 4 on the standard scale (£2500) or a term of imprisonment not exceeding 51 weeks, or both.

Section 10 of the Localism Act 2011 amends the existing charging arrangements for all fire and rescue authorities contained in the Fire and Rescue Services Act 2004, which introduces broader charging criteria. In effect this will enable Fire Authorities to levy charges for attending false alarms.

[ADD data and link to CRMP doc]

Summary of CRMP proposals

The analysis and evidence in this document has informed the priorities in the Community Risk Management Plan. The priorities are summarised below.

[UPDATE ONCE MAIN DOC FINALISED]

[?? Include ref to pages in this doc where evidence supports proposals]

Priority 1. We will develop our Integrated Service Delivery Strategy to meet the changing profile of risk in Berkshire due to climate change, societal and technological shifts.

We anticipate that climate change and technological adaption will change the types of emergency incidents we attend. The summer heatwave of 2022, saw RBFRS fight a very large number of fires across the county. Increasingly wet winters are also predicted and we anticipate more frequent flooding. As society adapts, through increased use of alternative and renewable energy systems in vehicles, homes and businesses, we must adapt what we do to mitigate the risk. The hazards we manage are changing and we must keep pace with these changes.



We will develop our prevention activities and response model to reduce the impact of wildfires and to support our response to flooding. These changes will improve the resilience of RBFRS and the community.

We will develop our prevention activities and response model to reduce the impact of incidents from alternative fuel sources, both to the service and the people of Berkshire.

Through our annual review of risk we will continue to monitor developments in new technology.

Priority 2. We will develop a Risk Based Prevention Programme to target those most vulnerable and at risk from emergency incidents.

We will implement a Risk Based Prevention Programme which helps us identify those that are most at risk in the community. To enable us to carry out early intervention activities, preventing them from becoming vulnerable to risk.

We will ensure that we use our resources and capability in the most efficient and effective way.

We will identify those most vulnerable through our various partnerships such as safeguarding referrals, to ensure that we are targeting our prevention interventions most effectively.

We will better understand our communities by using data and local knowledge to reduce the likelihood and severity of emergency incidents across Berkshire.

Priority 3. We will develop our response model to ensure that we are providing the most effective response to incidents within Berkshire, ensuring that it is sustainable and provides value for money.

We recognise that we are entrusted with public money and have a duty to spend it wisely. In order to ensure we provide our services efficiently we will seek to ensure that we deliver good value for money.

We will develop our response model to ensure its effectiveness in responding to incidents. We will to match our resources to the risks within the county. By ensuring our fire appliances, specialist vehicles and staff, are best placed to respond to incidents.

We will ensure that we will continue to maintain our response standard of the first fire appliance arriving at the incident within 10 minutes on 75% of occurrences is maintained or improved with any development of our service.

Priority 4. We will review non-statutory incidents, to determine our requirement for attending these incidents.

We will work with our partners to develop the most effective approach to resolving incidents that currently are not part of our statutory duties. We will do this through our targeted prevention activities and after careful consideration our emergency response model. These changes will support us to use capacity to deliver our other priorities.



Priority 5. We will develop our Service to reduce the impact of fire safety issues in commercial buildings.

We will develop and build upon our Risk Based Inspection Programme to ensure we are targeting those premises with the greatest risks and using our inspecting officers' skills to regulate where they are most needed.

We will work with businesses to educate them on their responsibility under the Fire Safety Order 2005 to reduce the impact of unwanted fire signals (automatic fire alarms) on our operational crews.

Sprinkler systems within buildings are an effective initial intervention in reducing the impact of fires in commercial buildings, we will strength our campaign for introducing these in buildings that it is not currently a requirement.

We work with the Building Safety Regulator within our capacity under the new Building Safety Advisor.

We will develop our ways of working to be able to enforce the Fire Safety Order 2005.

Priority 6. We will provide a minimum of 14 frontline fire appliances utilising our Wholetime and On-call staff as effectively as possible.

We will aim to crew all 19 of our frontline appliances, whenever possible. As a baseline service provision (where it is not possible to crew all 19 appliances) we will provide a minimum service of 14 frontline fire appliances. Ensuring that we continue to maintain our response standard of the first fire appliance arriving at the incident within 10 minutes on 75% occurrences.

We intend to improve the mix of on-call and wholetime availability to allow us to reduce the unaffordable level of overtime that we are currently using to support our service.

of occurrences is maintained or improved with any development of our service.

We recognise that we are entrusted with public money and have a duty to spend it wisely. In order to ensure we provide our services efficiently we will seek to ensure that we deliver good value for money.

ROYAL BERKSHIRE
FIRE AND RESCUE SERVICE

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ROYAL BERKSHIRE FIRE AUTHORITY REPORT



| | |
|---------------------------|-------------------------------------------------------------|
| COMMITTEE | FIRE AUTHORITY |
| DATE OF MEETING | 19 DECEMBER 2022 |
| SUBJECT | REVIEW OF CONSTITUTIONAL AND GOVERNANCE ARRANGEMENTS |
| LEAD OFFICER | GRAHAM BRITTEN, MONITORING OFFICER |
| LEAD MEMBER | COUNCILLOR PAUL GITTINGS, CHAIR |
| EXEMPT INFORMATION | NONE |
| ACTION | FOR DECISION |

1. EXECUTIVE SUMMARY

- 1.1 To approve constitutional amendments to Standing Orders, following Fire Authority comments made at its last meeting on 4 October 2022.
- 1.2 To approve all references to Chairman and Vice-Chairman is changed to Chair and Vice-Chair in all published Member Handbook documents.

2. RECOMMENDATION

- 2.1 **APPROVE** the amended Standing Orders, Appendix A;
- 2.2 **APPROVE** all references to Chairman and Vice-Chairman is changed to Chair and Vice-Chair in all documents within the Members Handbook, and it is re-published on rbfrs website.

3. REPORT

- 3.1 Constitutional amendments to the Standing Orders, Fire Authority and Management Committee Terms of Reference, and Members Role Description was brought before Extraordinary Fire Authority on 4 October 2022 (minute reference 30).
- 3.2 Subject to minor amendments, the recommendations (2.2 to 2.6) of the report was approved, except for (2.1), Standing Orders (minute reference 30). The Fire Authority requested for the Standing Orders to be brought back for consideration following Member comments received.

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- 3.3 The amended Standing Orders is set out in Appendix A. SO10A, SO10B and SO107B (a-c) has been amended to reflect the comments received by the Fire Authority on 4 October, which was predominately around the procedure on the election of Chair at Fire Authority and Committee meetings.
- 3.4 As listed in the report presented to Extraordinary Fire Authority on 4 October 2022 (minute reference 30), a new clause has been included on motions of no confidence (SO45) and the process for such notices in respect of any Member whose role is entitled to a Special Responsibility Allowance in the Scheme of Allowances by virtue, of being appointed into such role by the Fire Authority or by one of its Committees.
- 3.5 The proposed Standing Orders has been consulted with the Group Leaders of each Political Group and Councillor McElroy.
- 3.6 Paragraph 2.2 of the recommendation is seeking Members to approve references to Chairman and Vice-Chairman in all Member handbook documents published on rbfcs website is changed to Chair and Vice-Chair. Subject to Member approval, the Members Handbook would be updated and re-published on rbfcs website.

4. CONTRIBUTION TO STRATEGIC COMMITMENTS

- 4.1 Commitment 5 – We will ensure that Royal Berkshire Fire and Rescue Service provides good value for money.
- 4.2 Commitment 6 – We will work with Central Government and key stakeholders in the interests of the people of Royal Berkshire.

5. FINANCIAL IMPLICATIONS

- 5.1 The Fire Authority approved its Member Scheme of Allowance in February 2022, currently budgeted circa £90K. The Annual Governance report due to be presented to the Fire Authority in June 2023 will provide an accurate end of year expenditure on Member Scheme of Allowance 2022/23.

6. LEGAL IMPLICATIONS

- 6.1 Amendments to the Authority's Standing Orders, its Terms of Reference and the Terms of Reference of its committees are reserved to the Fire Authority; as is the power to appoint into roles attracting an SRA and approving or amending the Scheme of Allowances. The recommendations do not require an amendment in year to the Scheme of Allowances.

7. EQUALITY AND DIVERSITY IMPLICATIONS

- 7.1 The amendments to the constitution have been updated in line with Members Code of Conduct / National Fire Chiefs Council (NFCC) Core Code of Ethics and Member and Officer Relations Protocol.

8. RISK IMPLICATIONS

8.1 Subject to Fire Authority approval the proposed changes would mitigate the risk of not being legally compliant and current.

9. CONSISTENCY WITH DUTY TO COLLABORATE

9.1 Not applicable.

10. PRINCIPAL CONSULTATION

10.1 The Chief Fire Officer was consulted in preparation of this report.

10.2 The Head of Finance and Procurement was consulted in preparation of this report.

10.3 The Monitoring Officer was consulted in preparation of this report.

10.4 The Deputy Chief Executive was consulted in preparation of this report.

11. BACKGROUND PAPERS

11.1 Members Scheme of Allowance, February 2022

11.2 Member – Officer Relations Protocol, April 2022

11.3 Members' Scheme of Allowances 2022/23

11.4 Extraordinary Fire Authority 4 October 2022 Minute reference 30

11.5 Standing Orders – Appendix A

12. CONTACT DETAILS

12.1 Fayth Rowe, Democratic Support Lead rowef@rbfrs.co.uk

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STANDING ORDERS OF ROYAL BERKSHIRE FIRE AUTHORITY

December 2022



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Appendix A

STANDING ORDERS

Interpretation

SO1. In these Standing Orders:

- a) the day of issue and the day of delivery of an agenda, or day of the receipt of a written notice of a question, and the day of the meeting are excluded from the calculation of "clear days";
- b) the day of issue and the day of delivery of an agenda and the day of the meeting, Saturdays, Sundays, Christmas Day, Good Friday, statutory bank holidays and a day appointed for public thanksgiving or mourning are excluded from the calculation of "clear working days";
- c) "Combined Area" means the Fire Authority area comprising the areas of Bracknell Forest Borough Council, Reading Borough Council, the Council of the Royal Borough of Windsor & Maidenhead, Slough Borough Council, West Berkshire Council and Wokingham Borough Council.

Ordinary Meetings

SO2. Ordinary meetings shall be held at such places and times as the Authority may determine, at least once per quarter, in accordance with a timetable agreed at the final Meeting of the Municipal Year.

SO3. The Authority shall hold its Annual Meeting at a place and time and on a day in May or June for which summonses will be sent within seven calendar days after the date of the latest of the Annual Meetings of the six councils within the Combined Area.

Extraordinary Meetings

SO4. An Extraordinary Meeting of the Authority may be called at any time by the Chair of the Authority.

SO5. If the Chair refuses to call an Extraordinary Meeting after receiving a requisition for that purpose, signed by six Members of the Authority or if, without so refusing, the Chair does not call an Extraordinary Meeting within seven days after receiving the requisition then any six Members of

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the Authority, on that refusal or on the expiration of those seven days, as the case may be, the Members in question may forthwith call an Extraordinary Meeting of the Authority.

Timing of Meetings

SO6. Meetings shall be held at 6.30pm, unless otherwise agreed.

Chair and Vice-Chair

SO7. The Chair and Vice-Chair shall be appointed at the Annual meeting of the Authority.

SO8. The first item of business on the agenda for the Annual Meeting shall be the appointment of a Chair for the coming year for which (subject to SO9) the Vice-Chair from the preceding year shall preside.

SO9. If the Vice-Chair is absent from a meeting of the Authority or is present and wishes to be considered for nomination for the office of Chair, another Member chosen by the Members present shall preside in the manner set out at SO10A-SO10B.

SO10. If the office of Chair or Vice-Chair becomes vacant at any time, the Authority shall elect from its Members a person to replace the office holder. Such an election to replace the Chair shall take place no later than the next ordinary meeting of the Authority after the office has become vacant conducted in accordance with SO8 and SO9.

SO10A. Where there are more than two persons nominated for any position to be filled (including any Chair or Vice-Chair) and there is not a majority of all votes cast in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken, and so on until one person receives a majority of all the votes cast.

SO10B. If there is no Member presiding, in the event of an equality of votes between nominees in the last round of open voting the position between them will be determined by secret ballot. If the result of the ballot remains tied the nominees will agree that the position will be determined by the drawing of lots.

Agendas and Reports

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Appendix A

- SO11. At least five clear [working] days before any meeting of the Authority, a summons to attend the meeting, specifying the business to be transacted thereat and signed by the Monitoring Officer shall be left at or sent by post to the usual place of residence of every Member of the Authority or to such address (including email address) as a Member may notify for that purpose to the Monitoring Officer.

Attendance Book

- SO12. Every Member of the Authority attending a meeting of the Authority shall sign his/her name in the attendance book or sheet provided for that purpose.

Quorum

- SO13. The quorum at a meeting of the Authority shall be 7 Members.
- SO14. If, during any meeting of the Authority, the Chair, after counting the number of Members present, declares that there is not a quorum present, the meeting shall stand adjourned. The consideration of any business not transacted shall be adjourned to a time fixed by the Chair at the time the meeting is adjourned, or, if such a time is not fixed, to the next ordinary meeting of the Authority.

Order of Business

- SO15. Subject to what follows, the order of business at every meeting of the Authority will be:
- a) to choose a person to preside if the Chair and Vice-Chair are absent;
 - b) to deal with any item required by statute to be done before any other item;
 - c) to receive any apologies for absence and any changes in Membership since the last meeting of the Authority.
 - d) to approve as a correct record and sign the minutes of the last meeting of the Authority;
 - e) to receive petitions and questions from the public;

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- f) to receive such communications as the Chair may desire to lay before the Authority;
- g) to dispose of business (if any) remaining from a previous meeting;
- h) to receive and consider the recommendations of Committees;
- i) to answer questions by Members asked under Standing Order SO30;
- j) to consider Motions under Standing Order SO43 in the order received;
- k) other business, if any, specified in the Agenda; and
- l) to note minutes of Committees.

SO16. The order of business (with the exception of items (a), (b) (c) and (d)) may be altered by the Chair of the Authority, or by a resolution following a motion moved, seconded and put to the meeting without debate.

Minutes

SO17. The minutes of the business considered and decisions reached at each meeting of the Authority shall be printed and a copy sent to each Member with or prior to the Agenda to attend the next meeting of the Authority.

SO18. When the minutes of a previous meeting come before the Authority, the Authority shall firstly determine any questions raised as to their accuracy and when approved the Chair shall sign the minutes. No other motion or discussion shall take place upon the minutes, except that a Member may request information as to progress or further development of any matter referred to in the minutes.

Petitions

SO19. Any petition to be submitted to the Authority must be in writing and signed by at least 25 local government electors of the Combined Area who shall also state their addresses. Any Petition must be submitted to the Monitoring Officer not less than seven clear working days before the meeting at which it is first to be presented. The Monitoring Officer shall date and number each petition on receipt of it and enter it in a book which anyone may inspect.

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Appendix A

- SO20. No petition shall relate to any matter of a personal nature.
- SO21. The Monitoring Officer, upon receiving a petition shall present the same, to the next meeting of Authority.
- SO22. Any local government elector of the Combined Area who is a signatory to a petition may be present at the Authority meeting and may speak upon the petition for not more than five minutes, which period of time may be extended with the consent of the Authority. Only one elector may speak upon any petition. No Member of the Authority shall be permitted to speak under this Standing Order.
- SO23. No petition shall be accepted if a petition with the same or similar object has been heard by the Authority, within a period of six months prior to the receipt by the Monitoring Officer of the petition.
- SO24. A petition, once received may be acted upon by the Authority.

Questions from the Public

- SO25. At any ordinary meeting of the Authority, any registered local government elector within the Combined Area and any individual acting on behalf of a trade union recognised by the Authority, may ask one question relating to the business of the Authority, **provided that written notice has been given of the question to the Monitoring Officer no later than 2.00pm two clear working days before the meeting of the Authority** at which the question is to be asked.
- SO26. The Monitoring Officer may, having consulted the questioner, reword any question received before circulation to Members of the Authority to bring it into proper order or delete improper or unbecoming language.
- SO27. Questions under SO25 shall be taken by the Chair in the order in which they are received by the Monitoring Officer. Questions shall be asked and answered without discussion. The Chair may decline to answer a question, provide a written reply or nominate another Member to answer it on his/her behalf.
- SO28. A person asking a question may ask one supplementary question arising directly from the answer given, provided that it is relevant to the original question and does not introduce any new subject matter.

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SO29. The time allowed for written and supplementary public questions shall not exceed 25 minutes. Questions not answered within that period shall be the subject of a written reply.

Written Questions by Members

SO30. If the Member has given the notice required by SO31 he/she may ask up to three questions at any one meeting on any of the functions of the Authority or any business relating to a joint committee or body to which the Authority appoints representatives.

SO31. A Member wishing to ask a question under SO30 shall send a signed copy of the question to be asked to the Monitoring Officer via committeeteam@rbfrs.co.uk, **to be received no later than 2.00pm two clear working days before the meeting of the Authority** at which the question is to be asked.

SO32. In cases of urgency as determined by the Chair, Members may submit questions without complying with the timetable specified in the preceding subsection.

SO33. Every question asked under SO30 shall be put when the item "Questions" is reached on the agenda.

SO34. No such question shall be the subject of a speech or motion.

SO35. One supplementary question may be asked by the questioner providing it introduces no new matter, or, if the questioner does not exercise this right, another Member of the Authority.

SO36. The time allocated to questions shall not exceed thirty minutes.

SO37. Questions shall be taken in the order in which they are received by the Monitoring Officer and questions not answered within the allocated time shall be the subject of a written reply within seven days to all members.

SO38. A Member submitting a question may indicate if he/she wishes the question to be the subject of a written reply to be circulated to all Members of the Authority before the meeting. If the Chair of the Authority is able to and chooses to accede to such request, the question and answer shall be circulated to all Members and published.

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Appendix A

- SO39. Where a Member is unable through absence to put a question under SO30 when it is reached on the agenda, such question shall be deemed to have been put and shall thereupon be answered if the Member has indicated his/her willingness for it to be so put in the notice given in accordance with SO31.
- SO40. Where the reply to any question cannot conveniently be given orally, the answer shall be circulated to Members of the Authority at the outset of the meeting.
- SO41. A question may be answered by the Chair, the Chair of a committee or by such other Member or Members as the Chair of the meeting may decide.
- SO42. No question shall be asked at any meeting summoned by the Chair or by the requisition of members under Schedule 12 of the Local Government Act 1972 unless it is relevant to the business for which such a meeting is called. The Chair shall decide whether the question is relevant.

Motions and Amendments without notice

- SO43. A Member may move without notice any of the following Motions and amendments:
- a) To appoint a Chair for that meeting or the remainder of the Meeting.
 - b) Motions relating to the accuracy of the Minutes.
 - c) To vary the order of the Agenda.
 - d) That a matter be referred or referred back to a Committee
 - e) To give leave to withdraw or amend Motion.
 - f) To extend the time limit for speeches.
 - g) To move on to the next item on the Agenda.

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- h) To put the question immediately to the vote.
- i) To adjourn the debate.
- j) To adjourn the meeting.
- k) To suspend one or more Standing Orders.
- l) To exclude the public from the meeting under Section 100A(4) of the Local Government Act 1972
- m) Not to hear a Member further.
- n) By the Chair to require a Member to leave the meeting.
- o) To give any consent required by these Standing Orders.

Notices of Motion

- SO44. A Motion not listed in SO43 must be given in writing to the Monitoring Officer at least seven clear working days before the Authority meeting, and be signed by the Member(s) giving the notice.
- SO45. Motions must relate to matters where the Authority has powers or duties or which affect the Combined Area.
- SO45A. A Notice of Motion of No Confidence may be given concerning any Member in a position for which a Special Responsibility Allowance is listed in the Authority's Scheme of Allowances unless by virtue of being a Group Leader (irrespective of whether such allowance is claimed or paid). It must be signed by no less than seven Members before being given in accordance with SO44 and the following provisions apply:
- a) The Notice must detail the reasons for the Motion of No Confidence and have regard to the requirements of the Members' Code of Conduct.
 - b) No amendments will be allowed to the Motion of No Confidence at the meeting where the matter is discussed.

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- c) If a Motion of No Confidence is passed which results in the removal of a Chair or Vice-Chair, the Authority or the Committee (as the case may be) will be required to consider the appointment of its Chair or Vice-Chair (as appropriate) at its next scheduled meeting.

SO46. The Monitoring Officer shall:

- a) date and number each Notice of Motion on receipt of it and enter it in a book which anyone may inspect; and
- b) set out in the Agenda for the Authority meeting all Motions which comply with the requirements of SO44, SO45 and SO45A of these Standing Orders in the order they have been received, unless the Member(s) has (have) in writing either withdrawn it or stated a wish to move it at a later meeting.

SO47. The Authority will treat as withdrawn any Motion not moved at the meeting at which it appears upon the Agenda, unless its postponement is agreed.

SO48. Any Motion the subject matter of which comes within the province of any Committee(s) may:

- a) be referred without discussion to such Committee(s); or
- b) be referred without discussion to such other Committee(s) as the Authority may decide; or
- c) be dealt with at the meeting at which it is moved if the Authority considers that it would be convenient to do so.

SO49. The Member who has moved the Motion must be notified by the Monitoring Officer of the meeting(s) of the Committee(s) which it has been referred, and has the right to attend the meeting(s) and to explain the Motion.

SO50. If it appears to the Monitoring Officer that a motion of which he/ she has received notice is not in order, or is framed in improper or unbecoming language, he shall take the direction of the Chair as to whether and in what form it shall be placed on the agenda, and the decision of the Chair, after consultation if possible with the giver of the notice, shall be final.

SO51. If a Motion, notice of which has been given in the Authority agenda, be not moved by the Member who has given notice thereof, such Motion may, with the consent of the Authority given by a show of hands without debate,

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be moved by some other Member, otherwise it shall be deemed to have been withdrawn and shall not be moved without fresh notice.

- SO52. No Motion to rescind any resolution passed within the preceding six months, and no motions or amendments to the same effect as one which has been rejected within the preceding six months, shall be proposed unless the notice thereof bears the name of at least seven Members of the Authority. When any such motion or amendment has been disposed of by the Authority, it shall not be open to any Member to propose a similar motion within a further period of six months. This SO52 shall not apply to motions moved in pursuance of a recommendation of a Committee.

Committee Recommendations and Minutes

- SO53. Any Member of the Authority may ask the Chair of a Committee any question upon an item in the recommendations or Minutes of that Committee then before the Authority, if the question is put before the consideration of these items by the Authority has been concluded.
- SO54. The Chair concerned may at any time nominate his/her Vice-Chair or any other Member with special responsibility to answer any such question.
- SO55. Whenever a Committee, in exercise of power delegated to it, resolves to take action or to take no action on any matter, there shall be no debate on this decision except that:
- a) any Member may comment on the decision;
 - b) if a decision shall state no action, a motion may be put to ask the Committee to reconsider its decision;
 - c) a motion may be put to express the Authority's disapproval of the action taken.

Matters to be included in Agendas

- SO56. Members' requests for items to be included on the agenda for a meeting of the Authority shall be in writing and received by the Monitoring Officer at least ten clear days before the next ordinary meeting of the Authority, failing which they shall not be so included without the express approval of the Chair of the Authority.

Rules of Debate for Authority Meetings

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- SO57. Whenever the Chair signals during a debate, a Member then speaking and all Members except the Chair shall be silent.
- SO58. A Member seeking to speak shall so indicate by raising his/her hand and shall speak when called to do so by the Chair.
- SO59. A Member, when speaking, shall address the Chair.
- SO60. A Member shall direct his/her speech strictly to the subject matter under discussion.
- SO61. Unless with the consent of the Authority, to be ascertained by a show of hands without debate, no Member shall speak for more than five minutes on the question under discussion with the exception of the mover of the original motion giving rise thereto, who in moving his/her proposition shall not, save with the like consent, speak for more than ten minutes.
- SO62. Any extra time agreed to by the Authority shall be limited to one period of five minutes only.
- SO63. SO61 shall not apply to a speech by the Member moving the Budget, for the ensuing year, but shall apply to his/her reply.
- SO64. No motion or amendment shall be spoken upon except by the mover until it has been seconded.
- SO65. Any Member may formally second a motion or an amendment, in which case he may speak later in the debate.
- SO66. A Member shall not (except in the exercise of his/her right to reply) speak more than once on the same motion or amendment except to a point of order, or by way of personal explanation. The mover of an amendment shall have no right of reply to the debate on his/her amendment.
- SO67. Any amendment to a motion shall be either:
- a) to refer a subject of debate to a Committee for consideration or re-consideration;
 - b) to leave out words;
 - c) to leave out words and insert or add others;
 - d) to insert or add words;

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but such omission, insertion or addition of words shall not have the effect of negating the motion before the Authority.

- SO68. When an amendment is moved and seconded, no other amendment shall be taken into consideration until the first has been disposed of, provided that the Chair may permit 2 or more amendments to be considered together (but not voted upon), if, in his/her opinion, this course will facilitate the proper conduct of the Authority's business.
- SO69. If an amendment be carried, it shall displace the original motion and become itself the substantive motion, upon which any further amendment may be moved, provided such further amendment is not inconsistent with the alterations of the original motion made by the amendment which has been carried, and provided that any further amendment is not a direct negative of the motion.
- SO70. A Member may, with the consent of the Authority, to be ascertained by a show of hands without debate, alter an original motion which he has moved, or proposes to move, provided that the alteration be such as could be moved as an amendment under this Standing Order.
- SO71. A motion or amendment may be withdrawn by the mover with the consent of a seconder and of the Authority, to be ascertained by a show of hands without debate, and no Member may speak upon it after the mover has asked permission for its withdrawal; unless such permission shall have been refused.
- SO72. The mover of a motion, or of an amendment which has become the substantive motion, shall have a right of reply. After reply, the motion shall be put from the chair without further debate. The mover of an original motion, or of an amendment which has become a substantive motion, shall not introduce new matter in his/her reply.
- SO73. A Member of the Authority, other than the mover or seconder of a motion or amendment before the Authority, may at any time formally move "that the Authority proceed to the other business of the day" on the formal seconding of which the Chair shall immediately put the same to the Authority without speech or debate, and if carried by show of hands, the subject in debate shall be considered as disposed of.
- SO74. It shall be competent for a Member of the Authority, other than the mover or seconder of a motion or amendment before the Authority, at any time to

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move formally "that the question be now put", and upon being formally seconded, it shall be put forth without speech or debate. Where an amendment is under discussion, the motion shall apply only to that amendment. If the motion be carried, then, if the question before the Authority be the original motion or a first amendment, the Chair shall call upon the mover of the original motion to reply before putting the question.

- SO75. Upon the motion for an adjournment, all the speakers shall limit their observations to the question of adjournment. After a motion for adjournment of a debate, or the adjournment of the Authority has been rejected, another motion for the same or the like purpose shall not be moved within thirty minutes, except by consent of the Authority, to be ascertained by show of hands without debate. On resuming an adjournment debate, the Member who moved the adjournment shall be entitled to speak first.
- SO76. The Chair may at any time upon being satisfied that any motion or other matter has been fully debated by the Authority require that "the question be now put" but before the question be put, the mover of the original motion shall be entitled to exercise his/her right of reply.
- SO77. The ruling of the Chair, on the advice of the Monitoring Officer, as to the construction or application of these Standing Orders, or as to proceedings of the Authority, shall not be challenged at any meeting of the Authority.

PERSONAL EXPLANATION AND POINTS OF ORDER

- SO78. A personal explanation shall be confined to some material part of an earlier speech by the Member and on which a misunderstanding has occurred.
- SO79. A point of order is a request by a Member to the Chair of the Authority to rule on an alleged irregularity in the constitution or procedure in the meeting.
- SO80. A Member may rise on a personal explanation or a point of order at any time and is entitled immediately to address the Chair of the Authority on the matter; but the Member who raises a point of order must specify immediately a Standing Order or statutory provision, and say how it has been broken or infringed and in either case the Member's speech must be confined to the personal explanation or point of order.

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- SO81. The ruling of the Chair of the Authority on the advice of the Monitoring Officer on a personal explanation or point of order is not open to discussion.

ORDER AT AUTHORITY MEETINGS

- SO82. If at a meeting any Member of the Authority, in the opinion of the Chair, notified to the Authority, misconducts his/her self by persistently disregarding the ruling of the Chair, or by willfully obstructing the business of the Authority, the Chair, or any other Member, may formally move "that the Member named be not further heard" and the motion, upon being formally seconded, shall be put and determined without speech or debate.
- SO83. If the Member named continues his/her misconduct after a motion under the foregoing paragraph has been carried, the Chair shall either:
- a) move "that the Member named do leave the meeting" (in which case, the motion shall be put and determined without seconding or discussion); or
 - b) adjourn the meeting of the Authority for such a period as his/her discretion shall consider expedient.
- SO84. In the event of general disturbance which, in the opinion of the Chair, renders the due and orderly dispatch of business impossible, the Chair in addition to any other power vested in him/her may, without discussion, adjourn the meeting of the Authority for such period as in his/her discretion shall consider expedient.
- SO85. The Chair may call a Member to order for irrelevance, repetition, imputation of dishonourable conduct or improper remarks, unseemly language, offensive gestures or any breach of order and may direct a Member, if speaking to discontinue his/her speech and any Member of the Authority may rise to call the attention of the Chair to any of the said matters during the speech of a Member.
- SO86. If a member of the public interrupts the proceedings at any meeting, the Chair may warn him/her. If they continue to interrupt, the Chair may order his/her removal from the meeting room.

VOTING

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- SO87. The mode of voting at meetings of the Authority shall be by show of hands. Members must be seated when the vote is taken.
- SO88. Where immediately after a vote is taken at a meeting:
- (a) any Member may require that his/her vote cast for or against the question or whether he/she abstained from voting is recorded in the Minutes;
 - (b) any Member of the Authority may require, the number of those voting on any question shall be recorded and entered in the Minutes of the Meeting
 - (c) any Member, supported by two other Members, so requires, the voting on any question shall be recorded so as to show how each Member present, and voting, gave his/her vote
 - (d) which is a budget decision meeting of the Authority there shall be recorded in the minutes of the proceedings of that meeting the names of the Members who cast a vote for the decision or against the decision or who abstained from voting
- SO89. In the case of equality of votes, the Chair shall have a second or casting vote.

INTEREST OF MEMBERS IN CONTRACTS AND OTHER MATTERS

- SO90. A Member who has a Disclosable Pecuniary Interest
- a) if the interest has not been registered, shall disclose the interest ; and
 - b) shall not participate in discussion of the matter, or vote on the matter and shall leave the Chamber/room when the matter is being considered unless he or she has been granted a dispensation by the Monitoring Officer
- SO91. Members shall have regard to the provisions of the Fire Authority's Code of Conduct* when taking decisions at meetings of the Fire Authority and its Committees. (* Code of Conduct hyperlinked)

INTEREST OF OFFICERS IN CONTRACTS

- SO92. If any officer of the Authority has an interest, direct or indirect, within the meaning of Section 117 of the Local Government Act 1972 in any contract, proposed contract or other matter under consideration by the Authority, he/she shall withdraw from the meeting, unless the contract, proposed

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contract or other matter is under consideration by the Authority as part of the Minutes of a Committee or Sub-Committee and is not itself the subject of debate.

CANVASSING OF THE RECOMMENDATIONS BY MEMBERS

SO93. Canvassing of Members of the Authority directly or indirectly, for any staff appointment under the Authority shall disqualify the candidate concerned for that appointment. The purport of this paragraph shall be brought to the attention of applicants.

SO94. A Member of the Authority shall not solicit for or against any person for any staff appointment under the Authority, but this shall not preclude a Member from giving a written testimonial of a candidate's character for submission to the Authority with an application for appointment.

RELATIVES OF MEMBERS OR OFFICERS

SO95. A candidate for any appointment under the Authority who knows that he/she is related to any Member or senior officer of the Authority shall, when making application, disclose that relationship. A candidate who fails to disclose such a relationship shall be disqualified for the appointment and if appointed, shall be liable to dismissal without notice. Every Member and senior officer of the Authority shall disclose to the Monitoring Officer any relationship known to him to exist between himself and any person who he knows is a candidate for an appointment under the Authority.

The Monitoring Officer shall report to the Authority, or to the appropriate Committee, Sub-Committee or person having power to make the appointment, any such disclosure.

SO96. SO95 shall be drawn to the attention of applicants and for the purpose of this, SO95 "senior officer" means the Chief Fire Officer or Chief Executive, Deputy Chief Fire Officer, Assistant Chief Fire Officer, Director of Support Services and Chief Finance Officer or equivalent.

SO97. In all other cases declarations shall be made to the Monitoring Officer and the Chief Fire Officer or Chief Executive.

APPOINTMENT OF CHIEF FIRE OFFICER OR CHIEF EXECUTIVE

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- SO98. Where the Authority proposes to appoint a Chief Fire Officer or Chief Executive, the Monitoring Officer shall:
- a) draw up a statement specifying:
 - i) the duties of the officer concerned; and
 - ii) any qualifications or qualities to be sought in the person to be appointed.
 - iii) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it, and
 - iv) make arrangements for a copy of the statement mentioned in paragraph
 - b) above to be sent to any person on request.
- SO99. Where a post has been advertised as provided in SO98 the Authority shall:
- a) interview all qualified applicants for the post; or
 - b) select a short list of such qualified applicants and interview those included on the short list.
- SO100. Where no qualified person has applied, the Monitoring Officer shall make further arrangements for the post to be advertised in accordance with this Standing Order.

MEMBERS' ACCESS TO DOCUMENTS

- SO101. On application to the Monitoring Officer and subject to the remaining paragraphs of this Standing Order, a Member of the Authority may, for the purposes of his/her duty as such a Member but not otherwise, inspect any document which has been considered by the Authority or by a Committee or Sub-Committee and, if copies are available, shall on request be supplied for the like purposes with a copy of such a document.
- SO102. No Member may knowingly call for the inspection nor call for any copy of any document relating to a matter in which he/she is professionally interested or in which he/she has a Disclosable Pecuniary Interest, and whether disclosed or not, within the meaning of the Localism Act 2011 and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.
- SO103. The Monitoring Officer may decline to allow inspection of any document which has been or is to be considered by a Committee or Sub-Committee which in his/her opinion discloses exempt information of a description for

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the time being falling within paragraphs 1 to 7, of Part I of Schedule 12A to the Local Government Act 1972.

SO104. Any document or information contained within a document which is inspected by or copied to a Member of the Authority shall remain subject to the same restrictions on its disclosure as existed before the inspection or copying. In particular, any confidential information within the meaning of Section 100A(3) or exempt information within the meaning of Section 100I and Schedule 12A of the Local Government Act 1972 remains confidential or exempt, as the case may be.

INSPECTION OF LANDS, PREMISES etc

SO105. Unless duly authorised, no Member of the Authority shall issue any order respecting any works which are being carried out by or on behalf of the Authority, nor claim by virtue of their membership of the Authority any right to inspect or to enter upon any Fire Stations land or premises which the Authority has the power or duty to enter or which are owned by the Authority.

EXERCISE OF DELEGATED POWERS

SO106. No group of Members or individual Member, other than a duly constituted committee or sub-committee acting in exercise of its delegated powers where applicable and in accordance with its terms of reference, shall be entitled to take any action on behalf of the Authority or to issue any instruction to an officer of the Authority to take executive action.

APPOINTMENT OF COMMITTEES AND SUB-COMMITTEES

SO107. The Authority shall every year at the Annual Meeting decide by resolution which Committees it intends to establish as "Standing Committees", and shall appoint Members to **such** Committee.

SO107A. No Committee shall be summonsed to convene on either the date of the Annual Meeting nor the date of another Committee.

SO107B. At the first meeting of a Committee or Sub-Committee following the Annual Meeting of the Authority, the Committee or Sub-Committee will elect its Chair and Vice-Chair for the year as follows:

a) **a Member will be chosen by vote to preside over the election of the**

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Chair for the year. Where there are more than two persons nominated to preside and there is not a majority of all votes cast in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken, and so on until one person receives a majority of all the votes cast;

b) if an equality of votes results in no Member being chosen in accordance with SO107B(a) the Vice-Chair from the preceding year shall preside over the election of the Chair for the year and SO89 will therefore apply

c) If the Vice-Chair from the preceding year is absent from the meeting or is present and wishes to be considered for nomination for the office of Chair in the event of an equality of votes between the nominees in the last round of open voting the position between them will be determined by secret ballot. If the result of the ballot remains tied the nominees will agree that the position will be determined by the drawing of lots.

SO108. Any Committee may appoint sub committees to discharge any of its functions, subject to the approval of the Authority as to the particular functions to be discharged.

SO109. The term of office of each Committee (or Sub-Committee) Member shall expire at the Annual Meeting next after their appointment, or at such earlier time as the Authority shall determine, or by resignation.

SO110. Where a Member is unable to attend a meeting of a Committee, or a Sub-Committee, the Member, or representative of that Member's political group may nominate another Member of the Authority to attend as their substitute, provided the Monitoring Officer is given notice of the proposed change whereupon the provisions of SO [119] and SO[120] shall apply.

SO111. The quorum of the Management Committee shall be 4 and the quorum of the Audit and Governance Committee shall be 3. The quorum for additional Committees or Sub-Committee shall be 3 Members of the Committee or Sub-Committee concerned or such greater number of Members as the Authority may determine.

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COMMITTEE MEETINGS

SO112. The Monitoring Officer shall summon any Committee or Sub-Committee or group of Members appointed by a Committee or Sub-Committee to consider or deal with a specific matter at the time and date previously resolved, or on request of the Chair, or without request to deal with business of urgency which, in the opinion of the Monitoring Officer necessitates a meeting of the Committee or Sub-Committee.

PROCEDURE AT COMMITTEE AND SUB-COMMITTEE MEETINGS

SO113. The Standing Orders of the Authority shall apply to Committee and Sub-Committee meetings, except SO2 - SO10; SO13- SO42 and SO44-SO52.

RESIGNATION OF COMMITTEE MEMBERSHIP

SO114. Any Member of a Committee may resign his/her membership of a Committee, Sub-Committee or other body by notice in writing signed by him and delivered to the Monitoring Officer, which shall become effective immediately.

CONFIDENTIALITY

SO115. Pursuant to the provisions of Section 100 of the Local Government Act 1972 all Authority, Committee and Sub-Committee reports and documents marked as "Confidential" shall be treated as confidential at all times. In relation to reports and documents marked "Exempt" they shall be treated as confidential until they become public in the ordinary course of the Authority's business and the following classification shall be used for reports to the Authority or its Committees and Sub-Committees:

- a) "CONFIDENTIAL - Not for publication at any time by virtue of Section 100A(2) of the Local Government Act 1972" - Reports dealing with information supplied by a Government Department on condition that it is kept confidential or where the disclosure of information in the report is prohibited by statute or court order.
- b) "EXEMPT - Not for publication unless authorised by the Authority/Committee/Sub-Committee. This/her report contains exempt information by virtue of paragraph(s) of Part 1 of Schedule 12A of the Local Government Act 1972" - Reports which the Proper Officer considers contain exempt information and are likely to be considered in private.

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(NOTE: The Authority, Committee or Sub-Committee may still resolve to deal with the report in public at the meeting itself)

THE SEAL AND EXECUTION OF DOCUMENTS

- SO116. The Common Seal shall be kept in a safe place in the custody of the Monitoring Officer.
- SO117. Any decision of the Authority, a Committee or Sub-Committee or Officer exercising delegated functions shall be deemed to authorise the affixing of the Common Seal to that document and the affixing of the Common Seal shall be attested by the Monitoring Officer or Chief Finance Officer.
- SO118. Where any document will be a necessary step in legal proceedings on behalf of the Authority, it shall be signed by the Monitoring Officer or such other officer as may be designated by him unless any enactment requires otherwise provided that the Authority or a Committee or Sub-Committee exercising delegated powers, if legally entitled, may authorise some other officer to execute any such document.

SUBSTITUTION

- SO119. The nomination of a substitute given in accordance with SO110 shall be in writing specifying the Committee to which it relates and the period or periods of time for which the substitution shall apply, and shall be signed and sent by the substituted Member's political group representative for the purpose of the Authority, to the Monitoring Officer to the Authority. Upon receipt, the Monitoring Officer will amend the Members' Register accordingly.
- SO120. A Member attending as substitute shall, at the commencement of the Meeting, identify the Member on whose behalf he attends, who shall then be excluded from participation in that Meeting.
- SO121. A Member, attending as a substitute in the absence of the Member from any Meeting of the relevant Committee shall be entitled to attend, speak and vote at the Meeting (but not, in the case of the nominating Member being the Chair or Vice-Chair, to exercise the rights and functions of that office).

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VARIATION OR REVOCATION OF STANDING ORDERS

SO122. These Standing Orders shall not be amended, added to or rescinded unless notice shall have first been given to the Members in the Authority Agenda and such notice shall state the terms and effect of any proposed variation or revocation of these Standing Orders.

SO123. The Authority will review the operation of these Standing Orders no later than every four years.

SUSPENSION OF STANDING ORDERS

SO124. Except in respect of SO7 to SO10 (Chair and Vice-Chair), SO44 to SO52 (Notices of Motion), SO17 & SO18 (Minutes); SO87 to SO89 (Voting); SO92 to SO97 (Staff /interests) and SO107 (Appointment of Committees and Sub-Committees), any Member may, for any stated purpose, move the suspension of any Standing Order of the Authority and the motion, on being seconded, shall be put forthwith without speech or debate.

STANDING ORDERS TO BE SUPPLIED TO MEMBERS

SO125. The Monitoring Officer shall arrange for a printed or electronic copy of these Standing Orders to be provided to each Member of the Authority upon being first appointed a Member of the Authority.

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ROYAL BERKSHIRE FIRE AUTHORITY REPORT

| | |
|---------------------------|-------------------------------------------------------------------------------------------------------|
| COMMITTEE | FIRE AUTHORITY |
| DATE OF MEETING | 19 DECEMBER 2022 |
| SUBJECT | RBFA FIREFIGHTERS' PENSION SCHEME – ADMINISTRATION, MANAGEMENT AND GOVERNANCE STRATEGY |
| LEAD OFFICER | BECCI JEFFERIES, HEAD OF HUMAN RESOURCES AND LEARNING AND DEVELOPMENT |
| LEAD MEMBER | N/A |
| EXEMPT INFORMATION | NONE |
| ACTION | FOR DECISION |

1. EXECUTIVE SUMMARY

- 1.1 In 2018, Aon were commissioned by the Firefighters' Pensions (England) Scheme Advisory Board (SAB) to undertake a benchmarking review of the administration and management of the Firefighters' Pension Scheme. One of the recommendations made within the report was the implementation of a locally developed pension administration strategy to formalise standards and expectations of the Fire and Rescue Authority (FRA) and their administrator.
- 1.2 Officers have now reviewed the strategy document provided by the SAB and recommend the RBFA Firefighters' Pension Scheme Administration, Management and Governance Strategy set out in Appendix A to the Fire Authority for approval.

2. RECOMMENDATION

That Fire Authority is invited to:

- 2.1 **APPROVE** the RBFA Firefighters' Pension Scheme Administrative, Management and Governance Strategy.

3. REPORT

Background

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- 3.1 In 2018, Aon were commissioned by the Firefighters' Pensions (England) Scheme Advisory Board (SAB) to undertake a benchmarking review of the administration and management of the Firefighters' Pension Scheme (FPS). One of the recommendations made within the report was the implementation of a locally developed pension administration strategy to formalise standards and expectations of the Fire and Rescue Authority (FRA) and their administrator.
- 3.2 As the FRA as scheme manager has responsibility for both administering and managing the scheme, it was determined by the SAB Administration and Benchmarking committee that the scope of the document be extended to include each of these roles, and that the expectations of Local Pension Boards in their role of assisting the scheme manager should also be included.
- 3.3 A final version template document was prepared by the SAB secretariat in conjunction with the Committee and the Fire Communications Working Group and following consultation with fire and rescue services. Officers have now reviewed the strategy document and recommend the RBFA Firefighters' Pension Scheme Administration, Management and Governance Strategy set out in Appendix A to the Fire Authority for approval.
- 3.4 The local Pension Board and Pension Scheme Administrator, West Yorkshire Pension Fund have been consulted on the detail of the Strategy which also takes account of the existing contractual arrangements and the role of the Payroll provider, Dataplan.
- 3.5 The scheme regulations allow for the scheme manager function to be delegated under rule 5 of the 2014 regulations to such persons or employees of such person as may be authorised in that behalf by the scheme manager. The Local Government Association state that the delegated scheme manager should sit within the senior management team of the Fire and Rescue Service. In line with existing delegations set out in the Approved Scheme of Delegation the Scheme Manager function is delegated to the Chief Fire Officer.
- 3.6 The Authority will continue to be informed of significant matters associated with firefighter pension schemes and the Audit and Governance Committee will receive an annual report from the Pension Board together with the annual audit report on the pension administration function.

Firefighter Pension Scheme – Discretions Statement

- 3.7 A recent determination by The Pensions Ombudsman (PO-25374) has identified that blanket application of a policy position can be potentially unfair and that cases should be considered on their merit. To support effective management and governance, officers have been reviewing all pension discretions in place across all pension schemes and present these for approval by the Authority on 19 December 2022.

4. CONTRIBUTION TO STRATEGIC COMMITMENTS

- 4.1 Commitment 6 – We will work with Central Government and key stakeholders in the interests of the people of Royal Berkshire.

5. FINANCIAL IMPLICATIONS

5.1 There are no financial implications arising from this recommendation.

6. LEGAL IMPLICATIONS

6.1 Royal Berkshire Fire Authority is defined in law as the scheme manager and is therefore responsible for the management and administration of the Firefighters' Pensions Schemes for scheme members employed by the Royal Berkshire Fire and Rescue Service. Although the scheme manager function can be delegated within the authority, Royal Berkshire Fire Authority retains legal responsibility for the scheme.

6.2 This strategy does not override any provision contained with the scheme regulations or any administration guidance provided by the Local Government Association.

7. EQUALITY, DIVERSITY AND INCLUSION IMPLICATIONS

7.1 The public sector equality duty requires public bodies to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010. There are no equality, diversity and inclusion implications arising from this report.

8. RISK IMPLICATIONS

8.1 The attached FPS Administration, Management, and Governance Strategy statement outlines formal standards and expectations of the Fire and Rescue Authority (FRA) and their administrator, along with expectations of the Local Pension Board in their role of assisting the scheme manager. This clarity will aid effective management and minimise risk to FPS members of maladministration as performance by all parties is monitored.

8.2 The local Pension Board provide an annual report to the Fire Authority's Audit and Governance Committee providing observations on performance and identifying any breaches, which the Service and the Pensions Administrator, West Yorkshire Pension Fund, are required to evaluate and report to The Pensions Regulator as appropriate. In addition an annual audit of the Administrator's performance is conducted by the Internal Auditor and these outcomes are also reported to the Authority.

9. CONSISTENCY WITH DUTY TO COLLABORATE

9.1 The stakeholders outlined in the strategy will work together to ensure the effective management of firefighter pension schemes. RBFRS will also work with other fire and rescue services across the Sector to prepare for and respond to changes in legislation. This will ensure members of the schemes receive information and appropriate administration in relation of pension benefits.

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10. PRINCIPAL CONSULTATION

- 10.1 The Chief Fire Officer/ Chief Executive has been consulted on the contents of this paper.
- 10.2 The Monitoring Officer has been consulted on the contents of this paper.
- 10.3 The Chief Finance Officer has been consulted on the contents of this paper.

11. BACKGROUND PAPERS

- 11.1 Local Government Association – Scheme Manager Guidance 08 January 2019.

12. APPENDICES

- 12.1 Appendix A – RBFA Firefighters' Pension Scheme – Administrative, Management and Governance Strategy

13. CONTACT DETAILS

- 13.1 Becci Jefferies, Head of HR and Learning and Development 07776 225975



Compliance

FPS Administration, Management, and Governance Strategy

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1 Background

In 2018, Aon were commissioned by the Firefighters' Pensions (England) Scheme Advisory Board (SAB) to undertake a benchmarking review of the administration and management of the Firefighters' Pension Scheme (FPS).

One of the recommendations made within the report was the implementation of a locally developed pension administration strategy to formalise standards and expectations of the Fire and Rescue Authority (FRA) and their administrator:

"We suggest that the Board considers recommending regulatory changes to encourage best practice among all scheme managers/FRAs and administrators across the Scheme. This could be achieved by setting out requirements for each Scheme Manager to have a locally developed pensions administration strategy in place. This could be mandated but as a minimum it could set out the need to have one to demonstrate best practice (as is the case in other schemes such as the LGPS). An administration strategy should set out the scheme manager's aims and objectives and how those are going to be achieved in conjunction with the administrator. Performance against those aims, and objectives, must then be appropriately measured and monitored and where administration levels are not to the required standard, plans should be in place to address those areas of concern. An administration strategy should be determined locally (with support in doing so made available from centrally prepared guidance).

A range of target timescales should be determined by each FRA and it is good practice for them to be included in an administration strategy. Scheme managers may wish to set shorter timescales or other targets for specific processes rather than relying on legal timescales in all cases. The administration strategy should be publicly available for all stakeholders (including members). It could also set out the consequences of what not achieving those targets would be."

While there is no legislative requirement for FRAs to have such a strategy in place, the SAB secretariat have provided this template for authorities to adopt to demonstrate best practice in the administration and management of the FPS. With each of the 44 FRAs in England responsible for managing the scheme and making decisions in their own right, this document also seeks to ensure a level of consistency in the service offered to scheme members, with FRAs working in conjunction with their administrator. There are currently 16 different administrators providing administration services across the 44 FRAs.

As the FRA as [scheme manager](#) has responsibility for both administering and managing the scheme, it was determined by the SAB [Administration and Benchmarking committee](#) ("the Committee") that the scope of the document be extended to include each of these roles, and that the expectations of Local Pension Boards in their role of assisting the scheme manager should also be included.

This document has been prepared by the SAB secretariat in conjunction with the Committee and the Fire Communications Working Group. Our thanks go to the following organisations for assistance with the project: Shropshire Pension Fund, West Yorkshire Pension Fund, and Leicestershire County Council.

2 Introduction

Royal Berkshire Fire Authority (RBFA) is defined in law as the scheme manager¹ and is therefore responsible for the management and administration of the Firefighters' Pensions Schemes for scheme members of the Royal Berkshire Fire and Rescue Service.

Although the scheme manager function can be delegated² within the authority, Royal Berkshire Fire Authority retains legal responsibility for the scheme.

In the employer role, Royal Berkshire Fire and Rescue Service (RBFRS) will provide pension related functions such as HR, finance, and payroll.

Administration is outsourced to a third party. Administration of the scheme has been outsourced to Bradford Metropolitan District Council - West Yorkshire Pension Fund (WYPF).

This document is the FPS Administration, Management, and Governance Strategy statement which outlines formal standards and expectations of the Fire and Rescue Authority (FRA) and their administrator, along with expectations of the Local Pension Board³ in their role of assisting the scheme manager.

A template governance policy statement is included at [Appendix 2](#).

The aim of the document is to ensure that a consistent, cost-effective, and high-quality pension service is provided to members, recognising that full and transparent collaboration between stakeholders is key to achieving this aim.

3 Compliance

The following stakeholders have been consulted in the development of this statement: Local Pension Board; administrator WYPF; software provider CIVICA; RBFRS staff

The scheme manager is the owner of the document. A copy can be found at [\[INSERT WEB ADDRESS\]](#).

This strategy does not override any provision contained with the scheme regulations or any administration guidance provided by the Local Government Association (LGA).

The document has been presented, considered, and ratified by the Local Pension Board on 19 October 2022 and applies to all interested parties from this date.

¹ <http://www.legislation.gov.uk/ukxi/2014/2848/regulation/4/made>

² <https://www.legislation.gov.uk/ukxi/2014/2848/regulation/5/made>

³ <http://www.legislation.gov.uk/ukxi/2015/465/regulation/4/made>

4 Review

The strategy will be reviewed following any changes to scheme rules, processes, or procedures which affect this strategy, including a change of administrator, or every three years if this is sooner.

Changes will be made following consultation with the above-named bodies and a copy of the updated strategy will be made available online. Full consultation will not take place when there has been a change of contact details only in 5.1 or 5.2 below.

Suggestions for improvement to this strategy are welcome from stakeholders at any time.

5 Liaison and communication

5.1 FRA contacts

The scheme manager will nominate contacts in the following areas to allow correspondence to be directed to the most relevant individual. These contacts will be provided to the administrator and the LGA.

Scheme manager (strategic) contact for valuation, scheme consultations, surveys, discretions, and Internal Dispute Resolution Procedure (IDRP)

Chief Fire Officer, Wayne Bowcock and bowcockw@rbfrs.co.uk 0118 938 4619

Pension liaison contact for day to day administrative duties such as completion of forms, responding to queries, and HR functions

Senior HR Adviser (Service Provision), Emma Scott and scotte@rbfrs.co.uk

Payroll contact for queries relating to pay, year-end postings, or pensioner payroll

HR Adviser (Payroll and Service Support), Maja Davies and daviesma@rbfrs.co.uk

Finance contact for submission of monthly/ annual returns, SAB levy payment requests

Accounting Manager or Miao Yan-McCormick and yanmccormicm@rbfrs.co.uk

The scheme manager is responsible for keeping the nominated contacts up to date and providing prompt notification of changes.

5.2 Administrator contacts

The administrator will provide the following contact information for FRAs and their scheme members:

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| |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Pension Fund representative for regulatory or administration queries, training, advice and guidance Client Relationship Manager or Helen Scargill and helen.scargill@wypf.org.uk |
| Finance contact to assist with the monthly returns process/ year end Finance Officer Geena Giona and geena.giona@wypf.org.uk |
| Systems contact to assist with the monthly returns process/ year end Finance Business Partner Richard Clarke and Richard.clarke@wypf.or.uk |
| Member helpline for queries pensions@wypf.org.uk or 01274 424999 |

6 Scheme manager duties and responsibilities

6.1 Discretions

As a matter of best practice, **the scheme manager shall prepare and publish a written statement on the exercise of discretions** which are available to them under each set of FPS regulations. The discretions policy will be kept under review and the revised version published within one month of the effective date.

A full list of [scheme manager discretions](#) is available.

6.2 Internal Dispute Resolution Procedure (IDRP)

If a scheme member, prospective member, dependant, or other person with an interest in the scheme, is dissatisfied with a decision made by the FRA (or the failure to make a decision) there are rights of appeal available. Each set of scheme rules contains arrangements for Internal Dispute Resolution Procedures (IDRP) based on the requirements of the Pensions Act 1995 and the Occupational Pension Schemes (Internal Dispute Resolution Procedures Consequential and Miscellaneous Amendments) Regulations 2008.

| | |
|----------------------------------------------|------------------------------------------------------|
| Firefighters' Pension Scheme 1992 (FPS 1992) | Rule H3 (as amended by SI 2013/1392) |
| Firefighters' Pension Scheme 2006 (FPS 2006) | Part 8, paragraph 5 |
| Firefighters' Pension Scheme 2015 (FPS 2015) | Regulation 163 |
| Firefighters' Compensation Scheme (FCS) | Part 6 rule 3 |

The scheme manager will nominate appropriate persons to hear each stage of the appeal and respond to the individual within the specified timescales.

The timescales for each stage are stipulated in the [IDRP factsheet](#) and must be adhered to in order to mitigate further complaint or distress to the member. Failure to comply with timescales could be construed as maladministration and attract a financial award⁴ from The Pensions Ombudsman (TPO).

The nominated decision makers for RBFA are

| | |
|---------|----------------------------------------------------------|
| Stage 1 | Becci Jefferies, Head of Learning and Development and HR |
| Stage 2 | Wayne Bowcock, Chief Fire Officer |

Guidance on IDRPs can be found here:

- [IDRP factsheet](#)
- Guidance for decision makers [pending review]
- Guidance for individuals [pending review]

6.3 The Pensions Regulator (TPR)

[TPR](#) is a public body established by the [Pensions Act 2004](#) to make sure that pension schemes within the UK are run properly and can provide secure benefits for their members upon retirement. TPR has powers to "educate, enable, and enforce", and is responsible for promoting good scheme administration. The Regulator is sponsored by the Department for Work and Pensions (DWP).

TPR's oversight of public service pension schemes, including the Firefighters' Pension Schemes, was introduced by schedule 4 of the [Public Service Pensions Act 2013](#).

The scheme manager will ensure that they are familiar with TPR's [Code of Practice 14: Governance and administration of public service pension schemes](#).⁵

Each year TPR issue two requests for information which the scheme manager and Local Pension Board (LPB) shall ensure are completed:

[Scheme return](#) – the scheme return is a statutory return which allows TPR to keep their register of workplace pension schemes up to date.

The return asks for information about what type of scheme the FPS is and how many members each employer has, as well as requesting up to date contact details.

⁴ [TPO – Redress for non-financial injustice factsheet](#)

⁵ TPR is currently consulting on a new modular code of practice which consolidates the existing codes.

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Appendix A

The return also asks schemes to provide their common and scheme specific data scores, which enables TPR to monitor continuous data improvement. Information on data scoring for the FPS is available below

[Advice on TPR data scoring 2019](#)

[Data score weighting template 2019](#)

TPR can and will take enforcement action if the scheme return is not completed.

[Governance and Administration survey](#) – scheme managers are invited to complete the annual governance and administration survey in conjunction with their LPB. Although the survey is not mandatory, participation is strongly encouraged by both TPR and the Scheme Advisory Board, so that improvements in running the FPS can be monitored and evidenced.

TPR do not take any regulatory action based on survey responses, but overall trends may inform their engagement activity with schemes.

Familiarity with [TPR's six key processes](#) will assist schemes with understanding and compliance.

One of TPR's key areas of focus is record keeping and data quality. **Scheme managers shall ensure that [data is reviewed annually](#) and that a [data improvement plan](#) is in place.**

Non-completion of either of the above requests for information may indicate wider governance failings to TPR.

6.4 Data transfer

The scheme manager will ensure that processes are in place for timely and accurate transfer of data.

Data will be transferred to the administrator electronically on a monthly basis in line with the deadlines set out in [10. Service standards](#).

Data validation and cleansing processes should be in place in accordance with TPR requirements.

6.5 Contribution bands

Banded contribution rates apply to the FPS based on a member's pensionable pay.

The scheme manager will ensure that there are processes in place to allocate members to the correct contribution band at the start of each scheme year.

Contributions are laid in legislation for each scheme and can be found on the [annual updates](#) page of the Regulations and Guidance website.

6.6 Reporting breaches

Scheme managers and pension board members have a statutory obligation to record and report breaches of the law.

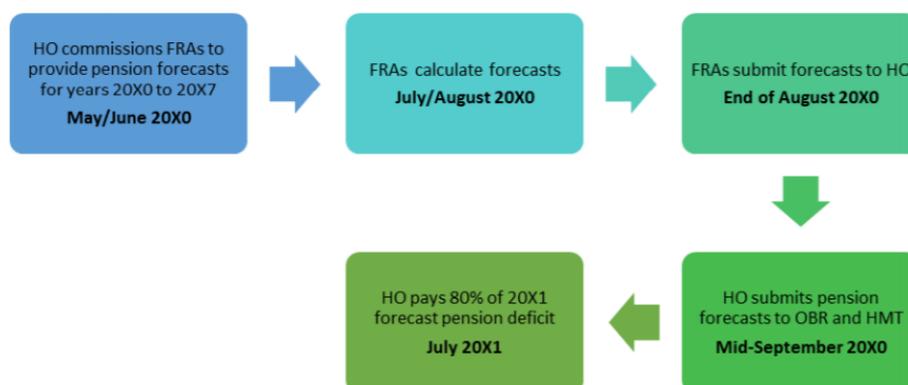
When a potential breach has been identified, the [breach assessment template](#) should be completed to assess the breach for materiality in order to determine whether it needs to be reported to TPR. This can also be stored as documentary evidence if the decision is later challenged.

Although a breach may not seem material in terms of numbers of members affected, if the same members are consistently affected, this should be considered, along with likely timescales for rectification and what action may be taken to ensure that the breach does not reoccur.

Further information about [breach recording and reporting](#) can be found in the [TPR six key processes](#) factsheet.

6.7 Top-up grant

Each year the Home Office commissions FRAs to submit pension forecasts for the following seven financial years in line with the following timescales.



The pension forecasts for the financial year following the collection are used to make an initial assessment on each fire authority's annual top up grant entitlement for that year.

The collection of accurate annual pension forecast data is critical for ensuring sufficient budget cover is secured to make pension top up grant payments to FRAs each year.

The scheme manager is responsible for ensuring this information is submitted accurately and on time in line with available guidance from the Home Office.

Full details are available in the [guide for fire authorities \(in England\) when calculating pension forecasts for the Firefighters' Pension Top Up Grant](#).

6.8 HMRC reporting

Although the scheme manager retains legal responsibility, HMRC reporting may be delegated to the administrator under the terms of the service level agreement.

Event Reporting – the scheme administrator of a registered pension scheme must tell HMRC when certain reportable events occur no later than 31 January following the end of the tax year. This is done by submitting the Event Report for a tax year.

These reportable events are split into two categories:

- reportable changes, and
- reportable fund movements.

There are 23 reportable events. [HMRC guidance on sending pension scheme reports](#) provides more information on all events that you must report.

Full details on Event Reporting can be found in [HMRC Pensions Tax Manual 161100](#).

Accounting for Tax (AFT) – the scheme administrator is liable for payment of certain tax charges in connection with the scheme. When a scheme administrator does have a tax liability, the return that the scheme administrator must complete to account for that liability is called the Accounting for Tax return.

The scheme administrator is responsible for making the AFT return and for ensuring it is correct and complete.

Please note this is not a reference to the pension administration provider. Scheme administrator in this context refers to the duties of the FRA as stated in paragraph 3, sub paragraph 2 of [2006/569](#) which confirms that references to ‘scheme administrator’ as set out in schedule 3 should be read as a reference to the sub-scheme administrator as per schedule 2, in which the FRAs are listed.

A third-party administration provider can file the AFT on behalf of the scheme administrator, but the scheme administrator remains responsible for ensuring that it is submitted on time and the contents are correct. Where a provider submits the AFT the scheme administrator should have seen and approved its content before it is submitted to HMRC. The provider must make a declaration that the scheme administrator has approved the contents before they can submit it to HMRC

Full details on AFT can be found in [HMRC Pensions Tax Manual 162100](#).

6.9 General Data Protection Regulation (GDPR)

Each FRA is a Data Controller for pension scheme data under GDPR and must determine how, and for what purposes, data is to be processed.

Resources to assist authorities in complying with their duties under the regulations are available have been made available on the following [dedicated GDPR webpage](#).

RBFA is a Data Controller as part of the Data Protection Act 2018 which incorporates the General Data Protection Regulation (GDPR). This means we store, hold and manage personal data in line with statutory requirements to enable us to provide pension administration services. To enable us to carry out our statutory duty, we are required to share information with certain bodies, but will only do so in limited circumstances. More information about how we hold data and who we share it can be found in the Authority's Privacy Notice on www.rbfrs.co.uk and <https://www.wypf.org.uk/administration/privacy-index/lgps/wypf-index/>.

6.10 Disclosure

Under the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations, **the scheme manager must provide certain information to scheme members within certain timescales.**

Please refer to the [guide to disclosure of information requirements](#) for more information.

6.11 Overriding legislation

In addition to the scheme regulations, the scheme manager will ensure compliance with any overriding legislation in force.

6.12 Audit

The FRA may commission internal and external audits in maintaining the FPS pension fund account and other pension related matters.

FRA's are expected to fully comply with any requests for information from both internal and approved external auditors, including from the administrator's auditors.

7 Administrator duties and responsibilities

7.1 The Pensions Regulator (TPR)

The administrator should ensure that they are familiar with TPR's [Code of Practice 14: Governance and administration of public service pension schemes](#)⁶.

7.2 Data standards

The administrator will ensure that suitable and secure methods of data transfer are available for the FRA to use.

Personal data will only be transferred from one party to the other via an acceptable method specified by the administrator which may include any of the following:

⁶ As noted above, TPR is consulting on a new consolidated code of practice to replace the existing codes.

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- a. ^{Appendix A} Data transfer service (Internet based application)
- b. Secure email
- c. Paper forms signed by an authorised officer from the employer
- d. Password protected excel spreadsheet

Data validation and cleansing processes should be in place in accordance with TPR requirements.

7.3 Reporting breaches

Administrators also have a statutory obligation to record and report any identified breaches of the law.

Refer to [section 6.6](#) for further details.

7.4 HMRC reporting

Although the scheme manager retains legal responsibility, HMRC reporting may be delegated to the administrator under the terms of the service level agreement.

See [section 6.8](#) for more information.

7.5 GDPR

The administrator holds personal data on behalf of the FRA, including all membership records and bank details of FPS pensioner members.

Each administrator is therefore a Data Processor for pension scheme data under GDPR and must determine how, and for what purposes, data is to be processed.

7.6 Overriding legislation

In addition to the scheme regulations, the administrator will comply with any overriding legislation in force.

7.7 Audit

WYPF is subject to an annual audit of its processes and internal controls. It is proposed that WYPF's internal audit will provide assurance to the Local Pension Board by auditing the pension administration service provided to RBFA and that a copy of the audit should be provided to RBFRS.

Any subsequent recommendations will be considered and where appropriate implemented following any necessary discussions with RBFRS.

FRA's and administrators should consult with external auditors to seek acceptance of these proposals.

RBFA commission annually an audit of the pension administrator and other audits as deemed appropriate. RBFA's auditors may require access to the data held by the administrator and explanations of the administrator's internal controls upon which RBFA relies. Therefore, the administrator also has an obligation to comply with any requests from RBFA.

7.8 Benchmarking

WYPF will periodically monitor its costs and service performance against the initial Aon report and any other benchmarking tool which may become available, to ensure that RBFA continues to receive value for money.

Results should be made available to RBFRS.

8 Performance reporting

Ensuring compliance is the responsibility of both the administrator and the FRA. Parties should work closely together to ensure compliance with all statutory requirements, whether they are specifically referenced in the regulations, in overriding legislation, or in this administration strategy.

Both employer and administrator targets will be measured on a quarterly basis against specific tasks set out in the service level agreement and these will be reported to the FRA. The FRA may choose to provide the information to their Local Pension Board.

WYPF will ensure that they are appropriately resourced to meet the service level agreement in place.

The service level agreement can be viewed [[INSERT LINK](#)].

Minimum standards for completing tasks in line with industry good practice and regulations, where applicable, are included at [Appendix 1](#). These are provided as a guide to the minimum requirements. As a matter of best practice, administrators may want to implement shorter local timescales.

A key factor in calculating the time taken to complete a process is the point at which the 'time clock' is started. This may be from the date of the relevant event or when the administrator is informed or receives all necessary information. The clock may also need to be 'paused' during the process, for example to await instruction or documentation from the member or FRA, and these waiting days can reasonably be excluded from the total time taken.

Pension administration software typically contains task-management/ work-flow modules which allow timescales to be built in.

9 Improving performance

Where areas of poor performance on either side are identified, WYPF will work closely with RBFRS to provide the opportunity for necessary training and development.

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Appropriate processes will be put in place to improve the level of service delivery.

- Initially WYPF will liaise with RBFRS setting out the area(s) of poor performance and how they can be addressed.
- Where no improvement is demonstrated or there has been a failure to take agreed action, WYPF will write to the scheme manager setting out the area(s) of poor performance that has been identified and the steps taken to resolve those area(s).
- If lack of improvement continues or there has been ongoing failure to take agreed action, WYPF will write to the Local Pension Board setting out the area(s) of poor performance that has been identified and the steps taken to resolve those area(s).

Administrators rely on timely and accurate data from the FRA. Where persistent and ongoing failure occurs and no improvement is demonstrated, WYPF will escalate this to the scheme manager and Local Pension Board as above.

Where an employer fails to operate in accordance with the standards described in this strategy, which leads to extra costs being incurred by the administrator, the administrator may issue a written notice requiring that these be met by the employer.

Any third-party costs or regulatory fines incurred by the administrator solely as a result of poor performance by the employer may also be recovered. Such costs may include fines imposed by the Pensions Ombudsman or Pensions Regulator, and additional charges in respect of actuarial or software fees, and additional printing and distribution costs.

If an administrator fails to operate in accordance with the standards described in this strategy or the service level agreement, the employer may consider whether a credit can be offset against their annual fee or any fines or additional costs should be met by the administrator.

In addition to financial penalties, both parties should consider the risk of reputational damage that may arise where a Pensions Ombudsman finding is published in the public domain and/or any fines are publicised.

These recommendations do not override the legal position and contractual relationship between the administrator and FRA.

10 Service standards

The FRA and administrator responsibilities expected in relation to member events are outlined in the table below. Minimum standards for completing each task in line with industry good practice and regulations, where applicable, are included at [Appendix 1](#).

The FRA will always retain the statutory overarching responsibility for scheme administration and management. The FRA, however, may delegate some authority via service level agreements and contractual obligations.

| Function/ task: New starters | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| FRA (RBFRS) responsibility | Payroll (Dataplan) responsibility | Administrator (WYPF) responsibility |
| <p>Ensure pension information is included in new starter documentation e.g. appointment letter, contract of employment.</p> <p>Provide starters with access to a scheme guide with their contract of employment.</p> <p>Provide new starter data to Payroll (Dataplan) and details of those that opt out of the scheme for the next available pay run.</p> <p>Where there is more than one contract of employment with the same employer, each membership shall be treated separately for the purposes of the above.</p> | <p>Ensure eligible new starters are put into the scheme from their start date.</p> <p>Provide accurate member data to the administrator on the appropriate form/via electronic interface. (within 4 weeks/ 10 working days).</p> <p>Determine the correct contribution band and rate for the member.</p> <p>Inform the administrator of any eligible employees subject to automatic entry, who opt out of the scheme within three months of joining.</p> <p>Process payroll refunds for these members.</p> | <p>Create accurate member records on the pensions administration system following notification of a new entrant to the scheme.</p> <p>Provide new members with confirmation of joining (within 6 weeks of notification).</p> |

| Function/ task: Change in circumstances (active members) | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|
| FRA (RBFRS) responsibility | Payroll (Dataplan) responsibility | Administrator (WYPF) responsibility |
| <p>Inform Payroll (Dataplan) acting under the administrator direction of all material changes in circumstance on the appropriate form/via electronic interface (within 4 weeks)</p> | <p>Make amendments to payroll as instructed by FRA and inform WYPF of the changes within specified time limits and via the correct form/interface</p> | <p>Accurately update member records on the pensions administration system.</p> |

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Appendix A

| | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <p>Changes may include but not limited to:</p> <p>Personal information:</p> <ul style="list-style-type: none"> • Change of name or address • Marital status • National insurance number <p>Conditions of employment affecting pension such as:</p> <ul style="list-style-type: none"> • Contractual hours • Changes in pay • Contribution rate • Periods of reduced pay or unpaid absence | <p>During periods of reduced or nil pay as a result of sickness, injury or relevant child related leave (i.e. ordinary maternity, paternity or adoption leave or paid shared parental leave and any paid additional maternity or adoption leave) assumed pensionable pay should be applied for pension purposes.</p> <p>N.B. As an increase in pay may cause a member to exceed their Annual Allowance, the administrator must be informed of:</p> <ul style="list-style-type: none"> • Promotions • Additional allowances | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|

| Function/ task: Annual return, Valuation, | Annual Benefit Statements (ABS) | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| FRA (RBFRS) responsibility | Payroll (Dataplan) responsibility | Administrator (WYPF) responsibility |
| <p>Ensure Payroll (Dataplan) has all necessary, current and accurate data to maintain payroll records.</p> <p>Ensure Payroll (Dataplan) provide Year End information to WYPF, no later than the date it is required and in the correct format</p> <p>Liaise and monitor Payroll (Dataplan) responses to Year End data submission and</p> | <p>Ensure the administrator receives accurate year to date information to 31 March by 30 April each year or by other date confirmed by WYPF</p> <p>Provide the administrator with details of all CPD, temporary payments deemed pensionable and details of any temporary promotions</p> | <p>Process employer year end returns by 31 July or by other date specified by WYPF.</p> <p>Produce ABS for all active members by 31 August.</p> <p>Highlight if an individual has exceeded their annual allowance and issue a pensions saving statement by 6 October.</p> <p>Produce ABS for all deferred members in accordance with legislative deadlines (no</p> |

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Appendix A

| | | |
|----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>rectification and response to errors.</p> | <p>from 1 July previous year to 30 June current year by 31 July to enable the appropriate APB to be calculated and awarded.</p> <p>Provide any additional information that may be requested to produce ABS for service up until the 31 March in each particular year by 31 July.</p> <p>Provide the administrator with up to date and correct information as and when requested in accordance with agreed timescales and the regulations.</p> <p>Ensure that all errors highlighted from the annual contribution and pensionable pay posting exercise are responded to and corrective action taken promptly.</p> | <p>information from employers is required).</p> <p>Provide data to the scheme actuary to carry out the 4-year valuation of the scheme.</p> <p>Completion of GAD information for IAS19 purposes</p> |
|----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

| Function/ task: Estimates | (Retirements/ Transfers) | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| FRA (RBFRS) responsibility | Payroll (Dataplan) responsibility | Administrator (WYPF) responsibility |
| <p>Determine reason for estimate and date of estimate and provide data to Dataplan.</p> <p>Direct members to any available online self-service facility.</p> | <p>Provide fully completed request including pay and other relevant information to the administrator</p> | <p>Issue individual quotations/information after all information required to process a quotation has been received within 10 working days.</p> <p>Provide information to the scheme member on any</p> |

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| | | <p>potential transfer in of benefits once all information required to process the quotation has been received (transfer estimate from other pension provider, contracting out, salary details etc).</p> <p>Maintain and promote any available self-service facility which allows members to view their pension information online.</p> |
| Function/ task: Estimates (Divorce) | | |
| FRA (RBFRS) responsibility | Payroll (Dataplan) responsibility | Administrator (WYPF) responsibility |
| Provide Payroll (Dataplan) with details of retirement, date and reason etc | Provide fully completed request in order to support meeting legislative time limits, including pay and other relevant information to the administrator. | Issue divorce information including the CETV within legislation timelines on receipt of the request from the member or the Court. |

| | | |
|----------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Function/ task: Retirements | | |
| FRA (RBFRS) responsibility | Payroll (Dataplan) responsibility | Administrator (WYPF) responsibility |
| Provide Payroll (Dataplan) with details of retirement, date and reason etc | <p>Submit the relevant, fully completed retirement form to the administrator as soon as the information is available.</p> <p>On request, provide the calculation of final pensionable pay so that the accuracy of the pay figure can be checked.</p> | <p>Return any form appearing to be incorrect to the FRA for amendment as soon as reasonably possible.</p> <p>Issue an initial offer letter and benefit information to the member on receiving the correct completed form.</p> <p>Issue a letter confirming actual retirement benefits within 10 working days of receiving completed documentation from the member.</p> <p>Make payment of any lump sum within 10 working days of receiving all relevant completed forms and proof of</p> |

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| | | <p>identity from the member, or on the retirement date if this is later.</p> <p>Make monthly pension payments on the relevant payment date of each month following retirement, including any arrears due. Payment dates may be adjusted to weekends and bank holidays.</p> |
| Function/ task: Retirements – ill-health | | |
| FRA (RBFRS) responsibility | Payroll (Dataplan) responsibility | Administrator (Delegated or Contractual) responsibility |
| <p>Determine whether the member is entitled an ill-health award after obtaining a medical opinion from an Independent Qualified Medical Practitioner (IQMP) on the relevant scheme certificate and if so, which tier – upper or lower.</p> <p>Provide ill health retirement information to Dataplan, including date of retirement and tier.</p> <p>Provide a copy of the IQMP certificate to WYPF</p> <p>Conduct ill-health reviews at the appropriate intervals as specified in the scheme regulations and notify the administrator of any changes.</p> | <p>Submit the relevant, fully completed retirement form to the administrator as soon as the information is available and confirm the relevant tier.</p> <p>On request, provide the calculation of final pensionable pay so that the accuracy of the pay figure can be checked.</p> <p>Make the appropriate payment into the notional pension fund:</p> <p>2 x final pay for lower tier 4 x final pay for upper tier</p> | <p>Calculate and pay the required benefit in line with the above timescales.</p> <p>Review Injury Award pensions on an annual basis to ensure the correct DWP deductible benefits have been taken into account if this falls within the SLA. Commencing in February and completing by end of April in each year</p> <p>Review Injury Award pensions on an annual basis to ensure the correct DWP deductible benefits have been taken into account.</p> |

| | | |
|----------------------------------------------------------------------|------------------------------------------|--------------------------------------------|
| Function/ task: Leaving before retirement – deferred benefits | | |
| FRA (RBFRS) responsibility | Payroll (Dataplan) responsibility | Administrator (WYPF) responsibility |
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| <p>Notify the Payroll (Dataplan) using the relevant leaver form, ensuring all information is accurately provided, within 4 weeks of the member's date of leaving.</p> <p>N.B. This includes members opting out with more than three months' service.</p> | <p>Notify WYPF of leaver information</p> <p>Pay any refunds due within 10 working days or in next subsequent pay period of notification from the FRA/Administrator.</p> | <p>Accurately update member records on the pensions administration system.</p> <p>Notify the member of their deferred benefit entitlement within 2 months of date of leaving or of receiving correctly completed leaver form.</p> <p>Calculate a refund to an eligible member within 10 working days of receiving all relevant documentation and notify the employer.</p> <p>Issue one transfer-out quotation, guaranteed for 3 months, within 10 working days of receiving all the information required.</p> <p>Pay any transfer payment due within 10 working days of notification.</p> <p>Notify the employer of the amount to pay for transfer-out in monthly return.</p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

| Function/ task: Members with deferred benefits | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| FRA (RBFRS) responsibility | Payroll (Dataplan) responsibility | Administrator (WYPF) responsibility |
| <p>Following an application from a former member to have their deferred benefits paid early in ill-health grounds, obtain a medical opinion from an IQMP on the relevant certificate, and determine whether the member is eligible.</p> <p>Submit the relevant, fully completed form to Administrator (WYPF) and provide them with a copy of the IQMP certificate.</p> | <p>Keep adequate records for deferred (former employees) members in case of a request for early payment.</p> <p>Provide details to FRA or WYPF upon request.</p> | <p>Accurately update member records on the pensions administration system.</p> <p>Provide each deferred member with an annual statement of benefits, updated by the pensions increase award when applicable.</p> <p>Calculate and pay required benefits in line with the above timescales for retirement.</p> |

| Function/ task: Death in service | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| FRA (RBFRS) responsibility | Payroll (Dataplan) responsibility | Administrator (WYPF) responsibility |
| <p>Inform the Administrator (WYPF) and Payroll (Dataplan) immediately following the death of a member using the appropriate means, providing details of the next of kin if known.</p> | <p>Provide WYPF (or FRA) with pensionable pay details</p> | <p>Administrator (WYPF) to contact personal representative within 2 working days of death notification.</p> <p>Send an acknowledgement letter to the next of kin within 5 working days of notification of death.</p> <p>Provide a letter to dependants confirming the benefits payable within 5 working days of receiving all certificates, proof of identity, and relevant completed forms.</p> <p>Assist the FRA and the next of kin by ensuring that benefit options and payments are expedited in an appropriate and compassionate manner.</p> <p>Review children's pensions at age 18 or annually if continue in full time education to age 23.</p> <p>Pay any death grant due within 5 working days from receipt of all relevant information.</p> |
| Function/ task: Death of pensioner | | |
| FRA (RBFRS) responsibility | Payroll (Dataplan) responsibility | Administrator (WYPF) responsibility |
| <p>Where the FRA is made aware of the death of retired member, ensure that the administrator has been notified of the death to avoid overpayment of pension.</p> | | <p>Administrator (WYPF) to contact personal representative within 2 working days of death notification.</p> <p>Send an acknowledgement letter to the next of kin within 5 working days of notification of death.</p> <p>Where the administrator is made aware of the death of a retired</p> |

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| | | <p>member, ensure the employer has been notified of the death to enable records to be updated accordingly.</p> <p>Assist the FRA and the next of kin by ensuring that benefit options and payments are expedited in an appropriate and compassionate manner.</p> |
|--|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

| Function/ task: Purchase of added pension | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| FRA (RBFRS) responsibility | Payroll (Dataplan) responsibility | Administrator (WYPF) responsibility |
| <p>Provide member with factsheet and quotation form on request. Form to be returned to the Administrator (WYPF).</p> <p>Arrange payroll deductions as advised by Administrator (WYPF).</p> | <p>Facilitate payroll deductions upon instruction.</p> | <p>Provide quote and election form to member within 20 working days of receipt of completed request.</p> <p>Advise employer of start date of contract and deductions from pay.</p> <p>Maintain a record of additional pension contracts.</p> <p>Pay the relevant benefits alongside main scheme benefits at retirement/ transfer-out.</p> |

11 Local Pension Board responsibilities

Local Pension Boards were required to be established by the 1 April 2015 under the provisions of [Section 5 of the Public Service Pensions Act 2013](#) and regulation 4A of [The Firefighters' Pension Scheme \(Amendment\) \(Governance\) Regulations 2015](#).

The regulations state that each FRA must have an equal number of employer and member representatives, with a minimum of four members in total. Members are expected to have a sufficient degree of knowledge and understanding of the pension scheme to allow them to fulfil their role, which is to assist the scheme manager in complying with the pension scheme rules.

The LGA Bluelight pensions team can provide annual [training](#) for boards at a local or regional level. TPR also offers a series of courses on the [Public Service toolkit](#), to help those involved in scheme governance to improve their knowledge.

The Firefighter’s Pensions (England) Scheme Advisory Board (SAB) website holds a range of [resources](#) that have been developed to facilitate the effective running of Local Pension Boards.

Appendix 1. Standard timescales

Minimum standards for completing tasks in line with industry good practice and regulations, where applicable. These are provided as a guide to the minimum requirements. Any tasks with statutory deadlines have been flagged. As a matter of best practice, administrators may want to implement shorter local timescales.

Please see [8 Performance reporting](#) for more information.

The SLA measure will be periodically reviewed and local arrangements between the FRA and administrator and in line with SLAs will override any suggested standard timescales.

| Work-flow/ task | Standard (working days) | Statutory |
|------------------------------------------------------------------|------------------------------------|-----------|
| Respond to queries from scheme members or the FRA/ administrator | 5 days | No |
| New starters processed | 10 days | 2 months |
| Changes in details processed | 10 days | No |
| Active ABS issued | 31 August (where year-end on time) | Yes |
| Deferred ABS issued | 31 August | Yes |
| Year-end queries to FRA | 1 month | No |
| Pension saving statements | 6 October | Yes |
| Retirement estimates | 10 days | No |
| Divorce estimates | 10 days | 3 months |
| Transfers in | 15 days | 2 months |
| Transfer out estimates | 10 days | 3 months |
| Transfers out | 10 days | 6 months |
| Refunds paid | 5 days | 2 months |
| Deferred benefits calculated | 2 months | Yes |

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|-------------------------------------------|------------------------------------------|----------|
| Retirement options sent | 5 days | 2 months |
| Retirement benefits processed for payment | 5 days (or by retirement date if sooner) | No |
| Deferred benefits paid | 5 days | No |
| Death notification processed | 5 days | 2 months |
| Dependants benefits paid | 5 days | No |
| Death grant paid | 5 days | No |
| Retirement lump sum paid | 5 days | No |
| Payments recalled due to death | 12pm day before payroll | No |
| Changes to bank details | Payroll cut off | No |

Appendix 2. Template governance policy statement

Royal Berkshire Fire Authority FPS governance policy statement

Brief details of Firefighters' Pension Scheme (FPS) governance arrangements within Royal Berkshire Fire Authority

With effect from 19 December 2022.

The Public Service Pensions Act 2013 set out new governance arrangements for all public service schemes with effect from 1 April 2015, including the requirement for each public service scheme to have a **scheme manager** and a **Local Pension Board** in place.

Scheme manager

The term scheme manager is defined in law as the person responsible for **managing and administering** a pension scheme. The Firefighters' Pension Scheme (FPS) Governance Regulations provide that for the FPS, the scheme manager is the appropriate Fire and Rescue Authority⁷.

Therefore, for the FPS in Royal Berkshire Fire and Rescue Service, Royal Berkshire Fire Authority is the scheme manager.

The scheme manager function may be delegated within the authority⁸.

Royal Berkshire Fire Authority has delegated the function to Wayne Bowcock, Chief Fire

⁷ <https://www.legislation.gov.uk/ukxi/2014/2848/regulation/4/made>

⁸ <https://www.legislation.gov.uk/ukxi/2014/2848/regulation/5/made>

Local Pension Board

The FPS Local Pension Board (“the Board”) was established from April 2015 by Royal Berkshire Fire Authority at its meeting held on 23 February 2015.

The terms, structure and operational procedures of the Board are set out in the Board’s Terms of Reference [\[INSERT HYPERLINK\]](#).

The role of the Board is to assist Royal Berkshire Fire Authority as scheme manager⁹:

- to secure compliance with the FPS Regulations and any other legislation relating to the governance and administration of the Scheme, and requirements imposed in relation to the FPS by the Pensions Regulator; and
- to ensure the effective and efficient governance and administration of the FPS.

The Board provides oversight of these matters and, accordingly, it is not a decision-making body in relation to the management or administration of the FPS but makes recommendations to assist in such management.

Governance objectives

- To ensure robust governance arrangements are in place to facilitate informed decision making supported by appropriate advice, policies and strategies;
- To ensure the FPS is administered and its services delivered by people who have the appropriate knowledge and expertise;
- To ensure compliance with all appropriate legislation and statutory guidance, and to act in the spirit of other relevant guidelines and best practice guidance; and
- To identify and manage potential and actual conflicts of interest.

⁹ <https://www.legislation.gov.uk/ukxi/2015/465/regulation/4/made>

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ROYAL BERKSHIRE FIRE AUTHORITY REPORT

| | |
|---------------------------|------------------------------------------------------------------------------|
| COMMITTEE | FIRE AUTHORITY |
| DATE OF MEETING | 19 DECEMBER 2022 |
| SUBJECT | RBFA FIREFIGHTERS' PENSION SCHEME – DISCRETION STATEMENTS |
| LEAD OFFICER | BECCI JEFFERIES, HEAD OF HUMAN RESOURCES AND LEARNING AND DEVELOPMENT |
| LEAD MEMBER | N/A |
| EXEMPT INFORMATION | NONE |
| ACTION | FOR DECISION |

1. EXECUTIVE SUMMARY

- 1.1 In November 2021 The Pensions Ombudsman partially upheld a case (determination PO-25374), concerning itself with the abatement of a retired firefighter's pension on re-employment. The Ombudsman determined that the application of a blanket policy could be potentially unfair and the fire and rescue authority did not follow a reasonable process when exercising the discretion under the applicable rule and making the decision to abate the pension.
- 1.2 This case has necessitated a review of the scheme manager discretions as contained within the Firefighters' Pension Scheme (England) Regulations 2014, the Firemen's Pension Scheme Order 1992 and the Firefighters' Pension Scheme (England) Order 2006 and the Fire Authority's approval of the revised discretions is sought.

2. RECOMMENDATION

That Fire Authority is invited to:

- 2.1 **APPROVE** the Firefighters' Pension Scheme (England) 2015 Scheme Manager Discretions Statement (Appendix A); and
- 2.2 **APPROVE** the Firemen's Pension Scheme Order 1992 Scheme Manager Discretions Statement (Appendix B); and

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- 2.3 **APPROVE** the Firefighters' Pension Scheme (England) Order 2006 Scheme Manager Discretions Statement (Appendix C)

REPORT

- 3.1 In November 2021 The Pensions Ombudsman (TPO) partly upheld a complaint about abatement (see determination PO-25374 https://www.pensions-ombudsman.org.uk/sites/default/files/decisions/PO-25374_0.pdf). The report presented to the Fire Authority on 30 June 2022 provides background information in relation to abatement and an example of consideration of the application of policy related to a particular set of circumstances.
- 3.2 In this case (PO-25374), the FRA identified that a pensioner should have been abated on re-employment but wasn't and, as a result, an over payment of pension occurred which the FRA sought to recover. The member challenged this as they believed the FRA had a duty of care to alert them at the outset that their pension would be abated.
- 3.3 The complaint was partially upheld. The Ombudsman determined that the FRA did not have an additional duty of care other than to provide factually correct information. The complaint was upheld to the extent that the FRA did not follow a reasonable process when exercising the discretion under the applicable rule and making the decision to abate the pension.
- 3.4 The Local Government Association (LGA) sought a view from the Scheme Advisory Board's legal adviser who agreed the determination was supported by case law on exercising discretions and the process should be followed.
- 3.5 A blanket application of a policy position can be potentially unfair and as such cases should be considered on their merit. To support effective management and governance, officers have reviewed the pension discretions across the three Firefighter Pension Schemes set out in Appendices A- C attached.
- 3.6 The discretions are contained within the Firefighters' Pension Scheme (England) Regulations 2014, the Firemen's Pension Scheme Order 1992 and the Firefighters' Pension Scheme (England) Order 2006.
- 3.7 Whilst the Firefighter Pension Scheme Order 1992 and Firefighters' Pension Scheme (England) Order 2006 are closed schemes, advice from the LGA is that it is good practice to provide a statement of the Scheme Manager's position on each as there could be occasions where they may be called upon. The discretion related to abatement has been amended as a result of the TPO determination. In relation to discretions that can no longer be applied to a member of a closed scheme e.g. break in service (career break), the discretion has been update to reflect it is no longer applicable. With effect from 1 April 2022, staff who are currently employed can only be a member of the Firefighters Pension Scheme 2015.
- 3.8 As the FRA as scheme manager has responsibility for both administering and managing the scheme, the revised discretions are presented to the Fire Authority for approval.
- 3.9 The local Pension Board has been consulted on the revised discretions.

- 3.10 Subject to agreement by the Fire Authority, officers will ensure that administrative processes are established to manage and record decisions related to the exercise of these discretions.

4. CONTRIBUTION TO STRATEGIC COMMITMENTS

- 4.1 Commitment 6 – We will work with Central Government and key stakeholders in the interests of the people of Royal Berkshire.

5. FINANCIAL IMPLICATIONS

- 5.1 There may be financial implications arising from decisions made in individual cases where a discretion is applied e.g. the payment of employer contributions or a determination that abatement should not apply. It is not possible to identify these as they will relate to the individual circumstances.

- 5.2 Failure to adequately administer and manage pension schemes can result in The Pension Regulator taking enforcement action which could include the issuing of a compliance notice, a penalty notice, fine or even prosecution.

6. LEGAL IMPLICATIONS

- 6.1 Royal Berkshire Fire Authority is defined in law as the scheme manager and is therefore responsible for the management and administration of the Firefighters' Pensions Schemes for scheme members employed by the Royal Berkshire Fire and Rescue Service. Although the scheme manager function can be delegated within the authority, Royal Berkshire Fire Authority retains legal responsibility for the scheme.

- 6.2 Failure to adequately administer and manage pension schemes can result in The Pension Regulator taking enforcement action which could include the issuing of a compliance notice, a penalty notice, fine or even prosecution.

7. EQUALITY, DIVERSITY AND INCLUSION IMPLICATIONS

- 7.1 The public sector equality duty requires public bodies to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010. In considering the application of a discretion RBFRS will need to evidence that regard has been given as to whether any exceptional circumstances apply.

8. RISK IMPLICATIONS

- 8.1 The amended discretions set out in the scheme manager discretion statements appended to this report follows the Pension Ombudsman determination in PO-25374 and support consideration of cases on their merit reducing the risk of enforcement action.

- 8.2 Whilst the local Pension Board do not get involved in individual cases, they will be able to review and satisfy the Authority that appropriate processes have been established and are being followed. An annual report to the Fire Authority's Audit and Governance Committee is provided with observations on performance and identification of any breaches.

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9. CONSISTENCY WITH DUTY TO COLLABORATE

- 9.1 Officers regular meet with other fire and rescue services across the sector to prepare for and respond to changes in legislation and developments in the administration requirements for firefighter pension schemes.

10. PRINCIPAL CONSULTATION

- 10.1 The Chief Fire Officer/ Chief Executive has been consulted on the contents of this paper.
- 10.2 The Monitoring Officer has been consulted on the contents of this paper.
- 10.3 The Chief Finance Officer has been consulted on the contents of this paper.

11 BACKGROUND PAPERS

- 11.1 The Pension Ombudsman determination: https://www.pensions-ombudsman.org.uk/sites/default/files/decisions/PO-25374_0.pdf
- 11.2 Local Government Association – Scheme Manager Guidance 8 January 2019
- 11.3 Report to the Fire Authority – Firefighters’ Pension Scheme 1992 Discretion on Abatement - 30 June 2022

12 APPENDICES

- 12.1 Appendix A – RBFA The Firefighters’ Pension Scheme (England) 2015 Scheme Manager Discretions Statement
- 12.2 Appendix B – RBFA The Firemen’s Pension Scheme Order 1992 Scheme Manager Discretions Statement
- 12.3 Appendix C – RBFA The Firefighters’ Pension Scheme (England) Order 2006 Scheme Manager Discretions Statement

13 CONTACT DETAILS

- 13.1 Becci Jefferies, Head of HR and Learning and Development 07776 225975

Appendix A

Appendix A**ROYAL BERKSHIRE FIRE AUTHORITY FIREFIGHTERS
PENSION SCHEME (ENGLAND) 2015 SCHEME MANAGER
DISCRETIONS STATEMENT**

The scheme manager known as Royal Berkshire Fire and Rescue Authority has prepared this written statement of policy in relation to its exercise of certain discretionary functions available under the Firefighters' Pension Scheme (England) Regulations 2014. The scheme manager declares that it will keep this statement under review and publish the statement (and any amendments made thereto) in a place that is easily accessible to all of its eligible scheme members and that it will provide to the pensions administrator the most up to date version of the statement at all times.

The Firefighters' Pension Scheme (England) Regulations 2014 Part 2 - Power to Delegate**Delegation (Regulation 5)**

The scheme manager must ensure that delegated powers are appropriate and current. [Regulation 5 (2)]

Scheme Manager Determination

The scheme of delegation to officers approved by the Authority states that the Chief Fire Officer is fully empowered to exercise the powers of the Authority under the Firefighters' Pension Schemes.

The Firefighters' Pension Scheme (England) Regulations 2014 Part 3 Chapter 2 Pensionable Service**Opting into this scheme (Regulation 12)**

An optant-in will become an active member of the scheme with effect from the beginning of the first pay period following the date on which the option is exercised. There is an option for the scheme manager to vary the date on which the person becomes an active member, to such other time as the scheme manager considers appropriate. [Regulation 12 (5)]

Scheme Manager Determination

The scheme manager has resolved that an optant-in will become an active member of the scheme with effect from the beginning of the first pay period following the date on which the option is exercised.

The Firefighters' Pension Scheme (England) Regulations 2014 Part 3 Chapter 2 Pensionable Service**Opting out after the first three months (Regulation 16)**

An optant-out ceases to be in pensionable service with effect from the first day of the first pay period following the date on which the option is exercised. If the scheme manager considers that day to be inappropriate, it may vary the date to the first day of any later pay period as the scheme manager does consider appropriate. [Regulation 16(2) (b)]

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Scheme Manager Determination

The scheme manager has resolved that an optant-out will cease to be an active member of the scheme with effect from the first day of the first pay period following the date on which the option is exercised

**Firefighters' Pension Scheme (England) Regulations 2014 Part 3 Chapter 3
Pensionable Pay**

Pensionable Pay (Regulation 17)

The scheme manager has discretion to determine if continual professional development payments are to be treated as pensionable pay. [Regulation 17 (1) (d)]

Scheme Manager Determination

The Scheme Manager has determined that Continual Professional Development payments will be treated as pensionable in the 2015 scheme, and therefore will be included in the calculation of pensionable pay.

**Firefighters' Pension Scheme (England) Regulations 2014 Part 3 Chapter 4
Membership**

Active membership (Regulation 19)

A person who is on unpaid authorised absence can count the period as active membership if the scheme manager permits them to be treated as an active member during that period. (This Regulation links to Regulation 111(4) and subject to the member paying the appropriate contributions.) [Regulation 19(c)]

Scheme Manager Determination

During a period of unpaid authorised absence the scheme manager will determine on a case by case basis if the member is to be treated as active in the scheme during that period, if this is permitted this will be subject to the member paying the appropriate contributions in order to be considered active in the scheme.

**Firefighters' Pension Scheme (England) Regulations 2014 Part 4 Chapter 4
Pension Accounts : General**

Establishment of pension accounts: general (Regulation 28)

The scheme manager must establish and maintain pension accounts for scheme members, but they may be kept in such form as the scheme manager considers appropriate. [Regulation 28 (2)]

Scheme Manager Determination

The scheme manager has resolved to ensure that pension accounts for scheme members will be kept in accordance with pension's regulations.

**Firefighters' Pension Scheme (England) Regulations 2014 Part 4 Chapter 5
Closure and re-establishment of active member's account (Regulation 37)**

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If a member has more than two active member's account and ceases pensionable service with less than three months' qualifying service in respect of one account, that account must be closed and benefits aggregated with one of the others; the member may select which one. If the member fails to choose, the scheme manager has discretion to choose.

Scheme Manager Determination

The scheme manager has resolved to assert this discretion as part of standard pension's administration practice.

Firefighters' Pension Scheme (England) Regulations 2014 Part 4 Chapter 7

Closure of deferred member's account after gap in pensionable service not exceeding five years (Regulation 49)

If a deferred member re-enters pensionable employment after a gap of five years or less, the scheme manager must close the deferred member's account and re-establish the active member's account, transferring entries from the deferred account. If the person had more than one relevant deferred member's account, they must select – within three months of re-entering scheme employment - which one should close. If they fail to make a selection, the scheme manager must make the choice for them.

Scheme Manager Determination

The scheme manager has resolved to assert this discretion as part of standard pension's administration practice.

Firefighters' Pension Scheme (England) Regulations 2014 Part 5 Chapter 2 Retirement Benefits

Employer initiated retirement (Regulation 62)

An employer can determine that an active member age 55 or over but under age 60 who on the grounds of business efficiency is dismissed or has their employment terminated by mutual consent, can receive immediate payment of retirement pension without the early payment reduction. An employer may only use this discretion if the employer determines that a retirement pension awarded on this basis would assist the economical, effective and efficient management of its functions having taken account of the costs likely to be incurred in the particular case.

Scheme Manager Determination

The scheme manager has resolved to adopt this discretion on a case by case basis subject to financial, legal, economical and organisational restrictions.

Firefighters' Pension Scheme (England) Regulations 2014 Part 5 Chapter 3 Partial retirement benefits

Exercise of partial retirement (Regulation 63)

An active member aged at least 55 who would be entitled to immediate payment of pension if they leave pensionable service and who claims payment of the pension,

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 may opt to claim the whole of their accrued pension but continue in pensionable service. The person concerned must give appropriate notice to the scheme manager and the partial retirement option is taken to be exercised on a date agreed between the member and the scheme manager.

Scheme Manager Determination

The scheme manager has resolved to assert this discretion as part of standard pension's administration practice and delegates the action to the Pensions Administrator to agree partial retirement dates on a case by case basis in line with regulation 63

Firefighters' Pension Scheme (England) Regulations 2014 Part 5 Chapter 4 III –Health benefits

Review of ill health award or early payment of retirement pension (Regulation 68)

The scheme manager must have a policy for reviewing, at such intervals as it considers appropriate, the award of ill-health pensions where the recipient is under deferred pension age and has been receiving the award for less than 10 years, and for reviewing the early payment of deferred pensions on ill-health grounds for so long as the recipient is below deferred pension age.

Scheme Manager Determination

The scheme manager has resolved to determine, in line with regulation 68, ill-health awards are reviewed as detailed within the Independent Qualified Medical Practitioner (IQMP) ill-health report for the member.

Firefighters' Pension Scheme (England) Regulations 2014 Part 5 Chapter 4 III–Health benefits

Consequences of review (Regulation 69)

If, following the review of a lower tier ill-health pension under Regulation 68, the scheme manager determines that the recipient is capable of performing the duties appropriate to the role from which the person retired on grounds of ill-health; the employer must consider whether or not to make an offer of re-employment.

Scheme Manager Determination

The scheme manager has resolved to assert this discretion subject to the individual being capable of undertaking the role, on a case by case basis.

Firefighters' Pension Scheme (England) Regulations 2014 Part 5 Chapter 5 Payment of retirement benefits

Commencement of pensions (Regulations 70)

If a deferred member requests, and is entitled to, the early payment of retirement pension on grounds of ill-health, the scheme manager must determine the date of payment as being the date on which the person became incapable of undertaking

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regular employment because of infirmity of mind or body or, if that date cannot be ascertained, the date of the member's request for early payment.

Scheme Manager Determination

The scheme manager has resolved to assert this discretion as part of standard pension's administration practice and delegates the action to the employer to agree the date of payment on a case by case basis in line with regulation 70

If a deferred member requests deferral of payment of a deferred pension beyond deferred pension age, or requests early payment with an early payment reduction before deferred pension age, the scheme manager will decide the payment date after the claim for payment has been made.

Scheme Manager Determination

The scheme manager has resolved to assert this discretion as part of standard pension's administration practice and delegates the action to the employer to agree the date of payment on a case by case basis in line with regulation 70

**Firefighters' Pension Scheme (England) Regulations 2014 Part 5 Chapter 6
Allocation of part of pension**

Allocation election (Regulation 72)

The scheme manager must give consent for the allocation of a portion of pension to a dependant who is not the spouse, civil partner or cohabiting partner of an active or deferred member. (Consent can be withheld if the scheme manager is not satisfied that the person nominated is not substantially dependent of the active member).

Scheme Manager Determination

The scheme manager has resolved to assert this discretion on a case by case basis.

**Firefighters' Pension Scheme (England) Regulations 2014 Part 5 Chapter 6
Allocation of part of pension**

Adjustment of allocation benefit (Regulation 75)

If a member who has made an allocation election dies after reaching age 75, and the amount of allocated pension does not qualify as a dependant's scheme pension under section 167 of the Finance Act 2004 (pension death benefit rules), the amount may be adjusted in a manner determined by the scheme manager.

Scheme Manager Determination

The scheme manager has resolved to assert this discretion on a case by case basis.

**Firefighters' Pension Scheme (England) Regulations 2014 Part 6 Chapter 1
Interpretation**

Meaning of "surviving partner" (Regulation 76)

A cohabiting partner may be considered a "surviving partner" and potentially qualify for a pension provided they meet certain conditions, one of which is that they must

Appendix A
have been in a "long-term relationship" – a continuous period of at least two years – at the date at which entitlement needs to be considered. The scheme manager has discretion to allow the person to qualify where the period is less than two years.

Scheme Manager Determination

The scheme manager has resolved to assert this discretion on a case by case basis.

**Firefighters' Pension Scheme (England) Regulations 2014 Part 6 Chapter 4
Lump sum death benefits**

Person to whom lump sum death benefit payable (Regulation 95)

The scheme manager has absolute discretion as to the recipient of any lump sum death benefit payable.

Scheme Manager Determination

The scheme manager has resolved to assert the discretion on a case by case basis.

**Firefighters' Pension Scheme (England) Regulations 2014 Part 6 Chapter 5
Payment of death benefits**

Payment of pensions under Part 6 "Death Benefits" (Regulation 100)

If a child's pension is due in respect of an eligible child under age 18, the scheme manager will determine to whom it should be paid and will give directions to that person as to how the payment should be applied for the eligible child's benefit.

Scheme Manager Determination

The scheme manager has resolved to assert the discretion on a case by case basis.

**Firefighters' Pension Scheme (England) Regulations 2014 Part 6 Chapter 5
Payment of death benefits**

Surviving partner's pensions and eligible child's pensions: suspension and recovery (Regulation 101)

A scheme manager has the right to cease paying a surviving partner's pension and/or eligible child's pension and recover any payment made in respect of a pension where it appears to the scheme manager that the recipient made a false declaration, or deliberately suppressed a material fact in connection with the award. (This does not affect the scheme manager's right to recover a payment or overpayment under any other provision where the scheme manager considers it appropriate to do so.)

Scheme Manager Determination

The scheme manager has resolved to assert the discretion on a case by case basis.

Firefighters' Pension Scheme (England) Regulations 2014 Part 6 Chapter 5 Payment of death benefits

Provisional awards of eligible child's pensions: later adjustments (Regulation 102)

If children's pensions have been made to certain persons on the basis that they were eligible children and there were no others, and subsequently it appears that any of those children were not eligible, or there was a further eligible child to whom no payment has been made, or that a child born after the member's death is an eligible child, the scheme manager has discretion to adjust the amount of pensions as required in view of the facts as they subsequently appear. The adjustments may be made retrospectively. (This does not affect the scheme manager's right to recover a payment or overpayment under any other provision where the scheme manager considers it appropriate to do so).

Scheme Manager Determination

The scheme manager has resolved to assert the discretion on a case by case basis.

Firefighters' Pension Scheme (England) Regulations 2014 Part 6 Chapter 5 Payment of death benefits

Adjustment of benefits to comply with Finance Act (FA) 2004 where members die over 75 (Regulation 104)

If a member dies after reaching age 75 and any part of a pension to which a person becomes entitled on the death would not qualify as a dependant's scheme pension for the purposes of section 167 of the Finance Act 2004 (the pension death benefit rules), the scheme manager has discretion to adjust the benefit payable to the person so that it would qualify under that section of the Act.

Scheme Manager Determination

The scheme manager has resolved to assert the discretion on a case by case basis.

Firefighters' Pension Scheme (England) Regulations 2014 Part 8 Chapter 1 Member Contributions

Member contributions (Regulation 110)

Where there is a change in scheme employment or a material change which affects the member's pensionable pay in the course of a financial year and the revised amount falls into a different contribution rate band, the scheme manager must determine that this rate should be applied and inform the member of the new contribution rate and the date from which it is to be applied.

Scheme Manager Determination

The scheme manager has resolved to determine an individual's contribution rate on a case by case basis. All rates will be published via the intranet and any changes to these rates will be brought to the attention of all members. Pay slips will show the individual contribution rate in payment at each pay period.

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Member contributions (Regulation 110)

When identifying the appropriate contribution rate, a reduction in pay in certain circumstances as listed in Regulation 110 are to be disregarded. In addition, the scheme manager can specify the circumstances in a particular case where a reduction in pensionable pay will be disregarded

Scheme Manager Determination

The scheme manager has resolved to determine any additional circumstances where a reduction in pensionable pay will be disregarded on a case by case basis in line with Regulation 110.

**Firefighters' Pension Scheme (England) Regulations 2014 Part 8 Chapter 1
Member Contributions**

Contributions during absence from work due to illness, trade dispute or authorised absence (Regulation 111)

Where an active member is absent from scheme employment because of illness or injury and not entitled to receive pensionable pay, or because of trade dispute or authorised unpaid absence, they may pay member contributions; if they do, the scheme employer may require that they should also pay employer contributions. [Regulation 111(2),(3)and (4)]

Scheme Manager Determination

The Scheme Manager has determined that an employee who elects to pay their member contributions for authorised unpaid absence as a result of sickness, maternity or shared parental leave does not have to pay employer contributions.

The Scheme Manager has determined that employees absent on industrial action or on a career break will normally pay both employer and employee contributions in the event that they wish to count this as pensionable service. Consideration will be given on a case by case basis in exceptional circumstances.

**Firefighters' Pension Scheme (England) Regulations 2014 Part 8 Chapter 1
Member Contributions**

Deduction and payment of contributions (Regulation 114)

Member contributions due under Regulation 110 may be deducted by the scheme employer from each instalment of pensionable pay as it becomes due, unless another method of payment has been agreed between the scheme manager and the member. [Regulation 114(1)]

Contributions due in respect of absence from work on reserve forces service leave may be deducted from any payment made under Part 5 of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951.

Contributions which the member is required to pay, or has elected to pay under Regulations 111 and 113 may be paid by a lump sum or by deduction from instalments of pensionable pay as agreed between the member and the scheme manager.

Scheme Manager Determination

Appendix A

The scheme manager has resolved to arrange for payment of pension contributions under regulations 110,111,113 on an individual case basis.

Firefighters' Pension Scheme (England) Regulations 2014 Part 10 Chapter 2 Transfers out

Statement of entitlement (Regulation 135)

The scheme manager must specify in a statement of entitlement the "guarantee date" date by reference to which the cash equivalent or club transfer value is calculated; this date must fall within the three months beginning with the date of the member's application for the statement of entitlement and within ten days ending with the date on which the member is provided with the statement.

The scheme manager has discretion, if it believes reasonable, to extend this date to within six months of the date of the member's application if, for reasons beyond the scheme manager's control, the information needed to calculate the transfer value cannot be obtained before the end of the three month period.

Scheme Manager Determination

Statement of Entitlement - The scheme manager asserts the discretion to extend the "guarantee date" to within 6 months of the member's application, on a case by cases basis.

Firefighters' Pension Scheme (England) Regulations 2014 Part 10 Chapter 3 Transfers in

Request for acceptance of a transfer payment (Regulation 141)

There is a time limit of one year from becoming an active member in which a person can request a transfer payment from a non-occupational pension scheme. The scheme manager has the discretion to extend this period.

Scheme Manager Determination

The scheme manager has resolved to assert the discretion on a case by case basis.

Firefighters' Pension Scheme (England) Regulations 2014 Part 10 Chapter 3 Transfers in

Transfer statement (Regulation 142)

The scheme manager can require an active member to ask the scheme manager of a previous non-club pension scheme to provide a statement of the amount of transferred pension that the member would be entitled to count provided that the transfer date falls within two months of the date of the statement.

Scheme Manager Determination

The scheme manager notes this discretion.

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Firefighters' Pension Scheme (England) Regulations 2014 Part 10 Chapter 3
Transfers in

Club transfer value statement (Regulation 144)

The scheme manager can require an active member to ask the scheme manager of a previous club pension scheme to provide a statement of the amount of transferred pension that the member would be entitled to count provided that the transfer date falls within two months of the date of the statement.

Scheme Manager Determination

The scheme manager notes this discretion.

Firefighters' Pension Scheme (England) Regulations 2014, Part 10, Chapter 4,
Transfer of pension account entries to another scheme manager

Appeal concerning entries on the certificate (Regulation 148)

If a member is not satisfied with a certificate setting out the details in their pension account(s) as required under Regulation 146* they can require the scheme manager to deal with their disagreement under arrangements implemented by the scheme manager in accordance with the requirements of section 50 of the Pensions Act 1995 (resolution of disputes) and the Occupational Pension Schemes (Internal Dispute Resolution Procedures Consequential and Miscellaneous Amendments) Regulations 2008. The scheme manager must have these arrangements in place.

*Regulation 146 identifies the requirements to be undertaken when calculating the amount of a transfer value or club transfer value

Scheme Manager Determination

The scheme manager has resolved to follow the Internal Disputes Resolution Procedures.

Firefighters' Pension Scheme (England) Regulations 2014 Part 12 Chapter 1
Independent Qualified Medical Practitioner (IQMP)

Determinations by the scheme manager (Regulation 151)

It is the scheme manager that must determine whether a person is entitled to an award or to retain an award.

Scheme Manager Determination

The scheme manager has resolved to consider each entitlement on a case by case basis.

Firefighters' Pension Scheme (England) Regulations 2014 Part 12 Chapter 1
Independent Qualified Medical Practitioner (IQMP)

Role of IQMP in determinations by the scheme manager (Regulation 152)

The scheme manager must select an IQMP to provide a written opinion in respect of medical matters which may only be decided by having regard to such an opinion.

Scheme Manager Determination

Appendix A

The scheme manager has resolved to appoint an IQMP to provide a written opinion in line with regulation 152

If a person wilfully or negligently fails to submit to medical examination by the selected IQMP and the IQMP is unable to give an opinion on the basis of the medical evidence available, the scheme manager can make the determination based on such medical evidence as the scheme manager thinks fit, or without medical evidence.

Scheme Manager Determination

The scheme manager has resolved to consider all medical evidence available to make a determination, if a person wilfully or negligently fails to submit to a medical examination by the selected IQMP and the IQMP is unable to provide an opinion, based on the medical evidence available.

Firefighters' Pension Scheme (England) Regulations 2014 Part 12 Chapter 1 Independent Qualified Medical Practitioner (IQMP)

Review of medical opinion (Regulation 153)

Where a member requests a review of an IQMP's opinion in the light of new evidence received by the scheme manager within 28 days of the member having received the opinion, the scheme manager may agree to giving the IQMP the opportunity of reviewing the opinion.

Upon receiving the IQMP's response the scheme manager must confirm or revise its original determination and advise the member accordingly.

Scheme Manager Determination

The scheme manager has resolved to assert this discretion on a case by case basis.

Firefighters' Pension Scheme (England) Regulations 2014 Part 12 Chapter 2 Appeals to Board of Medical Referees

Notice of appeal (Regulation 155)

If a member wishes to appeal against a determination made by the scheme manager and their grievance lies in the medical opinion upon which the determination was based, they can appeal to a board of medical referees. The appeal must be made within 28 days of the date on which the member receives the relevant documents under Regulation 154(4). If the appeal is not made within this time limit and the scheme manager is of the opinion that the person's failure to give notice within the required period was not due to the person's own default, the scheme manager has a discretion to extend the time limit for such period as the scheme manager considers appropriate, not exceeding six months from the date the Regulation 154(4) documents were supplied.

Scheme Manager Determination

The scheme manager has resolved to assert this discretion on a case by case basis having reviewed the failure to give notice within the required period was not due to the person's own fault

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Firefighters' Pension Scheme (England) Regulations 2014 Part 12 Chapter 2 Appeals to Board of Medical Referees**Reference of appeal to the board (Regulation 156 - See also Regulation 161)**

Where a member has given notice of appeal to a board of medical referees, before the board arranges a time and place for the interview and medical examination a member of the board will review the documents supplied to the board in accordance with Regulation 156. If the board member is of the opinion that the board may regard the appeal as frivolous, vexatious or manifestly ill-founded the board member will notify the Secretary of State accordingly. This will be copied to the scheme manager who must, in turn, send a copy of it to the scheme member advising that if their appeal is unsuccessful, the member may be required to pay the scheme manager's costs and requesting notification from the member as to whether, in the circumstances, they wish to continue with, or withdraw, the appeal.

Scheme Manager Determination

The scheme manager notes their responsibilities under this regulation.

Firefighters' Pension Scheme (England) Regulations 2014 Part 12 Chapter 2 Appeals to Board of Medical Referees**Procedure where appeal to be pursued (Regulation 157)**

The scheme manager must decide which persons will attend the interview as its representatives. The scheme manager must also decide whether or not to submit written evidence or a written statement (and must decide a response to any written evidence or written statement from the appellant).

Scheme Manager Determination

The scheme manager notes their responsibilities under this regulation and will determine which persons will attend the interview and the nature of any written evidence or statement on a case by case basis.

Firefighters' Pension Scheme (England) Regulations 2014 Part 12 Chapter 2 Appeals to Board of Medical Referees**Expenses of each party (Regulation 161)**

If the medical appeal board determines in favour of the scheme manager and states that in its opinion the appeal was frivolous, vexatious or manifestly ill-founded, the scheme manager can require the appellant to pay it such sum not exceeding the total amount of the fees and allowances payable to the board under Regulation 160(1) as the scheme manager considers appropriate.

If the appellant withdraws the appeal requesting cancellation, postponement or adjournment of the date appointed for interview and/or medical examination less than 22 working days before the date appointed, the scheme manager can require the member to pay it such sum not exceeding the total amount of the fees and allowances payable to the board under Regulation 160(1) as the scheme manager considers appropriate.

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If the appellant's acts or omissions cause the board to cancel, postpone or otherwise adjourn the date appointed or interview and/or medical examination less than 22 days before the date appointed, the scheme manager can require the member to pay it such sum not exceeding the total amount of the fees and allowances payable to the board under Regulation 160(1) as the scheme manager considers appropriate.

Scheme Manager Determination

The scheme manager has resolved to require the member to pay it a sum not exceeding the total amount of the fees and allowances payable to the board under Regulation 160(1) as deemed appropriate on a case by case basis.

Firefighters' Pension Scheme (England) Regulations 2014 Part 12 Chapter 3 Appeals on other issues

Appeals on other issues (Regulation 163)

If a member disagrees with a scheme manager's determination of award under Regulation 151 and the disagreement does not involve an issue of a medical nature, the member can require the scheme manager to deal with the disagreement under requirements which the scheme manager must have in place in accordance with section 50 of the Pensions Act 1995 (requirement for dispute resolution arrangements) and the Occupational Pension Schemes (Internal Dispute Resolution Procedures Consequential and Miscellaneous Amendments) Regulations 2008.

Scheme Manager Determination

The scheme manager has resolved to follow the Internal Disputes Resolution Procedures.

Firefighters' Pension Scheme (England) Regulations 2014 Part 13 Chapter 1 Payment of pensions

Commutation of small pensions (Regulation 167)

If the pension entitlement of a member of the scheme, or the pension entitlement of a member's beneficiary, does not exceed the small pensions commutation maximum the scheme manager may pay the entitlement as a lump sum. This would, however, be subject to the consent of the recipient and must comply with the commutation provisions that apply in the circumstances.

Scheme Manager Determination

The scheme manager has resolved to pay a pension entitlement which does not exceed the small pensions commutation maximum as a lump sum, subject to the conditions outlined in regulation 167. Each case will be considered on a case by case basis.

Firefighters' Pension Scheme (England) Regulations 2014 Part 13 Chapter 1 Payment of pensions

Payments for persons incapable of managing their affairs (Regulation 168)

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If it appears to the scheme manager that a person other than an eligible child who is entitled to benefits under the scheme, is by reason of mental incapacity or otherwise, incapable of managing his or her affairs, the scheme manager may pay the benefits or any part of them to a person having the care of the person entitled, or such other person as the scheme manager may determine, to be applied for the benefit of the person entitled. If the scheme manager does not pay the benefits in this way, the scheme manager may apply them in such manner as it may determine for the benefit of the person entitled, or any beneficiaries of that person.

Scheme Manager Determination

The scheme manager has resolved to assert the discretion on a case by case basis.

**Firefighters' Pension Scheme (England) Regulations 2014 Part 13 Chapter 1
Payment of pensions****Payments due in respect of deceased persons (Regulation 169)**

If, when a person dies, the total amount due to that person's personal representatives under the scheme (including anything due at the person's death) does not exceed the limit specified in the Administration of Estates (Small Payments) Act 1965, the scheme manager can pay the whole or part of the amount due to the personal representatives or any person or persons appearing to the scheme manager to be beneficially entitled to the estate, without requiring the production of grant of probate or letters of administration.

Scheme Manager Determination

The scheme manager has resolved not to apply this discretion and requires the production of grant of probate or letters of administration in order to pay monies due.

**Firefighters' Pension Scheme (England) Regulations 2014 Part 13 Chapter 2
Forfeiture****Forfeiture: offences committed by members, surviving partners or eligible children (Regulation 171)**

If a member, surviving partner or eligible child is convicted of a relevant offence, the scheme manager can withhold pensions payable under the scheme to a member, any person in respect of the member, a surviving partner or an eligible child, to such extent and for such duration as it considers appropriate. "Relevant offence" is defined in this Regulation. The definition includes offences injurious to the State (including treason) or likely to lead to a serious loss of confidence in the public service. There are certain conditions set out in the Regulation, e.g. it is only the part of the pension that exceeds any guaranteed minimum pension that can be withheld.

Where a pension is withheld, the scheme manager can at any time, and to such extent and for such duration as the manager thinks fit, apply the pension for the benefit of any dependant of the member or restore it to the member.

Scheme Manager Determination

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The scheme manager has resolved not to apply this discretion. It should be for the courts to decide appropriate punishment for criminal offences.

Firefighters' Pension Scheme (England) Regulations 2014 Part 13 Chapter 2 Forfeiture

Forfeiture of pensions: offences committed by other persons (Regulation 172)

If a surviving partner or eligible child is convicted of the murder of a scheme member from whose benefits their pension would be derived the scheme manager must withhold all of the survivor's or child's pension otherwise payable. However, if a surviving partner or eligible child is convicted of the manslaughter of the member or any other offence, apart from murder, of which the unlawful killing of the member is an element, the scheme manager has discretion as to whether or not to withhold the pension to which they would otherwise be entitled. The amount withheld must only be that part of the pension which exceeds any guaranteed minimum pension. If the conviction is subsequently quashed, the pension must be restored with effect from the day after the date on which the member died. If, after the conviction has been quashed, the person is again convicted of murder, manslaughter or an associated offence as outlined above, any restoration is cancelled.

Scheme Manager Determination

The scheme manager has resolved to assert the discretion on a case by case basis.

Firefighters' Pension Scheme (England) Regulations 2014 Part 13 Chapter 2 Forfeiture

Forfeiture of lump sum death benefit: offences committed by other persons (Regulation 173)

If a person is convicted of a relevant offence, i.e. the murder or manslaughter of the member, or any other offence of which the unlawful killing of the member is an element, the scheme manager must withhold all of any lump sum death benefit payable to that person. If, however, the conviction is subsequently quashed on appeal, the scheme manager may, to such extent and for such duration as it thinks fit, restore to the person the amount of benefit withheld. If, after the conviction has been quashed, the person is again convicted of murder, manslaughter or an associated offence as outlined above, any restoration is cancelled.

Scheme Manager Determination

The scheme manager has resolved to restore the amount of benefit withheld to such extent and for such duration as determined, where payment of any lump sum is withheld due to a conviction which is subsequently quashed on appeal.

Firefighters' Pension Scheme (England) Regulations 2014 Part13 Chapter 2 Forfeiture

Forfeiture: relevant monetary obligations and relevant monetary losses (Regulation 174)

Appendix A

If a member has a relevant monetary obligation or has caused a relevant monetary loss, the scheme manager may, to such extent and for such duration as it considers appropriate, withhold benefits payable to that person under the scheme. "Relevant monetary obligation" and "relevant monetary loss" are defined in the Regulation. There are certain limits, e.g. the amount withheld may only be that which exceeds the person's guaranteed minimum pension and the scheme manager may only withhold it if there is no dispute about the amount or, if there is, there is a court order or the award of an arbitrator. The monetary obligation must have been incurred to the employer after the person became an active member and arising out of or connected with the scheme employment in respect of which the person became a member of the scheme, and arising out of the person's criminal, negligent or fraudulent act or omission. The procedure is set out in Regulation 176.

Scheme Manager Determination

The scheme manager has resolved to apply this discretion on a case by case basis.

**Firefighters' Pension Scheme (England) Regulations 2014 Part 13 Chapter 2
Forfeiture**

Set-off (Regulation 175)

A scheme manager has a discretion to set off a "relevant monetary obligation" against a member's entitlement to benefits under the scheme, subject to certain conditions which are similar to those contained in Regulation 174 (Forfeiture). The procedure is set out in Regulation 176.

Scheme Manager Determination

The scheme manager has resolved to apply this discretion on a case by case basis.

**Firefighters' Pension Scheme (England) Regulations 2014 Part 13 Chapter 3
Payment and deduction of tax**

Payment on behalf of members of lifetime allowance charge (Regulation 178)

At a scheme member's request, the scheme manager may pay on the member's behalf any amount that is payable by way of the lifetime allowance charge under section 214 of the Finance Act 2004. The scheme manager may only comply with the request if the member pays it the amount in question on or before the date on which the event occurs or the member authorises the deduction of the amount from a lump sum becoming payable to the member under the scheme at the same time as the event occurs.

Scheme Manager Determination

The scheme manager has resolved to apply this discretion.

**Firefighters' Pension Scheme (England) Regulations 2014 Part 13 Chapter 4
General**

Evidence of entitlement (Regulation 184)

Appendix A

The scheme manager can require any person who is in receipt of a pension or may have entitlement to a pension or lump sum under the scheme to provide such supporting evidence as the scheme manager may reasonably require so as to establish the person's identity and their continuing or future entitlement to the payment of any amount under the scheme.

If a person fails to comply with the scheme manager's requirements in this respect, the scheme manager can withhold the whole or part of any amount that it otherwise considers to be payable under the scheme.

Scheme Manager Determination

The scheme manager has resolved

That where an individual fails to comply with the Authority's requirements regarding evidence of entitlement, the Authority will withhold the whole or part of any amount that is otherwise payable.

**Firefighters' Pension Scheme (England) Regulations 2014, SCHEDULE 1
Payments for added pension, PART 1 Interpretation**

Amount of accrued added pension may not exceed overall limit of extra pension (Schedule 1 Part 1, Paragraph 4)

The total amount of accrued added pension must not exceed a certain limit. If it appears to the scheme manager that a member who has elected to make periodical contributions will exceed the limit the scheme manager may cancel the election (by written notice to the member).

Scheme Manager Determination

The scheme manager has resolved to assert its discretion to cancel member elections for periodical contributions should they appear to exceed the overall limit of extra pension.

**Firefighters' Pension Scheme (England) Regulations 2014 SCHEDULE 1
Payments for added pension, PART 2, Chapter 1, Exercising the added pension election**

Member's election to make periodical contributions for added pension (Schedule 1 Part 2, Chapter 1 Paragraph 7)

If a scheme member wishes to make periodical payments for added pension, the scheme manager can set a minimum amount which must be paid.

Scheme Manager Determination

The scheme manager has resolved that if a scheme member wishes to make a periodical payment for added pension the minimum amount which must be paid is £50 per month.

**Firefighters' Pension Scheme (England) Regulations 2014, SCHEDULE 1
payments for added pension, PART 2, Chapter 2, Periodical payments for added pension**

Periodical payments (Schedule 1 Part 2, Paragraph 8)

Appendix A

If a scheme member wants to make periodical payments for added pension, but does not want them to be deducted from pensionable pay, the scheme manager may agree another method of payment.

Scheme Manager Determination

The scheme manager has resolved that if a scheme member wishes to make a periodical payment for added pension the payment must be deducted from pensionable pay, if practicable e.g. if on an authorised absence.

**Firefighters' Pension Scheme (England) Regulations 2014, SCHEDULE 1
Payments for added pension, PART 2, Chapter 2, Periodical payments for
added pension**

**Periodical payments during periods of assumed pensionable pay (Schedule 1
Part 2, Paragraph 10)**

After a period of assumed pensionable pay or a period of reduced pay, the member may give written notice to the scheme manager authorising the employer to deduct the aggregate of payments – which would have been made but for the leave – from the member's pay during the period of six months from the end of the period of reduced pay. The scheme manager can extend this period of six months.

Scheme Manager Determination

The scheme manager has resolved not to apply this discretion unless payments exceed £200 and on a case by case basis.

**Firefighters' Pension Scheme (England) Regulations 2014 SCHEDULE 2
Transitional provisions, PART 1, General**

Meaning of "tapered protection closing date" (Schedule 2 Part 1, Paragraph 3)

The tapered protection closing dates for tapered protection members are given in the 1992 scheme tables in Schedule 2 Part 4. In most cases the appropriate closing date can be ascertained by reference to the band of dates in which the firefighter's birthday falls. The tapered protection date for a tapered protection member of FPS 2006 to whom paragraph 9(5) or 21 applies (members returning to pensionable service) is determined by the scheme manager.

Scheme Manager Determination

The scheme manager has resolved to apply this discretion and will determine the taper protection date for FPS 2006 members returning to pensionable service subject to paragraph 9(5) or 21 applying.

It may be that this discretion will no longer apply following legislative change.

APPENDIX B

ROYAL BERKSHIRE FIRE AUTHORITY FIREMEN'S PENSION SCHEME
ORDER 1992 SCHEME MANAGER DISCRETIONS STATEMENT

| No | Discretion | Regulation | RBFA Discretion |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | Permission for a chief fire officer to retire and draw a pension before attaining age 55 | B1(2)(b) as modified by (d) | N/a – Chief Fire Officer was appointed after 1 July 2013 and no future impact. |
| 2 | Discretion to determine that certain payments, not otherwise pensionable, should be treated as such for the credit of Additional Pension Benefit to the firefighter member | B5C | The scheme manager has resolved to assert this discretion and determined that Continual Professional Development payment or increase in pay for temporary promotion on or after 1 July 2013 should be treated as pensionable for the credit of Additional Pension Benefit. A table of pensionable allowances can be found on Siren (Pensionable Allowances Table). |
| 3 | Consent for one quarter pension to be commuted in the case of a firefighter who, upon retirement, would otherwise not be permitted to commute such portion of pension as would provide a greater lump sum than two and a quarter times the full amount of pension | B7(5A) | The Scheme Manager has determined that each case will be considered on an individual basis depending on the needs of the Service. A full business case would be needed demonstrating the economical, effective and efficient management of its functions with consideration of associated costs to the Fire Authority likely to be incurred in any particular case. |
| 4 | Discretion to commute, for a “trivial commutation lump sum”, a small pension payable to a firefighter pensioner | B8 | The scheme manager has resolved that if the total amount of any pension(s) payable to a person – who has attained State pensionable age – under the provisions of the Firemen's Pension Scheme Order 1992, which together with any increase under the Pensions (Increase) Act 1971 and any pension credit pension under Rule 1A1 of the Order does not exceed the commutation limit for the purposes of Part 1 of Schedule 29 to the Finance Act 2004 (lump sum rule), the Fire and Rescue Authority may, if it is considered appropriate, by case by case consideration, commute the pension(s) to a lump sum following the guidance of the Scheme Administrator. |
| 5 | A Scheme member may allocate a portion of pension for a dependent other than a spouse or civil partner | B9(2)(b) | The scheme manager resolves that where a Firefighter elects to give up part of their pension (under Rule B9), the Authority before giving consent to the allocation, must have demonstrated to the satisfaction of the Fire and Rescue Authority that the nominee is a person substantially dependent on the member. Each case will be considered on an individual basis of the evidence provided by the member and legal advice may be sought at that time. Each case will be considered on a case by case basis. |
| 6 | Requirement for, and acceptance of, an opinion as to | B9(6) | The scheme manager resolves that if a member of the Firefighters' Pension Scheme 1992 wishes to allocate a portion of pension in favour of a beneficiary (a spouse, or civil partner |

APPENDIX B

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|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | normal life expectancy for allocation purposes. | | or some other person that the Fire and Rescue Authority are satisfied is substantially dependent on the firefighter), that member must satisfy the Authority as to his/her normal life expectancy at the time of the request. There is no guidance in the Scheme Rules as to the method of demonstration and so the Authority will determine how this will be done, for example by an opinion from the member's GP, or from the Fire Authority's Occupational Health Physician, or from an IQMP. In the absence of such an opinion, or if the opinion suggests limited life expectancy, the Authority would refuse the request on a case by case basis. |
| 7 | Discretion to increase, for such period as the fire and authority think fit, the level of spouse's or civil partner's award where firefighter and spouse or civil partner were living apart at the date of death and the normal level of benefit is reduced under FCS rules | C8 (6) and (7) | The scheme manager has resolved that where a firefighter and their spouse or civil partner were living apart at the date of the firefighter's death, and a reduced pension would ordinarily be paid to the spouse or civil partner, and the authority consider, having taken into consideration all of the circumstances of the case, that the pension should be paid at an increased rate, then the authority will increase the pension to the rate they deem appropriate and for such period as they think fit. Each case will be considered on a case by case basis. |
| 8 | Discretion to allow a gratuity to be paid, in whole or in part, to the surviving spouse or civil partner where it would otherwise not be payable because husband and wife, or civil partners, were living separately at the date of death. | C8 (7) | The scheme manager has resolved that in cases where a gratuity would have been paid but for the firefighter and their spouse or civil partner living apart, if the authority consider, having taken into consideration all of the circumstances of the case, that a gratuity should be paid then the authority will authorise the gratuity be paid, either in whole or in part. |
| 9 | Discretion to reinstate all or part of a spouse's or civil partner's pension or gratuity for such period as the fire and rescue authority think fit following termination on marriage, remarriage, formation of a civil partnership or subsequent civil partnership | C9 | The scheme manager has resolved that whilst it is unlikely that the Authority will reinstate an ex-spouses pension at the end of a new remarriage or civil partnership or cohabitation, consideration will be made on each case based on evidence provided by the applicant whether to allow the full award to be reinstated, and the date from which reinstatement should be made. |
| 10 | Cessation of payment of a child's pension. | D5(1) and (2) | The scheme manager has resolved to cease paying a child's pension when the child ceases to be eligible upon attaining a particular age, or ceasing full-time education and entering paid employment, or upon marriage or forming a civil partnership on a case by case basis. |

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| 11 | Discretion to withhold all or part of a child's pension, permanently or temporarily, where the child is convicted of manslaughter of the deceased. | D5(5) to (8) | The scheme manager has resolved that they may permanently withhold all of a child's pension where the child is convicted of the manslaughter of the deceased until and unless the conviction is quashed on appeal. The scheme manager will decide, taking account of the circumstances of the case, as to whether or not to withhold the pension to which they would otherwise be entitled. |
| 12 | Determination of entitlement to a child's allowance for a child aged 18 or over who was dependent on the deceased by reason of permanent disablement; review of that award, and the action taken if the Fire and Rescue Authority are satisfied that the child is no longer permanently disabled. | D5(3) and (9)(c) | The scheme manager has resolved that if and when information is received that satisfies them that either a child is no longer permanently disabled or the child's pension should not have been awarded then payment of the pension will cease. A decision regarding whether or not to pursue repayment of pension paid when the child was not entitled to receive it will be based upon the circumstances of the case. An opinion from an IQMP may be sought, and any review periods will be based on evidence obtained and case by case. |
| 13 | Discretion to make an award of dependent relative's gratuity to a dependent relative who is not entitled to any other award under the Firemen's Pension Scheme Order 1992 in respect of the same firefighter | E3 | The scheme manager has resolved that where a portion of a pension has been allocated to a dependent who is not a spouse, civil partner or cohabiting partner of the member, the Authority will withhold the payment if they cannot be satisfied that the person nominated is substantially dependent on the member. Each case will be considered on its merits and full details of the circumstances will be required. |
| 14 | Decision to commute for a lump sum, a spouse's or civil partner's pension which is of limited amount. | E5 subject to limitations in E7 | The scheme manager has resolved that if the total amount of any pension payable to a surviving spouse or civil partner under the provisions of the Firemen's Pension Scheme Order 1992, together with any increase under the Pensions (Increase) Act 1971, does not exceed the commutation limit for the purposes of Part 2 of Schedule 29 to the Finance Act 2004 (lump sum death benefit rules) or the "permitted amount" as defined in Rule E7(3), and (a) the deceased spouse or civil partner died before age 75, and (b) the Fire and Rescue Authority are satisfied that there are sufficient reasons, and (c) the surviving spouse or civil partner consents, the Fire and Rescue Authority have discretion to commute the whole of the surviving spouse's or civil partner's pension for a lump sum in accordance with the guidance of the Scheme Actuary at the time when the pension first becomes payable and taking into account the information on a case by case basis. |
| 15 | Decision to commute a child's pension, which is of limited amount, for a lump sum. | E6 subject to limitations in E7 | The scheme manager has resolved that If the total amount of a child's allowance payable under the provisions of the Firemen's Pension Scheme Order 1992, together with any increase under the Pensions (Increase) Act 1971, does not exceed the commutation limit for the purposes of Part 2 of Schedule 29 to the Finance Act 2004 (trivial commutation lump sum death benefit rules) or the "permitted amount" as defined in Rule E7(3), and : |

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| | | | <p>(a) the deceased parent died before age 75, and (b) the Fire and Rescue Authority are satisfied that there are sufficient reasons, and (c) the surviving parent or the child's guardian or – if neither – the child him or herself consents.</p> <p>The scheme manager has resolved to consider the information on a case by case basis to determine to commute the pension for a lump sum in accordance with Schedule 5, Part III and factors prepared by the Scheme Actuary and current at the time when the commutation takes effect.</p> |
| 16 | Decision to substitute a higher amount of child's flat rate award where neither of the child's parents is alive. | E9(6) | The scheme manager has resolved that each case will be considered on a case by case basis as it arises. |
| 17 | Discretion that the Fire and Rescue Authority should pay the employer's pension contributions (otherwise payable by the firefighter) due for a firefighters' period of absence without pay where the firefighter gives notice that he/she wishes to pay contributions in order that the period may count as pensionable service. | F2(5) | <p>The scheme manager has resolved that if the firefighter has given notice under Rule F2(3) that s/he wishes to pay contributions in order that a period of unpaid leave may count as pensionable service, the Fire and Rescue Authority can use their discretion under Rule F2(5) to pay the employer's contributions otherwise payable by the firefighter in addition to member contributions in these circumstances.</p> <p>Each case will be considered on a case by case basis, however, the Scheme Manager has determined that employees absent on industrial action or on a career break will pay both employer and employee contributions in the event that they wish to count this as pensionable service.</p> <p>This discretion no longer applies as the FPS 1992 is closed.</p> |
| 18 | Decision as to amount of pensionable service (to be set out in Certificate of Pensionable Service with notice of right of appeal). | F1 | The scheme manager has resolved that where a decision is required on the amount of pensionable service, and where this decision cannot be made, the member can utilise the notice of right of appeal. |
| 19 | Extension of six month time limit for election to pay certain sums in order that earlier pensionable service may count on re-joining the fire and rescue service. | F4 (3)(c), | <p>The scheme manager has resolved that there should be no extension of the 6-month time limit for an election to pay certain sums in order that earlier pensionable service may count upon a firefighter rejoining the fire and rescue service, however will only consider applications made under this Regulation in the most exceptional circumstances if:</p> <p>evidence indicates that the Fund had not informed the member about the transfer within the 6 month time limit, or verifiable evidence indicates that the member made an election to transfer within 6 month limit but the election form was not received by the Fund.</p> |

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| 20 | Discretion to extend period in which a firefighter may make a payment to count as pensionable service a period during which an injury award was payable. | F5(1) | The scheme manager has resolved that if a firefighter is entitled under Rule F5 to pay to the Fire and Rescue Authority the amount required in accordance with Schedule 6, Part I, paragraph 1 of the Firemen's Pension Scheme Order 1992 in respect of a period during which the firefighter was entitled to receive an injury pension, in order that it may count as pensionable service on re-employment, the Authority will determine on a case by case basis to extend the period in which the election to pay and payment must be made (within six months of resuming service). |
| 21 | Extension of 12-month time limit for acceptance of "mis-selling" transfer value payment | F6A(3)(b) | The scheme manager has resolved that it is unlikely that there will be apply to further cases. This will only be considered if the Authority accept a transfer value. |
| 22 | Discretion to adjust "mis-selling" transfer value to take account of any earlier service credit | F6A(6) 27 | The scheme manager has resolved to consider this on a case by case basis. |
| 23 | Discretion to accept a transfer value. | F7(1) subject to Rule F7(2) and (3) | The scheme manager has resolved that where there is a request to accept a transfer value, advice will be sought from RBFA's Pension Administrators regarding the appropriate value. It is unlikely that anyone would now satisfy the requirement that the written request to the Authority should be made no later than 12 months after the date of taking up employment with the Authority |
| 24 | Extension of 6 month time limit for a former firefighter to request payment of a transfer value to another pension scheme. | F9(2) | The scheme manager has resolved that if a former firefighter or a serving firefighter who has opted out of the Firefighters' Pension Scheme 1992 becomes subject to another pension scheme and requests that the Fire and Rescue Authority should pay a transfer value to that other scheme, the written request must be made within 6 months of becoming subject to the other scheme. The scheme manager will deal with requests On a case by case basis. |
| 25 | Extension of 12 month time limit after leaving in which a former firefighter must be subject to a new scheme and may request a transfer value after having previously received a gratuity or repayment of pension contributions. | F9(5) | The scheme manager has resolved to consider the case on a case by case basis. |
| 26 | Determination of pensionable pay | G1(1) | The scheme manager has resolved discretions on which elements of pay are pensionable and these are detailed on Siren (Pensionable Allowances Table). |

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| 27 | Discretion to deduct pension contributions from instalments of pay. | G2(2) | The scheme manager has resolved that contributions will be deducted from instalments of pay where the pay is pensionable. Should the circumstances arise where consideration needs to be made to other means of paying instalments, these will be made on the basis of financial guidance at that time and as authorised by the Head of Finance and Procurement. |
| 28 | Discretion to extend 30-day time limit in which an election to pay contributions in respect of unpaid additional maternity or adoption leave must be made. | G2A(3) | The scheme manager has resolved that late applications will be considered up to a maximum of 90 days or under exceptional circumstances this may be extended to a reasonable timeframe however this discretion no longer applies as the FPS 1992 is closed. |
| 29 | Discretion not to accept a firefighter's election to purchase increased benefits through the payment of additional contributions unless the firefighter has undergone a medical examination at own expense and satisfied the fire and rescue authority as to his/her good health. | G6(4) | This discretion no longer applies as the FPS 1992 is closed. |
| 30 | Discretion of fire and rescue authority to agree to discontinuance of payment of periodical contributions for increased benefits where satisfied that payment is causing, or likely to cause, financial hardship. | G7(3) | This discretion no longer applies as the FPS 1992 is closed. |

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| No | Discretion | Regulation | Notes | Scheme Manager Discretion |
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| Part H: Determination of questions and appeals | | | | |
| 31 | Discretion to agree with person concerned that the independent qualified medical practitioner should be given the opportunity to review his/her medical opinion if new evidence is presented within appropriate timescales. | H1A | | The scheme manager has resolved that authority receives new evidence is received within the applicable 28 day timescale set out in the regulation and the member concerned requests that the IQMP should review their opinion, the authority will agree to the IQMP being provided with the opportunity to reconsider their opinion. |
| 32 | Discretion to extend the time limit for appeal against a Fire and Rescue Authority's decision based on a medical opinion. | H2(4)(c) | | The scheme manager will review on a case by case basis. |
| 33 | Requirement to deal with a person's disagreement by Internal Dispute Resolution Procedure arrangements set up by the Fire and Rescue Authority in accordance with the requirements of section 50 of the Pensions Act 1995, where the disagreement is in respect of the Authority's determination under Rule H1 and the disagreement does not involve an issue of a medical nature. | H3 | | The scheme manager will use the Internal Dispute Resolution Procedure to resolve disagreements. |

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| 34 | Pension credit members. | Part IA) | A member of an occupational pension scheme or a personal pension scheme who is an ex-spouse or former civil partner of an existing member, and who has received a pension credit. | The scheme manager has resolved to consider charges to be made for administration on a case by case basis. |
| 35 | Discretion to commute a small pension due to a pension credit member. | Rule 1A2(1) | | The scheme manager has resolved that if permissible under the Finance Act 2004 and Regulation 3(2)(b) of the Pension Sharing (Pension Credit Benefit) Regulations 2000 (commutation of pension credit benefit: small pensions) the Fire and Rescue Authority may commute the whole of a small pension credit pension to a lump sum in accordance with the guidance of the Pensions Administrator. |
| Part K: Revision and withdrawal of awards | | | | |
| 36 | Requirement to decide, at such intervals as the fire and rescue authority think proper, whether a person under age 60 and in receipt of an ill-health pension for less than 10 years has become capable of carrying out any duty appropriate to the role from which he/she retired on health grounds and, in the case of a higher tier ill-health pension, whether that person has become capable of carrying out any regular employment. | K1(1) and (2) | Requirement to review ill health pensions. | The scheme manager has resolved that it will undertake regular ill health pension reviews as determined by the IQMP on individuals who are under age 60 and have been in receipt of an ill-health pension for less than 10 years on a case by case basis. |
| 37 | Requirement to decide, at such intervals as the fire and rescue authority think proper, whether a person under age 60 and in receipt of a deferred pension has become capable of firefighting and performing any other duties appropriate to his former role as a | K1(3) | Requirement to review deferred pensions paid early on permanent disablement. | The Authority will undertake regular reviews, at intervals based on IQMP advice, of individuals who are receiving deferred pensions paid early on permanent disablement. |

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| | firefighter | | | |
| 38 | Requirement to decide whether to offer a person, whose ill-health pension has been reviewed under Rule K1 and who is found to be capable of performing duties appropriate to his/her former role, an offer of employment in that role. | K1A(2) | | The Authority will consider offering employment to a person whose ill-health pension has been reviewed and who is found to be capable of performing duties appropriate to their former role. Each case will be considered on a case by case basis. |
| 39 | The discretion to reduce the level of an ill-health pension to not less than half of the full amount where firefighter contributed to infirmity by own default. | K3(1) | This discretion permits the reduction of a firefighter pension to not less than half the amount due where it is considered that they have contributed to an infirmity by their default. | The scheme manager has resolved that where an individual has contributed to an infirmity by their default, it is likely that the Authority will reduce their pension to not less than half the amount due. However, each case will be considered on an individual basis. |
| 40 | Discretion to withdraw whole or part of a person's pension (other than a spouse's or civil partner's award under FPS) during any period of his/her re-employment as a regular firefighter with a fire and rescue authority. | K4 | This discretion allows abatement of a firefighter pension where the employee has been re-employed as a regular firefighter. | The scheme manager has resolved that where a firefighter has retired and been re-employed as a regular firefighter, consideration will be given on a case by case basis, in line with policy. |
| 41 | Discretion to withdraw a pension in whole or in part, permanently or temporarily, on a person's conviction of certain offences. | K5(1) | This discretion only applies in the case of treason or a serious offence under the Official Secrets Act. | The scheme manager has resolved that where an individual is convicted for treason or for a serious offence under the Official Secrets Act, it is likely that the Authority will withdraw their pension. However, each case will be considered on an individual basis. |

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| 42 | Discretion to restore, at any time and to such extent as the fire and rescue authority think fit, a pension withdrawn under Rule K5(1) to the pensioner or to apply it for the benefit of any dependent of the pensioner. | K5(5) | This discretion allows consideration of the reinstatement of the pension withdrawn as a result of a decision made regarding the above discretion. | The scheme manager has resolved that the Authority may restore a pension withdrawn under Rule K5 (1) or apply it for the benefit of any dependent of the pensioner. Each case will be considered on an individual basis |
| Part L: Payments of awards and financial provisions | | | | |
| 43 | Determination of intervals at which instalments of pension shall be paid. | L3(1) | This discretion allows the arrangement of normal monthly payments of annual pension. | The scheme manager has resolved that pensions will be paid to individuals on a monthly basis. |
| 44 | Discretion to delay payment of an award to the extent necessary for determining any question as to the fire and rescue authority's liability. | L3(1) | This discretion allows the Fire Authority to delay the payment of an award sum until they are satisfied as to the eligibility of an award. | The scheme manager has resolved that it will delay the payment of an award until they are satisfied as to the eligibility of an award. Each case will be considered on an individual basis. |
| 45 | Discretion to decide an earlier payment date for survivors' benefits than the date prescribed where the deceased received a gratuity, and an option to pay a gratuity in instalments rather than as a single lump sum. | L3(7) and (8) | This discretion allows consideration of earlier payment of survivor benefits which are normally paid one year after the date the member deceased. There is also the option to pay a smaller amount in regular instalments where this would be of advantage to the person entitled. | The scheme manager has resolved that The Authority it will consider earlier payment of survivor benefits and/or a smaller amount in regular instalments where this would be of advantage to the person entitled. Each case will be considered on an individual basis. |
| 46 | Repayment of aggregate pension contributions. | L3(9) | | The scheme manager has resolved that instalment plans can be arranged on an individual basis. |

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| 47 | Payment of awards - minors | L5(1) | This discretion allows the payment of any sum due to a minor to any appropriate person. | The scheme manager has resolved that it will make the final decision as to the recipient to receive any sum payable to a minor on a case by case basis. |
| 48 | Discretion as to recipient, or application, of payments due to a person incapable of managing his/her own affairs. | L5(2) | This discretion allows the consideration of payment of an award to an appropriate person where the recipient is deemed to be incapable of managing their affairs. | The scheme manager has resolved that it will make the final decision as to the recipient to receive any sum payable to a person incapable of managing their own affairs. |
| 49 | Discretion, following death of a person, as to recipient(s) of sums less than amount specified in the Administration of Estates (Small Payments) Act 1965. | L5(3) | This discretion deals with awards less than £5,000 and allows decision to be made of who should receive this amount. | The scheme manager has resolved that following the death of a person, it is the Authority's decision as to who the recipient should be on a case by case basis of any awards less than £5,000. |
| 50 | Discretion to withhold sums due in respect of an award to a firefighter where there has been a loss to the funds of the fire and rescue authority as a result of fraud, theft or negligence on the part of that person in connection with his/her employment | L5(6) to (9) | This discretion allows the Authority to reclaim sums lost as a result of fraud, theft or negligence on the part of that person in connection with their employment. | The scheme manager has resolved that the Authority will withhold sums due in respect of an award to a firefighter where there has been a loss to the funds of RBFRS as a result of fraud, theft or negligence on the part of that person in connection with his/her employment on a case by case basis. |
| 51 | Discretion to deduct from an award any outstanding balance of payments in respect of previous service. | | This discretion relates to where a member has elected to pay additional sums in respect of previous pension service and then retires before completing the payments. The scheme provides that they will receive a pension as if they have completed the payments. This discretion allows the recovery of the payments not made | The scheme manager has resolved that where a member has elected to pay additional sums in respect of previous pension service and retires before completing the payments, then the balance of the outstanding payments will be recovered in order that the pension received is based on the payments being completed. |

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| 52 | Discretion to extend 28-day time limit in which a person must lodge any medical appeal, to a period not exceeding 6 months from the date of issue of the documents referred to in Rule H2(4) to that person, provided the Fire and Rescue Authority are of the opinion that the person's failure to lodge the appeal within 28 days was not due to his/her own default. | Schedule 9 part 1 paragraph 1(2) | | The scheme manager has resolved that the Authority will extend the time limit up to six months on a case by case basis. |
| 53 | Discretion to decide the fire and rescue authority's representation at Medical Appeal Board interview. | Schedule 9, Part 1, paragraph 4(5) | This discretion deals with the arrangements for representation at a medical appeal board. | The scheme manager has resolved that it is likely that RBFRS representation at a Medical Appeal Board will be the Head of Human Resources and Learning and Development (or substitute) and any other individual they consider appropriate. |
| 54 | Discretion to decide whether or not to submit written evidence or a written statement to a Medical Appeal Board. | Schedule 9, Part 1, paragraph 5 | This discretion allows consideration of whether to present written evidence to a medical appeal board. In practice this is always done. | The scheme manager has resolved that it will submit written evidence or a written statement dependent on the requirements of the case, to a Medical Appeal Board in accordance with the regulations |
| 55 | Discretion, where Medical Appeal Board decide that a person's appeal was "frivolous, vexatious or manifestly ill- founded" to require the appellant to pay to the fire and rescue authority such sum as the authority think fit, not exceeding the fees and allowances of the specialist member of the Board. | Schedule 9, Part 1, paragraph 8(2) | | The scheme manager has resolved that where a Medical Appeal Board decide that a person's appeal was 'frivolous, vexatious or manifestly ill-founded' the Authority will require the appellant to pay any sum they think fit subject to capping as per the regulations. Each case will be considered on an individual basis. |

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| 56 | Discretion, where appellant withdraws appeal within 21 working days before the date appointed for interview or medical examination, to require the appellant to pay to the fire and rescue authority such sum as the authority think fit not exceeding the Medical Appeal Board's total fees and allowances payable to the Board by the authority. | Schedule 9, Part I, paragraph 8(2A) | | The scheme manager has resolved that where an appellant withdraws their appeal within 21 working days before the date appointed for interview or medical examination, the Authority will require the appellant to pay any sum they think fit subject to capping as per the regulations. |
| 57 | Requirement to estimate amounts payable to, and out of, the Firefighters' Pension Fund for each financial year and discretion to submit revised information to Secretary of State. | LA4 | This requirement should be delegated to the Director of Finance and Contractual Services as it deals with the financial status of the Scheme. | The scheme manager has resolved this discretion is delegated to the Head of Finance and Procurement. |

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ROYAL BERKSHIRE FIRE AUTHORITY FIREFIGHTERS PENSION SCHEME (ENGLAND)

ORDER 2006 SCHEME MANAGER DISCRETIONS STATEMENT

| No | Discretion | Regulation | Scheme Manager Discretion |
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| Personal awards | | | |
| 1 | Pension on member-initiated early retirement. | Rule 5 | The scheme Manager has resolved that it may refuse a firefighter's request for early payment of a deferred pension where this is likely to be less than the GMP at State pensionable age. Each case will be considered on an individual basis. The scheme manager has resolved to consider this discretion on case by case basis subject to financial, legal, economical and organisational restrictions. |
| 2 | Authority-initiated early retirement. | Rule 6 | The scheme manager has resolved that where the retirement of a firefighter aged 55 or over is in the interests of the management of the Service, the Authority may process an early retirement for the individual. The scheme manager has resolved to consider this discretion on case by case basis subject to financial, legal, economical and organisational restrictions. |
| 3 | Discretion to determine that certain payments, not otherwise pensionable, should be treated as such for the credit of Additional Pension Benefit to the firefighter member. | Rule 7B | The scheme manager states that a pensionable payments table is available Pensionable Allowances Table . Any changes would need to be agreed by Fire Authority |
| 4 | Discretion to commute a small pension to a trivial commutation lump sum. | Rule 10 | The scheme manager has resolved that where appropriate RBFA will allow the conversion of a small pension to a single lump sum in accordance with the financial limits set. Each case will be considered on an individual basis. |
| 5 | Discretion to permit a firefighter to allocate a portion of pension for a dependant other than a spouse, civil partner, or nominated partner. | Rule 11, paragraphs 2(b) and 3) | The scheme manager has resolved that where a portion of a pension has been allocated to a dependent who is not a spouse, civil partner or cohabiting partner of the member, the Authority will withhold the payment if they cannot be satisfied that the person nominated is substantially dependent on the member. Each case will be considered on its merits and full details of the circumstances will be required. |
| 6 | Requirement for, and acceptance of, an opinion as to normal life expectancy for allocation purposes. | Rule 11, paragraph 6(a) | The scheme manager has resolved that where a Firefighter elects to give up part of their pension (as per Part 3, Rule 11, Paragraphs 2(b) and 3), the Fire Authority may require them to undertake a medical examination to ensure they are in good |

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| | | | health before permitting them to do so. Each case will be considered on an individual basis. |
| Survivors' pensions | | | |
| 7 | Discretion to withhold all or part of a survivor's pension, permanently or temporarily, where the deceased's spouse, civil partner, or nominated partner is convicted of manslaughter of the deceased | Rule 1, Paragraph 3 | The scheme manager has resolved that it will permanently withhold the survivor's pension where the deceased's spouse, civil partner, or nominated partner is convicted of manslaughter of the deceased. |
| 8 | Discretion, subject to request of surviving spouse, civil partner or nominated partner of a firefighter member, to commute their pension to a trivial commutation lump sum. | Rule 5 | The scheme manager has resolved that where appropriate RBFA will allow the conversion of a small pension to a single lump sum in accordance with the financial limits set. Each case will be considered on an individual basis. |
| 9 | Discretion to withhold all or part of a child's pension, permanently or temporarily, where the child is convicted of manslaughter of the deceased. | Rule 7, paragraph 5 | The scheme manager has resolved that it will permanently withhold the child's pension where the deceased's child is convicted of manslaughter of the deceased. |
| 10 | Discretion, subject to consent of child's remaining parent, guardian or the child (if not a minor) to commute a child's pension to a trivial commutation lump sum. | Rule 12 | The scheme manager has resolved that where appropriate RBFA will allow the conversion of a small pension to a single lump sum in accordance with the financial limits set. Each case will be considered on an individual basis. |
| Awards on death | | | |
| 11 | Discretion as to recipient of death grant and post-retirement death grant | Rules 1 and 2 | The scheme manager has resolved that it is the Authority's decision as to the recipient of a death grant. |
| 12 | Discretion to pay part of any death grant not paid in full, to a person whose conviction for murder or manslaughter of the deceased has been quashed | Rule 1, paragraph 12 | The Scheme Manager has resolved that it may re-instate all, or part of, any death grant not paid in full to a person whose conviction for murder or manslaughter of the deceased has been quashed. Each case will be considered on an individual basis. |

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| Pension sharing on divorce | | | |
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| 13 | Discretion, with the agreement of the pension credit member, to commute the whole of a pension credit pension to a trivial commutation lump sum | Rule 2 | The scheme manager has resolved that in the circumstances of divorce, RBFA may allow the conversion of a small pension to a single lump sum in accordance with the financial limits set. Each case will be considered on an individual basis. |
| 14 | Discretion to pay a post-retirement death grant in respect of a pension credit member to such person or persons as the Fire and Rescue Authority think fit. | Rule 5, paragraph 2 | The scheme manager has resolved that it will make the final decision as to the recipient for a post retirement death grant as they feel appropriate. |
| Determination of questions and appeals | | | |
| 15 | Discretion to extend time limit for an appeal against the Fire and Rescue Authority's decision based on medical advice | Rule 4, paragraph 4 | The scheme manager has resolved that where an appeal is not made within the specified time limit and the Authority believe it is not due to the person's own default, the Authority will extend the time limit for appeal by a maximum of one month from the date of the original appeal deadline. |
| 16 | Requirement to deal with a person's disagreement by Internal Dispute Resolution Procedure arrangements set up by a Fire and Rescue Authority in accordance with the requirements of section 50 of the Pensions Act 1995, where the disagreement is in respect of an Authority's determination under Part 8, Rule 2 and the disagreement does not involve an issue of a medical nature. | Rule 5 | The scheme manager has resolved that in line with the regulations, the Authority will deal with appeals using the Internal Disputes Resolution Procedure. |
| 17 | Requirement to decide, at such intervals as a Fire and Rescue Authority think proper, whether a person under State pensionable age and in receipt of an ill-health pension for less than 10 years has become capable of carrying out any duty appropriate to the role from which | Rule 1, paragraph 1 | The scheme manager has resolved that it will undertake regular ill health pension reviews on individuals who are under state pension age and have been in receipt of an ill-health pension for less than 10 years and they become capable of carrying out any duty appropriate to the role from which they retired on health grounds and, in the case of a higher tier ill-health pension, that person has become capable of carrying out any regular employment. |

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| | he/she retired on health grounds, and of undertaking regular employment. | | |
| 18 | Requirement to decide, at such intervals as a Fire and Rescue Authority think proper, whether a person under normal benefit age (65) who is in receipt of a deferred pension paid early on permanent disablement, has become capable of carrying out any duty appropriate to their former role, and of undertaking regular employment | Rule 1, paragraph 2 and Rule 2 | The scheme manager has resolved that it will undertake regular reviews of individuals who are receiving deferred pensions paid early on permanent disablement. |
| 19 | Discretion to withdraw the whole or part of a Part 3 (personal awards) pension for any period during which the person entitled to it is again employed as a firefighter, or in any other capacity, by any Fire and Rescue Authority | Rule 3 | The scheme manager has resolved that where a firefighter has retired and been re-employed as a firefighter, their pension will be subject to abatement on a case by case basis. |
| 20 | Discretion to disallow early payment of a deferred pension under Part 3, Rule 3, paragraph 4 because of firefighter's dismissal from a Fire and Rescue Authority's employment | Rule 4 | The scheme manager has resolved that early payment of a deferred pension due to permanent disability may not be made where a Firefighter has been dismissed from the Authority due to non-medical reasons. Each case will be considered on an individual basis. |
| 21 | Discretion to withdraw pension in whole or in part, permanently or temporarily, on a person's conviction of certain offences. | Rule 5, paragraphs 1 to 3 | The scheme manager has resolved that where an individual is convicted for offences covered in Part 9 Rule 5, it is likely that the Authority will withdraw their pension. However, each case will be considered on an individual basis. |

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| 22 | Discretion, at any time and to such extent as a Fire and Rescue Authority think fit, to restore a pension withdrawn under Part 9, Rule 5, paragraphs 1 to 3, or to apply it for the benefit of any dependant of the pensioner. | Rule 5, paragraph 4 | The scheme manager has resolved that it may restore a pension withdrawn under Part 9, Rule 5 or apply it for the benefit of any dependent of the pensioner. Each case will be considered on an individual basis. |
| 23 | Discretion to decide to what extent an award should be forfeited by a person who has been convicted of an offence under section 34(6) of the Fire and Rescue Services Act 2004 (acts or omissions for purposes of obtaining awards or other sums). | Rule 6 | The scheme manager has resolved that it will consider to what extent an award should be forfeited in the circumstances described in Part 9, Rule 6. Each case will be considered on an individual basis. |
| Qualifying service and pensionable service | | | |
| 24 | Discretion for a Fire and Rescue Authority to pay the employer's pension contributions (otherwise payable by the firefighter) due for a firefighter's unpaid period of absence where the firefighter gives notice that he/she wishes to pay contributions in order that the period may count as pensionable service or special pensionable service | Rule 4, paragraph 3 | The scheme manager has resolved that it will normally give 30 days but will consider on case by case basis. |
| Pensionable pay, pension contributions and purchase of additional service | | | |
| 25 | Discretion to deduct pension contributions from each instalment of pensionable pay as it becomes due (or by any other method of payment that may be agreed between a Fire and Rescue Authority and the member). | Rule 3, paragraph 2 | The scheme manager has resolved that contributions will be deducted from instalments of pay where the pay is pensionable. Should the circumstances arise where consideration needs to be made to other means of paying instalments, these will be made on the basis of financial guidance at that time and as authorised by the Head of Finance and Procurement. |

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| 26 | Discretion to extend the time limit in which an election to pay pension contributions in respect of unpaid additional maternity, paternity or adoption leave must be made. | Rule 4, paragraph 3 | The scheme manager has resolved that late applications will be considered up to a maximum of 90 days or under exceptional circumstances this may be extended to a reasonable timeframe however this discretion no longer applies as the FPS 2006 is closed. |
| 27 | Discretion to deduct contributions in respect of unpaid additional maternity, paternity or adoption leave from the death grant payable under Part 5 if a member or connected member dies without giving notice within the election time limit that he/she wishes to pay such contributions. | Rule 4, paragraphs 6 and 7 | The scheme manager has resolved that it may treat a period of unpaid leave as pensionable where the member has died without giving notice of their election. Each case will be considered on an individual basis. |
| 28 | Discretion to allow a part-time regular firefighter to pay contributions at a part-time rate to purchase additional service. | Rule 5, paragraph 5 | The scheme manager has resolved that it may allow a part-time regular firefighter to purchase pro-rated additional service. Each case will be considered on an individual basis. |
| 29 | Discretion to allow a retained or volunteer firefighter to purchase additional service by periodical contributions | Rule 5, paragraph 6 | The scheme manager has resolved that each case will be considered on an individual basis. |
| 30 | Purchase of service during the limited period | Rule 5A | The scheme manager has resolved that each case will be considered on an individual basis. |
| 31 | Discretion to agree to a firefighter member's request to discontinue payment of additional contributions to purchase service provided this is solely on the grounds of the member's financial circumstances, and decision as regards timing of recommencement of payment of additional contributions to purchase service where agreed with member that | Rule 8 | The scheme manager has resolved that it will agree to discontinuance of payment of additional contributions for increased benefits where the member is able to provide evidence of financial hardship. The scheme manager has resolved that it is unlikely that there will be further cases. |

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| | discontinuance should be no greater than 6 months. | | |
| 32 | The payment of contributions in respect of periods of unpaid service or absence, and discretion to extend the time limit in which the firefighter must pay | Rule 9, paragraph 4(c) | <p>The scheme manager has resolved that it may extend the time limit for payment of contributions in respect of periods of unpaid service or absence. Each case will be considered on an individual basis.</p> <p>The scheme manager has determined that employees absent on industrial action or on a career break will pay both employer and employee contributions in the event that they wish to count this as pensionable service.</p> <p>This discretion no longer applies as the FPS 2006 is closed.</p> |
| Transfers into and out of the scheme | | | |
| 33 | Discretion to charge member for third or subsequent statement of cash equivalent transfer value entitlement requested within any 12 month period | Rule 3, paragraph 6 | The scheme manager has resolved that it may charge a member for third or subsequent statements of cash equivalent transfer values requested in any 12 month period. Each case will be considered on an individual basis. |
| 34 | Discretion to extend time limit in which a member, other than a special firefighter member, may apply for a transfer value payment from a non-occupational pension scheme. | Rule 9(1)(c)(ii) | The scheme manager has resolved that each case will be considered on an individual basis. |
| 35 | Discretion to accept a transfer value. | Rule 10, paragraph 1, subject to paragraphs 3 and 4 and Part 10, Rule 2, paragraphs 2 and 3 | The scheme manager has resolved that where there is discretion to accept a transfer value, advice will be sought from RBFA's Pension Administrators regarding the appropriate value. |
| 36 | Discretion to extend 12-month time limit for acceptance of a "miss-selling" transfer value payment | Rule 14, paragraph 3 | The scheme manager has resolved that it is unlikely that there will be further cases. |

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| 37 | Discretion to adjust "miss-selling" transfer value to take account of any earlier service credit. | Rule 14, paragraph 6 | The scheme manager has resolved that it is unlikely that there will be further cases. |
| Payment of awards | | | |
| 38 | Discretion to delay payment of an award to the extent necessary for determining any question as to a Fire and Rescue Authority's liability | Rule 3, paragraph 2(a) | The scheme manager has resolved that it will delay the payment of an award until they are satisfied as to the eligibility of an award. |
| 39 | Discretion to pay an award at other reasonable intervals if impracticable to pay at the standard monthly periods | Rule 3, paragraph 2(b) | The scheme manager has resolved that it may pay an award at reasonable intervals if it is impracticable to pay at the standard monthly periods. |
| 40 | Discretion to recover all or part of an overpayment following a pensioner's death of which a Fire and Rescue Authority were not informed (possibly by making an off-set against any other awards payable under the Firefighters' Pension Scheme 2006 in respect of the deceased). | Rule 3, paragraph 5 | The scheme manager has resolved that it will recover any overpayments made following a pensioner's death in line with the 'Managing Public Money' guidance. |
| 41 | Repayment of aggregate contributions. | Rule 3, paragraph 6 | The scheme manager has resolved that this is in line with pension regulations on pension refunds |
| 42 | Discretion as to recipient of any sum payable to a minor and directions as to application for the minor's benefit. | Rule 5, paragraph 1 | The scheme manager has resolved that it will make the final decision as to the recipient to receive any sum payable to a minor. |
| 43 | Discretion as to recipient, or application, of payments due to a person incapable of managing his/her own affairs. | Rule 5, paragraph 2 | The scheme manager has resolved that it will make the final decision as to the recipient to receive any sum payable to a person incapable of managing their own affairs. |
| 44 | Discretion, following the death of a person, as to recipient(s) of sums less than the amount specified in the Administration of Estates (Small Payments) Act 1965 | Rule 6, paragraph 1 | The scheme manager has resolved that following the death of a person, it is the Authority's decision as to who the recipient should be on a case by case basis of any awards less than £5,000. |

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| 45 | Discretion to withhold sums due in respect of an award to a firefighter where there has been a loss to the funds of the Fire and Rescue Authority as a result of fraud, theft or negligence on the part of that person in connection with his/her employment | Rule 6, paragraphs 4 to 7 | The scheme manager has resolved that it will withhold sums due in respect of an award to a firefighter where there has been a loss to the funds of RBFA as a result of fraud, theft or negligence on the part of that person in connection with his/her employment. |
| Miscellaneous provisions | | | |
| 46 | Discretion to require a person who is or may be entitled to a pension or a lump sum under the Firefighters' Pension Scheme 2006 to provide a Fire and Rescue Authority with supporting evidence as to identity and to continuing entitlement to any payment under the Scheme, and discretion to withhold the whole or part of any amount due where a person fails to comply with this requirement | Rule 3 | The scheme manager has resolved that where an individual fails to comply with the Authority's requirements regarding evidence of entitlement, the Authority will withhold the whole or part of any amount that is otherwise payable. |
| 47 | Decision as to date of issue of annual benefit statements and relevant date for the pension illustration. | Rule 4 | The scheme manager has resolved that Annual Benefit Statements will be issued in August each year in line with the regulations. |
| Appeals to board of medical referees | | | |
| 48 | Discretion to extend 28 day time limit, in which a person must lodge a medical appeal, to a period not exceeding 6 months | paragraph 1(2)) | The scheme manager has resolved that where an appeal is not made within the specified time limit and the Authority believe it is not due to the person's own default, the Authority will extend the time limit for appeal by a maximum of one month from the date of the original appeal deadline. |
| 49 | Discretion to decide the Fire and Rescue Authority's representative at Medical Appeal Board interview | paragraph 6(5) | The scheme manager has resolved that it is likely that RBFA's representation at a Medical Appeal Board will be the Head of Human Resources and any other individual they consider appropriate. |

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| 50 | Discretion to decide whether or not to submit written evidence or a written statement to Medical Appeal Board | paragraph 7(1) | The scheme manager has resolved that it will submit written evidence to a Medical Appeal Board in accordance with the regulations |
| 51 | Discretion, where Medical Appeal Board determines an appeal in favour of the Fire and Rescue Authority and states that, in its opinion, the appellant's appeal was "frivolous, vexatious or manifestly ill founded", to require the appellant to pay to the Fire and Rescue Authority such sum as the Authority think fit, not exceeding the total amount of fees and allowances payable by the Authority to the Board under Annex 2, paragraph 9(1). | paragraph 10(2) | The scheme manager has resolved that where a Medical Appeal Board decide that a person's appeal was 'frivolous, vexatious or manifestly ill-founded' the Authority will require the appellant to pay any sum they think fit subject to capping as per the regulations. |
| 52 | Discretion to require the appellant to pay to the Fire and Rescue Authority such sum as the Authority think fit, not exceeding the Medical Appeal Board's total amount of fees and allowances payable to the Board by the Authority under Annex 2, paragraph 9(1), in circumstances where the appellant gives notice to the Medical Appeal Board, withdrawing the appeal or requesting cancellation of, postponement of, or adjournment of, the date appointed for the medical examination less than 22 working days before the appointed date, or if the appellant's acts or omissions cause the Board to cancel, postpone or otherwise | paragraph 10(3) | The scheme manager has resolved that where an appellant withdraws their appeal less than 22 working days before the date appointed for interview or medical examination, the Authority will require the appellant to pay any sum they think fit subject to capping as per the regulations. |

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| | adjourn less than 22 days before the appointed date | | |
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ROYAL BERKSHIRE FIRE AUTHORITY REPORT



| | |
|---------------------------|----------------------------------------------------------------------------------------------------------|
| COMMITTEE | FIRE AUTHORITY |
| DATE OF MEETING | 19 DECEMBER 2022 |
| SUBJECT | ANNUAL TREASURY MANAGEMENT REVIEW 2021/22 AND MID-YEAR TREASURY MANAGEMENT UPDATE 2022/23 |
| LEAD OFFICER | CONOR BYRNE, HEAD OF FINANCE AND PROCUREMENT |
| LEAD MEMBER | COUNCILLOR JEFF BROOKS |
| EXEMPT INFORMATION | N/A |
| ACTION | FOR NOTE |

1. **EXECUTIVE SUMMARY**

- 1.1 To present the Annual Treasury Report for 2021/22 and the Mid-Year Treasury Management Update for 2022/23, in accordance with the CIPFA Code of Practice on Treasury Management.

2. **RECOMMENDATION**

That the Fire Authority:

- 2.1 **NOTE** the Annual Treasury Report for 2021/22; and
- 2.2 **NOTE** the Mid-Year Treasury Management Update for 2022/23.

3. **REPORT**

- 3.1 Treasury management in local Government during 2021/22 and 2022/23 has been regulated by the CIPFA Code of Practice on Treasury Management.
- 3.2 The Annual Treasury Report for 2021/22 is shown as Appendix A. Performance is in line with the prudential indicators approved by the Authority in February 2021.
- 3.3 The Mid-Year Treasury Management Update for 2022/23 is shown as Appendix B.

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- 3.4 In line with the capital strategy developed by the Authority in recent years to fund the Strategic Asset Investment Framework, the Authority borrowed money in 2021/22 for the first time since 2009/10.
- 3.5 Borrowing at this time enabled the Authority to take advantage of the historically low Bank Rate. Throughout 2022 the picture has changed considerably with the Monetary Policy Committee (MPC) raising rates at its last eight meetings. The Bank Rate was increased to 3% in November 2022.
- 3.6 Through close cash flow management the Authority has been able to capitalise on the increased rates available to place a number of fixed term deposits during 2022/23 to maximise investment return, whilst ensuring the security of the underlying capital.
- 3.7 Officers continue to monitor liquidity needs, the underlying Capital Financing Requirement (CFR) and investment opportunities available that are compliant with our treasury management strategy and the advice of our treasury advisors to maximise investment returns.

4. CONTRIBUTION TO STRATEGIC COMMITMENTS

- 4.1 Commitment 5 – We will ensure that Royal Berkshire Fire and Rescue Service provides good value for money.

5. FINANCIAL IMPLICATIONS

- 5.1 Investment income interest received for the 2021/22 financial year totalled £10,500. Estimated interest income to be received in 2022/23 is £300,000.
- 5.2 The Authority repaid external borrowing of £1.17m in 2021/22 and borrowed £5m. The Authority is due to repay £2m in March 2023.
- 5.3 The Bank Rate set by the MPC and the Investment rates available to the Authority is outside of our direct control, and are influenced by many external factors. Officers continue to monitor this area closely.

6. LEGAL IMPLICATIONS

- 6.1 The money invested with Oxfordshire County Council is governed by the legal agreement in place for the Thames Valley Fire Control Service arrangement (TVFCS).

7. EQUALITY AND DIVERSITY IMPLICATIONS

- 7.1 None.

8. RISK IMPLICATIONS

- 8.1 The guidance on Local Government Investments in England gives priority to security and liquidity and the Authority's aim is to achieve a yield commensurate with these principles.

- 8.2 The Authority works closely with our Treasury Advisors to ensure that these principles are adhered to, and risk is monitored closely as part of this.
- 8.3 Whilst a small proportion of the investment portfolio is managed by Oxfordshire County Council, their legal status as a public body leads us to believe they are our lowest counterparty risk.

9. CONSISTENCY WITH DUTY TO COLLABORATE

- 9.1 The sum held for us by Oxfordshire County Council is in relation to the renewals fund for TVFCS. This is invested by them in line with their treasury management policies and procedures.

10. PRINCIPAL CONSULTATION

- 10.1 Chief Fire Officer
- 10.2 Head of Finance and Procurement

11. BACKGROUND PAPERS

- 11.1 CIPFA Prudential and Treasury Management Codes (revised December 2017)
- 11.2 Treasury Management Strategy Statement 2021/22 approved by the Authority on 17 February 2021.
- 11.3 Treasury Management Strategy Statement 2022/23 approved by the Authority on 15 February 2022.

12. APPENDICES

- 12.1 Appendix A – Annual Treasury Report 2021/22
- 12.2 Appendix B – Mid-Year Treasury Management Update 2022/23

13. CONTACT DETAILS

- 13.1 Ryan Maslen – Deputy Head of Finance and Procurement – 0118 938 4722

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ANNUAL TREASURY MANAGEMENT REVIEW

End of year review reflecting performance in 2021/22 and the position as at 31 March 2022.





Introduction

The Authority is required by regulations issued under the Local Government Act 2003 to produce an annual treasury management review of activities and the actual prudential and treasury indicators for 2021/22. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management, (the Code), and the CIPFA Prudential Code for Capital Finance in Local Authorities, (the Prudential Code).

During 2021/22 the minimum reporting requirements were that the full Fire Authority should receive the following reports:

- an annual treasury strategy in advance of the year (Fire Authority 17/02/2021)
- a mid-year (minimum) treasury update report (Fire Authority 02/11/2021)
- an annual review following the end of the year describing the activity compared to the strategy (this report)

The regulatory environment places responsibility on Members for the review and scrutiny of treasury management policy and activities. This report is, therefore, important in that respect, as it provides details of the outturn position for treasury activities and highlights compliance with the Authority's policies previously approved by Members.

The Authority's Capital Expenditure and Financing

The Authority undertakes capital expenditure on long-term assets. These activities may either be:

- financed immediately through the application of capital or revenue resources (capital receipts, capital grants, revenue contributions etc.), which have no resultant impact on the Authority's borrowing need; or
- if insufficient financing is available, or a decision is taken not to apply resources, the capital expenditure will give rise to a borrowing need.



The actual capital expenditure forms one of the required prudential indicators. The table below shows the actual capital expenditure and how this was financed.

| | 2020/21 Actual (£000's) | 2021/22 Original Planned (£000's) | 2021/22 Actual (£000's) |
|--------------------------------|------------------------------------|----------------------------------------------|------------------------------------|
| Capital Expenditure | 6,512 | 6,675 | 3,522 |
| Financed in year | 1,034 | 3,615 | 2,552 |
| Unfinanced capital expenditure | 5,478 | 3,060 | 970 |

The original planned expenditure in 2021/22 included £3.2m for the new community Fire Station in Theale, £1.25m for the full minor capital works programme, £1.5m for fleet and equipment and £0.75m for ICT. Theale was subsequently delivered under budget, with capital spend of £2.7m in 21/22. Tender evaluation processes for the minor capital works programme identified significant inflationary price pressures, and project plans were therefore delayed whilst requirements were reviewed.

A number of the planned fleet orders were placed in 2021/22, but suppliers advised of long lead times resulting in the delay in actual costs being incurred. Delays were also experienced on a number of ICT projects, mainly due to third party providers.

The Authority's Overall Borrowing Need

The Authority's underlying need to borrow to finance capital expenditure is termed the Capital Financing Requirement (CFR).

Gross borrowing and the CFR - in order to ensure that borrowing levels are prudent over the medium term and only for a capital purpose, the Authority should ensure that its gross external borrowing does not, except in the short term, exceed the total of the capital financing requirement in the preceding year (2020/21) plus the estimates of any additional capital financing requirement for the current (2021/22) and next two financial years. This essentially means that the Authority is not borrowing to support revenue expenditure. This indicator allowed the Authority some flexibility to borrow in advance of its immediate capital needs in 2021/22. The table below highlights the Authority's gross borrowing position against the CFR. The Authority has complied with this prudential indicator.



| | 2020/21 Actual (£000's) | 2021/22 Budget (£000's) | 2021/22 Actual (£000's) |
|--------------------------|----------------------------|----------------------------|----------------------------|
| Gross Borrowing position | 7,092 | 12,830 | 10,922 |
| CFR | 10,500 | 12,830 | 11,470 |

During 2021/22 the Authority repaid borrowing of £1.17m. New borrowing of £3m was arranged in April 2021 and a further £2m was borrowed in March 2022.

The authorised limit - the authorised limit is the “affordable borrowing limit” required by s3 of the Local Government Act 2003. Once this has been set, the Authority does not have the power to borrow above this level. The table below demonstrates that during 2021/22 the Authority has maintained gross borrowing within its authorised limit.

The operational boundary – the operational boundary is the expected borrowing position of the Authority during the year. Periods where the actual position is either below or over the boundary are acceptable subject to the authorised limit not being breached.

Actual financing costs as a proportion of net revenue stream - this indicator identifies the trend in the cost of capital, (borrowing and other long-term obligation costs net of investment income), against the net revenue stream.

| | 2021/22 (£000's) |
|-------------------------------------------------------|------------------|
| Authorised Limit | 18,331 |
| Maximum gross borrowing position | 10,922 |
| Operational boundary | 12,930 |
| Average gross borrowing position | 9,374 |
| Financing costs as a proportion of net revenue stream | 2.80% |



Treasury Position as at 31 March 2022

At the beginning and the end of 2021/22 the Authority's treasury position was as follows:

| | 31 st March 2021 Principal (£000's) | Rate / Return | Average Life (Yrs) | 31 st March 2022 Principal (£000's) | Rate / Return | Average Life (Yrs) |
|-----------------------------------------|------------------------------------------------------|------------------|--------------------------|------------------------------------------------------|------------------|--------------------------|
| Debt: | | | | | | |
| Fixed Rate Funding | | | | | | |
| - PWLB | 7,092 | 4.31% | 7.7 | 10,922 | 4.20% | 9.9 |
| CFR | 10,500 | | | 11,358 | | |
| Over / (Under) borrowing | (3,408) | | | (436) | | |
| | | | | | | |
| Investments: | | | | | | |
| Instant Access | 2,218 | 0.01% | | 4,707 | 0.01% | |
| 95 Day Notice Accounts | 2,042 | 0.40% | | 2,050 | 0.45% | |
| Long Term | 597 | 0.40% | | 638 | 0.10% | |
| Total Investments | 4,857 | | | 7,395 | | |

The maturity structure of the debt portfolio was as follows:

| | 31 st March 2021 Actual (£000's) | 31 st March 2022 Actual (£000's) |
|--------------------------------|------------------------------------------------|------------------------------------------------|
| Under 12 months | 1,170 | 2,000 |
| 12 months and within 24 months | 0 | 0 |
| 24 Months and within 5 Years | 394 | 394 |
| 5 Years and within 10 years | 3,378 | 3,378 |
| 10 Years and within 20 Years | 2,150 | 2,150 |
| 20 Years and within 30 Years | 0 | 3,000 |
| Total | 7,092 | 10,922 |



The Strategy for 2021/22

Investment strategy and control of interest rate risk

Investment returns remained close to zero for much of 2021/22. The expectation for interest rates within the treasury management strategy for 2021/22 was that Bank Rate would remain at 0.1% until it was clear to the Bank of England that the emergency level of rates introduced at the start of the Covid-19 pandemic were no longer necessitated.

The Bank of England and the Government also maintained various monetary and fiscal measures, supplying the banking system and the economy with massive amounts of cheap credit so that banks could help cash-starved businesses to survive the various lockdowns/negative impact on their cash flow. The Government also supplied huge amounts of finance to local authorities to pass on to businesses. This meant that for most of the year there was much more liquidity in financial markets than there was demand to borrow, with the consequent effect that investment earnings rates remained low until towards the turn of the year when inflation concerns indicated that central banks, not just the Bank of England, would need to lift interest rates to combat the second-round effects of growing levels of inflation (CPI was 6.2% in February).

While the Authority has taken a cautious approach to investing, it is also fully appreciative of changes to regulatory requirements for financial institutions in terms of additional capital and liquidity that came about in the aftermath of the financial crisis. These requirements have provided a far stronger basis for financial institutions, with annual stress tests by regulators evidencing how institutions are now far more able to cope with extreme stressed market and economic conditions.

Investment balances have been kept to a minimum through the agreed strategy of using reserves and balances to support internal borrowing when possible, rather than borrowing externally from the financial markets. Such an approach has also provided benefits in terms of reducing counterparty risk exposure, by having fewer investments placed in the financial markets.

Borrowing strategy and control of interest rate risk

The Authority's debt position increased by £3.83m in 2021/22, from £7,092k to £10,922k.

During 2021/22, the Authority had an under-borrowed position. This meant that the capital borrowing need, (the Capital Financing Requirement), was not fully funded with loan debt, as short-term cash balances were used as an interim measure. This strategy was prudent as investment returns were very low and minimising counterparty risk on placing investments also needed to be considered.



A cost of carry remained during the year on any new long-term borrowing that was not immediately used to finance capital expenditure, as it would have caused a temporary increase in cash balances; this would have incurred a revenue cost – the difference between (higher) borrowing costs and (lower) investment returns.

Investment Outturn

Investment Policy – the Authority’s investment policy is governed by the Department for Levelling Up, Housing and Communities’ investment guidance, which has been implemented in the annual investment strategy approved by the Fire Authority on 17 February 2021. This policy sets out the approach for choosing investment counterparties, and is based on credit ratings provided by the three main credit rating agencies, supplemented by additional market data, (such as rating outlooks, credit default swaps, bank share prices etc.).

The investment activity during the year conformed to the approved strategy, and the Authority had no liquidity difficulties.

Investments held by the Authority – at the end of 2021/22, the Authority had investments totalling £7.4m. The Authority regularly reviews its cash flow requirements over the forthcoming period to ensure liquidity, whilst also looking to maximise return by investing sums for longer periods where possible. The Authority maintained its investments in 95 day notice accounts in 2021/22 to maximise return whilst also enabling short term access to the funds when necessary for capital purposes.

The Authority’s long-term investments of £0.6m relate to its share of the TVFCS Renewals Fund. The fund is managed by Oxfordshire County Council on behalf of the three partners. The Fund has been earmarked to replace IT assets where necessary.

Borrowing Outturn

The Authority’s debt position increased by £3.83m in 2021/22, from £7,092k to £10,922k. No debt rescheduling was undertaken.

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Appendix A

TREASURY MANAGEMENT UPDATE

Mid-year review reflecting
performance and the position as
at 30 September 2022





Introduction

This report has been written in accordance with the requirements of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management (revised 2017). The primary requirements of the Code are as follows:

1. Creation and maintenance of a Treasury Management Policy Statement which sets out the policies and objectives of the Authority's treasury management activities.
2. Creation and maintenance of Treasury Management Practices which set out the manner in which the Authority will seek to achieve those policies and objectives.
3. Receipt by the full Fire Authority of an annual Treasury Management Strategy Statement - including the Annual Investment Strategy and Minimum Revenue Provision Policy - for the year ahead, a Mid-year Review Report and an Annual Report, (stewardship report), covering activities during the previous year.
4. Delegation by the Authority of responsibilities for implementing and monitoring treasury management policies and practices and for the execution and administration of treasury management decisions.

This mid-year report has been prepared in compliance with CIPFA's Code of Practice on Treasury Management, and covers the following:

- An economic update for the first part of the 2022/23 financial year;
- A review of the Treasury Management Strategy Statement and Annual Investment Strategy;
- The Authority's capital expenditure, as set out in the Capital Strategy, and prudential indicators;
- A review of the Authority's investment portfolio for 2022/23;
- A review of the Authority's borrowing strategy for 2022/23;
- A review of any debt rescheduling undertaken during 2022/23;
- A review of compliance with Treasury and Prudential Limits for 2022/23.



In December 2017, the Chartered Institute of Public Finance and Accountancy, (CIPFA), issued revised Prudential and Treasury Management Codes. These require all local authorities to prepare a Capital Strategy which is to provide the following: -

- a high-level overview of how capital expenditure, capital financing and treasury management activities contribute to the provision of services;
- an overview of how the associated risk is managed;
- the implications for future financial sustainability.

A report setting out our Capital Strategy is presented to Fire Authority annually as part of the budget setting papers each February.

The Authority operates a balanced budget, which broadly means cash raised during the year will meet its cash expenditure. Part of the treasury management operations ensure this cash flow is adequately planned, with surplus monies being invested in low risk counterparties, providing adequate liquidity initially before considering optimising investment return.

The second main function of the treasury management service is the funding of the Authority's capital plans. These capital plans provide a guide to the borrowing need of the Authority, essentially the longer term cash flow planning to ensure the Authority can meet its capital spending operations. This management of longer term cash may involve arranging long or short term loans, or using longer term cash flow surpluses, and on occasion any debt previously drawn may be restructured to meet Authority risk or cost objectives.

Accordingly, treasury management is defined as:

“The management of the local authority's borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”

Economic Update

The last section of this report provides an in depth update on the global outlook and interest rate forecasts. The Bank of England's Monetary Policy Committee (MPC) increased the Bank Rate to 3% at the beginning of November 2022.

Movements in the Bank rate agreed by the MPC affect the Authority in two ways. Firstly, the yield we are able to generate from our investment portfolio will have a



direct link to the Bank Rate. As the rate increases, the investment rates we are able to access, and therefore the return we generate, should also increase.

In a similar way, the rates we are able to access for borrowing purposes will also reflect movements in the Bank Rate.

Treasury Management Strategy Statement and Annual Investment Strategy Update

The Treasury Management Strategy Statement and the Annual Investment Strategy for 2022/23 were approved by Fire Authority on 15 February 2022. There are no changes to either strategy; the details in this report update the position in the light of the updated economic and budgetary position.

Authority's Capital Position and Prudential Indicators

This part of the report is structured to update:

- the Authority's capital expenditure plans;
- how these plans are being financed;
- the impact of the changes in the capital expenditure plans on the prudential indicators and the underlying need to borrow; and
- compliance with the limits in place for borrowing activity.

The table below shows the latest capital expenditure budgets for 2022/23, and the spend to the end of September 2022.

| Capital Expenditure | 2022/23 Budget (£000's) | Actual costs as at 30 September 2022 (£000's) |
|---------------------|-------------------------|-----------------------------------------------|
| Property | 893 | 169 |
| Fleet & Equipment | 1,114 | 62 |
| ICT | 210 | 24 |
| TOTAL | 2,217 | 255 |

The minor capital works programme is progressing at a number of different fire stations. Tender evaluation processes continue to identify significant inflationary



price pressures, so overall plans are being reviewed to ensure value for money. All breathing apparatus equipment will be delivered by the end of December 2022. 17 of the 19 white fleet vehicles approved by Fire Authority since February 2021 have been ordered, but due to lead times 7 of these vehicles are not due for delivery until Q1 2023/24 and therefore costs are yet to be incurred. Work is ongoing on a number of ICT projects, with significant levels of spend scheduled for the second half of 2022/23.

Limits to Borrowing Activity

A key control over the treasury activity is the prudential indicator that ensures that over the medium term, net borrowing (borrowings less investments) will only be for a capital purpose. Gross external borrowing should not, except in the short term, exceed the total of CFR in the preceding year plus the estimates of any additional CFR for 2022/23 and next two financial years. This allows some flexibility for limited early borrowing for future years.

| | 2022/23 Original Estimate (£000's) | Position as at 30 September 2022 (£000's) | 2022/23 Revised Estimate (£000's) |
|------|-------------------------------------------|--------------------------------------------------|------------------------------------------|
| Debt | 11,807 | 10,922 | 8,922 |

The Chief Finance Officer reports that no difficulties are envisaged for the current or future years in complying with this prudential indicator. No new external borrowing arrangements have been entered into during 2022/23, and borrowing totalling £2m is due for repayment prior in March 2023. With the higher than expected capital receipt from the sale of the Dee Road site, the estimated outturn debt position for the year has also reduced.

A further prudential indicator sets the overall level of borrowing. This is the Authorised Limit which represents the limit beyond which borrowing is prohibited. It reflects the level of borrowing which, while not desired, could be afforded in the short term, but is not sustainable in the longer term. It is the expected maximum borrowing need with some headroom for unexpected movements. This is the statutory limit determined under section 3 (1) of the Local Government Act 2003.



| Authorised Limit for External Debt | 2022/23 Original Estimate (£000's) | Position as at 30 September 2022 (£000's) | 2022/23 Revised Estimate (£000's) |
|-------------------------------------------|-------------------------------------------|--------------------------------------------------|------------------------------------------|
| Debt | 16,807 | 16,807 | 16,807 |
| Other long term liabilities | 5,000 | 5,000 | 5,000 |
| Total | 21,807 | 21,807 | 21,807 |

The amount under *Other long term liabilities* is a reflection of the need to reclassify leases under the accounting standard IFRS 16. However, the adoption of this standard has been delayed again.

Investment Portfolio

The CIPFA Treasury Management Code of Practice sets out the Authority's investment priorities as being: security of capital, liquidity and yield. The Authority will aim to achieve the optimum return (yield) on its investments commensurate with proper levels of security and liquidity, which is consistent with the Authority's risk appetite. In the current economic climate it is considered appropriate to keep investments short term to cover cash flow needs, but also to seek out value available in periods up to 12 months with high credit rated financial institutions, using the suggested creditworthiness approach provided by our treasury advisors.

The increase in bank rate overseen by the MPC over the course of 2022 has provided the Authority an opportunity to increase return on investments. In recent years, when rates have been historically low, options have been scarce, but in conjunction with our treasury advisors we have placed a number of fixed term deposits with counterparties.

The Authority continues to closely monitor liquidity needs and all of these fixed-term deposits mature in the current financial year to provide flexibility where needed. The added advantage of this approach is that if bank rate continues to increase as expected then the Authority will be able to benefit from this when placing further investments in the future, and maximise return.

The Authority held investments totalling £12.696m as at 30th September 2022.



| | 30 Sept 2022 Principal (£000's) | Average Rate / Return |
|--------------------------|------------------------------------------------|--------------------------------------|
| Investments: | | |
| 95 Day Notice Accounts | 2,059 | 1.13% |
| Fixed Term Deposits | 10,000 | 3.40% |
| Long Term | 637 | 0.10% * |
| Total Investments | 12,696 | |

* Long term investments relate to our share of the TVFCS renewals fund which is held and invested by Oxfordshire County Council on behalf of TVFCS partners. Rate of return shown is that achieved in 2021/22.

The Chief Financial Officer confirms that the approved limits within the Annual Investment Strategy were not breached during the first 6 months of 2022/23.

The budgeted investment return for 2022/23 is £60,000. With the additional investments made outlined above, the Authority estimates that the total return in 2022/23 will be £301,000. This may increase further, especially if interest rates continue to rise, but this is reliant on domestic and global political actions and the subsequent impact on the Bank Rate set by the Monetary Policy Committee in the UK. This area is closely monitored as part of standard cash flow management procedures.

Borrowing Strategy

The Authority's capital financing requirement (CFR) estimate for 2022/23 is £10,769k. The CFR denotes the Authority's underlying need to borrow for capital purposes. If the CFR is positive the Authority may borrow from the PWLB or the market (external borrowing) or from internal balances on a temporary basis (internal borrowing). The balance of external and internal borrowing is generally driven by market conditions. The Authority is due to repay £2m of borrowing in March 2023.

Debt Rescheduling

No debt rescheduling has been undertaken to date in the current financial year.



Economic Update

Outlook from Link Asset Services

CPI Inflation will continue to be influenced by a number of factors in the coming months: fuel prices, utility price inflation and services inflation, which is being driven by a tight labour market and strong wage growth. Government policy underpinning all of these areas also has a significant impact.

The MPC has now increased interest rates eight times in as many meetings in 2022 and has raised rates to their highest level since the Global Financial Crisis. The combination of the Government policies, the tight labour market and sticky inflation expectations leads Link Asset Services to predict a rise in interest rates to 4.5% before falling back.

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| ITEM | DECISION BODY | NEXT REPORTING DATE | REPORTING FREQUENCY | RECOMMENDED ACTION | LEAD OFFICER | LEAD MEMBER | PART I / II |
|---------------------------------------------------------------------------------------------------------|----------------------|---------------------|---------------------|--------------------|-----------------------------------------|-----------------------------------------------------------------------|-------------|
| Statement of Assurance | A&GC | 23.01.23 | Quarterly | Note and Recommend | HCS | RBFA Chairman and A&GC Chairman | Part I |
| Gender, Ethnicity and Equality Pay Gap | A&GC | 23.01.23 | Annual | Note | HHR&L&D | N/A | Part I |
| Pay Policy Statement | A&GC | 23.01.23 | Annual | Note and Recommend | HHR&L&D | N/A | Part I |
| Internal Audit report | A&GC | 23.01.23 | Quarterly | Note | HF&P | N/A | Part I |
| Planning assumptions - Presentation | A&GC | 23.01.23 | Ad-hoc | Note | HF&P | Budget and Income Generation Lead | Part I |
| Statement of Accounts 21/22 | A&GC | 23.01.23 | Annual | Agree | HF&P | Budget and Income Generation Lead | Part I |
| Annual Governance Statement 22/23 | A&GC | 23.01.23 | Annual | Note | Programme Office and Inspection Manager | N/A | Part I |
| Q2 Performance Report | A&GC | 23.01.23 | Quarterly | Note | Data, Performance and Risk Manager | N/A | Part I |
| Emergency Services Mobile Communications Programme - Presentation | A&GC | 23.01.23 | Bi annual | Note | HBIS | N/A | Part I |
| Annual Review of Members Code of Conduct | A&GC | 23.01.23 | Annual | Note and recommend | DChEx | A&GC Chairman | Part I |
| Budget Monitoring Q3 | Management Committee | 7.02.23 | Annual | Note | HF&P | Budget and Income Generation Lead | Part I |
| Scheme of Member Allowances Annual Review | Management Committee | 7.02.23 | Annual | Note and recommend | MO | N/A | Part I |
| Appliance Availability Q3 | Management Committee | 7.02.23 | Quarterly | Note | AM (R&R) | N/A | Part I |
| Pension Governance and Discretions | Fire Authority | 15.02.23 | Ad-hoc | Agree | HHR&L&D | N/A | Part I |
| Annual Budget 23/24, Medium Term Financial Plan & Strategic Asset Investment Framework and TVFCS Budget | Fire Authority | 15.02.23 | Annual | Agree | HF&P | Budget and Income Generation/ Collaboration and Strategic Assets Lead | Part I |
| Built Environment Presentation | Fire Authority | 15.02.23 | Ad-hoc | Note | DCFO | N/A | Part I |
| Emergency Services Environment and Sustainability Group Charter | Fire Authority | 15.02.23 | Ad-hoc | To sign | HFF&E | Strategic Assets and Sustainability Lead | Part I |

| ITEM | DECISION BODY | NEXT REPORTING DATE | REPORTING FREQUENCY | RECOMMENDED ACTION | LEAD OFFICER | LEAD MEMBER | PART I / II |
|-----------------------------------------------------------------|----------------|---------------------|---------------------|--------------------|------------------------------------|-------------------------------------|-------------|
| Pay Policy Statement | Fire Authority | 15.02.23 | Annual | Agree | HHR&L&D | N/A | Part I |
| Scheme of Allowances Annual Review 23/24 | Fire Authority | 15.02.23 | Annual | Agree | MO | N/A | Part I |
| Internal Audit Report | A&GC | 28.3.23 | quarterly | Note | HF&P | N/A | Part I |
| External Audit Report | A&GC | 28.3.23 | quarterly | Note | HF&P | N/A | Part I |
| Statement of Accounts | A&GC | 28.3.23 | Annual | Agree | HF&P | Budget and Income Generation Lead | Part I |
| Annual Report on Members Development | A&GC | 28.3.23 | Annual | Note and Recommend | DChEx | Organisational Development Champion | Part I |
| Annual report on Governance / Members attendance and allowances | A&GC | 28.3.23 | Annual | Note and Recommend | DChEx | A&GC Chairman | Part I |
| Annual Plan 2023/24 | A&GC | 28.3.23 | Annual | Note and Recommend | DChEx | N/A | Part I |
| Members Code of Conduct annual consultation - results | A&GC | 28.3.22 | Annual | Note | HCS | N/A | Part I |
| Quarter 3 Performance Report | A&GC | 28.3.23 | Quarterly | Note | Data, Performance and Risk Manager | N/A | Part I |
| Corporate Calendar 2023/24 | Fire Authority | 27.04.23 | Annual | Agree | DChEx | N/A | Part I |
| Corporate Plan and CRMP Consultation Results | Fire Authority | 27.04.23 | Ad-hoc | Agree | HCS | CRMP Lead | Part I |
| Lead Member and Champion Annual Reports | Fire Authority | 27.04.23 | Annual | Note | Lead Officers | Lead Members | Part I |
| Annual Plan 2023/24 | Fire Authority | 27.04.23 | Annual | Agree | DChEx | N/A | Part I |

**Categories of “Exempt Information”
under Schedule 12A of the Local Government Act 1972**

| | Category |
|---|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | [For each of nos 1 - 7, see <u>Qualification 1</u> below] |
| 1 | Information relating to any individual |
| 2 | Information which is likely to reveal the identity of an individual. |
| 3 | Information relating to the financial or business affairs of any particular person (including the authority holding that information). [see <u>Qualification 2</u> below] |
| 4 | Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority. |
| 5 | Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. |
| 6 | Information which reveals that the authority purposes: (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment. |
| 7 | Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime. |

Qualifications:

- (1) Information falling within paragraph 3 is not exempt information by virtue of that paragraph if it is required to be registered under -
 - (a) the Companies Act 1985;
 - (b) the Friendly Societies Act 1974;
 - (c) the Friendly Societies Act 1992;
 - (d) the Industrial and Provident Societies Acts 1965 to 1978;
 - (e) the Building Societies Act 1986; or
 - (f) the Charities Act 1993.
- (2) Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.
- (3) Information which -
 - (a) falls within any of paragraphs 1 to 7 above; and
 - (b) is not prevented from being exempt by virtue of the two preceding paragraphs

is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest

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in disclosing the information.

Interpretation:

- (4) "*Employee*" means a person employed under a contract of service;
- (5) "*Financial or business affairs*" includes contemplated, as well as past or current, activities;
- (6) "*Labour relations matter*" means -
 - (a) any of the matters specified in paragraphs (a) to (g) of section 218(1) of the Trade Union and Labour Relations (Consolidation) Act 1992[10] (matters which may be the subject of a trade dispute, within the meaning of that Act);
 - or
 - (b) any dispute about a matter falling within paragraph (a) above;and for the purposes of this definition the enactments mentioned in paragraph (a) above, with the necessary modifications, shall apply in relation to office-holders under the authority as they apply in relation to employees of the authority;
- (7) "*Office-holder*", in relation to the authority, means the holder of any paid office appointments to which are or may be made or confirmed by the authority or by any joint board on which the authority is represented or by any person who holds any such office or is an employee of the authority;
- (8) "*Registered*" in relation to information required to be registered under the Building Societies Act 1986, means recorded in the public file of any building society (within the meaning of that Act).

By virtue of paragraph(s) 2, 3, 4 of Part 1 of Schedule 12A of the Local Government Act 1972.

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