

DRAFT

**MINUTES OF THE MEETING OF ROYAL BERKSHIRE FIRE
AUTHORITY'S MANAGEMENT COMMITTEE**



Held on Monday 11 April 2016 at 6.30pm

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

Members:

- * Councillor Phillip Bicknell
- (* *present*) Councillor David Burbage
- * Councillor Christine Bateson (Substitute)
- * Councillor Colin Dudley (Chairman)
- Councillor Paul Gittings
- Councillor Pauline Helliard-Symons
- * Councillor Emma Webster (Substitute)
- * Councillor Tina McKenzie-Boyle
- * Councillor Edward Plenty
- * Councillor Angus Ross

In Attendance:

Graham Britten (Director of Legal and Governance,
Buckinghamshire and Milton Keynes Fire and Rescue Service, and
Deputy Monitoring Officer for the Royal Berkshire Fire Authority)
Conor Byrne (Head of Finance, HoF)
Stephen Chard (Clerk)
Trevor Ferguson (Deputy Chief Fire Officer, DCFO)
Andy Fry (Chief Fire Officer, CFO)
Simon Jefferies (Interim Head of Risk Management, IHRM)
Paul Maynard (*)
Katie Mills (*)
Fayth Rowe (Committee Officer, CO)
Anne-Marie Scott (Director of People and Organisational
Development, DPOD)
Jackie Sorrell (*)
Paul Southern (Assistant Chief Fire Officer, ACFO)
Lynne Swift (Director of People and Organisational Development,
Buckinghamshire and Milton Keynes Fire and Rescue Service)

Fire Brigade Union (FBU) Representatives

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76. REPRESENTATIVE BODIES

The FBU confirmed that they did not wish to address the Management Committee on any of the items on the agenda.

77. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors David Burbage and Pauline Helliard-Symons. Councillors Christine Bateson and Emma Webster attended as substitutes.

78. DECLARATIONS OF INTEREST

In accordance with the provisions of the Fire Authority's Local Code of Conduct, Councillor Angus Ross stated that should the Thames Valley Fire Control Service (TVFCS) be discussed in Agenda Item 8 he declared a personal interest as he was the Chairman of the TVFCS Joint Committee. He would therefore not participate in any debate on the TVFCS should it materialise.

In accordance with the provisions of the Fire Authority's Local Code of Conduct, Andy Fry (Chief Fire Officer, CFO), Trevor Ferguson (Deputy Chief Fire Officer, DCFO), Anne-Marie Scott (Director of People and Organisational Development, DPOD) and Paul Southern (Assistant Chief Fire Officer, ACFO) declared a pecuniary interest in Agenda Item 15 by virtue of the fact that the Senior Staff Pay & Terms and Conditions of Service Review 2016 contained details of their individual posts and their terms and conditions.

79. MINUTES OF THE MEETING HELD ON 8 FEBRUARY 2016 AND MATTERS ARISING

Resolved that the minutes of the meeting held on 8 February 2016 be approved as a true and correct record and signed by the Chairman.

Matters Arising:

Item 59 (Matter Arising from 7 December 2015 – Fire Sprinklers) - Trevor Ferguson (Deputy Chief Fire Officer, DCFO) confirmed that, as requested, it had been arranged for Councillor Paul Bryant to be involved in this work.

Item 65 (Capital Provision for Frontline Fire Appliances) - Paul Southern (Assistant Chief Fire Officer, ACFO) advised the Committee that the Authority's Aerial Ladder Platform (ALP) was back on the run. This information had been shared with Management Committee Members.

Item 66 (2016/17 Budget and Medium Term Financial Plan) - Conor Byrne (Head of Finance, HoF) confirmed that information had been provided, as requested, on the bids received for transitional funding.

Item 69 (2015/16 Budget Monitoring) – the HoF also confirmed that information had been provided, as requested, on where virements had been made from reserves.

80. RECEIPT OF ANNOUNCEMENTS

The Chairman warmly welcomed two guests from Buckinghamshire and Milton Keynes Fire and Rescue Service who were attending the meeting that evening. The first was Lynne Swift, their Director of People and Organisational Development, and the second was Graham Britten, their Director of Legal and Governance and the Fire Authority's very own, recently appointed, Deputy Monitoring Officer. They were both present to support the Fire Authority in dealing with the Part II report. The Chairman thanked both guests for their attendance.

The Chairman advised that on Friday 15 April 2016, he would be attending a trainee firefighters' pass-out parade at Whitley Wood Fire Station in Reading. These were always really wonderful occasions for the firefighters and their families, and the Chairman hoped to see as many Members there as were available to attend – both to celebrate the fact that the Fire Authority would be

adding 14 personnel (12 Wholetime and 2 Retained) to its excellent operational workforce, and also to demonstrate thanks to the team of instructors that had transformed a group of raw recruits into professional firefighters in just a few short months. The Chairman added that although the Berkshire Lord Lieutenant was unable to be present, he would be represented by Sir John Madejski who was one of Berkshire's Deputy Lord Lieutenants.

(Councillors Christine Bateson and Phillip Bicknell joined the meeting at 6.35pm).

81. ISSUES ARISING FROM THE AUDIT AND GOVERNANCE COMMITTEE

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

82. RECOMMENDATION FROM COMMITTEES

It was noted that the following agenda item had been recommended from:

- Item 8 from the Fire Authority Structure Task and Finish Group on 3 February 2016.

83. REVISED STRUCTURE OF THE FIRE AUTHORITY

Trevor Ferguson, Deputy Chief Fire Officer (DCFO), presented Members with the recommendations of the "Task and Finish" group established following the Fire Authority meeting on 22nd April 2015 to review the size of the Fire Authority, how seats were allocated, the Committee structure and the role of Member Champions.

The task and finish group was subsequently established with the following membership: Councillors Colin Dudley (Chairman), David Burbage, Emma Webster, Angus Ross and Paul Gittings. The group had met three times between September 2015 and February 2016 and considered a wide range of evidence relating to other authorities' governance structures and the effectiveness of the Authority's existing structure. The group had developed a range of recommendations which were designed to improve:

- The effectiveness and efficiency of governance within Royal Berkshire Fire Authority.
- Accountability, scrutiny and oversight.
- Member involvement in policy development.
- The speed of decision making.

When the group considered the size of the Authority they looked to balance efficiency and effectiveness. Having reviewed other Combined Fire Authority structures with memberships between 13 and 25, the group decided a reduction in size was appropriate. To balance the desire for this reduction with the need to ensure all six Unitary Authorities were adequately represented they had recommended an Authority of 20 Members.

The task and finish group also examined, reviewed and considered the existing Committee structure. Again it was compared with other Combined Fire Authorities and in relation to the size, the group recommended a Committee structure of two larger Committees. These two committees, Management Committee and Audit and Governance Committee, would now contain all 20 Members of the Authority, with membership of 11 and 9 respectively.

In accordance with the Fire Authority's request, the Monitoring Officer, in

January this year had asked each constituent Unitary Authority to confirm the number of Local Government electors on their respective electoral rolls. For clarity, each Authority was asked to provide numbers without attainers (i.e. those 16/17 year olds who appeared on the register but who were not yet eligible to vote). The results of these enquiries were set out in Table 1 of the report. Table 1 illustrated that based on the current number of seats of 25, each Unitary Authority would lose one seat in order to reduce the Fire Authority size to 20, with the exception of Bracknell Forest Borough Council which would continue to have three seats. A reduction in the membership would mean that the Authority would not have any backbench Members and this would result in an increased general requirement of all appointed Members. In principle this should be attractive to Members, giving them a more active and involved role.

Currently the Fire Authority had the structure shown in Appendix C of the report. This structure and the associated terms of reference increased the amount of time taken to make Member decisions. Often the same reports would go before a variety of committees on the way to the Fire Authority. The task and finish group concluded that this introduced unnecessary duplication and did not enable decision making to be devolved appropriately. Therefore, the group concluded that the structure set out in Appendix A would improve the speed of decision making and ensure decisions were made at the most appropriate level. The proposed new structure should lead to more co-ordinated challenge and reduce the likelihood of silo working within committees. Under the new structure the only decisions not devolved from the Fire Authority, to one of the two committees, would be those reserved by law. These were listed within paragraph 3.4.2 of the report and the DCFO pointed out that this should not list 'Appointment of the CFO' as this was a role for Management Committee. This amendment would be reflected in the version of the report taken to the Fire Authority.

Audit and Governance Committee would continue to scrutinise and challenge on behalf of the Fire Authority. Members appointed to this Committee would not be Members of the Management Committee and would carry out all of the functions set out in Appendix B.

The Management Committee would take on a greater responsibility for devolved decision making. It would combine and co-ordinate much of the business delegated to the previous committees and working parties. The Management Committee would carry out all the functions set out in Appendix B.

To ensure greater Member involvement in policy development and to ensure earlier Member engagement, the role of Lead Member had been introduced. Similar to Portfolio Holders in some unitary authorities, the Lead Member would be responsible for specific areas of business such as:

- Strategic Asset Management
- Integrated Risk Management
- Budget
- Collaboration

Lead Members would not have delegated authority to make decisions; however, they would be instrumental in the shaping and development of their area of business. They would work closely with Directors and Heads of Service to ensure that papers and proposals being developed for consideration by Members at Management Committee were aligned to the Fire Authority's policy direction. They would also be the first point of Member contact when

issues arose within their area of business.

Although reports to Management Committee would continue to be delivered by Officers the appropriate Lead Member would now introduce the report. Their role would not be to manage the business area but provide assurance to the Management Committee and/or Fire Authority that recommendations arising from the business area were sound and evidence based, had followed appropriate processes and were aligned to the Fire Authority's strategic commitments/policy direction.

It was noted that the Government announced in January 2016 that they would take forward legislation to enable Police and Crime Commissioners (PCCs) to hold their local fire and rescue services to account. In response to this, the role of a Collaboration Lead Member was recommended to support the collaboration work that had already started within RBFRS.

It was very likely that on some issues e.g. large capital builds or IRMP proposals, Lead Members might want to engage a wider group of Members to assist in the development of proposals for Management Committee. The Lead Member would therefore be able to put together a "task and finish" group to achieve a wider range of Member views and oversight. These groups would not be formal groups with published papers etc, they would be hands on informal working groups where Members and Officers would develop proposals and papers for consideration by the Management Committee.

The Fire Authority had adopted their new Strategic Commitments on 25 June 2014 and the task and finish group recommended the revision of Member Champions in line with the 2019 vision of the organisation. The current role of Member Learning and Development had been incorporated into the work of the Organisational Development (OD) Champion and the OD Programme. Given the importance of collaboration it was recommended that the Shared Services Champion role should be changed to a Collaboration Lead Member. The proposed Fire Authority Member Champions were as follows:

- Community Safety
- Income Generation
- Safety, Health, Fitness and Wellbeing
- Organisation Development

All Member appointments (Chairman, Vice-Chairman of the Fire Authority and Committees), Lead Members and Champions would be made at the annual Fire Authority meeting in June.

Approximately four Fire Authority meetings would be held each year. In 2016/17, additional Fire Authority meetings had been scheduled for Member decisions on IRMP consultations and responses. Management Committee would meet approximately eight times per year and Audit and Governance Committee four times per year.

The changes to the Authority outlined in the report were the most significant and ambitious in the Fire Authority's history. The overall reduction in the number of Members and their proposed additional committee responsibilities, was a significant change to Members roles. To ensure that the scheme of Member allowances matched the proposed changes an independent review had been commissioned from South East Employers. The independent review had made recommendations on the level of allowances which should be applied to the new structure and was set out in Appendix D. Although the independent report did propose an overall increase the total payable across the 20 Members remained very low at £82k per annum. This included an

increase in the basic allowance paid to ordinary Members to £2,200.

Councillor Edward Plenty referred to Table 1 and queried if the number of seats per local authority could change if, for example, the number of electors in an area saw a significant increase. The DCFO confirmed that the 20 seats were shared and would continue to be shared on a proportional basis, and therefore the number of seats per local authority could be amended to reflect a change in the number of electors.

Councillor Colin Dudley then proposed acceptance of recommendations 2.1 to 2.7 in the report. The proposal was seconded by Councillor Emma Webster.

Councillor Angus Ross queried if the Lead Member role proposed would include involvement in the issuing of press releases, together with the Chairman. This would be a change from the current approach and would be more in line with the practice within local authorities. The DCFO acknowledged that this would be possible as Lead Members would have a wider understanding of the subject area. Councillor Dudley agreed that Lead Members should be involved in the drafting and issuing of press releases alongside officers, with the Chairman copied in. Councillor Dudley added that he had no objection to any Member issuing a press release if they received the appropriate signoff. In the event that the view of a Member/the relevant Officer differed on a matter then Councillor Dudley requested that the Chairman have final sign off of the press release.

Councillor Phillip Bicknell referred to the practice employed within the Royal Borough of Windsor and Maidenhead, which could be replicated within the Fire Authority, whereby officers would draft press releases for lead Member comment/sign off.

Councillor Christine Bateson agreed that a shared Officer/Member approach to press releases would be useful.

Councillor Webster referred to the press coverage generated on the back of the work undertaken by the IRMP Working Party and praised the work of the Authority's Press Officers. Councillor Webster felt that the proposals outlined in the report would help to enhance Member involvement and understanding of issues.

Andy Fry, Chief Fire Officer (CFO), agreed that a freer flowing dialogue on press releases would be useful between the lead Member and lead Officer. He added the view that the topic of the media coverage should determine whether the piece was fronted by the Member or Officer.

Councillor Bateson pointed out the need to recognise that different political parties were represented on the Fire Authority and this had to be a consideration for press releases. The CFO reiterated the view that press releases would need the level of clearance discussed above. Councillor Dudley added that a political statement from a group should be signed off by the Chairman or appropriate Leader.

Councillor Dudley then gave his thanks to those Members who sat on the task and finish group for their work with Officers in putting these proposals together. Approval of the recommendations would create a leaner Authority and an increased level of involvement/enhanced workload for the remaining Members. This would increase the involvement of all Members in the decision making process and involvement with task and finish groups. Councillor Dudley therefore stated the need for Fire Authority Members to be willing to put in the necessary level of time and effort.

Councillor Dudley closed the item by giving the view that approval of the recommendations would create a smoother and swifter decision making process, and enhance the level of work between Officers and Members via the Lead Member roles.

Resolved unanimously that:

- **the recommendations from the task and finish group, which would be proposed to the Fire Authority, be agreed as outlined in paragraphs 2.2 to 2.6 and as follows:**
 - **it be recommended that the Fire Authority size be reduced to 20 seats, and that the seats on the Authority would be allocated as set out in Table 1;**
 - **it be recommended that the Committee Structure be changed to consist of two Committees (Management Committee and Audit and Governance Committee) as outlined in Appendix A;**
 - **the Terms of Reference of the Fire Authority, Management Committee and Audit and Governance Committee be recommended as set out in Appendix B;**
 - **the role of Lead Members be recommended as outlined in paragraph 3.5; and**
 - **the role of the Member Champions be recommended as outlined in paragraph 3.7.**
- **It be recommended to the Fire Authority that the Member allowances proposed by the independent review be adopted should the new structure be implemented.**

84. SUMMARY REPORT OF RESPONSES TO THE INTEGRATED RISK MANAGEMENT PLAN 2015 – 2019 CONSULTATION

Simon Jefferies, Area Manager, presented Management Committee Members with a headline summary of the responses to the IRMP 2015-19 stakeholder consultation and sought agreement on the range of options that should be included in the response standards consultation, should the Fire Authority decide to proceed with it.

The IRMP 2015-19 consultation closed on 4 April 2016 following a twelve week consultation period. The report provided in Appendix A detailed the top line quantitative summaries of the online survey responses. This provided Members with an overview of the general feedback concerning the four key IRMP project proposals as outlined in the IRMP plan 2015-19 and demonstrated added rigour in the process of considering these responses. The online survey was just one method of gaining feedback from stakeholders and it had received a total of 283 responses. This was a considerable increase on previous consultation processes. Due to the complexity of interpreting the qualitative data, the work required to fully analyse this data and to provide a breakdown of all consultation responses meant that it had not been possible to bring the full report to this Committee meeting.

The full consultation feedback report would be presented to the Fire Authority on 25th April 2016 where they as decision makers were required to give 'conscientious consideration' to all of the feedback to the consultation and make final decisions on the IRMP project proposals. Advice and guidance from

the Consultation Institute stated that the best method for showing these deliberations would be via a Fire Authority meeting captured on video and made available for public viewing.

The headline findings from the general quantitative responses to the four key projects highlighted that for all four key IRMP projects the majority of responses either strongly agreed or agreed with the proposals as set out in the IRMP 2015-19.

Response Standards Consultation

The operational peer assessment team in 2014 reported that the Fire Authority's standards were overly complex, difficult to understand and should be realigned with the Fire Authority's new strategic commitments. The Fire Authority then directed a review of operational response standards. At the Fire Authority meeting on 17 February 2016, Members agreed a single consultation for response standards and further agreed that the options to be included in the response standards consultation should be considered by the Fire Authority once the IRMP 2015-19 consultation had closed.

The IRMP consultation had now closed and Members would need to consider and agree the options for the response standards consultation. Attached in Appendix B was the Fire Authority report outlining the work undertaken by IRMP Working Party on behalf of the Fire Authority on this matter. The options developed by IRMP WP had been set out in section 3.9 of the report and it was felt important to give the public a range of options and to give adequate information for them to make 'intelligent consideration' of the options before responding to the consultation.

The feedback from the response standards consultation would be reported to Members in July 2016.

Councillor Emma Webster referred to the main findings from the consultation response and noted that some questions had been skipped by some respondents. She felt it would be useful to understand the extent to which responses came from members of the public and from members of staff. The Area Manager agreed this clarification could be provided.

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Action**

Councillor Colin Dudley then proposed acceptance of recommendations 2.1 to 2.4 in the report. Before seeking a seconder to the proposal, Councillor Dudley referred to recommendation 2.3: 'Agree to Recommend to the Fire Authority that a decision should be made at the meeting on 25 April 2016 whether or not to progress with a single item Response Standards Consultation' and stated his preference for Management Committee to provide a clear recommendation to Fire Authority on the way forward. In response to this point, Trevor Ferguson, Deputy Chief Fire Officer (DCFO), explained that Management Committee could not form such a recommendation as it was important for Fire Authority Members to give full conscientious consideration to the full IRMP consultation report before agreeing a way forward.

Councillor Dudley therefore reiterated his proposal to accept recommendations 2.1 to 2.4 as outlined in the report. Councillor Webster seconded the proposal.

Resolved unanimously that:

- **The summary report be noted.**
- **It be agreed that the full IRMP 2015-19 consultation feedback report would be considered by the Fire Authority at the meeting on 25 April**

2016.

- It be recommended to the Fire Authority that a decision should be made at the meeting on 25 April 2016 as to whether or not to progress with a single item Response Standards Consultation.
- It be agreed that the range of options in paragraph 3.9 should be recommended to the Fire Authority, as the basis of the response standards consultation, should the Authority decide to progress with it.

85. VERBAL UPDATE ON THE TRADING COMPANY

Councillor Phillip Bicknell provided Members with an update on the progress of the Trading Company. There had been an increased take up of the training courses provided by the Trading Company in comparison to recent years with many bookings in place. The trainer was fully booked to the end of May 2016. Income from the courses provided during 2015/16 totalled £186k.

The majority of the training sessions booked were for fire safety/awareness, but there had also been an increase in requests for first aid training. Water safety training was being provided to local authorities and a course was also being designed for Thames Valley Police.

Over 900 clients were listed on the Trading Company's database, but new business continued to be sought.

The potential for the Trading Company to operate as a Community Interest Company was being considered and a report would be made to Fire Authority on 25 April 2016 on this matter. The development of a Business Plan/Marketing Strategy was also being progressed.

Councillor Emma Webster highlighted the potential for Fire Authority Members to share, within their local authorities and potentially wider, the availability of this training. Councillor Bicknell agreed this would be useful and advised that training had been promoted in this way previously. This would form part of the Market Strategy.

Councillor Colin Dudley gave thanks for the progress that had been made to date.

Resolved that the update be noted.

86. FORWARD PLAN

The Royal Berkshire Fire Authority's Forward Plan was presented to the Committee.

Councillor Angus Ross queried whether there was duplication of the following items: Member Appointments 2016/17 to the Fire Authority in June 2016 and Appointments of Lead Members to Management Committee in July 2016. Trevor Ferguson, Deputy Chief Fire Officer (DCFO), confirmed that the Management Committee item was a duplication and would be deleted.

The DCFO also confirmed that the Car Review (scheduled for Management Committee in July 2016) related to Officers.

Councillor Ross requested that 'Property Update' become a standing item for Management Committee as it would no longer be considered by the Strategic Asset Management Committee (subject to the Restructure of the Fire Authority

being approved by Fire Authority on 25 April 2016). The DCFO noted the need for this item and highlighted that there was likely to be an increase in the number of standing items of this type.

Resolved that the Forward Plan be noted.

87. DATE OF NEXT MEETING

The next meeting would take place on Monday 25 July 2016 at 6.30pm in the Brigade Headquarters, Pincents Kiln, Calcot, Reading, RG31 7SP.

Councillor Colin Dudley took the opportunity of providing an update in relation to a complaint that had been made against a Committee Member at a previous meeting. This related to an allegation which had made on the language used by the individual Member.

The Member concerned had intended to make a statement in relation to the complaint, but as they were unable to be present, this would be carried forward to the next meeting.

Councillor Dudley gave an assurance that the matter had been given serious consideration.

88. EXCLUSION OF THE PRESS AND 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, 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.

89. PART II MINUTES OF THE MEETING HELD ON 8 FEBRUARY 2016

Resolved that:

The Part II minutes of the meeting held on 8 February 2016 be confirmed as a correct record and signed by the Chairman.

90. SENIOR STAFF PAY & TERMS AND CONDITIONS OF SERVICE REVIEW 2016

Andy Fry (Chief Fire Officer, CFO), Trevor Ferguson (Deputy Chief Fire Officer, DCFO), Anne-Marie Scott (Director of People and Organisational Development, DPOD) and Paul Southern (Assistant Chief Fire Officer, ACFO) left the meeting at 7.05pm due to their pecuniary interest in Agenda Item 15 and took no further part in the meeting.

Jackie Sorrell presented a confidential report which presented details associated with a review of Corporate Management Team (CMT) members' conditions of service, which was recently undertaken as an element of the RBFRS senior management restructure; and sought agreement from Management Committee Members to implement a number of recommendations which would amend CMT members' conditions of service in line with the findings and recommendations of the review.

Resolved that:

The exempt report be noted.

The meeting closed at 8.05pm