



Agenda for the Meeting of the Management Committee

Wednesday, 21st October 2020

At

6.30 pm

The Royal Berkshire Fire Authority's Management Committee is being held online in accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

The Authority supports the principles of openness and transparency. To enable members of the press and public to see or hear the meeting, this meeting will be livestreamed:

<https://www.youtube.com/user/RoyalBerkshireFRS>

For further information regarding this meeting, please contact:

Committee Team

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



MEETING: Management Committee Meeting
DATE AND TIME: Wednesday, 21st October 2020, at 6.30 pm
REMOTE MEETING: <https://www.youtube.com/user/RoyalBerkshireFRS>

S U M M O N S

You are hereby summoned to attend the meeting of the Royal Berkshire Fire Authority's Management Committee 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 Management Committee:

Councillor Jeff Brooks	Councillor Angus Ross
Councillor Tricia Brown	Councillor David Cannon
Councillor Colin Dudley	Councillor Jo Lovelock
Councillor Paul Gittings	Councillor Dexter Smith
Councillor Pauline Helliard-Symons	Councillor Rachelle Shepherd- DuBey
Councillor Graham Howe	

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



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AGENDA

1. Representative Bodies

Purpose:

The Chairman may, at his discretion, invite the Representative Bodies present to address the Management Committee once on any Part I item, on the prerequisite that the Representative Bodies advise the Chairman at the commencement of the meeting of those Agenda items they wish to speak to.

2. Apologies for Absence

3. Declarations of Interest

Purpose:

To receive Declarations of Interest from Members 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.

4. Minutes of the meeting held on 21 July 2020 (Pages 7 - 18)

Purpose:

To agree the Minutes of the meeting held on 21 July 2020, be confirmed as a correct record and signed by the Chairman.

5. Receipt of Announcements

Recommendation:

To receive announcements from the Chairman and / or Chief Fire Officer.

6. 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.

7. The New Normal following Covid-19 - Presentation

Purpose:

To receive a presentation on the new normal for Royal Berkshire Fire and Rescue Service (RBFRS) in a world with Covid-19.

8. 2020/21 Budget Monitoring - Quarter 1 and 2019/20 Reserves Position
(Pages 19 - 32)

Purpose:

To inform Members of the estimated revenue outturn and an update on capital projects as at the end of Quarter 1 2020/21, and to agree the reserves position as at 31 March 2020.

9. Royal Berkshire Fire Authority's Response to Fire Safety and Pension Consultations *(Pages 33 - 50)*

Purpose:

To receive for note Royal Berkshire Fire Authority's response to Fire Safety and Pension consultations.

10. Appliance Availability by Crewing to Meet Corporate Measure 16 and 17
(Pages 51 - 60)

Purpose:

To note the 2020/21 Q1 performance of Whole-time appliance availability, and On-Call appliance availability in line with Corporate Measure 16 and 17.

11. Forward Plan *(Pages 61 - 64)*

Purpose:

To note the Forward Plan.

12. Date of next meeting

Monday, 7 December 2020, at 6.30pm. This meeting will be held remotely. For the press and public you can watch this meeting on our YouTube page <https://www.youtube.com/user/RoyalBerkshireFRS>

13. Exclusion of the Public *(Pages 65 - 66)*

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 Agenda Items 14 - 16 on the grounds that they involve the likely disclosure of exempt information, as defined in the Paragraph 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.

Categories of 'Exempt Information' under Schedule 12A of the Local Government Act 1972.

14. Part II Minutes of the meeting held on 21 July 2020 (Pages 67 - 72)

Purpose:

To agree the Part II Minutes of the meeting held on 21 July 2020 be confirmed as a correct record and signed by the Chairman.

15. Funding Scenarios - Presentation

Purpose:

To receive for note a presentation on funding scenarios.

16. Thames Valley Fire Appliance Contract (Pages 73 - 78)

Purpose:

To agree the award of a Thames Valley Fire Services collaborative contract.

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MINUTES OF THE MEETING OF THE MANAGEMENT COMMITTEE



Held on Tuesday, 21st July 2020, at 6.30 pm

This meeting was held as a remote meeting.

Members:
(*present)

- | | |
|------------------------------------|--------------------------------------|
| * Councillor Jeff Brooks | * Councillor Angus Ross |
| * Councillor Tricia Brown | * Councillor David Cannon |
| * Councillor Colin Dudley | * Councillor Jo Lovelock |
| * Councillor Paul Gittings | * Councillor Dexter Smith |
| * Councillor Pauline Helliarsymons | * Councillor Rachelle Shepherd-DuBey |
| * Councillor Graham Howe | |

In Attendance: Paul Binyon (Area Manager Response and Resilience, AM R&R)
 Conor Byrne (Head of Finance and Procurement, HF&P)
 Alex Brown (Head of Capital Projects and Estates, HCP&E)
 Doug Buchanan (Area Manager Prevention and Protection, AM P&P)
 Trevor Ferguson (Chief Fire Officer, CFO)
 Steve Foye (Deputy Chief Fire Officer, DCFO)
 Becci Jefferies (Head of Human Resources and Learning and Development, HHR&L&D)
 Katie Mills (Head of Corporate Services, HCS)
 James Pinchin (Business Support Officer, BSO)
 Nikki Richards (Director of Support Services, DSS)
 Fayth Rowe (Democratic Support Lead, DSL)
 Hannah Sheehan (Democratic Support Assistant, DSA)
 Tony Vincent (Head of Business and Information Systems, HBIS)

1. ELECTION OF CHAIRMAN FOR THE 2020/21 MUNICIPAL YEAR

RESOLVED that Councillor Colin Dudley be elected Chairman for the 2020/21 Municipal Year.

2. APPOINTMENT OF VICE-CHAIRMAN FOR THE 2020/21 MUNICIPAL YEAR

RESOLVED that Councillor Pauline Helliarsymons be appointed as Vice-

Action

Chairman for the 2020/21 Municipal Year.

3. REPRESENTATIVE BODIES

There were no questions received from Representative Bodies on any of the items on the agenda.

4. APOLOGIES FOR ABSENCE

There were no apologies of absence received.

5. DECLARATIONS OF INTEREST

There were no Declarations of Interest from Members 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.

6. MINUTES OF THE MEETING HELD ON 5 FEBRUARY 2020

That the Minutes of the meeting held on 5 February 2020, be approved as a true and correct record and signed by the Chairman.

7. RECEIPT OF ANNOUNCEMENTS

The Chairman made the following announcements.

House Fire Rescues

I'd like to start by sharing details of two incidents that have recently taken place, in which teams from across the Service responded to two house fires in Reading where Thames Valley Fire Control Service provided critical fire survival guidance whilst crew were en route. The crews then safely rescued all the residents from their homes.

The first incident was at the start of June, when a fire took hold of a woman's flat. Crews on Blue Watch from Dee Road, Caversham Road and Wokingham Road attended, alongside one of our Flexi Duty Officers. Control staff from Thames Valley Fire Control Service played a vital role in helping the crews to locate the woman and gave fire survival guidance over the phone, which enabled her rescue from the first floor by firefighters.

At the end of June, Control staff and firefighters once again worked together to save two children from a devastating house fire. Thames Valley Fire Control Service received reports of a fire in Reading, so teams on Blue Watch from Whitley Wood, Caversham Road and Wokingham Road attended, alongside two

Flexi Duty Officers.

Before crews arrived, Control provided fire survival guidance, advising the children to go to a safer area, where they could block smoke from getting into the room and await rescue. Control staff then advised crews en route of this fire survival guidance and location. This crucial information enabled firefighters to then rescue them using a ladder and take them to safety.

The actions taken by our staff at both these incidents reflect the highest levels of professionalism and teamwork. Undoubtedly, without our teams' involvement, these incidents may have had very different endings. Thank you to all involved in these rescues.

Successful prosecution under the Fire Safety Order

Members, I'm pleased to report that Royal Berkshire Fire Authority has successfully brought a prosecution under the Fire Safety Order. On 8 November, Mr Sharhan Safie of Paya Restaurant, London Street in Reading, pleaded guilty to nine charges all relating to breaches of the Fire Safety Order at Reading Magistrates Court.

Given the serious nature of the charges, this was sent to Crown Court for sentencing. In July 2020, the defendant was sentenced to a seven-month custody, suspended for 18 months, at least 10 days Rehabilitation Activity Requirement Order, 180 hours of unpaid community work, which will begin once the Covid-19 control measures are eased and a £2,000 fine.

This demonstrates that while we will always seek to work with business owners to maintain fire safety standards in premises and prosecution is the last resort, we do have a duty to keep our communities safe and if they put anyone at risk by breaking the law, we won't hesitate to prosecute.

Well done to all the teams involved in this successful prosecution to help keep our residents safe.

RMS/FDO Project Shortlisted for Award

The Remotely Managed Stations and Flexi Duty Officer Project has been shortlisted for two awards in the Smarter Working Live Awards.

This project created a more resilient and highly skilled operating model for Royal Berkshire Fire and Rescue Service, whilst achieving required cost savings of £550,000 of savings, which streamlined the local delivery of services.

The project has been shortlisted in two categories: Skills and Succession Planning and Workforce Management. These awards recognise an innovative approach to transformational change within the public sector.

Well done to everyone involved in the project. The Awards are currently due to be held in November, and I look forward to hearing how we got in due course.

NHS Clap for Carers

On Saturday, 4 July, as part of the weekend of the NHS's 72nd Birthday, many

of joined the nation in remembering those who have lost their lives in the coronavirus pandemic by putting a LED candle, lamp or torch in the windows of our homes in the evening, including many of the stations lighting up the appliance bays with the fire engines lights.

The following day, myself and my fellow fire authority members' also joined in marking the birthday by clapping for our carers once again.

On this note, I would like to formally say thank you to the NHS staff, alongside all the key workers who have worked and continue to work tirelessly.

Urgent Late Item

As Chairman of Royal Berkshire Fire Authority, I have agreed to accept an urgent late item as part of the agenda this evening by virtue of section 100B (4) (b) of the local Government Act 1972. The urgent item relates to the establishment of Task and Finish Groups to respond to two consultations which have been received. I propose we take this item following my announcements and prior to Agenda Item 8. Councillor Ross, I understand you have an announcement you would like to make to the Committee.

Councillor Ross announced the Ariel Ladder Platform (ALP) was due to be delivered to Whitley Wood Fire Station in August 2020. The vehicle would enter a period of commissioning and testing, alongside staff completing the necessary training in its use, before the appliance will enter full service in the autumn. The next four Fire Appliances was expected with the Service in January 2021, the delay is due to Emergency One closed up with lockdown and only went back to work at the end of June.

8. URGENT LATE ITEM

The Chairman informed the Committee, since the publication of the Management Committee Agenda, the Authority received two important consultations, which require a response in advance of the next Management Committee on 21 October.

The first consultation from HM Treasury, on proposals to bring the unfunded public service pension schemes in line with the result of the McCloud/Sergeant case by removing the age discrimination resulting from the limitations of the protections to older members, together with an update on the employer cost cap process. This consultation closes on 11 October.

The second, Fire Safety Consultation, which was sent to RBFA Chairman in a letter from Lord Greenhalgh (Minister for Building Safety, Fire and Communities). The consultation sets out how the Government proposes to implement the recommendations set out in the Phase 1 report of the Grenfell Tower Public Inquiry that requires new legislation. This consultation closes on 18 October.

The Chairman proposed the establishment of two task and finish groups drawn

from all parties to respond to these consultations. He advised he would chair the Fire Safety Consultation Group and Cllr Graham Howe as Lead Member for Budget and Income Generation will chair the Pension Group.

He added that he proposed that membership will be agreed by Group Leaders and the terms of reference for each group shall be agreed at the first meetings of the Task and Finish Groups.

The Chairman also proposed that he be given the authority to agree the final responses on behalf of the Fire Authority for submission as the consultation deadlines were prior to the next Management Committee meeting. The responses would be submitted to the next meeting for note.

RESOLVED that:

- Two cross-party Task and Finish Groups be established to consider the Fire Safety and Pension consultations and authority be delegated to RBFA Chairman to agree the final consultation responses on behalf of the Fire Authority;
- The Fire Safety Task and Finish Group be chaired by RBFA Chairman, and the Pension Task and Finish Group be chaired by Cllr Howe;
- The membership of these groups be confirmed by Group Leaders; and
- The Terms of Reference of these Groups be agreed at the first meetings of the Task and Finish Groups.

9. NATIONAL FIRE CHIEF'S COUNCIL COMMUNITY RISK PROGRAMME PRESENTATION

Nikki Richards (Director of Support Services, DSS), delivered the presentation on the National Fire Chief's Council (NFCC) Community Risk Programme (CRP). The aim of the CRP is to:

- Fulfil NFCC commitment in improving Community Risk Management (CRM)
- Provide a CRM toolkit that is accessible, quality assured and maintained
- Provide a standardised approach to CRM across the UK
- Develop tools to enable consistent identification, assessment and mitigation strategies for community risks nationally

Nikki Richards outlined the following accomplishments achieved by the programme to date :

- The commission of an independent academic research paper
- Considered its recommendations
- Held an international symposium on Community Risk Management

- Listened to HMICFRS inspection findings and other partners feedback
- Agreed, projects, three of which had commenced.

Nikki Richards listed the findings the HMICFRS State of Fire Report had identified:

- 'inconsistent approach to identify risk' (p.94)
- 'inconsistent use of Integrated Risk Management Plans' (p.98)
- Recommendation that the sector addresses variation
- The report recognised the work of the Community Risk Programme (p.16)

Nikki Richards reported that she was Guidance Project Executive of Integrated Risk Management Planning (IRMP). The other two Community Risk Programme Projects were Definition of Risk and Economic Value of the Fire and Rescue Service.

The Chairman stated that Royal Berkshire Fire Authority (RBFA) had just approved its IRMP Strategy Consultation on Prevention, Protection and Response and asked whether the projects and findings from the Community Risk Programme would be fed into IRMP Consultation in three years.

Nikki Richards advised both the Definition of Risk and the Integrated Risk Management Planning guidance would produce results and / or standards by the end of this year.

The Chairman thanked Nikki Richards for her presentation and stated that having a Royal Berkshire Fire and Rescue Service (RBFRS) Director involved in one of the main tranches of the NFCC Community Risk Programme reflected the quality of our staff. He added that it was also a testament that RBFA and RBFRS had been looking at risk in the right way.

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

10. LEADERSHIP SUCCESSION PLANNING

Trevor Ferguson (Chief Fire Officer, CFO) reported that both he and Deputy Chief Fire Officer (DCFO) will be eligible to retire in July 2021, and May 2021, respectively. The report was seeking Members approval to consider the widest pool of potential candidates designed to enable applications for either a CFO or a 'non-operational' Chief Executive (CEX) role.

The timeline set out in the paper was built around ensuring RBFA was proactive in their search for a CFO or Chief Executive, as well as keeping with the cultural theme of '**One team working collaboratively for the people we serve**'. The process would be inclusive, enabling for the best candidates to be put forward. In referring to Appendix A, Trevor Ferguson stated it was proposed a cross party membership of the Appointment Task and Finish Group.

In answer to a question from Cllr Brown, Trevor Ferguson advised the

recruitment process of the DCFO would begin once the new CFO or Chief Executive had been appointed and that the role would require Level 4 Incident Command.

Cllr Lovelock asked whether there would be an opportunity to widen the stakeholder involvement in the recruitment process of a new CFO or Chief Executive. In referring to the report, Trevor Ferguson reported steps 3 and 4 outlined the involvement of a wide range of stakeholders from within the organisation.

In response to a comment from Cllr Shepherd-DuBey, Trevor Ferguson agreed with the comment that RBFRS have very talented staff.

Cllr Brown felt there was a need to be cognisant of the dates of the recruitment process of the new CFO or Chief Executive in order to ensure the high standard of Level 4 cover will be maintained in the appointment of DCFO shortly afterwards.

The Chairman moved the recommendation in the report. In seconding the recommendation, the Vice-Chairman stated that the idea of the appointment of a Chief Executive was not a new concept in other Fire Authorities around the country. The benefit was to widen the candidate pool to enable RBFA to appoint the best applicant for the job. She added the importance of Step 3 on the wider stakeholder engagement in the process.

RESOLVED that:

- The 6 step process and provisional dates of the senior leadership transition process be noted;
- It be agreed the selection process will be designed to attract applications for either a Chief Fire Officer or a 'non-operational' Chief Executive;
- It be agreed a cross-party Task and Finish Group, as proposed in Appendix A, be established to oversee the process; and
- It be agreed the Members of the Task and Finish Group act as the Members' Appointment Panel for the CFO/CEX process.

11. MEETING ADJOURNMENT AND RECOMMENCEMENT

At this point of the meeting, the Chairman formally adjourned the meeting at 7.19pm for five minutes.

The meeting recommenced at 7.25pm.

12. FIRE AND RESCUE SERVICE INSPECTION UPDATE

Nikki Richards (DSS) stated prior to the outbreak of Covid-19, HMICFRS announced it would undertake its second RBFRS' inspection as part of the tranche two programme in February 2021.

As a result of Covid-19, HMICFRS suspended its inspection activity and, referring to Appendix A, the letter from HMICFRS outlined its plans to recommence its inspection programme and the potential for a Covid-19 inspection.

RESOLVED that the latest update from HMICFRS which includes a potential Covid-19 Inspection and revised timescales for round two inspections be noted.

13. RBFRS ADDITIONAL ACTIVITIES TO SUPPORT THE RESPONSE TO COVID- 19

Steve Foye (Deputy Chief Fire Officer, DCFO) informed Members from the outset of the global pandemic RBFRS priorities have been the maintenance of core services to protect the public from fires and other incidents whilst ensuring the safety and welfare of staff. In addition to the above priorities, the service has worked alongside colleagues in partner agencies through the Thames Valley Local Resilience Forum (TVLRF) and Local Authority partners, taking into account of the tri-partite agreements established between the National Fire Chiefs Council, Fire Brigades Union and the Fire and Rescue Services National Employers.

The Service introduced social distancing measures and has limited its wider activity. Planned blood donation sessions across stations were maintained with additional measures to limit public access and movement around the fire stations in the interests of the public and operational staff safety.

Steve Foye reported that, as Deputy Chair of the Thames Valley Local Resilience Forum (TVLRF), he has worked alongside the TVLRF Chair and Executive in its response and arrangements to Covid-19.

Area Manager Paul Binyon Chairs the LRF Risk Working Group (RWG) and has supported the Tactical Command Group (TCG). Area Manager Jim Powell Chairs the TVLRF Logistic Cell. Supported by a number of RBFRS staff and colleagues from the military and other fire and rescue services, this Cell has developed and is facilitating and maintaining the mechanism for Local Authorities across the Thames Valley to access the Government's emergency provision of PPE.

RBFRS has supported Slough Borough Council's request to contact 218 members of the public who were on its shielding list. This activity was delivered by five on-call staff during June.

The Chairman requested for his thanks to be recorded. In response to a question from Cllr Shepherd-DuBey, Steve Foye reported the LRF have undertaken a review of learning and intend to undertake further reviews. Steve Foye advised this information is shared with all partners and informs future

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<p>practice.</p> <p>Cllr Brooks enquired whether the incident rate had reduced during lockdown, with less cars on the road. He also asked whether workloads had been reduced as a result. Steve Foye advised that in broad terms incident numbers had not altered significantly though, anecdotally, officers see a change in the profile of incidents, such as increasing trend in secondary fires. Greater impact has been seen in the delivery of Prevention and Protection activity.</p>	
<p>Steve Foye advised he would provide incident data on the type of call outs received during the lockdown period.</p>	DCFO
<p>The Chairman asked about staff working from home and what efforts have the Service made in staff feeling part of RBFRS. Steve Foye reported that management were in regular contact with their staff for support and to check on their welfare.</p>	
<p>The Chairman requested for a report to be brought to Management Committee on the new normal for staff going back to Headquarters from working from home.</p>	DCFO
<p>RESOLVED that the additional activity the Service has undertaken in support the wider response to Covid-19 be noted.</p>	
<p>14. 2019/20 PROVISIONAL OUTTURN</p>	
<p>The Chairman introduced this report as the outgoing 2019/20 Budget and Income Generation Lead as it related to the last financial year. He stated the headline figure was that the outturn position was £45,000 below budget, the variance being 0.13% on a revenue budget of £34.1 million.</p>	
<p>He added, this outturn position had been achieved through tight budgetary control which enabled the re-profiling of expenditure to further facilitate the delivery of the Authority’s plans and priorities.</p>	
<p>He stated, maintaining good budgetary control would be more important than ever as we face unavoidable pay and pension pressures along with increasing volatility in our funding streams. The Chairman advised that Cllr Howe (2020/21 Budget and Income Generation Lead) and Conor Byrne (Head of Finance and Procurement, HF&P)) had already met to begin work in relation to the setting of next year’s budget.</p>	
<p>Conor Byrne (HF&P) reported when setting the 2019/20 Revenue Budget, expenditure exceeded income by £458,000 which meant that the Fire Authority was reliant on its reserves to make the budget balance. Some in-year savings meant that the draft outturn position was a deficit of £413,000 compared to the budgeted deficit of £458,000.</p>	
<p>He informed the Committee that the figures were still draft due to the Service</p>	

waiting to receive confirmation from Bracknell Forest Council on a one-off inflow of income from business rates pooling.

The 2019/20 delivery of the Efficiency Plan savings and the remote Managed Stations/Flexible Duty Officer Project (RMS/FDO) has generated ongoing revenue savings of £576,000. As well as additional income from cross border charges for Buckinghamshire.

In discussing the capital expenditure in Appendix C, Conor Byrne reported 4 new appliances were delivered in Quarter 4.

In referring to Appendix C, Cllr Ross congratulated Officers on the Strategic Asset Investment Framework (SAIF).

The Chairman stated the 0.13% variance on the budget was almost unheard of and thanked officers for their budgetary control.

RESOLVED that the report be noted.

15. 2019/20 QUARTER 4 APPLIANCE AVAILABILITY

Paul Binyon (Area Manager Response and Resilience) presented the 2019/20 Quarter 4 Appliance Availability report and stated the report applied to the Service's 14 Wholetime (WDS) frontline appliances and seven On-Call frontline appliances.

The Fire Authority created an efficient and lean appliance availability from 13 WDS appliances with an establishment of 354 personnel to 14 WDS appliances establishment of 324 personnel. Hub Management teams continually monitor crewing levels. He reported the performance of appliance availability across the Service's 14 WDS appliances for Q4 was 100%, an increase on the 98.4% recorded in Q3.

In referring to the overall Q4 On-Call availability which was 34.7%, Paul Binyon informed members that this was an increase from 32.7% in Q3. In discussing the On-Call availability of the stations in the last quarter, he stated Pangbourne figures have been affected by the development of the fire Station in Theale with operational challenges also seen at Lambourn which the local Hub Management Team have an action plan in place for.

Cllr Gittings queried whether the Service had any special preparations on appliance availability if there were a 2nd wave of Covid-19. Paul Binyon reported that the Service have measures in place in relation to staff movements both on and across stations.

In response to a question from Cllr Lovelock, Paul Binyon reported the challenge of providing appliance availability at On-Call Stations was due to the level of available skills e.g. Level 1 commanders required for the On Call appliances, it was far easier to transfer skills between WDS stations to provide appliance

availability.

Cllr Brooks requested Paul Binyon to describe the criteria of the crewing levels to understand the achievement of the service reaching its target of 100% appliance availability.

Paul Binyon reported the measure was based on appliance availability and that he was happy to explain in further detail outside of this meeting.

AM R&R

The Chairman thanked Paul Binyon for his comprehensive report and was pleased the Service achieved its target of 100% availability in Q4. He added that Pangbourne On-Call Fire Station was at threat of closure when Theale Fire Station opened.

RESOLVED:

- That Q4 performance appliance availability across the service highlighting the 100% appliance availability of the Service’s 14 WDS appliances be noted.
- That the actions taken to maintain, improve and monitor appliance availability be noted.

16. FORWARD PLAN

RESOLVED that the Forward Plane be noted.

17. DATE OF NEXT MEETING

Wednesday, 21 October 2020, at 6.30pm. Venue to be confirmed.

18. EXCLUSION OF THE PUBLIC

RESOLVED that under Section 100 (A)(4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following Agenda Items on the grounds that they involve the likely disclosure of exempt information, as defined in Paragraph 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.

19. PROPERTY CAPITAL PROJECTS UPDATE

An update was provided on Capital Projects by Alex Brown, Head of Capital Projects and Estates (HCP&E).

RESOVLED that the contents of the report be noted.

20. CROWTHONE FIRE STATION

Alex Brown, HCP&E reported the second Tri-Service Community Fire Station was completed and fully operational in May 2020. She reported Covid-19 did impact on the project. The Team worked evenings and weekends to achieve project completion.

RESOVED that the contents of the report be noted.

21. CAPITAL PROJECTS – ASSET RELEASE STRATEGY

Alex Brown, HCP&E presented a report on Capital Projects – Asset Release Strategy.

RESOLVED that the recommendations outlined in the report be agreed.

22. PENSION AND PAYROLL ADMINISTRATION

Conor Byrne (HF&P), introduced the report and in referring to the recommendation sought Management Committee approval on the extension of the Pension and Payroll Administration contract for three years.

RESOLVED that a three –year extension of the existing contract be approved.

(The meeting concluded at 9.14pm)

ROYAL BERKSHIRE FIRE AUTHORITY



COMMITTEE	MANAGEMENT COMMITTEE
DATE OF MEETING	21 OCTOBER 2020
SUBJECT	2020/21 BUDGET MONITORING – QUARTER 1 AND 2019/20 RESERVES POSITION
LEAD OFFICER	CONOR BYRNE, HEAD OF FINANCE AND PROCUREMENT
LEAD MEMBER	COUNCILLOR GRAHAM HOWE, BUDGET AND INCOME GENERATION LEAD
EXEMPT INFORMATION	NONE
ACTION	AGREE

1. EXECUTIVE SUMMARY

- 1.1 To inform members of the estimated revenue outturn and to provide an update on capital projects as at the end of quarter 1 2020/21. The unaudited Statement of Accounts was published in August so the reserves position as at 31 March 2020 is also set out in this paper.

2. RECOMMENDATION

That the Management Committee:

- 2.1 **NOTE** the quarter 1 budget monitoring reports; and
 2.2 **AGREE** the reserves position as at 31 March 2020.

3. REPORT

Commentary on Revenue Outturn

- 3.1 The detailed Revenue outturn for quarter 1 2020/21 is shown in **Appendix A**. Net costs of TVFCS for Quarter 1 are shown in **Appendix B**.
- 3.2 The 2020/21 Revenue Budget was set at £35.263m, with expenditure anticipated to exceed income by £284,000, meaning that the Fire Authority is reliant on its reserves to balance the budget.

Agenda Item 8

- 3.3 The forecast year-end outturn shows a deficit of £141,000 which is an improvement of £143,000 on the budgeted position.
- 3.4 The decision to close Wargrave Fire Station will generate an in-year saving. However, this is partly offset by good availability at other on-call stations and the deployment of some Wargrave staff to other stations (including Wholetime stations).
- 3.5 When setting the 2020/21 budget an estimated pay rise for non-uniformed staff (from 1 April 2020) of 2% was included. With the recent confirmation that the actual pay increase agreed is 2.75%, the effect on the budget is £55,000 of additional costs which explains the forecasted non-station overspend.
- 3.6 Whilst the full impact of COVID-19 is still to be determined, the immediate impact in relation to transport costs is visible where a variance of £31,000 is reported.
- 3.7 Prior to the agreed closure of Wargrave Fire Station agreement was reached with the Wokingham Borough Council to undertake a feasibility study looking at options. The Council was due to contribute £30,000 to this, but following the agreed closure this income will now not be realised.
- 3.8 Government grants and precept income is £78,000 higher than budget due to NNDR section 31 Grants. The budgets on these are based on estimates provided by the local authorities within Berkshire prior to the year commencing, with in-year variances reflecting the adjustments made to reflect actual data.

Capital

- 3.9 Capital expenditure in Quarter 1 2020/21 and supporting commentary for each respective scheme is shown in **Appendix C**.

Reserves

- 3.10 The Authority's draft Statement of Accounts for 2019/20 was published by the statutory deadline of 31 August 2020. The balance on the General Reserve remained at £2.3m during 2019/20. Earmarked reserve movements are shown in **Appendix D**. At 31 March 2020, Earmarked reserves totalled £6.7m.

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 The forecast outturn position on the Revenue Account is expected to reduce the call on reserves to £141,000 by the end of the financial year.

6. LEGAL IMPLICATIONS

6.1 Expenditure complies with the Authority's Financial Regulations.

7. EQUALITY AND DIVERSITY IMPLICATIONS

7.1 There are no equality and diversity implications arising from this report.

8. RISK IMPLICATIONS

8.1 The revenue and capital outturns together with the reserves position are consistent with the assumptions within the Medium Term Financial Plan.

8.2 Regular monitoring of expenditure against budgets helps ensure that resources are matched to need.

9. CONSISTENCY WITH DUTY TO COLLABORATE

9.1 The duty to collaborate is considered as part of the procurement process for both revenue and capital expenditure.

10. PRINCIPAL CONSULTATION

10.1 The Chief Fire Officer has noted the contents of the report.

10.2 The Monitoring Officer has noted the contents of the report.

11. BACKGROUND PAPERS

11.1 Agenda and Minutes, Royal Berkshire Authority: 14 February 2020.

12. APPENDICES

12.1 Appendix A – Revenue Position at Quarter 1 2020/21

12.2 Appendix B - Net costs of TVFCS Quarter 1 2020/21

12.3 Appendix C – Capital Position at Quarter 1 2020/21

12.4 Appendix D – Earmarked Reserves 2019/20

13. CONTACT DETAILS

13.1 Conor Byrne
Head of Finance and Procurement
07585 991602

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	Annual Budget £'000	Jun-20 Outturn £'000	Forecast to YE £'000	Fcast - Budget Variance £'000
EMPLOYEES				
STATIONS	16,935	4,120	16,835	(100)
NON-STATIONS	10,707	2,548	10,741	34
TRAINING	575	48	576	1
OTHER	233	55	246	13
	28,450	6,771	28,398	(52)
PREMISES				
REPAIRS & MAINTENANCE	727	102	722	(5)
RATES	904	206	904	0
CLEANING	235	59	235	0
UTILITIES	449	66	441	(8)
	2,315	433	2,302	(13)
SUPPLIES				
INSURANCE	335	189	335	0
EQUIPMENT	832	117	849	17
IS EQUIPMENT & LICENCES	679	387	680	1
CLOTHING/PPE	374	46	375	1
COMMUNICATIONS	932	204	934	2
OCCUPATIONAL HEALTH	185	82	185	0
PRINT/STATIONERY/PUBLICATIONS/SUBSCRIPTIONS	147	68	150	3
COMMUNITY FIRE SAFETY SUPPLIES	189	0	189	0
SUPPLIES OTHER	197	24	196	(1)
	3,870	1,117	3,893	23
CONTRACTS				
CONTRIBUTION TO TVFCS & COLLABORATION	892	187	872	(20)
LEGAL	50	2	50	0
CONTRACTS OTHER (incl Professional Services)	753	78	755	2
	1,695	267	1,677	(18)
TRANSPORT				
VEHICLE RUNNING COSTS	693	185	693	0
TRAVEL	290	62	259	(31)
	983	247	952	(31)
PENSIONS				
PENSIONS	430	98	424	(6)
	430	98	424	(6)
INCOME				
GRANTS	(2,773)	(2,758)	(2,773)	0
RENTAL INCOME	(183)	(46)	(192)	(9)
TVFCS RECHARGE INCOME	(308)	(77)	(308)	0
INCOME OTHER	(362)	(21)	(323)	39
	(3,626)	(2,902)	(3,596)	30
NET COST OF SERVICES	34,115	6,031	34,050	(65)
DEBT CHARGES INTEREST	392	19	392	(0)
INVESTMENT INTEREST	(25)	(6)	(25)	0
REVENUE FUNDING OF CAPITAL	600	0	600	0
APPROPRIATION TO/(FROM) RESERVES	(151)	0	(151)	0
FINANCING COSTS	616	0	616	0
NET EXPENDITURE	35,547	6,044	35,482	(65)
GOV GRANTS/PRECEPTS	(35,263)	(11,451)	(35,341)	(78)
(SURPLUS)/DEFICIT BEFORE USE OF RESERVES	284	(5,407)	141	(143)

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Royal Berkshire Fire Authority

Quarter 1 Budget Monitoring Report 2020/21

Thames Valley Fire Control Service (TVFCS)

	Annual Budget £'000	Outturn to June20 £'000	Forecast to YE £'000	Fcast - Budget Variance £'000
EMPLOYEES	1,764	413	1,710	(54)
CORPORATE RECHARGES TO TVFCS FROM RBFRS	308	77	308	0
SUPPLIES	36	(6)	37	1
TECHNOLOGY	247	10	247	0
NET COST OF TVFCS	2,355	494	2,302	(53)
RBFRS Share of Costs (37.8%)	892	187	872	(20)

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Active Capital Projects		Total Project Budget £000's	Actual Spend in Prior Years £000's	Actual Spend in Q1 20-21 £000's	Estimated Project Spend to Completion £000's	Total Estimated Project Spend £000's	Commentary
New tri-service community fire station - Theale		9,220	1,665	559	6,996	9,220	Following the successful completion of the site clearance works and the removal of the Japanese Knotweed, work progressed with site preparation ready for the piling rig. Despite the restrictions placed on construction sites due to Covid-19, the team have managed to keep the programme moving forwards, and where possible, mitigate some of the delays which were due to the global pandemic. The piling works have been completed 1 week ahead of schedule and the ground works are also progressing well. The next major milestone will be towards the end of Q2 with the commencement of the steelworks. The project is still on target for build completion in October 2021 and to deliver a fully operational tri-service community fire station by Spring 2022. In addition to the costs spent in this quarter a further £285k of work was certified as completed by 29th June 2020. This will be billed in Q2.
Major redevelopment - Crowthorne (capital and decant costs)		2,056	1,683	228	164	2,075	Despite the unforeseeable impacts of the Covid-19 global pandemic, this project was delivered ahead of schedule with crews able to respond from a fully operational facility in early May 2020. Members of Management Committee approved a total budget of £2,056m in April 2019. We reported an anticipated variance of circa +1% in the last capital report. The final spend to completion as shown here, is £2,075 which equates to an improved position than anticipated, with a variance of only +0.9%. The successful completion of this project in terms of quality, time and cost is a further demonstration of the sound strategic planning of the Authority.
Fire stations - Minor Capital Works Programme		1,250	0	2	1,248	1,250	All 6 stations identified as being most in need of attention under this programme refurbishment, have now been surveyed - both in terms of building structure and building services. Subsequent to the initial station feedback, further consultation has been completed with the end users by the Capital Projects team and a draft programme of works is being prepared for presentation to officers of SLT, prior to consideration by Members of the Property Development Working Group. Work is progressing well on this project, but the initial feasibility work is budgeted against revenue, hence the capital spend currently showing as zero. It is anticipated that once the draft programme of work is approved, works will commence swiftly thereafter, with completion expected by Q4 2021/22.

Active Capital Projects		Total Project Budget £000's	Actual Spend in Prior Years £000's	Actual Spend in Q1 20-21 £000's	Estimated Project Spend to Completion £000's	Total Estimated Project Spend £000's	Commentary
Fleet & equipment	New Fire Appliances	4,860	2,691	26	2,143	4,860	A collaborative exercise with Thames Valley partners delivered 7 new appliances the end of 2018/19. A further 4 vehicles were then delivered (2 in July and 2 in December 2019). It was then planned for a further 4 vehicles to be delivered in September 2020, however, due to the impacts of Covid-19, delivery timelines suggest a delay to January 2021. Once these vehicles are in service, it will mean that all whole-time pumps will have been renewed. At Fire Authority in February 2020, approval was given to purchase another four main pumping appliances. Orders have been placed, however due to the impacts of COVID-19, our fire appliance manufacturer Emergency One temporarily suspended their operations and are due to reopen their production lines on 29 June. Delivery of these vehicles is now expected in Autumn 2021. Budget allocation shown covers the expected requirements for the period April 2019 - March 2024.
	Aerial Ladder Platform	740	579	0	168	747	The Aerial Ladder Platform is currently in the final stages of build. Members of the fleet and equipment team along with end users from Whitley Wood are due to attend the manufacturers in Q2 to carry out initial acceptance testing. The vehicle has successfully passed Vehicle Certification Agency (VCA) testing. Our teams are returning in October to continue and finalise acceptance testing. Once testing has been satisfactorily concluded, the vehicle will be brought into Service for commissioning and user training. It is anticipated the vehicle will arrive in Service in November 2020 for the commissioning and training to commence.
	4x4 Fire Appliance at Maidenhead	175	0	0	175	175	At Fire Authority in February 2020 approval was given to replace the 4x4 fire appliance at Maidenhead and renew the Water Rescue vehicle. Following engagement with end users, the fleet and equipment team have finalised specifications for the replacement 4x4 fire appliance at Maidenhead and a direct award has been concluded. Initial end user engagement has been undertaken regarding the replacement of the Water Rescue vehicle. The findings are to be collated and analysed with a view to defining an outline specification that meets requirements and aligns with the Water Rescue IRMP review.
	Water Rescue Vehicle	110	0	0	110	110	
	8x 4x4 Utility Crew-cab Vehicles	160	0	0	160	160	Other Ancillary Vehicles – Due to the impact of COVID-19 and manufacturers temporary shutdowns, there was a delay in being able to place orders for 4x4 Pick-up vehicles. Having reviewed our requirements we have now placed an order for 6 vehicles, using existing frameworks to procure these. Initial indications are that these vehicles will be delivered in February 2021. The opportunity to purchase used Volvo pumping appliances has not arisen as yet, but we continue to monitor the situation closely.
	6x Used Volvo Pumping Appliances	120	0	0	120	120	

Appendix C
Agenda Item 8

Active Capital Projects		Total Project Budget £000's	Actual Spend in Prior Years £000's	Actual Spend in Q1 20-21 £000's	Estimated Project Spend to Completion £000's	Total Estimated Project Spend £000's	Commentary
ICT - helpdesk system		45	29	0	10	39	System upgrade and introduction of starters, movers and leavers workflows that was scheduled for March 2020 was postponed due to the ongoing pandemic. System upgrade and SLM automaton still in plan for 2020-21.
ICT - Sage 1000 upgrade		65	17	0	48	65	Phase 1 of the upgrade to Sage 1000 has been successfully implemented, and phase 2 has commenced in Qtr 2 2020/21.
ICT - Learning Management System		45	0	5	40	45	Tender evaluation and contract award was completed in Qtr 3 2019/20. Contract commenced in February 2020. Initial team training, design and development then commenced. Work to be completed prior to a planned go live date in Qtr 2 2020-21. There will be an ongoing requirement to develop and refresh content on the platform.
Prevention - New Ways of Working		106	0	11	95	106	The first 80 tablets have been purchased for the use of Fire Inspectors doing home visits
ICT - asset replacement / licences		1,070	210	98	762	1,070	The budget allocation shown was approved at Fire Authority in February 2019 and is based on the 5 year period. Phase 1 was completed in July 2019 costing £120k. Phase 2, replacing all station, TVFCS admin, training and secondary site desktops was completed in Qtr 2 2019/20, costing £90k. Phase 3 cost was increased to £97k as ICT have decided to order an extra number of machines to accommodate new starters and temporary device allocation to members of staff to work remotely due to Covid. We received delivery of 130 Laptops and docking stations with a rollout that was completed in early July June 2020, and ordered a further 20 BAU. We have now awarded a 3 year contract to Softcat to procure software and cloud related licencing. We are currently working with Microsoft and with our partner on our O/M265 plan to best suite our organisation.
TOTAL		20,022	6,874	929	12,239	20,042	

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Earmarked Reserves

	Balance at 1 April 2019 £000	Net transfers In / (Out) £000	Balance at 31 March 2020 £000	Purpose
Budget Carry Forward Reserve	158	98	256	To roll forward specific budget lines where commitments have been made but expenditure has not yet been incurred by the close of the financial year
Detectors Reserve	62	0	62	To provide on-going support to the Fire Prevention Programme
TVFCS Renewals Fund	479	55	534	To replace IT assets
Grants Received in Advance	866	(235)	631	The unspent balance of grants
COVID-19	0	94	94	Funding received to help meet additional costs associated with the COVID-19 pandemic
Vacancy Reserve	65	0	65	To offset fluctuations in employee numbers
Budget Contingency Reserve	1,484	(205)	1,279	To offset cuts in funding
Transition Fund	639	(71)	568	To support new ways of working
Development Fund	4,210	(1,015)	3,195	To fund capital projects
Total	7,963	(1,279)	6,684	

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ROYAL BERKSHIRE FIRE AUTHORITY REPORT

COMMITTEE	MANAGEMENT COMMITTEE
DATE OF MEETING	21 OCTOBER 2020
SUBJECT	ROYAL BERKSHIRE FIRE AUTHORITY CONSULTATION RESPONSE TO FIRE SAFETY AND PENSION CONSULTATIONS
LEAD OFFICER	DOUG BUCHANAN, AREA MANAGER PREVENTION AND PROTECTION AND BECCI JEFFERIES, HEAD OF HUMAN RESOURCES AND LEARNING AND DEVELOPMENT
LEAD MEMBER	COUNCILLORS DEXTER SMITH AND GRAHAM HOWE
EXEMPT INFORMATION	NONE
ACTION	NOTE

1. EXECUTIVE SUMMARY

- 1.1 To inform the Committee of Royal Berkshire Fire Authority's response to three consultations.
- 1.2 Two consultations set out proposals to remove the discrimination for affected members in public service pension schemes following the McCloud/Sergeant court case, which determined that the transitional protections in the judges' and firefighters' pension schemes gave rise to unlawful discrimination. The first of these was from HM Treasury with consultation closing on 11th October and the second from the Ministry of Housing, Communities and Local Government closing on 8th October 2020.
- 1.2 The other consultation from Lord Greenhalgh (Minister for Building Safety, Fire and Communities) on Fire Safety. The consultation outlined the Government proposes to implement the recommendations set out in the Phase 1 report of the Grenfell Tower Public Inquiry that requires new legislation. The consultation closed on 18th October.

2. RECOMMENDATION

That Management Committee:

Agenda Item 9

2.1 **NOTE** the report.

3. REPORT

- 3.1 At the last Management Committee held on 21 July 2020, Royal Berkshire Fire Authority (RBFA) Chairman, Councillor Colin Dudley authorised an urgent item informing Members of two consultations, one from HM Treasury on public service pension schemes changes to transitional arrangements to the 2015 schemes and the other from Lord Greenhalgh on Fire Safety.
- 3.2 Due to the deadline of both consultations on 11th and 18th October respectively falling prior to the next Management Committee on 21st October, it was agreed to establish two cross party Task and Finish Groups to formulate a response.
- 3.3 An additional consultation received from the Ministry of Housing, Communities and Local Government (MHCLG) regarding the Local Government Pension Scheme: amendments to the statutory underpin with a consultation deadline of 8th October, was also considered.
- 3.4 Following consideration by the Task and Finish Groups, authority was given to the Chairman to agree the final responses on behalf of the Fire Authority for submission by the respective deadlines.
- 3.5 This report sets out the final response on both consultations submitted by the RBFA Chairman on behalf of the Fire Authority.
- 3.6 The Fire Safety Consultation Task and Finish Group comprised of Councillors Dexter Smith (Chair), Angus Ross (Vice-Chair), Colin Dudley, Garth Simpson, Paul Gittings and Simon Werner. Mark Arkwell, Assistant Chief Fire Officer (ACFO), Doug Buchanan, Area Manager Prevention and Protection (AM P&P) and Noosha Churchill, Building Environment Manager supported the Task and Finish Group and met on 14 September and 5 October.
- 3.7 Attached as **Appendix A** is the Fire Safety Consultation response letter. In high level terms, the Task and Finish Group confirmed that RBFA welcome legislative changes (both through the Fire Safety Bill and the Building Safety Bill) to enable much needed change in the regulation of the built environment. The letter touches on some key areas identified by the Task and Finish Group in relation to strengthening of the Fire Safety Order, implementation of the Grenfell Tower Inquiry Phase One recommendations and FRS relations with Building Control bodies. Whilst RBFA broadly support the changes, the Task and Finish Group was keen to stress that for RBFRS to successfully fulfil our role in managing the challenges of the built environment, significant funding will be required. The Service has also provided a detailed technical response to the consultation, which aligns closely with the response from the National Fire Chiefs Council.

- 3.8 The Pension Consultation Task and Finish Group formed to respond to HM Treasury and the MHCLG consultations consisted of Councillors Graham Howe (Chair), Tony Linden (Vice-Chair), David Cannon, Jo Lovelock and Jeff Brooks. It was supported by Becci Jefferies, Head of Human Resources and Learning and Development (HHR&L&D) and Conor Byrne, Head of Finance and Procurement (HF&P).
- 3.9 The Pension Consultation Task and Finish Group met on 16 September and 1 October. **Appendix B** outlines the response submitted to HM Treasury and **Appendix C** the submission to the Ministry of Housing, Communities and Local Government.

4. CONTRIBUTION TO STRATEGIC COMMITMENTS

- 4.1 Commitment 1 – We will provide advice on how to prevent fires and other emergencies.
- 4.2 Commitment 2 – We will ensure a swift and appropriate response when called to emergencies.
- 4.3 Commitment 3 – We will provide advice, consultation and enforcement in relation to fire safety standards in buildings.
- 4.4 Commitment 5 – We will ensure that Royal Berkshire Fire and Rescue Service provides good value for money.
- 4.5 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 is a risk of significant financial burdens associated with administering the remedy outcomes for the firefighter and Local Government pension schemes following conclusion of the consultation. The submission made by RBFA notes this risk and seeks that any costs to fire and rescue authorities are met in full by the Government.
- 5.2 There could be a potential financial impact on the Fire Authority subject to the Fire Safety and Building Safety Bill.
- 5.3 It is clear that the challenges of the built environment will require significant investment across a number of sectors. The changes proposed in the fire safety bill will strengthen our powers, but also expand our responsibilities in relation to fire safety. It is difficult to put a figure on the required investment, but it will be substantial.

6. LEGAL IMPLICATIONS

- 6.1 The submission to HM Treasury acknowledges the current ongoing legal process and notes that the responses made should not prejudice any decisions made in that process.

7. EQUALITY AND DIVERSITY IMPLICATIONS

- 7.1 Submissions made to the two pension consultations address questions regarding equal treatment and provide a view in relation to the risk of further potential discrimination.

8. RISK IMPLICATIONS

- 8.1 There are significant changes to firefighter pension schemes and the outcomes of these consultations will result in wide ranging impacts for the administration of firefighter pension schemes for many years to come. As indicated in 5.1 these impacts will result in significant financial burdens to FRAs if not met by government.
- 8.2 Due to the complexities associated with the remedy proposals (e.g. application of options, contributions rates, taxation etc) and the requirement to undertake retrospective actions, there is a high potential for error. Employers, pension administrators and scheme members must be supported with appropriate information, tools and guidance to minimise this risk. Representations to this effect have been made in the consultation response.
- 8.3 Whilst RBFA / RBFRS support the legislative changes to Fire Safety and Building Safety, once in place there will be additional responsibilities and pressures on the Service for fire safety. RBFA has displayed good foresight in terms of providing additional funding to fire safety resourcing since Grenfell, but more money will be required. It is unclear where this funding will be generated from and as such there is a risk that we will not be able to sufficiently address the wider risks of service delivery.

9. CONSISTENCY WITH DUTY TO COLLABORATE

- 9.1 Consultation responses were shared with Thames Valley Fire and Rescue Service partners.

10. PRINCIPAL CONSULTATION

- 10.1 The Chief Fire Officer was consulted during the preparation of this report.
- 10.2 The Head of Finance and Procurement was consulted during the preparation of this report.

10.3 The Monitoring Officer was consulted during the preparation of this report.

11. BACKGROUND PAPERS

11.1 HM Treasury – Public service pension schemes: changes to the transitional arrangements to the 2015 schemes consultation - July 2020.

11.1 Ministry of Housing, Communities and local Government – Local Government Pension Scheme (England and Wales) – Amendments to the statutory underpin consultation - July 2020

12. APPENDICES

12.1 Appendix A – Fire Safety Consultation Response

12.2 Appendix B – HM Treasury Consultation Response (public service pension schemes: changes to transitional arrangements to the 2015 schemes)

12.3 Appendix C – MHCLG Consultation Response (Local Government Pension Scheme (England and Wales) – Amendments to the statutory underpin)

13. CONTACT DETAILS

13.1 Becci Jefferies, Head of Human Resources and Learning and Development,
0118 938 4670

13.2 Doug Buchanan, Area Manager Prevention and Protection, 07887 830207

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Date:

Dear Sir / Madam

Royal Berkshire Fire Authority (RBFA) and Royal Berkshire Fire & Rescue Service (RBFRS) welcome the opportunity to respond to the Fire Safety Bill consultation. We hold a view that there are currently systemic problems with existing regulatory arrangements responsible for the oversight of our built environment. Certainly the inadequacies of the powers of Fire and Rescue Services under the Fire Safety Order 2005 have become more apparent since the Grenfell Tower tragedy.

As such, we welcome the proposals of enhanced legislative powers within the Fire Safety Bill and also the Building Safety Bill. These will provide a starting point, but the scale and complexity of rectifying the legacy issues associated with the existing ineffective regulation of the built environment will take many years and significant investment.

It is understandable that much focus is being placed on high rise residential buildings. However, it is likely that these are just the tip of the iceberg and the risks associated with the built environment are much wider. Height is one risk factor, but there are others such as occupancy and use. The dangers identified in relation to cladding (post Grenfell) are likely to extend to other areas such as ineffective compartmentation, maintenance of complex fire engineering systems and management strategies etc.

Whilst this consultation relates to the Fire Safety Bill, it would be very difficult not to also consider the Building Safety Bill in the wider context of future arrangements regarding the built environment. In principle, RBFA and RBFRS support the outline plans for the Building Safety Bill and we are in broad agreement with the response sent by the NFCC to that bill. Whilst we support the creation of a lead regulator within the HSE, we do hold some concerns about multiple and overlapping legislation and regulation and the interaction with the Fire Safety Order. Clear guidance on how the different frameworks are intended to interact would therefore be welcome. In terms of scope, we also agree with the NFCC that the plans for the Building Safety Bill could be more ambitious to reflect wider risks and vulnerabilities within our communities.

Fire safety bill

Strengthening of the Fire Safety Order and improving compliance: we are broadly in support of the outline proposals. Clarity and increased accountability of responsible persons should support a general improvement in fire safety precautions. Additional powers for FRS's to

**ROYAL BERKSHIRE
FIRE AUTHORITY**

Councillor Colin Dudley • Chairman



Agenda Item 9

Appendix A

enforce on areas beyond existing common parts will help us to undertake our role in making buildings safer. However, the increased powers will also impact our current Risk Based Inspection Programme as it has the potential to introduce a significant number of buildings which would previously not have been on our audit programme. Whilst there are proposals in relation to fees and charges, in our view this would not be sufficient to address the additional resourcing burden to adequately provide appropriate fire protection services.

Implementation of the Grenfell Tower inquiry phase 1 report recommendations: as above, we support greater accountability on responsible persons to ensure their fire safety arrangements are suitable and residents / relevant persons have adequate information about those arrangements. RBFRS are currently undertaking a programme of work to address the phase 1 recommendations (under existing legislation) and looking for opportunities to address the failings within our powers/influence. We do hold some concerns in relation to the recommendations to share a sizable volume of data with FRS'. Should this become a requirement, there would be significant ICT implications to receive, process and make available the data.

Building control bodies' consultation with Fire and Rescue Authorities: We are broadly supportive of proposals to enhance the consultation between building control bodies and Fire and Rescue Authorities with a view to ensuring attention to fire safety requirements at all levels of design, build and use of premises which fall under the Fire Safety Order. RBFA and RBFRS would welcome legislative change which makes FRS's statutory consultees at planning phase for new builds and we are particularly keen to see greater consultation and regulation over change of use from commercial to residential, to ensure appropriate fire safety standards are met.

RBFA and RBFRS look forward to seeing greater detail of how the two new pieces of legislation will be delivered. It is already clear that the requirements placed upon protection teams within FRS' will be greater, and this must be reflected in funding for it to be sustainably effective. Government recently allocated some one-off grant funding to Fire and Rescue Services to address the additional burden of work in the built environment. Whilst any funding is always appreciated, the £180k grant received by RBFRS is inadequate. For context, this allocation would only enable the appointment of three additional protection staff and given the funding is for a single year the benefits will be marginal. As the Service is already facing a significant budgetary shortfall for 2021/22 an appropriate and sustainable funding model needs to be provided in the next CSR. It is also critical for Services such as RBFRS to have greater precept flexibility to protect vital public services.

Please see the response below from our Head of Prevention and Protection in relation to the specific consultation questions.

Yours sincerely,



Councillor Colin Dudley
Chairman, Royal Berkshire Fire Authority



Trevor Ferguson
Chief Fire Officer and
Chief Executive

Public Service Pension Schemes: Changes to the transitional arrangements of the 2015 schemes.

The Service acknowledges that there is currently a legal process for the claimants in the Sargeant case, for which FBU acts on behalf of the claimants, and the Fire and Rescue Authorities (FRAs) are the respondents in that case together with the respective UK governments. This response should not prejudice any decisions made in those on-going legal proceedings.

Question 1: Do you have any views about the implications of the proposals set out in this consultation for people with protected characteristics as defined in section 149 of the Equality Act 2010? What evidence do you have on these matters? Is there anything that could be done to mitigate any impacts identified?

Due to the complexity of the proposals it is not possible to identify whether the risk of further discrimination can be removed. As this is such a complex area and individual circumstances will differ, clear and appropriate information following the outcome of this consultation is required to assist individual choice. Individuals with mental health issues or out of the workplace e.g. maternity leave may feel more pressure / anxiety in making choices within any imposed timeframe.

Question 2: Is there anything else you would like to add regarding the equalities impacts of the proposals set out in this consultation?

The above observation should be included in any impact assessment regarding implementation following consultation.

Question 3: Please set out any comments on our proposed treatment of members who originally received tapered protection. In particular, please comment on any potential adverse impacts. Is there anything that could be done to mitigate any such impacts identified?

The proposal that members can choose legacy scheme benefits or reformed scheme benefits for the whole remedy period is supported. There is potential risk of individuals making the wrong decision as they cannot forecast events. The consultation document, at para 2.21, recognises that some individuals may lose out in this option. It is not possible to identify whether those that would lose out share protected characteristics and therefore give rise to risk of further discrimination.

Question 4: Please set out any comments on our proposed treatment of anyone who did not respond to an immediate choice exercise, including those who originally had tapered protection.

As noted in the consultation, this is something relevant schemes should consult on directly with their stakeholders following the government's response to this consultation. This would be best administered by the relevant scheme advisory board.

Question 5: Please set out any comments on the proposals set out above for an immediate choice exercise.

This proposal would provide clarity for employers relatively quickly and ensure the exercise is concluded in a shorter timeframe. Under this option the calculation for the top up grant would be less complex.

The service supports the Scheme Advisory Board's view that "under immediate choice we assume the Government Actuary's Department (GAD) valuations would be undertaken in a similar way to the current approach with only one set of assumptions required." (2, p.18). This contrasts with the situation under DCU (see Question 6).

Agenda Item 9

Appendix B

Question 6: Please set out any comments on the proposals set out above for a deferred choice underpin.

This proposal would make it much harder for employers to forecast costs and future workforce plans. However, the Service acknowledges the view of the Scheme Advisory Board that “deferred choice was the only proposal to mitigate risk of further legal challenge” (2, p.2).

As noted by the Scheme Advisory Board “Deferred choice would require several assumptions, both options would have to be valued and we imagine that the highest cost would be used for each valuation period. Although uncertainty would reduce over time and with each valuation, there is a clear risk that deferred choice will add volatility to the valuation process and have consequent implications for contribution rates and member benefits.” (2, p.18).

This choice will substantially add to audit fee costs as a result of the complexity and the assumptions made in determining liabilities

Question 7: Please set out any comments on the administrative impacts of both options

Although the immediate choice proposal is more resource intensive initially, both proposals have a significant administrative burden which will generate significant additional costs for employers. According to the Scheme Advisory Board “Initial conversations with administrators and FRAs indicate that the additional new burden will be between 50% and 75% of current costs.” (2, p.16). It is essential that the Government fully funds these additional costs to mitigate potential impacts on the service we deliver to the public.

The complexity and challenges associated with scheme administration may result in a smaller pool of administrators willing to undertake administration into the future, further increasing costs.

Question 8: Which option, immediate choice or DCU, is preferable for removing the discrimination identified by the Courts, and why?

As identified in the response to question 3, there remains a number of unknown consequences. The option for individuals to defer the choice appears to therefore reduce this risk.

Question 9: Does the proposal to close legacy schemes and move all active members who are not already in the reformed schemes into their respective reformed scheme from 1 April 2022 ensure equal treatment from that date onwards?

Due to the complexity of individual circumstances it is not possible to confirm whether this proposal would ensure equal treatment. We emphasise that younger members (aged 18) who joined the 1992 FPS scheme in 1992 may be affected by a change to a new reformed scheme impact their access to retirement in line with the legacy scheme.

There are associated tax implications for individuals with each option, these are noted later in the response.

Question 10: Please set out any comments on our proposed method of revisiting past cases.

In line with the immediate choice proposal, members will need to be given a reasonable amount of time to make their decision. This should be dealt with as a discrete exercise, separate from the routine pension top-up grant claims.

The administration associated with all options-based exercises are incredibly burdensome and costs associated with these should be met centrally. It is essential that appropriate and clear information

is available to all parties and tools available to illustrate all the options and the associated impacts clearly to aid decision making. In addition the tax position and sources of support in this respect need to be clearly explained to individuals. As the employing authority cannot legitimately give advice in this respect, independent advice which is not beholden to the fire authority should be facilitated and the costs of such met centrally.

Our experience of previous options exercises and communicating with individuals who are no longer in employment have proved difficult and time consuming. Clear timeframes and accurate guidance from the outset are essential to managing these activities with the least strain to all parties.

Question 11: Please provide any comments on the proposals set out above to ensure that correct member contributions are paid, in schemes where they differ between legacy and reformed schemes.

Experience of issues such as the Norman case (see references below (3)) have demonstrated this proposal will place a large burden on services that have to manage repayment plans for members. It will be especially difficult where members have moved employers or move employers before fully repaying contributions owed. The DCU option is especially burdensome, with contributions potentially having to be amended twice.

There is no mention of how employer contributions would be adjusted. The Government must consult on proposals for this aspect before arriving at any decision.

Question 12: Please provide any comments on the proposed treatment of voluntary member contributions that individuals have already made.

The proposals around voluntary member contributions are of a highly technical nature and therefore it is essential that clear guidance, including tax implications, is provided to members.

Question 13: Please set out any comments on our proposed treatment of annual benefit statements.

As noted in the consultation, the DCU proposal would require significant changes and take years to implement and test. The immediate choice would remove some of the complexity and administrative burden.

Question 14: Please set out any comments on our proposed treatment of cases involving ill-health retirement.

In line with the immediate choice proposal, members will need to be given a reasonable amount of time to make their decision. This should be dealt with as a discrete exercise, separate from the routine pension top-up grant claims. There is a pressing need for guidance on processing immediate cases with clarification on its legal status.

Question 15: Please set out any comments on our proposed treatment of cases where members have died since 1 April 2015.

The Service agrees that these cases will need to be handled sensitively. Any additional costs e.g. not reducing a dependent child's pension (1, para. A.36) must be funded by Government, not the individual fire and rescue services. There is a pressing need for guidance on processing immediate cases.

Agenda Item 9

Appendix B

Question 16: Please set out any comments on our proposed treatment of individuals who would have acted differently had it not been for the discrimination identified by the Court.

The Service agrees with the proposal to treat these on a case by case basis and this should be dealt with as a discrete exercise with clear guidance and timelines. In line with the immediate choice proposal, members will need to be given a reasonable amount of time to make their decision.

Question 17: If the DCU is taken forward, should the deferred choice be brought forward to the date of transfer for Club transfers?

This would be preferable to avoid maintaining dual records as long as there is no risk of further discrimination by adopting this course of action.

Question 18: Where the receiving Club scheme is one of those schemes in scope, should members then receive a choice in each scheme or a single choice that covers both schemes?

A single choice simplifies the situation and is closer to the situation of a member who did not change employment.

Question 19: Please set out any comments on our proposed treatment of divorce cases.

Any additional costs e.g. pension credit member awarded the percentage of the higher cash equivalent transfer value (CETV) due under remedy (1, para. A.62) must be funded by Government, not the individual fire and rescue services. Any regulation change should take account of other impacts such as nominated beneficiaries and processes associated with legal separations etc.

Question 20: Should interest be charged on amounts owed to schemes (such as member contributions) by members? If so, what rate would be appropriate?

No clear view on rates however, if interest is charged/paid, any net cost to employers must be funded by Government.

Question 21: Should interest be paid on amounts owed to members by schemes? If so, what rate would be appropriate?

No clear view on rates however, if interest is charged/paid, any net cost to employers must be funded by Government.

Question 22: If interest is applied, should existing scheme interest rates be used (where they exist), or would a single, consistent rate across schemes be more appropriate?

No clear view on rates however, if interest is charged/paid, any net cost to employers must be funded by Government.

Question 23: Please set out any comments on our proposed treatment of abatement.

The proposal that where the DCU or immediate choice results in a retrospective increase to a pension then abatement would not apply or would not be increased retrospectively is supported as it provides certainty for the member and avoids an additional administrative burden on the employer.

Question 24: Please set out any comments on the interaction of the proposals in this consultation with the tax system

This will add additional complexity to an already complex system. The Government will need to provide clear guidance on the implications of each choice to enable scheme members to make an informed choice, and to ensure employers are treating cases correctly and consistently.

Other Comments

Although the consultation document provides information on costs (1, paras. 2.58-2.60) it is disappointing there is no specific question(s) relating to the issue.

When the 2015 Scheme was introduced fire and rescue services had their funding reduced to reflect the lower cost of employer contributions in the new scheme. Therefore, when future employer contributions inevitably increase as a result of these proposals, services must be fully funded for this additional burden.

This view is supported by the Scheme Advisory Board, who stated that “there are significant financial burdens that would fall on employers to manage and administrate either proposal, and the Board calls on the Government to meet those FRA costs in full.” (2, p.3).

To reduce the risk associated with the remedy, the legality of proposals must be established together with carrying out due diligence in relation to the 2022 scheme.

It is essential that any exercise is properly resourced to support informed decision-making. As the effect of all the options listed throughout the consultation document to remedy the discrimination attract significant administrative burdens, these should be funded separately by Government.

The changes will require a significant level of additional resource to support and manage, which will not just be at administrator and software level, the FRA as scheme manager will be heavily impacted by the resource needed at an officer level. The governance challenge of ensuring the right decisions are taken will also be keenly felt.

There is no capacity or knowledge to develop in-house tools and as these are critical to ensuring individuals are able to make correct choices, measures should be put in place to develop and support these centrally, not adding to the burden for fire and rescue services.

Clarity for fire authorities and staff is paramount.

References

- (1) United Kingdom. HM Treasury. Public service pension schemes: changes to the transitional arrangements to the 2015 schemes Consultation. ISBN 978-1-913635-37-4, 2973, CP 253. 2020. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/900766/Public_Service_Pensions_Consultation.pdf (Accessed: 18 August 2020).
- (2) Eastwood, M. Addressing unjustified age discrimination in transitional arrangements to the 2015 pension schemes – working proposals: Firefighters’ Pensions England Scheme Advisory Board Response. Letter to Amar Pannu (Head of Police and Firefighters’ Pensions). 2 April 2020. Available at: <http://fpsregs.org/images/Age-discrimination/SAB-response-to-informal-HMT-remedy-propsals-2-April-2020.pdf> (Accessed: 18 August 2020).
- (3) Norman v Cheshire Fire & Rescue Service [2011] EWHC 3305 (QB). 14 December 2011. Available at: [http://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWHC/QB/2011/3305.html&query=2011.+EWHC+3305+\(QB\)](http://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWHC/QB/2011/3305.html&query=2011.+EWHC+3305+(QB)) (Accessed: 18 August 2020).

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Local Government Pension Scheme (England and Wales) Amendments to the statutory underpin

Question 1 – Do you agree with our proposal to remove the discrimination found in the McCloud and Sargeant cases by extending the underpin to younger scheme members?

Yes.

Question 2 – Do you agree that the underpin period should end in March 2022?

Yes, as this is the last date a protected member can reach their 2008 Scheme NPA.

Question 3 – Do you agree that the revised regulations should apply retrospectively to 1st April 2014?

Yes. Retrospective application of the proposed draft regulations will lead to significant administrative complexity, and employers must be fully funded for this increased cost. It will also result in increased employer contributions, which must be funded by Government.

Question 4 – Do the draft regulations implement the revised underpin which we describe in this paper?

To ensure the draft regulations implement the revised underpin the technical and legal aspects associated with the regulations will need careful examination to avoid the potential for further discrimination. Pension administrators and other parties may be able to offer comment on whether this is achieved.

Question 5 – Do the draft regulations provide for a framework of protection which would work effectively for members, employers and administrators?

It does provide a framework but would need to be underpinned by clear information / guidance for employers, members and pensions administrators and without that we are unable to comment further.

Question 6 – Do you have other comments on technical matters related to the draft regulations?

No.

Question 7 – Do you agree that members should not need to have an immediate entitlement to a pension at the date they leave the scheme for underpin protection to apply?

Yes.

Question 8 – Are there any other comments regarding the proposed underpin qualifying [sic] criteria you would like to make?

No.

Question 9 – Do you agree that members should meet the underpin qualifying criteria in a single scheme membership for underpin protection to apply?

Yes.

Question 10 – Do you agree with our proposal that certain active and deferred members should have an additional 12 month period to decide to aggregate previous LGPS benefits as a consequence of the proposed changes?

Agenda Item 9

Appendix C

Yes. Members will need clear information / guidance to help with making choices and avoid the risk of future discrimination claims.

Question 11 – Do you consider that the proposals outlined in paragraphs 50 to 52 would have ‘significant adverse effects’ in relation to the pension payable to or in respect of affected members, as described in section 23 of the Public Service Pensions Act 2013?

The simplification and joining of records will help reduce the risk of administrative mistakes. Due to the technical aspects of these proposals pension administrators and other stakeholders may be more able to offer comment.

Question 12 – Do you have any comments on the proposed amendments described in paragraphs 56 to 59?

No.

Question 13 – Do you agree with the two-stage underpin process proposed?

Yes. However, this will increase administrative complexity and cost, which employers must be fully funded for by Government.

Question 14 – Do you have any comments regarding the proposed approaches outlined above?

As indicated above, the proposed approaches will increase administrative complexity and cost, which employers must be fully funded for by Government

Question 15 – Do you consider there to be any notable omissions in our proposals on the changes to the underpin?

We are not able to identify any notable omissions at this time. Pension administrators and other stakeholders may be able to offer comment. It is noted that previous revisions of regulations did not identify the potential for discrimination at the time of consultation.

Question 16 – Do you agree that annual benefit statements should include information about a qualifying member’s underpin protection?

Yes.

Question 17 – Do you have any comments regarding how the underpin should be presented on annual benefit statements?

It should be as clear and simple as possible and highlight the assumptions used in calculating the estimate.

Question 18 – Do you have any comments on the potential issue identified in paragraph 110?

We are unable to identify the number of members likely to be in this situation.

It is essential that administrators are able to provide clear information to members to illustrate the position and possible scenarios. This could be supported with case studies.

Question 19 – Do the proposals contained in this consultation adequately address the discrimination found in the ‘McCloud’ and ‘Sargeant’ cases?

The principles appear to address the situation but until this matter has been concluded and implemented we are unable to determine whether the proposals adequately address the discrimination found in the 'McCloud' and 'Sargeant' cases

Question 20 – Do you agree with our equalities impact assessment?

Identification of issues and technicalities through the consultation process will need to further inform the equalities impact assessment.

Question 21 - Are you aware of additional data sets that would help assess the potential impacts of the proposed changes on the LGPS membership, in particular for the protected characteristics not covered by the GAD analysis (age and sex)?

No.

Question 22 – Are there other comments or observations on equalities impacts you would wish to make?

Clear and appropriate information following the outcome of this consultation is required to assist individual choice. Individuals with mental health issues or out of the workplace e.g. maternity leave may feel more pressure / anxiety in making choices within any imposed timeframe.

Question 23 – What principles should be adopted to help members and employers understand the implications of the proposals outlined in this paper?

There is a pressing need for guidance on processing immediate cases. Need very clear and all-encompassing information linking all elements e.g. tax impacts.

Question 24 – Do you have any comments to make on the administrative impacts of the proposals outlined in this paper?

Retrospective application of the proposed draft regulations will lead to significant administrative complexity, and employers must be fully funded for this increased cost.

Question 25 – What principles should be adopted in determining how to prioritise cases?

We believe pension administrators and other parties will be better placed to respond to this aspect..

Question 26 – Are there material ways in which the proposals could be simplified to ease the impacts on employers, software systems and scheme administrators?

It is essential that there is clear and unambiguous information and guidance to support employers and administrators. Unable to comment further.

Question 27 – What issues should be covered in administrative guidance issued by the Scheme Advisory Board, in particular regarding the potential additional data requirements that would apply to employers?

The additional data requirements need to be highlighted as soon as possible, so that employers have time to collate, check and submit any data required. Our service will also have to deal with the additional burden of providing data for the firefighter pension schemes. It is likely this will require additional dedicated internal resource, which we believe should be funded by the Government.

Question 28 – On what matters should there be a consistent approach to implementation of the changes proposed?

Agenda Item 9

Appendix C

Changes must be consistent across all administering authorities.

Question 29 – Do you have any comments regarding the potential costs of McCloud remedy, and steps that should be taken to prevent increased costs being passed to local taxpayers?

The changes will inevitably increase the cost of employer contributions. Any increases must be funded by Government and not the fire authority to avoid costs being passed to local taxpayers.

ROYAL BERKSHIRE FIRE AUTHORITY REPORT



COMMITTEE	MANAGEMENT COMMITTEE
DATE OF MEETING	21 OCTOBER 2020
SUBJECT	APPLIANCE AVAILABILITY BY CREWING TO MEET CORPORATE MEASURE 16 AND 17
LEAD OFFICER	STEVE FOYE, DEPUTY CHIEF FIRE OFFICER
LEAD MEMBER	NA
EXEMPT INFORMATION	NONE
ACTION	TO NOTE

1. **EXECUTIVE SUMMARY**

- 1.1 This report provides information on Quarter 1 (Q1) performance with supporting narrative on the Whole-time Duty System and the On-Call (previously referred to as the Retained Duty System) appliance availability.
- 1.2 The data within this report is consistent with that provided to the Audit and Governance Committee as part of the Service's quarterly performance reporting structures.
- 1.3 The content of this report provides an insight for the Management Committee on the Service's work and progress in managing availability for both Whole-time and On-Call appliances.
- 1.4 On-Call appliance availability through crewing for Q1 averaged 62.6% across the Service against the target of 60% as set through Corporate Measure 17.

2. **RECOMMENDATION**

That the Management Committee:

- 2.1 **NOTE** the 2020/21 Q1 performance of 100% appliance availability of the Service's 14 Whole-time appliances in line with Corporate Measure 16¹.

¹ Corporate Measure 16: Achieving the sufficient minimum number of qualified firefighters (4 personnel) on all Whole-time appliances (fire engines) through Q1 2020-21

Agenda Item 10

2.2 **NOTE** the 2020/21 Q1 performance of overall On-call appliance availability of 62.6% against the Service target of 60% in Corporate Measure 17².

3. **REPORT**

3.1 This report provides the 2020/21 Q1 update of performance against Corporate Measures 16; which is to ensure 100% of full shifts where there is adequate crewing on all Whole-time frontline pumping appliances.

3.2 The report also details performance against Corporate Measure 17, which sets a target of 60% of hours where there is adequate crewing on on-call frontline pumping appliances (based on 24/7 crewing). This measure being applied across the individual and overall availability of the Service's six On-Call appliances.

3.3 Both Corporate Measures were presented to and approved at the Fire Authority meeting of 25 June 2020 and are consistent with the measures applied in the previous year.

3.4 The provision of sufficient minimum number of qualified firefighters, for both Whole-time and On Call appliances and therefore appliance availability, is actively monitored and managed by Service Delivery managers. Performance is reported through the Service's Strategic Performance Board (SPB) and the Audit and Governance Committee on a quarterly basis, in addition to this report to Management Committee.

3.5 A report was brought to Management Committee on the 06 February 2018 providing a more detailed background to Corporate Measure 16. To remind the committee, this report explained that crewing was managed within a lean operating model of 328 station based personnel delivering 14 Whole-time appliances. This was in comparison to a previous position of an operating model of 13 Whole-time appliances with a station establishment of 354 personnel.

3.6 In a period of significant financial constraint, the Authority created a very efficient and lean Whole-time crewing model. This 2018 report also provided a summary of the wider factors outside of the measure that can influence appliance availability and which are managed as operational matters by officers. For information and Members understanding these are reiterated in paragraphs 3.16 – 3.17 of this report.

3.7 In the 2019-20 Q1 Appliance Availability report, presented to Management Committee on 14 October 2019, it was highlighted that the station-based establishment levels had further reduced to 324 in line with the Fire Authority's Integrated Risk Management Plan and the successful delivery of the Flexi Duty Officer/Remotely Managed Stations project.

3.8 The additional capacity that may have existed in previous crewing models no longer exists and, whilst station-based crewing levels are influenced by a number of factors, (e.g. temporary promotions, secondments, annual leave,

² Corporate Measure 17: Percentage of hours per month where there is adequate crewing on all On-Call appliances (fire engines) through Q1 2020-21

sickness absence, maternity/paternity leave, career breaks, etc), Service Delivery managers continually monitor and manage station-based crewing levels, intervening where necessary to address deficiencies. This effective management combined with good support, commitment and flexibility from operational personnel contributes to successfully achieving the target of 100% appliance availability by ensuring the sufficient minimum qualified firefighters are available.

Whole-time Duty System Appliance Availability - Q1 2020-21 (Corporate Measure 16)

- 3.9 Corporate Measure 16 has been agreed by the Fire Authority to ensure that they discharge their scrutiny and oversight responsibilities. This Corporate level measure provides the appropriate level of oversight, ensuring that adequate crewing is available for the Service's 14 Whole-time appliances. The availability is measured by the percentage of shifts (day and night) that there are appropriately qualified firefighters for all 14 appliances. There were 91 days in Q1; the total number of day and night shifts for Q1 equates to 182.
- 3.10 For Q1 performance against Corporate Measure 16 was 100%, consistent with the performance level achieved in the previous Quarter.
- 3.11 The measure allows for a two hour period at start of each shift for any moves of operational personnel between stations, utilising a buffer of 2 personnel which is maintained to facilitate optimum crewing. For instance, where a member of staff books sick just before a shift starts, arrangements will be made for another member of staff to attend and make up the crew. This is known as a Critical Stand-By and the intent is for this to be achieved within two hours.
- 3.12 There were six occasions when Critical Stand-By moves were utilised in Q1 with all resolved inside 40 minutes and, on all occasions, a firefighter from the previous shift was able to cover the crewing deficiency, thereby ensuring the appliance actually remained available for full operational response.
- 3.13 The level of detail provided in 3.11, 3.12, and 3.14 and 3.16 below, would not normally be appropriate for a Member level report, as it is straying into the realms of the operational responsibilities of the Senior Leadership Team. The detail has been provided in this instance to improve collective understanding but future reports will focus on reporting at the appropriate Corporate Measure Level.
- 3.14 COVID-19 Coronavirus has presented additional challenges in the quarter, with members of operational personnel required to 'self-isolate' due to COVID-19 symptoms and/or shielding. Service Delivery Managers, supported by the positive attitude of station-based personnel, continued to actively manage and address crewing level. Additional measures included:
- Restrictions of movement of operational personnel across service delivery hubs.
 - Social distancing and limited access to stations.

Agenda Item 10

- Increased operational buffer.
 - Access to Coronavirus testing for all personnel with personnel taking the tests being able to return to work significantly quicker.
 - On-Call personnel, 'furloughed' from their primary employment or home working, supplementing Whole-time establishment
- 3.15 Through Q2, measures have continued to remain responsive to national guidance with the goal of maintaining crewing for 100% appliance availability.

Factors affecting Whole-time Appliance Availability outside of Corporate Measure 16

- 3.16 At the Management Committee of 21 July 2020, Members asked to understand the wider factors beyond crewing that can lead to an appliance not being available for operational response. The following provide a range of operational circumstances:
- Delayed operational response due to training programme. This is important to ensure operational teams remain ready for their roles.
 - Contamination of firefighting clothing (fire kit) or equipment needing cleaning or replacement following an incident.
 - Replenishment of equipment and water following use at an operational incident.
 - Crew welfare – such as following a critical incident or if a crew member is becomes unwell.
 - Crew returning from an incident past their normal shift end time.
 - Appliance defects which are normally addressed by our mobile technicians or a 'stowed' reserve appliance brought in.
- 3.17 These operational matters are actively monitored and managed by officers to ensure downtime of appliances is minimised.

On-Call Duty System Q1 2020-21 Appliance Availability - (Corporate Measure 17)

- 3.18 The overall availability for On-Call appliances in Q1 was 62.6%; an increase from 34.7% in the previous quarter and up from 35.9% in the same quarter last year, as reported in the Management Committee report on Appliance Availability for Q1 2019/20. The table below provides a breakdown of appliance availability based on station and month with an averaged quarterly total:

Station	Availability target	Apr 20	May 20	Jun 20	Q1 average
Hungerford	70%	87.9%	85.1%	81.4%	84.8%
Lambourn	40%	0.4%	3.2%	3.3%	2.3%
Pangbourne	30%	11.7%	14.9%	6.4%	11.0%
Mortimer	70%	94.2%	96.5%	93.3%	94.7%
Crowthorne	85%	96.9%	95.3%	91.5%	94.6%
Maidenhead	70%	91.4%	91.1%	74.3%	85.7%

The variations between stations are indicative of their differing establishment profiles (the number of individuals at each station, the qualifications and skillsets held, and the amount of operational cover each individual can provide).

- 3.19 The On-Call teams at Mortimer and Crowthorne fire stations perform strongest in terms of appliance availability with Maidenhead and Hungerford also registering significant improvements.
- 3.20 At the end of Q1, the On-Call establishment numbered 84 (one individual holds two On-Call contracts), a decrease of three firefighters from the previous Quarter.
- 3.21 There was a significant and positive impact of the COVID-19 pandemic in relation to appliance availability, with crew members furloughed from their primary employment or working from home during this period being in a position to increase their availability and enhance On-Call appliance availability.
- 3.22 Looking to Q2 we expect performance to fall back as these personnel return to their primary workplaces and we see higher annual leave through the summer.
- 3.23 A more detailed synopsis of progress on recruitment, training and skills uplift for each station follows:

Agenda Item 10

3.24 **Hungerford**

- 3.24.1 Through Q1, there were 25 incidents on Hungerford's station ground; on 20 of these occasions, Hungerford's appliance was first in attendance and 12 were attended within ten minutes.
- 3.24.2 Appliance availability increased from 59% in Q4 to 84.8% in Q1. A number of firefighters were able to complete their initial training courses gaining qualified status to ride the fire appliance. From the current establishment of 16 personnel, 12 are competent to wear Breathing Apparatus (BA), five are qualified Emergency Response Drivers (ERD), and two have Incident Command System (ICS) Level 1 qualifications.
- 3.24.3 Two firefighters are completing personal development activities to enable them to complete their command assessments. In Q2, the remaining firefighters will complete their initial training and one further individual will be undertaking driver development. We anticipate these increased skills to have an overall positive impact on appliance availability going forward.

3.25 **Lambourn**

- 3.25.1 Through Q1, there were eight incidents on Lambourn's station ground; on one occasion, Lambourn's appliance was first in attendance and one was attended within ten minutes.
- 3.25.2 Appliance availability during Q1 was adversely affected due to the lack of firefighters with an incident command qualification; this was due to one resignation and one long term absence. However, there was a small increase in appliance availability from Q4: from 1.9% to 2.3%.
- 3.23.3 The station establishment currently stands at seven, with two firefighters recently qualifying as competent BA wearers. There is however, only one ICS Level 1-qualified manager and one ERD appliance driver. An action plan has been developed addressing the key challenges and the outlook for the station is positive with at least two more local individuals showing interest in joining the team.
- 3.23.4 A Watch-Based Station Manager (WBSM) was appointed to provide leadership and management support to the station on a part-time basis; this has clearly had a positive impact upon morale and more practically regarding training and development.
- 3.23.5 During Q1, several short term gains were prioritised whilst plans were implemented to address longer term challenges such as increasing the number of ICS-qualified managers. Availability is expected to increase slowly as we progress through Q2; however the lack of ICS-qualified managers will be difficult to overcome in the short term.

3.26 Pangbourne

- 3.26.1 In Q1, there were nine incidents on Pangbourne's station ground. Two were attended within ten minutes but Pangbourne's appliance was not the first attending appliance.
- 3.26.2 Q1 saw a reasonable increase in availability from 2.9% in Q4 to 11% across April, May and June. The establishment stands at five firefighters with a minimum complement of four required to provide a crew. Appliance availability is anticipated to see a slight improvement in Q2 due to the newest member becoming BA qualified, meaning all five firefighters being BA-qualified, two qualified ERD drivers and one ICS-qualified manager.
- 3.26.3 A firefighter currently in the role of temporary Crew Manager will be attending an initial incident command course in October which, if completed successfully, will improve appliance availability further.
- 3.26.4 Recruitment to the station remains a challenge given the planned closure of the station when the new Theale Fire Station comes into Service in early 2022.

3.27 Mortimer

- 3.27.1 In Q1, there were 33 incidents on Mortimer's station ground; Mortimer's appliance was first in attendance on 29 occasions with 20 attended within ten minutes (70%).
- 3.27.2 Availability for Q1 was 94.7% and is the highest of all On-Call stations; this was a significant rise from 36.5% in the previous Quarter.
- 3.27.3 All 13 firefighters at Mortimer are now BA qualified with five also qualified ERD drivers; it is anticipated that a further firefighter will become ERD-qualified in Q2. There are two ICS-qualified managers with four dual-contract firefighters helping to provide a healthy distribution of day/night-time availability.
- 3.27.4 Overall, this has been a really impressive quarter by the Mortimer team, delivering a significant return on investment.

3.28 Crowthorne

- 3.28.1 Crowthorne fire station has continued to perform strongly against this measure with a total availability of 94.6%, a significant performance increase from the 78% in Q4.
- 2.28.2 Analysis shows that this achievement has not been without challenge with a number of absences from the station; however a number of personnel are anticipated to return to operational duties in Q2. This achievement reflects excellent management and planning alongside the high levels of commitment shown by station personnel.

Agenda Item 10

3.29 **Maidenhead**

- 3.29.1 Maidenhead's On-Call team continue to improve their availability reaching 85.7% for Q1 although this sizeable increase from 51.3% in the previous Quarter.
- 3.29.2 The On-Call team had 100 calls in Q1; 27 were for the appliance to incidents, 45 were for standbys and the remaining 28 for the various special appliances that Maidenhead On-Call provide primary crewing for. The On-Call team typically mobilise after the Whole-time appliance and therefore the On-Call appliance was the first attending appliance at seven incidents.
- 3.29.3 All personnel continue to follow their development programs and following the easing of COVID-19 restrictions, the availability of the On-Call team is expected to increase. Additionally, two development firefighters have completed 'upskilling' in their BA qualification.
- 3.29.4 The pause in recruitment due to the COVID-19 restrictions will have an effect with two firefighters leaving in Q2. There may be a reduction in the level of appliance availability achieved in Q1, but it is anticipated that the 60% target will be achieved.

4. **CONTRIBUTION TO STRATEGIC COMMITMENTS**

- 4.1 Commitment 2 – We will ensure a swift and appropriate response when called to emergencies.
- 4.2 Commitment 5 – We will ensure that Royal Berkshire Fire and Rescue Service provides good value for money.

5. **FINANCIAL IMPLICATIONS**

- 5.1 The Service operated within planned budgets and in line with the budgetary forecasts for 2019-20 financial year.
- 5.2 The use of pre-arranged overtime (PAOT) continues to be an effective way of maintaining the sufficient minimum number of qualified firefighters and therefore appliance availability whilst also maintaining flexibility in other areas, eg: annual leave, thereby demonstrating efficient and effective use of the Fire Authority's financial resources.
- 5.3 The use of PAOT through Q1 enabled the Service to maintain full operational availability, capability and operational effectiveness throughout the ongoing COVID-19 Coronavirus pandemic.

6. **LEGAL IMPLICATIONS**

- 6.1 None identified.

7. **EQUALITY AND DIVERSITY IMPLICATIONS**

- 7.1 None identified

8. RISK IMPLICATIONS

- 8.1 The provision of sufficient minimum qualified firefighters and therefore appliance availability is listed as a corporate risk under risk number 681. It is monitored by the Deputy Chief Fire Officer and, as necessary, treatments are reported to the Senior Leadership Team and the Audit and Governance Committee.

9. CONSISTENCY WITH DUTY TO COLLABORATE

- 9.1 None identified.

10. PRINCIPAL CONSULTATION

- 10.1 The Chief Fire Officer was consulted during the preparation of this report.
- 10.2 The Head of Finance and Procurement was consulted during the preparation of this report.
- 10.3 The Monitoring Officer was consulted during the preparation of this report.
- 10.4 The Senior Leadership Team was consulted during the preparation of this report.

11. BACKGROUND PAPERS

- 11.1 21 June 2020 - Fire Authority Paper - Annual Plan 20/21.
- 11.2 14 October 2019 - Management Committee Paper - 2019-20 Q1 Appliance Availability Report.
- 11.3 06 February 2018 - Management Committee Paper - Review of Underpinning Assumptions of 2015 Crewing Strategy and Quarter 3 Appliance Availability Update.

12. APPENDICES

- 12.1 None.

13. CONTACT DETAILS

- 13.1 Steve Foye - Deputy Chief Fire Officer, Service Delivery 0118 938 4617
- 13.2 Paul Binyon - Area Manager, Response and Resilience: 07884 425419

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ITEM	DECISION BODY	NEXT REPORTING DATE	REPORTING FREQUENCY	RECOMMENDED ACTION	LEAD OFFICER	LEAD MEMBER	PART I / II
Internal Audit Report	A&GC	3.11.20	Quarterly	Note	HF&P	N/A	Part I
External Audit report	A&GC	3.11.20	Quarterly	Note	HF&P	N/A	Part I
Q1 Performance Report	A&GC	3.11.20	Quarterly	Note	HCS	N/A	Part I
Budget and Medium Term Financial Plan Assumptions	A&GC	3.11.20	Annual	Note and Recommend	HF&P	Budget and Income Generation Lead	Part I
Ethical Standards recommendation	A&GC	3.11.20	Ad-hoc	Recommend to the Fire Authority	MO	A&GC Chairman	Part I
Annual Governance Statement	A&GC	3.11.20	Annual	Agree	HCS	A&GC Chairman	Part I
Statement of Accounts	A&GC	3.11.20	Annual	Agree	HF&P	Budget and Income Generation Lead	Part I
Emergency Services Mobile Communications Programme- Presentation	A&GC	3.11.20	Bi annual	Note	HBIS	N/A	Part I
Employee Code of Conduct	A&GC	3.11.20	Ad-hoc	Note	DSS	N/A	Part I
Lead Member Reports Six Month Update	Fire Authority	16.11.20	Bi-annual	Note	Lead Officers	Lead Members	Part I
Armed Forces Covenant Gold Award - Presentation	Fire Authority	16.11.20	Ad-hoc	Note	CFO	Cllr Ross	Part I
Annual Treasury Report	Fire Authority	16.11.20	Annual	Note	HF&P	Budget and Income Generation Lead	Part I
FRIC Presentation	Fire Authority	16.11.20	Ad-hoc	Note	HF&P	N/A	Part I
TVFCS Joint Committee Annual Report 2019/20	Fire Authority	16.11.20	Annual	Note	ACFO	Collaboration Lead	Part I
Constitution / Handbook Update	Fire Authority	16.11.20	Ad-hoc	Agree	HCS	N/A	Part I
Contract and Financial Regulations Update	Fire Authority	16.11.20	Ad-hoc	Agree	HF&P	N/A	Part I
Annual Report on Governance - to include Member attendance, allowances and expenses	Fire Authority	16.11.20	Annual	Note	HCS	A&GC Chairman	Part I
Capital Projects Update	Fire Authority	16.11.20	Ad-hoc	Agree	HCP&E	Strategic Assets Lead	Part II
TVFCS Joint Committee six-month update (20/21)	Management Committee	7.12.20	Bi-annual	Note	AM C&P	Collaboration Lead	Part I
Budget Monitoring Q2	Management Committee	7.12.20	Annual	Note	HF&P	Budget and Income Generation Lead	Part I
Appliance Availability Q2	Management Committee	7.12.20	quarterly	Note	AM (R&R)	N/A	Part I

ITEM	DECISION BODY	NEXT REPORTING DATE	REPORTING FREQUENCY	RECOMMENDED ACTION	LEAD OFFICER	LEAD MEMBER	PART I / II
Capital Project Update	Management Committee	7.12.20	Ad-hoc	Note	HCP&E	Strategic Assets Lead	Part II
Statement of Assurance	A&GC	28.01.21	Quarterly	Note and Recommend	HCS	RBFA Chairman and A&GC Chairman	Part I
Pension Board Six Month Update	A&GC	28.01.21	Bi-annual	Note	Pension Board Chair	N/A	Part I
Complaints Policy	A&GC	28.01.21	Ad-hoc	Agree	HCS	N/A	Part I
Pay Policy Statement	A&GC	28.01.21	Annual	Note and Recommend	HHR&L&D	N/A	Part I
Internal Audit report	A&GC	28.01.21	Quarterly	Note	HF&P	N/A	Part I
External Audit report	A&GC	28.01.21	Quarterly	Note	HF&P	N/A	Part I
Emergency Services Mobile Communications Programme	A&GC	28.01.21	Bi-annual	Note	DCFO	N/A	Part I
Q2 Performance Report	A&GC	28.01.21	Quarterly	Note	HCS	N/A	Part I
Budget Monitoring Q3	Management Committee	03.02.21	Annual	Note	HF&P	Budget and Income Generation Lead	Part I
Scheme of Member Allowances Review	Management Committee	03.02.21	Annual	Note and recommend	MO	N/A	Part I
Appliance Availability Q3	Management Committee	03.02.21	Quarterly	Note	AM (R&R)	N/A	Part I
Pay Policy Statement	Fire Authority	17.02.21	Annual	Agree	HHR&L&D	N/A	Part I
Built Environment Presentation	Fire Authority	17.02.21	Ad-hoc	Note	ACFO	N/A	Part I
Scheme of Allowances Annual Review 21/22	Fire Authority	17.02.21	Annual	Agree	MO	N/A	Part I
Annual Budget 21/22, Medium Term Financial Plan & Strategic Asset Investment Framework and TVFCS Budget	Fire Authority	17.02.21	Annual	Agree	HF&P	Budget and Income Generation/ Collaboration and Strategic Assets Lead	Part I
Statement of Assurance	Fire Authority	17.02.21	Annual	Agree	HCS	RBFA Chairman and A&GC Chairman	Part I
Appointment Task and Finish Group's advice on the appointment of New Chief Fire Officer or Chief Executive	Management Committee	15.03.21	ad hoc	Recommend to the Fire Authority	CFO	N/A	Part I
Appointment of New Chief Fire Officer or Chief Executive	Fire Authority	24.03.21	ad hoc	Agree	CFO	N/A	Part I

ITEM	DECISION BODY	NEXT REPORTING DATE	REPORTING FREQUENCY	RECOMMENDED ACTION	LEAD OFFICER	LEAD MEMBER	PART I / II
Internal Audit Report	A&GC	31.03.21	quarterly	Note	HF&P	N/A	Part I
External Audit Report	A&GC	31.03.21	quarterly	Note	HF&P	N/A	Part I
Gender Pay Gap	A&GC	31.03.21	Annual	Note	HHR&L&D	N/A	Part I
Annual Report on Members Development	A&GC	31.03.21	Annual	Note and Recommend	HCS	Organisational Development Champion	Part I
Annual report on Governance / Members attendance and allowances	A&GC	31.03.21	Annual	Note and Recommend	HCS	A&GC Chairman	Part I
Annual Plan 2019/20	A&GC	31.03.21	Annual	Note and Recommend	HCS	N/A	Part I
Quarter 3 Performance Report	A&GC	31.03.21	Quarterly	Note	HCS	N/A	Part I
Capital Project Update	Management Committee	19.04.21	Ad-hoc	Note	HCP&E	Strategic Assets Lead	Part II
Annual Plan 2020/21	Fire Authority	28.04.21	Annual	Agree	HCS	N/A	Part I
Corporate Calendar 2020/21	Fire Authority	28.04.21	Annual	Agree	HCS	N/A	Part I
Lead Members Annual Reports	Fire Authority	28.04.21	Annual	Note	Lead Officers	Lead Members	Part I
TVFCS Joint Committee Annual Report 2020/21	Fire Authority	28.04.21	Annual	Note	ACFO	Collaboration Lead	Part I
Member Champions Annual Reports	Fire Authority	28.04.21	Annual	Note	Lead Officers	Member Champions	Part I

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**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

Agenda Item 13

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).

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