



DEVON & SOMERSET FIRE & RESCUE AUTHORITY

**M. Pearson
CLERK TO THE AUTHORITY**

**To: The Chair and Members of the Devon &
Somerset Fire & Rescue Authority**

(see below)

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DEVON & SOMERSET FIRE & RESCUE AUTHORITY

Wednesday, 16 December 2020

A meeting of the Devon & Somerset Fire & Rescue Authority will be held on the above date, **commencing at 10.00 am via Webex videoconference** to consider the following matters.

M. Pearson
Clerk to the Authority

PLEASE NOTE This meeting will be livestreamed on the Devon & Somerset Fire & Rescue Service YouTube channel. This can be accessed by following the link below and then clicking on the Videos and Livestream buttons:

<https://www.youtube.com/dsfireupdates>

A G E N D A

PLEASE REFER TO THE NOTES AT THE END OF THE AGENDA LISTING SHEETS

1 Apologies

2 Minutes (Pages 1 - 8)

of the previous meeting held on 23 October 2020 attached.

3 Items Requiring Urgent Attention

Items which, in the opinion of the Chair, should be considered at the meeting as matters of urgency.

PART 1 - OPEN COMMITTEE

4 Questions and Petitions from the Public

In accordance with [Standing Orders](#), to consider any questions and petitions submitted by the public. Questions must relate to matters to be considered at this meeting of the Authority. Petitions must relate to matters for which the Authority has a responsibility or which affects the Authority. Neither questions nor petitions may require the disclosure of confidential or exempt information. Questions and petitions must be submitted in writing or by e-mail to the Clerk to the Authority (e-mail address: clerk@dsfire.gov.uk) **by midday on Friday 11 December 2020.**

5 Addresses by Representative Bodies

To receive addresses from representative bodies requested and approved in accordance with Standing Orders.

6 Questions from Members of the Authority

To receive and answer any questions submitted in accordance with Standing Orders.

7 Minutes of Committees

a Community Safety & Corporate Planning Committee (Pages 9 - 12)

The Chair of the Committee, Councillor Redman, to **MOVE** the Minutes of the meeting held on 14 October 2020.

RECOMMENDATION that the Minutes be adopted in accordance with Standing Orders.

b Human Resources Management & Development Committee (Pages 13 - 18)

The Chair of the Committee, Councillor Hannaford, to **MOVE** the Minutes of the meeting held on 21 October 2020.

RECOMMENDATION that the Minutes be adopted in accordance with Standing Orders.

c Audit & Performance Review Committee (Pages 19 - 24)

The Chair of the Committee, Councillor Healey MBE, to **MOVE** the Minutes of the meeting held on 19 November 2020 (attached).

RECOMMENDATION that the Minutes be adopted in accordance with Standing Orders.

8 "Safer Together" Programme - Update on Implementation of Service Delivery Operating Model (SDOM) Decisions (Pages 25 - 36)

Report of the Chief Fire Officer (DSFRA/20/20) attached.

9 Confirmation of Members' Allowances Scheme 2021-22 (Pages 37 - 52)

Report of the Director of Governance & Digital Services (DSFRA/20/21) attached.

10 Exclusion of the Press and Public (Pages 53 - 54)

RECOMMENDATION that, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public (with the exception of those representatives of the Board of Red One Ltd.) be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph of Part 1 of Schedule 12A (as amended) to the Act, namely information relating to the financial and business affairs of any particular person – including the authority holding that information.

11 Red One Ltd. Update

To receive an update from representatives of the Board of Red One Ltd.

MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

Membership:

Councillors Randall Johnson (Chair), Best, Biederman, Bown, Brazil, Buchan, Clayton, Coles, Colthorpe, Corvid, Drean, Eastman, Hannaford, Healey MBE, Napper, Peart, Prowse, Radford, Redman, Saywell, Thomas, Trail BEM, Vjeh, Wheeler (Vice-Chair) and Yabsley.

Vacancy (Torbay Council appointment).

Alison Hernandez – Devon & Cornwall Police & Crime Commissioner.

Sue Mountstevens – Avon & Somerset Police & Crime Commissioner.

NOTES

1. **Access to Information**

Any person wishing to inspect any minutes, reports or lists of background papers relating to any item on this agenda should contact the person listed in the “Please ask for” section at the top of this agenda.

2. **Reporting of Meetings**

Any person attending a meeting may report (film, photograph or make an audio recording) on any part of the meeting which is open to the public – unless there is good reason not to do so, as directed by the Chair - and use any communication method, including the internet and social media (Facebook, Twitter etc.), to publish, post or otherwise share the report. The Authority accepts no liability for the content or accuracy of any such report, which should not be construed as representing the official, Authority record of the meeting. Similarly, any views expressed in such reports should not be interpreted as representing the views of the Authority.

Flash photography is not permitted and any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chair or the Democratic Services Officer in attendance so that all those present may be made aware that is happening.

3. **Recording of Meetings**

Given the social distancing measures introduced in response to the Covid-19 pandemic, Authority meetings will be held virtually and livestreamed on the Devon & Somerset Fire & Rescue Service YouTube channel. The meetings may also be recorded for subsequent viewing on the YouTube Channel. Any such recording does not constitute the official, Authority record of the meeting.

4. **Declarations of Interests at meetings (Authority Members only)**

If you are present at a meeting and you are aware that you have either a disclosable pecuniary interest, personal interest or non-registerable interest in any matter being considered or to be considered at the meeting then, unless you have a current and relevant dispensation in relation to the matter, you must:

- (i) disclose at that meeting, by no later than commencement of consideration of the item in which you have the interest or, if later, the time at which the interest becomes apparent to you, the existence of and – for anything other than a “sensitive” interest – the nature of that interest; and then
- (ii) withdraw from the room or chamber during consideration of the item in which you have the relevant interest.

If the interest is sensitive (as agreed with the Monitoring Officer), you need not disclose the nature of the interest but merely that you have an interest of a sensitive nature. You must still follow (i) and (ii) above.

Where a dispensation has been granted to you either by the Authority or its Monitoring Officer in relation to any relevant interest, then you must act in accordance with any terms and conditions associated with that dispensation.

	NOTES
	Where you declare at a meeting a disclosable pecuniary or personal interest that you have not previously included in your Register of Interests then you must, within 28 days of the date of the meeting at which the declaration was made, ensure that your Register is updated to include details of the interest so declared.
5.	<u>Part 2 Reports</u> Members are reminded that any Part 2 reports as circulated with the agenda for this meeting contain exempt information and should therefore be treated accordingly. They should not be disclosed or passed on to any other person(s). Members are also reminded of the need to dispose of such reports carefully and are therefore invited to return them to the Committee Secretary at the conclusion of the meeting for disposal.
6.	<u>Substitute Members (Committee Meetings only)</u> Members are reminded that, in accordance with Standing Order 37, the Clerk (or his representative) must be advised of any substitution prior to the start of the meeting. Members are also reminded that substitutions are not permitted for full Authority meetings.
7.	<u>Other Attendance at Committees (Standing Order 38)</u> Any Authority Member wishing to attend a meeting of a Committee of which they are not a Member should contact the Democratic Services Officer (see “please ask for” on the front page of this agenda) in advance of the meeting to obtain details of the Webex meeting invitation.

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DEVON & SOMERSET FIRE & RESCUE AUTHORITY

23 October 2020

Present:

Councillors Randall Johnson (Chair), Best, Biederman, Buchan, Clayton, Coles, Colthorpe, Corvid, Doggett, Drear, Eastman, Hannaford, Healey MBE, Napper, Peart, Prowse, Radford, Redman, Saywell, Thomas, Trail BEM, Vijeh, Wheeler (Vice-Chair) and Yabsley.

Apologies:

Councillor Bown

Alison Hernandez (Devon & Cornwall Police & Crime Commissioner)

Sue Mountstevens (Avon & Somerset Police & Crime Commissioner)

DSFRA/47 **Minutes**

a **Authority Budget Meeting 18 February 2020**

RESOLVED that the Minutes of the Authority budget meeting held on 18 February 2020 be approved.

b **Public Minutes of the Authority Extraordinary Meeting 13 March 2020**

(Councillors Saywell and Thomas each declared a personal, non-pecuniary interest in this item by virtue of their being Non-Executive Directors appointed by the Authority to the Board of Red One Ltd.)

RESOLVED that the public Minutes of the Authority extraordinary meeting held on 13 March 2020 be approved.

(SEE ALSO MINUTE DSFRA/57 BELOW)

DSFRA/48 **Minutes of Committees**

a **Audit & Performance Review Committee**

The Chair of the Committee, Councillor Healey, **MOVED** the Minutes of the meetings held on 4 March and 7 September 2020 which had considered, amongst other things:

4 March 2020

- an external audit progress report and sector update;
- the proposed external audit plan for the year ending 31 March 2020;
- an internal audit and review progress report for 2019-20;
- the proposed 2020-21 internal audit plan;
- the 2019-20 draft Annual Statement of Assurance;
- a progress report against actions identified following the inspection by Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS);
- a proposed review of corporate performance measures; and

- a report on the Authority's policy associated with the Regulation of Investigatory Powers Act (RIPA) 2000.

7 September 2020

- Devon & Somerset Fire & Rescue Authority Financial Statements 2019-20;
- 2019-20 Annual Statement of Assurance;
- Going Concern Review;
- Audit & Review Year End report 2019-20;
- Audit & Review 2020-21 progress report;
- the Local Pension Board Annual Report 2019-20; and
- a report on a revision of the law relating to the acquisition of communications data and its implications for the Authority.

RESOLVED that the Minutes be adopted in accordance with Standing Orders.

b Resources Committee

(Councillors Saywell and Thomas each declared a personal, non-pecuniary interest in this item by virtue of their being Non-Executive Directors appointed by the Authority to the Board of Red One Ltd.)

The Chair of the Committee, Councillor Drean, **MOVED** the Minutes of the meetings held on 2 July and 12 October 2020 which had considered, amongst other things:

2 July 2020

- Urgency Decisions – 2019-20 Revenue Budget Outturn;
- COVID-19 Financial Implications; and
- a report on the financial performance of Red One Ltd. as at Quarter 4 of 2019-20.

12 October 2020

- Treasury Management Performance as at Quarter 1 of 2020-21;
- the Quarter 1 2020-21 financial performance report;
- the Reserves Strategy 2020-21; and
- a report on the financial performance of Red One Ltd. as at Quarter 1 of 2020-21.

RESOLVED

- (i) that the recommendations at Minutes RC/32 (Financial Performance Report 2020-21: Quarter 1) and RC/33 (Reserves Strategy 2020-21) of the meeting held on 12 October 2020 be approved; and
- (ii) that, subject to (i) above, the Minutes be adopted in accordance with Standing Orders.

(SEE ALSO MINUTE DSFRA/58 BELOW)

c Community Safety & Corporate Planning Committee

The Chair of the Committee, Councillor Redman, **MOVED** the Minutes of the meeting held on 16 July 2020 which had considered, amongst other things:

- a report on the impact of COVID-19 on the Safer Together Programme;
- a report on progressing recommendations from the Grenfell Inquiry; and
- a briefing paper on support afforded to date by the Devon & Somerset Fire & Rescue Service to other organisations during the COVID-19 pandemic.

It was noted that the Minutes of the Committee meeting held on 14 October 2020 would be submitted for adoption at the next full Authority meeting.

RESOLVED that the Minutes be adopted in accordance with Standing Orders.

d Appraisals & Disciplinary Committee

The Chair of the Committee, Councillor Randall Johnson, **MOVED** the Minutes of the meetings held on 27 July and 25 September 2020 which had considered:

27 July 2020

- appointments of a Deputy Chief Fire Officer and Assistant Chief Fire Officers;

25 September 2020

- a mid-year appraisal against those objectives set for the Chief Fire Officer.

RESOLVED that the Minutes be adopted in accordance with Standing Orders.

(SEE ALSO MINUTE DSFRA/49 BELOW).

e Standards Committee

The Chair of the Committee, Councillor Thomas, **MOVED** the Minutes of the meeting held on 6 August 2020 which had considered a proposed response to the Local Government Association consultation on a model Code of Conduct.

RESOLVED that the Minutes be adopted in accordance with Standing Orders.

DSFRA/49 Report of Urgent Action (Standing Order 27)

The Authority received, for information, report of the Chief Fire Officer (DSFRA/20/12) on urgent actions undertaken following consultation with the Chair and in accordance with Standing Order 27. The decisions related to:

- retirement and re-employment requests;
- a restructure of the Executive Board and approval for the Appraisals & Disciplinary Committee to undertake a process for and approve the appointment of two substantive Assistant Chief Fire Officer posts;

- cancellation of the Authority Annual and Ordinary Meetings scheduled for 5 June 2020;
- the revenue budget outturn for 2019-20;
- approval of a Remote Meetings Protocol, associated Standing Orders and a Calendar of Authority meetings for the 2020-21 municipal year;
- changes in Authority Committee memberships for the 2020-21 municipal year;
- disposal of the Budleigh Salterton Fire & Rescue Station; and
- amendments to Standing Orders and the Scheme of Delegations relating to the six month meeting attendance rule.

A copy of each decision (including the reasons for them) was available on the Authority's website.

(SEE ALSO MINUTES DSFRA/48(d) ABOVE AND DSFRA/51 BELOW).

DSFRA/50 Response of the Devon & Somerset Fire & Rescue Service to the COVID-19 Pandemic

The Authority received, for information, a report of the Chief Fire Officer (DSFRA/20/19) on key details of the response to date of the Devon & Somerset Fire & Rescue Service ("the Service") to the COVID-19 pandemic. The report covered, amongst other things:

- the strategic intentions guiding the Service's response and recovery work;
- protection and prevention work undertaken;
- operational risk reduction;
- response activity (including support for other organisations);
- the approach to managing people issues (including more flexible ways of working and staff welfare);
- financial impacts and considerations; and
- key achievements.

DSFRA/51 Proposed Policy on Disposal of Land

The Authority considered a report of the Director of Governance & Digital Services (DSFRA/20/13) on a proposed Authority policy on the disposal of land.

The process for disposal of the Budleigh Salterton Fire & Rescue Service had highlighted that, while the power in the Local Government Act 2000 to promote social, economic and environmental well-being were not available to the Authority, an analogous power did exist to the Authority by virtue of a General Disposal Consent ("the Consent") issued in 2003 by the [then] Secretary of State in accordance with Section 123(2) of the Local Government Act.

Guidance issued at the time on use of the Consent indicated, however, that in general it was anticipated that local authorities would, in disposing of land, seek to do so on the basis of the best consideration that could reasonably be obtained. Local authorities must also have regard to their fiduciary duty to use public funding for the purposes for which they were provided.

Additional legal advice indicated that, for a single-purpose authority such as a combined fire and rescue authority, exercise of the discretionary power under the Consent could be, potentially, difficult to justify and, if not undertaken with great care and clear rationale, could expose the Authority to the risk of judicial review for failure to follow proper procedure, irrationality or both.

RESOLVED that the Authority policy on the disposal of land will be:

- (a). as a general rule, to seek to obtain the best consideration (price) that can reasonably be obtained; and
- (b). that the discretionary power to dispose of land for less than the best consideration that can reasonably be obtained will be exercised only in exceptional circumstances and must always be subject to:
 - (i) independent assessment, prior to the sale process commencing, of the value to the Authority of any terms or conditions which might be attached by the Authority to the sale; and
 - (ii) any terms and conditions to be imposed by the Authority being consistent with its functions.

(SEE ALSO MINUTE DSFRA/52 BELOW).

DSFRA/52 Proposed Disposal of Topsham Fire Station

The Authority considered a report of the Chief Fire Officer (DSFRA/20/14) on the proposed disposal of Topsham Fire Station following the decision of the Authority, at its extraordinary meeting on 10 January 2020, to relocate the station to Service Headquarters (Minute DSFRA/32(a)(iii) refers). The report identified that, while the Service did have a discretionary power to dispose of land for less than that which might reasonably be obtained where this would promote economic, social or environmental well-being, the Service was not aware of any circumstances where such a sale at an undervalue would support the Authority's policy objectives as set out in its Integrated Risk Management Plan.

Councillor Hannaford **MOVED**, with Councillor Eastman seconding:

“that officers explore potential options for community use, including associated legal considerations, and report back on this to a future meeting prior to deciding how to dispose of Topsham Station”.

The motion was put to the vote and declared **CARRIED**. There being no further motions, it was then

RESOLVED that officers explore potential options for community use, including associated legal considerations, and report back on this to a future meeting prior to deciding how to dispose of Topsham Station.

(SEE ALSO MINUTE DSFRA/51 ABOVE).

DSFRA/53 **Environmental Strategy**

The Authority considered a report of the Director of Finance & Resourcing (DSFRA/20/15) inviting the Authority to recognise, formally, a climate emergency and to endorse an Environmental Strategy (as appended to the report) whereby the Devon & Somerset Fire & Rescue Service (“the Service”) would, through adaptation and mitigation, seek to address climate change issues.

RESOLVED

- (a). that the Authority declares a climate emergency;
- (b). that the Service Environmental Strategy appended to report DSFRA/20/15 aimed at addressing, by adaptation and mitigation, climate change be endorsed; and
- (c). that the Audit & Performance Review Committee, in consultation with the Authority’s Climate Change and Sustainability Champions, be asked to develop appropriate targets and/or Key Performance Indicators (KPIs) to facilitate monitoring by the Committee of progress in implementing the Service Environmental Strategy.

DSFRA/54 **Members' Allowances Further Considerations - Standards Committee**

The Authority considered a report of the Director of Governance & Digital Services (DSFRA/20/16) reviewing whether membership of the Authority’s Standards Committee should attract a Special Responsibility Allowance (SRA), as requested by the Authority at its budget meeting on 18 February 2020 (Minute DSFRA/40[m] refers).

The report contained an analysis of the number and duration both of Standards Committees and Hearings Panels since 2012 as compared to the number and duration of other, standing Committees of the Authority. The report also set out the legislative basis for the payment of SRAs together with comparative information on allowances paid by both other combined fire and rescue authorities and the constituent authorities for this Authority in relation to membership of Standards Committees.

The views of the consultant who had undertaken, in 2019, the last review of the Authority’s approved Scheme of Allowances had also been sought. These concurred with the findings set out in the report that, on the basis of the available evidence, the Standards Committee did not normally meet either with exceptional frequency or for exceptionally long periods.

RESOLVED that no change be made to the approved Scheme of Members’ Allowances.

DSFRA/55 **Additional Authority Meeting**

The Authority considered a report of the Director of Governance & Digital Services (DSFRA/20/17) on a proposal to hold an additional full Authority meeting, to be followed by the Annual General Meeting of Red One Ltd., in December 2020.

RESOLVED that an additional full Authority meeting be held on Wednesday 16 December 2020, commencing at 10.00hours.

DSFRA/56 **Exclusion of the Press and Public**

RESOLVED that, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the following paragraphs of Schedule 12A (as amended) to the Act:

For Minutes DSFRA/57 and DSFRA/58

Paragraph 3 – information relating to the financial or business affairs of any particular person, including the authority holding that information; and

For Minute DSFRA/59

Paragraphs 1 and 2 – information relating to an individual and information likely to reveal the identity of an individual (respectively).

DSFRA/57 **Exempt Minutes of the Authority Extraordinary Meeting held on 13 March 2020**

(An item taken in accordance with Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded from the meeting).

(Councillors Saywell and Thomas each declared a personal, non-pecuniary interest in this item by virtue of their being Non-Executive Directors appointed by the Authority to the Board of Red One Ltd.)

RESOLVED that the exempt Minutes of the extraordinary Authority meeting held on 13 March 2020 be approved as a correct record.

(SEE ALSO MINUTE DSFRA/47[b] ABOVE).

DSFRA/58 **Exempt Minutes of the Resources Committee meetings held on 2 July and 12 October 2020**

(An item taken in accordance with Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded from the meeting).

(Councillors Saywell and Thomas each declared a personal, non-pecuniary interest in this item by virtue of their being Non-Executive Directors appointed by the Authority to the Board of Red One Ltd.)

The Chair of the Committee, Councillor Drean, **MOVED** the exempt Minutes of the meetings held on 2 July and 12 October 2020.

RESOLVED that the Minutes be adopted in accordance with Standing Orders.
(*SEE ALSO MINUTE DSFRA/48[b] ABOVE*).

DSFRA/59

Standards Arrangements - Appointment of Second Independent Person

(An item taken in accordance with Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded from the meeting).

The Authority considered a report of the Director of Governance & Digital Services (DSFRA/20/16) on the appointment of an independent person as required for Standards arrangements under the Localism Act 2011.

RESOLVED that Mr. Jason Bartlett be appointed to serve as an Independent Person, in accordance with Section 28(c)(iii) of the Localism Act 2011, for a two year period, renewable once (i.e. for a maximum period of four years).

The Meeting started at 10.00 am and finished at 12.25 pm

COMMUNITY SAFETY & CORPORATE PLANNING COMMITTEE

(Devon & Somerset Fire & Rescue Authority)

14 October 2020

Present:

Councillors Redman (Chair), Colthorpe, Corvid, Eastman (Vice-Chair) and Saywell (vice Radford).

Apologies:

Councillors Doggett, Radford and Trail BEM

In attendance:

Councillors Randall Johnson (Authority Chair) and Wheeler (Authority Vice Chair) in accordance with Standing Order 38(1)

* **CSCPC/9** Minutes

RESOLVED that the Minutes of the meeting held on 16 July 2020 be approved.

* **CSCPC/10** Safer Together Programme Update

The Committee received for information a report of the Director of Service Improvement (CSCPC/20/4) that provided a high level overview of the progress made in respect of the Safer Together Programme.

The key achievements and progress made thus far on the four key workstreams included:

- Service Delivery Operating Model
 - Pay for Availability (P4A) had been implemented with effect from 1 October 2020 with the first group of six stations moving over to the new system. It was anticipated that a second group of stations would move across to P4A from 1 January 2021;
 - Risk Dependent Availability - a schedule for rollout was being considered;
 - Roving appliances – a three phase approach to this had been introduced and the Service was interviewing for Firefighter positions currently to achieve full establishment with rollout aimed to be 1 January 2021;
 - Removal/replacement of P2 appliances and L4P rollout was progressing well with the new 4x4 Ford Rangers (L4Ps) in place at 8 stations with a further 3 vehicles expected shortly;
 - Budleigh Salterton station sale had been completed now;
 - Topsham relocation was progressing well and building works had been commenced;

- Fleet Replacement:
 - The new chassis for Medium Rescue Pumps (MRPs) had been ordered with delivery anticipated for Spring 2021;
 - The Service was now in receipt of all of the All-Terrain Vehicles (ATVs) which would be rolled out between November 2020 and January 2021;
 - Phase 1 of the Asset Management project was progressing with an upgrade of the functionality on fleet management systems being implemented currently;
- Data and Digital:
 - The Management of Risk Information (MORI) project was progressing again now. The first of the applications to be completed would be the MORI protection app which enabled increased capability for case management in business safety activity;
 - Digital transformation of data architecture also continued;
- People Development:
 - A Watch Manager log book was being developed currently which would be followed for a version for each rank. Work to explore apprenticeships for leadership and management at all levels within the organisation was also being progressed.

The Chair reiterated thanks on behalf of the Committee at this point to all of the staff in the organisation who were going above and beyond the call of duty. The pandemic was ongoing but the Service was working through these difficult times.

The question was raised as to how long it might be before the Service had sufficient and reliable data upon which to measure any improvements to On Call availability. The Director of Service Delivery advised that the Audit & Performance Review Committee had been tasked with setting up a Working Group to look at the new Emergency Response performance measures in future but he acknowledged that the availability of P1 fire appliances was key to this although with rostering of On Call staff under P4A, this may have a negative impact.

Reference was also made to the position on Aggregate Crewing. The Director of Service Delivery advised that this was progressing but the Service wished to move to Asset Based Responding ultimately and was working towards implementation of an upgrade of the mobilisation system to achieve this in conjunction with the supplier.

* **CSCPC/11 Grenfell Recommendations Progress Report**

The Committee received for information a report of the Director of Service Delivery (CSCPC/20/5) that set out the progress made by the Service with implementation of the recommendations arising out of the Grenfell phase 1 Inquiry together with details of the grant funding available to cover this work.

Following publication of the Phase 1 report, there were 44 recommendations made which were divided into two main groups:

- National Fire Chief's Council (NFCC)/legislative changes; and
- Recommendations/improvements for all fire and rescue services and other agencies.

It was noted that 17 of the 44 recommendations made required primary legislation to be enacted and that a consultation was due to commence on a Fire Safety Order during week commencing 21 October 2020. A Building Safety Bill was also expected to become law in January/February 2021. 27 of the 44 recommendations which were sector wide impacted on the competencies of staff and thus the training. Of these, 4 had been completed to date and the remaining 23 were in progress.

In terms of the available funding, grants totalling £0.455m were available, of which £0.256m related to the Protection Uplift Programme Grant. This funding had to be used for a locally agreed, risk based inspection programme to build long term capability within services. It was intended, therefore, that this funding would provide increased resources, upskilling of operational staff and improved competencies, accreditations and training, amongst other matters. The Committee asked to be kept apprised of the levels of competency and qualifications achieved by staff.

***DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 2.00 pm and finished at 3.06 pm

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HUMAN RESOURCES MANAGEMENT & DEVELOPMENT COMMITTEE

(Devon & Somerset Fire & Rescue Authority)

21 October 2020

Present:

Councillors Clayton, Hannaford (Chair), Peart, Thomas, Wheeler and Vjeh (Vice-Chair)

Apologies:

Councillor Best

In attendance:

Councillor Randall Johnson – Authority Chair (in accordance with Standing Order 38(1))

* HRMDC/12 Minutes

RESOLVED that the Minutes of the meeting held on 5 November 2019 be approved.

* HRMDC/13 Health, Safety and Wellbeing Progress Report

The Committee considered a report of the Director of Governance & Digital Services (HRMDC/20/1) that set out the Service's performance in relation to health, safety and wellbeing issues for the period April to September 2020.

In respect of health and safety issues, the reporting was split into two key areas, namely:

- Proactive monitoring – this involved the use of a safety management system audit together with workplace inspections and assessment. For the period April to September 2020, the Service had 496 compliant areas with 140 areas it was working towards and 4 non-compliant. In addition, the Service had 45% of workplace inspection and assessments overdue against a target of 0%, due largely to the impact of the Covid-19 pandemic;
- Reactive monitoring – the Service undertook monitoring via the Reporting of Injuries, Disease and Dangerous Occurrences Regulations 2013 (RIDDOR) which required the reporting of certain types of work related safety event outcomes such as, amongst others, the death of a worker/non-worker from a work related accident and specific injuries to workers. In 2020/21 to September 2020, the Service reported 1 over 7 day injury (a decrease largely due to the Covid-19 pandemic), 3 dangerous occurrences (an increase due to breathing apparatus changes which was being monitored carefully) and 0 specified injuries. The Service also monitored the number of personal injuries together with vehicle incidents. To September 2020, the Service recorded 19 personal injuries compared with 48 in 2019/20 which was a decrease to date. On vehicle incidents, the Service recorded 60 to September 2020 as compared with 105 in 2019/20 which showed an upward trend to date.

The Health and Safety Manager reported that a temporary Health & Safety Audit Officer had been appointed in March 2020 at the start of the Covid-19 pandemic and had made great progress with the audits in difficult circumstances. A gap analysis against ISO45001 had also been completed in order to assess the implications of moving across to this standard. It was anticipated that the cost of moving to ISO45001 would be in the region of £35k which included training and external verification fees. Adoption of this standard would bring the Service into line with other fire and rescue services in this region and enable benchmarking to be undertaken.

The Committee questioned the use of a 0% target for monitoring the completion of workplace assessments and suggested that a target of 100% may be more appropriate. The Health and Safety Manager replied that this target was for overdue assessments but he indicated that this could be adjusted in future to completed assessments which would make the target 100%.

The question was also raised as to whether the introduction into the Service of smaller vehicles such as the Rapid Intervention Vehicles and the Light Rescue Pumps would impact on the number of vehicle accidents being reported. The Health and Safety Manager responded that vehicle accidents were a large proportion of the safety events reported but this was still low as a proportion of all of the movements undertaken by Service vehicles. It was envisaged that this may drop as these included minor collisions in country lanes which could decrease with the introduction of smaller vehicles. Reference was also made to the Driving for Better Business initiative and it was confirmed that the Service was working towards this but it may be delayed due to the pandemic.

The Head of Human Resources advised that, in terms of wellbeing, Service performance on sickness absence for wholetime, fire control and support staff was 23.2% below target (8 days per person per year) at 2.56 days lost per person to September 2020 and 17% down as compared with the same period in 2019/20. This may be due to the high level of work undertaken during the Covid-19 pandemic on ensuring that staff were safe and mental wellbeing was monitored with in depth vulnerability assessments and return to work assessments undertaken.

The level of On Call sickness was higher at 4.74 days lost per person but this was measured over 7 days rather than 5 days or 4 shifts as with the other categories of staff. It was noted that consideration had been given to a target for On Call sickness absence and it was recommended in the report that this be set at 12 days lost per person per year following endorsement by the Service's strategic analysts.

It was also noted that, as at 13 October 2020, 93 staff had been tested for Covid-19 and only 12 staff had received a positive test for the virus which was a very good position for the Service.

The Committee enquired as to whether the introduction of the Pay for Availability system would impact on sickness absence for On Call staff. The Head of Human Resources advised that sickness absence would be calculated over a 7 day period still and thus, he did not anticipate any adverse impact under the new system. The Committee further enquired as to whether sickness would be matched to the number of days actually worked rather than a 7 day period as the number of contracted hours would vary. The Head of Human resources indicated that he would need to discuss this matter with colleagues to ascertain if it was a feasible option.

RESOLVED

- (a) That the sickness absence target for On Call of an average of 12 days per person per year be implemented as the performance measure; and
- (b) That subject to (a) above, the report be noted.

* **HRMDC/14** **People Strategy Update**

The Committee considered a report of the Deputy Chief Fire Officer (HRMDC/20/2) that set out the progress being made on implementation of the People Strategy. The report also referred to the impact of the Covid-19 pandemic on the progress made and the response to supporting the workforce during this difficult period.

The Committee was advised upon the progress made under each strand of the People Strategy which included:

- Leadership;
- Inclusion;
- Ways of working;
- Learning and development; and
- Wellbeing.

Reference was made in particular to the following areas of work undertaken in implementation of the Strategy:

- A Leadership Strategy had been prepared, aligned to the National Fire Chiefs' Council (NFCC) Leadership Framework;
- A staff Task to Finish Group had been established to look at empowerment and decision making;
- The key findings in the annual Recruitment & Diversity report for 2019/20 were that there had been the biggest number of female On Call new starters at 21 together with 3 new wholetime female employees resulting in the highest ever female representation within operational roles the Service at 100. Additionally, the number of applicants with a different ethnic background was, on average, close to reflecting the Service's community at 5.3% and applications from the lesbian, gay, bisexual and transgender community had also increased to higher than the community average of 2.2%;

- The Service had achieved the Silver Award under the Employers Network for Equality & Inclusion (ENEI) following a TIDE assessment that benchmarked an organisation's approach and progress on diversity and inclusion in areas of strategy, leadership, recruitment, training, communications and procurement which was a big step forward and a good achievement;
- The response in the Covid-19 pandemic had meant that the Service had been able to accelerate its aspirations for more flexible ways of working under smart working principles with changes to core hours alongside working from home and many teams had reported that this provided a greater degree of work/life balance and was more family friendly although it was felt generally that a blended approach to flexible working was preferable; and
- People impact assessments had been utilised to gauge the effect of the pandemic on staff with action plans implemented to support the health and welling of staff.

The Committee expressed its thanks to the officers and all staff for all of the work undertaken in the Covid-19 pandemic and in achieving this very positive progress against the People Strategy.

RESOLVED

- (a) That the progress towards achieving the aims set out in the People Strategy be considered as a standing item at the Human Resources Management & Development Committee and that the progress be updated at each meeting; and
- (b) Subject to (a) above, the report be noted.

* **HRMDC/15 Requests for Retirement/Re-employment**

The Committee considered a report of the Deputy Chief Fire Officer (HRMDC/20/3) setting out a request for retirement and re-employment in accordance with the approved Pay Policy Statement for 2020/21.

RESOLVED that the request for retirement and re-employment as set out within report HRMDC/20/3 be approved.

* **HRMDC/16 Consultation Response to Reforming Local Government Exit Payments**

The Committee considered a report of the Deputy Chief Fire Officer (HRMDC/20/4) that set out a proposed response to a government consultation on Reforming Local Government Exit Payments.

RESLOVED that the consultation response contained within report HRMDC/20/4 be submitted to the Ministry for Housing, Communities and Local Government on behalf of the Authority.

***DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 10.05 am and finished at 12.20 pm

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AUDIT & PERFORMANCE REVIEW COMMITTEE

(Devon & Somerset Fire & Rescue Authority)

19 November 2020

Present:

Councillors Healey MBE (Chair), Brazil, Buchan, Clayton, Napper, Prowse (Vice-Chair) and Saywell.

* **APRC/33**

Minutes

RESOLVED that the Minutes of the meeting held on 7 September 2020 be approved as a correct record.

* **APRC/34**

Devon & Somerset Fire & Rescue Authority Financial Statements 2019-20

* a **Audit Findings for the Devon & Somerset Fire & Rescue Authority 2019-20**

The Committee considered a report of the Authority's external auditor (Grant Thornton) on audit findings for the Authority for the year ended 31 March 2020. An initial audit findings report had been considered by the Committee at its meeting held on 7 September 2020 (Minute *APRC/26(a) refers). Since then, the report had been updated in a number of areas, in particular pension costs and liabilities associated with the McCloud/Sargeant judgment. This had now been addressed as a non-adjusting post-balance sheet event in line with International Audit Standard 10. Additionally, it was clarified to the Committee that the material uncertainty declared by the Devon Local Government Pension Scheme (LGPS) in relation to property fund investments related to the impact of the COVID-19 pandemic on the property market in general and did not have a significant impact on the Authority's financial statements or revenue budget in the short-term.

The audit findings report addressed, amongst other things:

- the audit approach (including materiality in relation to the financial statements);
- commentary on significant audit risks identified in the external audit plan; and
- significant findings.

An unqualified audit opinion was anticipated on the Authority's financial statements for the year ended 31 March 2020. There was no material uncertainty about the Authority's ability to continue as a going concern. In relation to value for money, the Authority had proper arrangements in place to secure economy, efficiency and effectiveness in its use of resources.

The audit findings report also identified that two of the three recommendations identified in the previous audit (relating to the transfer of payroll services; and measures to address the Medium Term Financial Plan funding gap) had been addressed while the third (relating to a wider Protective Monitoring system) was scheduled for implementation in 2020-21 and was considered low risk. No new specific recommendations had been identified during the course of the audit of the most recent financial statements.

(SEE ALSO MINUTES *APRC/34(b) and (c) BELOW).

* **b Statement of Accounts 2019-20**

The Committee considered a report of the Director of Finance & Resourcing (APRC/20/14) to which was appended the final Statement of Accounts for the Authority for the year ended 31 March 2020. A draft Statement of Accounts had been considered by the Committee at its meeting on 7 September 2020 (Minute *APRC/26(b) refers), at which time there were still a number of outstanding issues relating to the external audit – in particular pension costs and liabilities. These issues had been amended where appropriate within the accounts and the Statement of Accounts was now being re-presented for approval.

It was also noted that Regulations made in response to the COVID-19 pandemic had altered the publication date for final audited accounts from 31 July to 30 November and that, despite the complications arising from the pandemic, the Authority had provided its draft financial statements to the external auditor on 30 July 2020.

RESOLVED that the Authority's final Statement of Accounts for the year ended 31 March 2020, as appended to report APCR/20/14, be approved for publication.

(SEE ALSO MINUTES *APRC/34(a) ABOVE and *APRC/34(c) BELOW).

* **c 2019-20 Letter of Representation**

The Committee considered the Letter of Representation (included with the agenda for the meeting) on the Authority's financial statements for the year ended 31 March 2020.

RESOLVED that the Committee Chair and the Director of Finance & Resourcing be authorised to sign, on behalf of the Authority, the Letter of Representation to the external auditor (Grant Thornton) on the Authority's financial statements for the year ended 31 March 2020.

(SEE ALSO MINUTES *APRC/34(a) and (b) ABOVE).

* **APRC/35 Audit & Review 2020-21 Progress Report**

The Committee received for information a report of the Director of Governance & Digital Services (APRC/20/15) outlining progress made during the second quarter of 2020-21 (April to September) against the approved internal audit plan for that year.

The COVID-19 pandemic and associated requirement for the Service to adopt business continuity measures had resulted in the plan being unable to progress in the usual manner. A revised internal audit plan for the remainder of the year, focussing on areas of highest risk, was being prepared and would be submitted to the Committee at the earliest opportunity.

The Devon Audit Partnership (DAP) had completed fieldwork on a planned internal audit of the Training Academy, focussed on alignment of the Academy's work to wider, Service objectives, governance arrangements and maintenance of standards. The draft report on this was expected imminently.

During quarter 2 an additional focus had been placed on obtaining updates on outstanding actions from the Service Audit & Review Assurance Tracker. The total number of overdue items in all priority areas continued to decrease, with overdue actions being linked largely to longer-term project work which had subsequently been subsumed into the Safer Together Programme which was progressing on track.

* APRC/36

Devon & Somerset Fire & Rescue Service Performance Report: April to September 2020

The Committee received for information a report of the Director of Service Improvement (APRC/20/17) detailing performance of the Devon & Somerset Fire & Rescue Service ("the Service") during April to September against eight agreed corporate performance measures relating to fires in the home (and emergency response standards to these), fires where people work and visit, vehicle fires; road traffic collisions and sickness absence performance. The performance status of each reportable measure had been established from analysis of performance against the previous year and medium to long-term trends. Where a measure was reported as "in exception", commentary on this was detailed in the report providing additional information and analysis and indicating whether further action should be considered.

Positive performance was reported in relation to four the measures (fires where people live; fire related injuries where people work, visit and in vehicles; fires where people work, visit and in vehicles; and emergency response standards for road traffic collisions), with negative performance for fire related deaths where people live; fire related injuries where people live; fire related deaths where people work, visit and in vehicles and emergency response standards for fires where people live.

While the number of fire related deaths was small, analysis over a five year period the majority (30 of 37) were in lone person households and of these 19 were over pensionable age. Age and associated issues were key factors affecting the likelihood of dying from a fire in the home. While a greater proportion of the fatal incidents had an alarm present, the alarm had not been raised more often than for non-fatal incidents which was considered to be attributable to the fact that the victims lived alone. The Service had processes in place (including partnership, self- and third-party referrals) to focus delivery of home fire safety advice to those most at risk and in the 2019-20 financial years had delivered 16,500 home fire safety visits and provided additional fire safety equipment in 10,000 households.

The advent of the COVID-19 pandemic had impacted on the ability to undertake home fire safety visits although remote support had been provided. The process of reviewing fatal fires had also been suspended but would be reinstated to ensure continual learning and development of knowledge of community risk across the service area.

Fire related injuries where people live had also increased both over the last year and in three and five year trends. The characteristics of those injured were generally similar to those more likely to die from fire, with age and living alone being factors. A process to ensure continual learning and development of knowledge of community risk within the service area to inform appropriate strategies to underpin the Integrated Risk Management Plan was in place.

Measures were also in hand to fully understand and address issues relating to a decrease in performance in emergency response standards to domestic fires.

In response to questions raised at the meeting, it was acknowledged that there was a sector-wide difficulty in measuring with any precision the precise impacts of Service interventions on community safety outcomes, in part due to the relatively low numbers of events involved and the corresponding disproportionate impact that any increase had on associated performance indicators.

In line with an earlier Committee decision, however, work was in hand to develop more appropriate public-facing indicators for Service performance (Minute *APRC/22 refers).

(SEE ALSO MINUTE *APRC/37 BELOW).

* **APRC/37** **Review of Corporate Performance Measures**

The Committee received for information a report of the Director of Finance & Resourcing (APRC/20/16) on progress to develop new corporate performance measures and targets/key performance indicators for the Service Environmental Strategy.

The Committee had previously established a working party to examine new corporate performance measures at its meeting on 4 March 2020 (Minute *APRC/22 refers). Since that time, the COVID-19 pandemic and changes in Authority membership had impacted on this decision. Additionally, the Authority, in declaring a climate emergency and approving the Service Environmental Strategy at its meeting on 23 October 2020, had tasked the Committee with developing (in consultation with Councillors Buchan and Clayton - the Authority's two Climate Change and Sustainability Champions) targets and/or key performance indicators to enable the Committee to monitor progress against the strategy.

Consequently, the Clerk (following consultation with the Authority Chair and in accordance with Standing Orders) had established a new working group comprising Councillors Buchan, Clayton and Saywell to work with relevant officers in developing new corporate performance measures together with targets/key performance indicators to monitor progress against the Service Environmental Strategy.

In discussing this issue, Members commented that there could be benefit in slightly enlarging membership of the working group to include representation from the Community Safety & Corporate Planning Committee. The Director of Governance & Digital Services agreed to undertake this in consultation with the relevant Chairs and in accordance with Standing Orders.

(SEE ALSO MINUTE *APRC/36 ABOVE).

*** DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 2.00 pm and finished at 3.15 pm

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Agenda Item 8

REPORT REFERENCE NO.	DSFRA/20/20
MEETING	DEVON & SOMERSET FIRE & RESCUE AUTHORITY
DATE OF MEETING	16 DECEMBER 2020
SUBJECT OF REPORT	“SAFER TOGETHER” PROGRAMME – UPDATE ON IMPLEMENTATION OF SERVICE DELIVERY OPERATING MODEL (SDOM) DECISIONS
LEAD OFFICER	Chief Fire Officer
RECOMMENDATIONS	<i>That the progress as outlined in this report on implementing the Service Delivery Operating Model decisions approved by the Authority on 10 January 2020 be noted.</i>
EXECUTIVE SUMMARY	<p>In 2019, an extensive public consultation exercise was undertaken on those proposals for the Service Delivery Operating Model (SDOM) workstream of the “Safer Together” programme.</p> <p>The outcome of this consultation was considered at an Extraordinary Meeting on 10 January 2020, with the Authority subsequently approving a number of measures to reallocate resources to support implementation of the new Service Delivery Operating Model.</p> <p>This paper now outlines progress to date in implementing those decisions.</p>
RESOURCE IMPLICATIONS	As indicated in report DSFRA/20/1 to the Authority Extraordinary meeting held on 10 January 2020 and in this report.
EQUALITY RISKS AND BENEFITS ANALYSIS	Where required, implementation of the Service Delivery Operating Model decisions have been subject to People Impact Assessments (which incorporate equalities, risk and benefits assessments) for Service staff and Community Risk Assessments for impacts on communities.
APPENDICES	A. Supporting Information
BACKGROUND PAPERS	<p>A. Report DSFRA/20/1 (Safer Together Programme [Service Delivery Operating Model] – Outcomes of the Consultation on Reallocation of Resources) to the Authority Extraordinary meeting held on 10 January 2020 and the Minutes of that meeting.</p> <p>B. Integrated Risk Management Plan 2018-22.</p> <p>C. Fire & Rescue Plan 2018 – 2022.</p> <p>D. HMICFRS Inspection report of the Devon & Somerset Fire & Rescue Service 2018-19.</p>

1. **SUMMARY**

- 1.1. The Authority has been advised previously of the inspection undertaken of the Devon & Somerset Fire & Rescue Service (“the Service”) in 2019 by Her Majesty’s Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS). The resultant HMICFRS report, received in December 2020, outlined that:

“An efficient fire and rescue service will manage its budget and spend money properly and appropriately. It will align its resources to its risk. It should try to keep costs down without compromising public safety. Future budgets should be based on robust and realistic assumptions. Devon & Somerset Fire & Rescue Service’s overall efficiency requires improvement”...

“The service covers both urban and very rural areas. The stations are located based on historic levels of fire cover, despite the changing level of risk. For example, there are stations that attend fewer than two incidents a week. The service has recently launched its Safer Together programme to match resources to risk”.

- 1.2. This paper provides the Authority with a progress report on implementing the decisions made in January 2020 to re-allocate resources within the Service area as part of the Service Delivery Operating Model of the “Safer Together” programme. In summary, significant progress has been made despite having to deal with the COVID-19 pandemic during this period.

2. **BACKGROUND**

- 2.1. The reallocation of resources required the Authority to approve proposals for public consultation as the outcomes of this work indicated changes to the existing provision of fire engines and fire stations across Devon and Somerset. The Authority resolved to approve these proposals for public consultation at its meeting on 28 June 2019 (Minute DSFRA/17 refers).

- 2.2. The consultation ran for 12 weeks, from 3 July to 22 September 2020. At an extraordinary meeting held on 10 January 2020, the Authority considered the feedback and analysis of the consultation and resolved (Minute DSFRA/32 refers):

- (a). that, having taken account of analysis of the outcome of the consultation on the reallocation of resources to support the new Service Delivery Operating Model, the following be approved:
- (i). deferral of the decision to implement day crewing at Barnstaple, Exmouth and Paignton subject to a revised 24/7 crewing model, including roving appliances, being agreed with the Fire Brigades Union before the end of the 2019-20 financial year;
 - (ii). closure of Budleigh Salterton fire station, with affected firefighters allowed to respond from Exmouth fire station;

- (iii). relocation of Topsham fire station to Service Headquarters and relocation of one fire appliance to Middlemoor fire station (both existing Topsham fire engines to be relocated to Service Headquarters until an on-call crew can be established at Middlemoor), with a report on the proposed disposal of the Topsham site to be presented to the Authority at a future date;
- (iv). replacement of the third fire engines at Bridgwater, Taunton, Torquay and Yeovil with alternative vehicles;
- (v). removal of the second fire engines from Crediton, Lynton, Martock and Totnes; and
- (vi). introduction of variable fire engine availability dependent on risk, as set out in paragraph 9.14 of report DSFRA/20/1.

2.3. The update information set out in this paper was initially contained in report CSCPC/20/6 submitted to the meeting of the Community Safety & Corporate Planning Committee on 11 December 2020.

3. UPDATE ON PROGRESS

Deferral of day crewing at Barnstaple, Exmouth and Paignton (Minute DSFRA/32(a)(i))

- 3.1. As indicated, this was dependent on agreement with the Fire Brigades Union (FBU) to the introduction of a revised 24/7 crewing model, including roving vehicle.
- 3.2. Formal negotiations on this commenced with the Fire Brigades Union (FBU) in January 2020. Good progress was made at that time with the FBU and local representatives about to commence a series of station visits to recommend the Service proposal of changes to the start and finish times of the existing shift system and the introduction of a day duty system that complemented both the day hours of the shift system and the day hours of the Pay for Availability (P4A) system. Unfortunately, the first lockdown imposed restrictions which prevented those visits taking place in time for conclusion by the end of the 19/20 financial year.
- 3.3. The Service has encouraged the FBU to continue engagement with its members when the lockdown restrictions lifted and by remote visits. The FBU has, however, been reluctant to progress any matters relating to terms and conditions of service whilst their members are working under the provisions of the tripartite agreement being used to support communities beyond the recognised duties of the firefighter role map.

- 3.4. In the meantime and to continue to make progress, the Service has recruited 34 Firefighters on new contracts which will provide the flexibility that the Service requires from the new ways of working. These staff were previously on-call firefighters who transitioned to the whole-time duty system on different contracts to those used for existing staff. In addition, an external recruitment process will be undertaken in 2021 with the firefighters so recruited being deployed on the new contracts. The Service also maintains a 'crewing pool' of staff with a range of skills who are able to crew fire engines. The crewing pool provides the Service with the flexibility to fill gaps (sometimes at short notice) as necessary and to provide additional staff for other duties, such as on roving vehicles.
- 3.5. Further internal discussions are taking place to consider centralising leave/training and sickness management arrangements whilst still continuing to provide the required number of firefighters at station level to crew fire engines. In doing so, the Service is able to provide a more efficient way of matching resources to risk and support HMICFRS expectations in this regard.
- 3.6. In terms of roving vehicles, the Service has engaged an external data visualisation company which has worked with Service data analysts using historical data. The Service can now forecast where roving vehicles should be deployed (and when) to generate the best effect. The crewing for these vehicles is most likely to come from staff rostered off from whole-time stations or from the crewing pool outlined above. The vehicles will either be existing fire engines or training/spare fire engines. These will provide additional 'primary crewed' vehicles (i.e. ready for immediate deployment rather than being on-call) when needed and this will again support the risk-based approach HMICFRS has identified is required. Roving vehicles provide significant flexibility and will be a cornerstone of the Service risk-based approach moving forward.

Closure of Budleigh Salterton fire station (Minute DSFRA/32(a)(ii))

- 3.7. Operational use of Budleigh Salterton fire station ceased at the beginning of April 2020 and all firefighters who wished to remain with the Service have transferred to Exmouth fire station.
- 3.8. As reported to the last meeting (Minute DSFRA/49 refers), given the impact of the COVID-19 pandemic the Chief Fire Officer (following consultation with the Authority Chair as required by Standing Order 27), approved the disposal of the fire station building at Budleigh Salterton on 3 July 2020.
- 3.9. Subsequent to this decision, the station has been sold with contracts exchanged. In the event, the sale of the station realised a capital receipt of £366,666. In accordance with accounting regulations, the capital receipt has now been included in the Authority's capital funding.

Relocation of Topsham fire station (Minute DSFRA/32(a)(iii))

- 3.10. The relocation of Topsham fire station to Service Headquarters fire station (Station 60) is due to be completed on 8 December 2020. This will involve the redeployment of one fire engine to the SHQ site with an on-call section to crew this vehicle.

- 3.11. In parallel, work has progressed to recruit and establish a new on-call section at Middlemoor fire station. The newly-established crew have been familiarising themselves with the second fire engine from Topsham and training on it and the vehicle is due to be “on the run” on 12 December 2020. The current Topsham Fire Station will then be closed.
- 3.12. At its last meeting the Authority considered a report on the disposal of Topsham Fire Station and resolved that that potential options for alternative use, within the legal constraints placed on the Fire Authority, be explored and reported back to a future meeting prior to disposal of the station (Minute DSFRA/52 refers). This is currently being explored.

Replacement of the third fire engines at Bridgwater, Taunton, Torquay and Yeovil (Minute DSFRA/32(a)(iv))

- 3.13. The replacement of all existing third fire engines with a Light 4x4 Pump(L4P) is due to be completed by the end of January 2021. Despite impacts of the pandemic both internally and externally, the rollout of the L4P’s at Taunton and Torquay stations are on track to take place in December 2020. The L4P’s due for Bridgwater and Yeovil are currently with the supplier awaiting fit out of blue lights and the Service is awaiting confirmation that the vehicles will be received in time to keep timescales on track for replacement by the end of January 2021 (or before Christmas 2020 if possible). The supplier is currently working at reduced capacity, however, due to the COVID-19 pandemic.

Removal of the second fire engines from Crediton, Lynton, Martock and Totnes (Minute DSFRA/32(a)(v))

- 3.14. The removal of the second fire engines from Martock and Totnes was completed at the end of March 2020.
- 3.15. The removal of the second fire engines at Lynton and Crediton and replacement with L4P’s was completed in October 2020.

Introduction of variable fire engine availability dependent on risk (Minute DSFRA/32(a)(vi))

- 3.16. Facilitation of this element for the eleven identified stations has been linked to the introduction of Pay for Availability (P4A) in the first instance. Therefore, two risk-dependent availability stations transitioned in October 2020 and another is scheduled for January 2021.
- 3.17. The remaining eight stations will transition at the same time as moving to P4A should they opt to take this system. Stations that do not wish to take the P4A offer will be transitioned to risk dependent availability status later in 2021.
- 3.18. The Service began informal discussion with both the Fire and Rescue Services Association (FRSA) and the FBU on this matter in the summer of 2019. Following the Authority meeting of January 2020, all parties agreed to a period of formal negotiation with a view to securing a collective agreement on the terms and conditions for the P4A system.

- 3.19. In early March 2020 the FRSA was able to agree with the Service and signed a local collective agreement. It should be noted that, due to the complexities of trades union membership, the FRSA is not recognised to negotiate at a national level on behalf of on-call firefighters but is recognised locally for collective bargaining purposes by the Service.
- 3.20. Despite parallel progress being made with the FBU locally, the Service was informed in March 2020 that the FBU wished to refer the matter to a national negotiation level to be determined by national representatives of the FBU and the Employers.
- 3.21. The impact of the COVID-19 pandemic delayed progressing these national negotiations, with matter eventually being discussed at the beginning of September 2020. Unfortunately, this process failed to broker an agreement between the Service and the FBU.
- 3.22. Following this, local engagement continued and the Service made a revised offer to the FBU. This offer was rejected by the FBU in October 2020.
- 3.23. Having consulted with on-call staff, it appears that 44 fire stations (55%) are keen to move to the Service P4A proposal. A further 24 fire stations (30%) have asked for more information but may be interested in voluntarily moving to the new on-call proposal. Only 11 fire stations (15%) have said that they do not wish to progress the new model but it should be noted that some of these stations are currently on a legacy payment model which is being phased out. As such, this may change in the future if funds remain available for the investment.
- 3.24. As part of planning for the 2021-22 budget, it appears that the full amount allocated for P4A will now not be required as, without a collective agreement, a whole service approach is not possible. Crewing levels and performance on those stations where P4A has not been agreed will continue to be scrutinised.
- 3.25. On 1 October 2020, an initial group of six “early adopter” stations (involving eight fire engines) moved to the new system. It should be noted that the majority of the “early adopter” stations had high availability in 2019-20. As such, this is not likely to result in significant increases in availability.
- 3.26. Other fire stations who have indicated a desire to do so will transition to the P4A system as soon as possible. In addition to this, an imminent trial on selective alerting is planned to commence with an “early adopter” P4A station. This will allow on-call firefighters to be alerted for specific appliances rather than a blanket approach to mobilising resources.

4. CONCLUSION

- 4.1. To comply with the National Framework (a statutory requirement of the Fire & Rescue Services Act 2004), the Authority is required to approve an Integrated Risk Management Plan. This IRMP is the key strategic basis for ensuring that the Authority fulfils its statutory duty to provide an effective and efficient fire and rescue service for the communities it serves.

- 4.2. The “Safer Together” Programme is the strategic mechanism for dealing with many of the risks identified in this Authority’s IRMP. Progress against the proposals approved in the Safer Together Programme are positive with the majority of activities completed and all others on track for completion during 2021. This will mitigate further those risks previously identified in the IRMP 2018-2022 and pave the way for a revised IRMP, with a new timescale, to be developed for approval by the Authority.

LEE HOWELL
Chief Fire Officer

SUPPORTING INFORMATION

1. INTRODUCTION

- 1.1. Section 21 of the Fire & Rescue Services Act 2004 (“the Act”) requires the Secretary of State to prepare a Fire and Rescue National Framework. The Framework:
- (a). must set out priorities and objectives for fire and rescue authorities in connection with the discharge of their functions;
 - (b). may contain guidance to fire and rescue authorities in connection with the discharge of any of their functions; and
 - (c). may contain any other matter relating to fire and rescue authorities or their functions that the Secretary of State considers appropriate.
- 1.2. Section 22 of the Act provides the Secretary of State with power to intervene in any fire and rescue authority which it is considered is failing, or is likely to fail, to act in accordance with the Framework.
- 1.3. To comply with the Framework, each fire and rescue authority is required to produce:
- (a). An Integrated Risk Management Plan (IRMP);
 - (b). An annual statement of assurance; and
 - (c). Financial plans
- 1.4. Approval of an Integrated Risk Management Plan is one of the key decisions for a fire and rescue authority. The IRMP is the strategic risk analysis of the foreseeable fire and rescue risks faced by the community served by the fire and rescue authority. In
- 1.5. In approving an IRMP, a fire and rescue authority is in effect acknowledging that the resources of a fire and rescue service will need to be considered in their entirety to ensure that the identified risks are mitigated against.

2. BACKGROUND

- 2.1. Between 2004 and 2017 the Devon & Somerset Fire & Rescue Service (“the Service”) produced, for approval by the Devon & Somerset Fire & Rescue Authority (“the Authority”) a corporate plan every year which incorporated the IRMP requirements alongside identified continuous improvements that the Service wished to make in reaction to self and peer assessments.

- 2.2. In January 2017 the [then] Director for Service Improvement established an officer working group to produce a standalone IRMP to support a long- term implementation of change and improvement that would influence the organisation for the future. This working group, chaired by an Area Manager, had the remit of:
- (a). Researching actual risk faced by communities across Devon and Somerset;
 - (b). Quantifying data into a risk rating for measurement, enabling improvement and understanding how Service activities affected risk;
 - (c). Re-evaluating Service Protection, Prevention, and Response arrangements against actual risk; and
 - (d). Producing options for consideration.
- 2.3. The Community Safety & Corporate Planning Committee (“the Committee”) was advised of this at its meeting on 13 February 2017 (Minute *CSCPC/14 and report CSCPC/17/1 to the meeting refer).
- 2.4. There is a requirement for public consultation on the IRMP (once developed) prior to its approval by the Authority. At its meeting on 29 September 2017, the Committee considered a draft IRMP and resolved to recommend its approval (subject to any amendments to be made by the Chief Fire Officer following consultation with the Committee Chair) to the Authority for the purposes of public consultation (Minute *CSCPC/7 refers).
- 2.5. The Authority subsequently approved the plan for public consultation purposes at its meeting on 20 October 2017 (Minute DSFRA/40 refers). The subsequent public consultation ran for an eight week period, commencing on 1 November 2017 and closing on 31 December 2017.
- 2.6. The Committee initially considered feedback from the consultation at its meeting on 1 February 2018 (Minute CSCPC/9 refers) . The Authority then considered the outcome of the consultation, together with the views of the Committee, prior to approving an amended, final, IRMP 2018 – 2022 at its meeting on 16 February 2018 (Minutes DSFRA/63(b) and DSFRA/65 refer). This action discharged the Framework obligation of the Authority to approve an IRMP.
- 2.7. When recommending the IRMP 2018 – 2022 to the Authority for approval, the Committee also recommended that the Authority approve a revised planning framework which also provided for the development of a Fire & Rescue Plan (FRP) to complement the IRMP by identifying internal, organisational risks faced by the Service and how these should be addressed (Minute CSCPC/10 refers). This approach was also approved by the Authority at its meeting on 16 February 2018 (Minute DSFRA/63(b)(ii) refers).
- 2.8. The outcome of these decisions was to initiate the Service’s three - four year Change and Improvement Programme (subsequently named the “Safer Together” Programme) to give effect to the proposals contained in both the IRMP and the FRP.

3. INTEGRATED RISK MANAGEMENT PLAN (IRMP) 2018 – 2022

3.1. The IRMP sets out what fire related risks are faced by the communities of Devon and Somerset along with the current and proposed prevention, protection and response activities that the Service will undertake to mitigate and deal with those risks.

3.2. Following the assessment of fire related risk through the IRMP process, a gap analysis was carried out to consider any strategic issues that the Service may face in the coming years. This identified that the following six elements within the identified risks required further consideration in planning the strategic direction of the Service:

- An increasingly ageing population
- Common Health and Wellbeing risks
- Availability of On Call appliances
- The historical distribution of Service Delivery Resources
- An increasing demand for Emergency Medical response
- An increase in the number of serious fires affecting commercial premises

3.3. To mitigate against these risks, the Authority approved the strategic direction articulated in the IRMP as:

“To deliver the Fire and Rescue Service for the communities of Devon and Somerset over the next 5 years the Service will need to consider:

- The way our fire stations and appliances are crewed;
- Relocating some of our fire stations, appliances and staff to areas where risk is greatest;
- Investing in our Emergency Medical Response capacity;
- Ensuring that we collaborate with other Emergency Services; and
- Delivering more prevention and protection activity”.

4. FIRE & RESCUE PLAN (FRP)

4.1. In parallel with the IRMP, the FRP considered the risks facing the organisation and identified six priority areas for improvement:

Service Delivery – how to deliver the best possible prevention, protection and response services to keep communities safe.

People – ensuring the very best people are recruited, retained, supported and developed.

Value for Money and use of resources – ensuring the provision of value for money, making the most of Service assets, investing in improvement and planning for a sustainable future.

Governance – putting the right information, processes and people in place to help make the right decisions on all occasions.

Collaboration – seeking opportunities to work better with others to provide an improved service to shared communities.

Digital Transformation – making use of technology to provide the information needed, in the right way and developing smarter ways of working and thinking.

5. SAFER TOGETHER PROGRAMME

- 5.1. By cross referencing the risks and considerations identified in both the IRMP and the FRP, the Service was able to present a mandate for change and improvement for approval to the Authority via the Committee on 30 July 2018 (Minute DSFRA/16b refers).
- 5.2. This mandate was subsequently named the “Safer Together” Programme to allow for common referencing for staff and public consultation.
- 5.3. Following the establishment of clear programme and project governance mechanisms the “Safer Together” Programme has four key work streams:
1. Service Delivery Operating Model (SDOM);
 2. Fleet & Equipment (replacement);
 3. Data and Digital Transformation.
 4. People Development Workstream
- 5.4. The key focus for delivering mitigating actions against the IRMP is through the Service Delivery Operating Model work stream. Due to the volume and complexity of work involved in this area the work stream was split into two phases:
- Phase 1** – New duty systems and contracts for operational staff
- Phase 2** – Reallocation of resources
- 5.5. The introduction of new duty systems and contracts for operational staff has required consultation and negotiation with staff and the representative bodies with the focus on two proposals:
- (i). Pay for Availability – a new way of paying On Call firefighters to increase fire engine availability and provide a better work /life balance for staff; and
 - (ii). Revised arrangements of the existing Wholetime shift duty system and the introduction of a new complimentary day duty system – to release capacity from the workforce, increasing productivity and offering alternative career choices for staff.

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Agenda Item 9

REPORT REFERENCE NO.	DSFRA/20/21
MEETING	DEVON & SOMERSET FIRE & RESCUE AUTHORITY
DATE OF MEETING	16 DECEMBER 2020
SUBJECT OF REPORT	CONFIRMATION OF MEMBERS' ALLOWANCES SCHEME 2021 - 22
LEAD OFFICER	Director of Governance & Digital Services
RECOMMENDATIONS	<p>(a) <i>that the Authority confirms the rates of basic and special responsibility allowances to be payable during the 2021-22 financial year as set out in Table 1 of Section 2 of this report (subject to any automatic annual uprating);</i></p> <p>(b) <i>that the Authority determines that the Special Responsibility Allowance (SRA) payable in 2021-22 to Authority-appointed non-executive directors on the Board of Red One Ltd. should be set at either:</i></p> <ul style="list-style-type: none"> (i). <i>the current level of £6,305, which is consistent with the rationale set out at paragraph 3.11 of the report; or</i> (ii). <i>£4,179, i.e. 1.5 x basic allowance, as recommended by the Independent Consultant (paragraph 3.3) and commensurate with the SRA paid to Members of the [former] Commercial Services (paragraph 3.4 of the report); or</i> (iii). <i>£5,572, i.e. 2 x basic allowance reflecting recognition of additional responsibilities (1 x basic allowance) and meeting frequency (1 x basic allowance).</i> <p>(c) <i>that the Authority confirms the rates of co-optees allowances to be payable during the 2021-22 financial year as set out in paragraph 4.1 of this report;</i></p> <p>(d) <i>that the co-optees allowances be automatically uprated, annually, in accordance with any proposal agreed by the National Joint Council for Local Government Services ("the green book") and that the Clerk to the Authority be authorised to amend the approved Scheme accordingly;</i></p> <p>(e) <i>that the Authority confirms the rates of reimbursement for travel and subsistence allowances to apply for 2021-22 as set out in paragraphs 5.1 and 5.2 of this report; and</i></p>

	(f) that the Clerk to the Authority be authorised to publicise details of the Scheme so confirmed in one or more local newspapers circulating in the area served by the Authority.
EXECUTIVE SUMMARY	<p>Regulations require the Authority to have in place its own Scheme for the payment of a basic allowance to each of its Members. The Authority may also provide for the payment of Special Responsibility Allowances and reimbursement of travel and subsistence expenditure.</p> <p>The Regulations also require the details of any such Schemes to be confirmed and published by the Authority for each financial year in question.</p> <p>This report details allowances currently payable and invites the Authority to confirm the Scheme to operate for the 2021-22 financial year. In approving the Scheme for 2020-21, the Authority also approved an automatic uprating mechanism to apply for the following three years (to 2023-24), as recommended by the independent consultant following a full review of the Scheme. Additionally, the Authority also directed the Clerk to review the special responsibility allowance paid to Authority appointed non-executive directors on the board of Red One Ltd. This report includes the findings of that review.</p>
RESOURCE IMPLICATIONS	Provision will be made within the draft Revenue Budget 2021-22 for the payment of allowances at the rates together with any anticipated increase (based on the pay award for staff conditioned to the National Joint Council for Local Government Services (“the Green Book”)).
EQUALITY RISKS AND BENEFITS ANALYSIS	The content this report is considered compatible with equalities and human rights legislation.
APPENDICES	<p>A. Extract from Independent Review of the Devon & Somerset Fire & Rescue Authority Members’ Allowances Scheme (as considered at the Authority Budget meeting on 18 February 2020).</p> <p>B. Regulation 5(1), the Local Authorities (Members’ Allowances) (England) Regulations 2003.</p> <p>C. Comparison of Special Responsibility Allowances payable re: Fire Authority owned companies.</p>
BACKGROUND PAPERS	<p>The Local Authority (Members’ Allowances)(England) Regulations 2003.</p> <p>The Local Authorities (Companies) Order 1985</p>

	Report DSFRA/20/8 (“Devon & Somerset Fire & Rescue Authority Approved Scheme of Members’ Allowances 2020-21), together with report of Independent Consultant, as submitted to the Authority budget meeting on 18 February 2020, together with the Minutes of that meeting.
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1. **BACKGROUND**

1.1 The Local Authority (Members' Allowances)(England) Regulations 2003 require the Authority to make a Scheme of Members Allowances that:

- MUST provide for payment of a basic allowance to every Member of the Authority (to recognise the time commitment of all Members and cover incidental costs such as postage, telephone calls etc. in connection with Authority duties); and
- MAY provide:
 - for payment of a Special Responsibility Allowance (SRA) for those Members undertaking additional roles (e.g. Authority and Committee Chairs); AND
 - payment of travel and subsistence expenses in relation to Authority duties.

1.2 The Regulations also require the Authority to confirm its Scheme of Allowances for each financial year in question and for this information to be published in one or more local newspapers circulating in the area served by the Authority.

2. **BASIC, SPECIAL RESPONSIBILITY AND CO-OPTEEES ALLOWANCES (EXCLUDING AUTHORITY-APPOINTED NON-EXECUTIVE DIRECTORS ON THE BOARD OF RED ONE LTD.)**

2.1 At its budget meeting on 18 February 2020 the Authority considered a review of its Allowances Scheme ("the Scheme") as conducted by an independent consultant and determined – in accordance with the review recommendations - rates payable for basic and special responsibility allowances (SRAs) in the 2020-21 financial year (Minute DSFRA/40 refers). These are shown in Table 1 below.

Table 1 – 2020-21 Rates for Basic and Special Responsibility Allowances

Type of Allowance	Amount per annum £
Basic	2,786
Special Responsibility (payable in addition to basic allowance)	
• Authority Chair (5 x basic)	13, 930
• Authority Vice-Chair	6, 915
• Committee Chairs	4,100
• Member of Local Pensions Board (Firefighters' Pensions Schemes) (0.15 x basic)	418

2.2 It should also be noted that, under the Scheme, only one SRA is payable (at the highest rate), irrespective of how many qualifying posts an individual Member may hold.

- 2.3 As recommended by the independent consultant, the Authority approved that the rates as set out in Table 1 above should not be subject to any in-year uprating in 2020-21 but that, from 2021-22, they should be uprated automatically in accordance with any proposal agreed by the National Joint Council for Local Government Services (“the green book”). On this basis, the Authority is asked to confirm the rates of basic and special responsibility allowances to be payable in 2021-22 as set out in Table 1 (subject to any automatic, annual, uprating).

SPECIAL RESPONSIBILITY ALLOWANCE – AUTHORITY-APPOINTED DIRECTORS ON THE BOARD OF RED ONE LTD.

Introduction

- 3.1. At its budget meeting on 18 February 2020, the Authority approved (Minute DSFRA/40(e) refers):
- “that non-executive directors appointed to the Board of Red One Ltd. by the Authority should continue to receive a Special Responsibility Allowance of £6,305 for the 2020-21 financial year, with the Authority to review this to inform the allowance payable from 2021-22”
- 3.2. Attached at Appendix A to this report is the section of the Independent Consultant’s report dealing with this particular SRA. In particular, this section references the considerable changes recently undertaken in terms of the governance of Red One Ltd. and other factors that had impacted on the anticipated workload of directors in the short-term.
- 3.3. The Independent Consultant’s report also commented, however, that the expectation was that this workload would settle down. Consequently, the Independent Consultant recommended that the SRA be reviewed to inform the rate payable from 2021-22, with a view to this rate being based on using a multiplier of 1.5 x basic allowance, which would amount to £4,179.
- 3.4. This multiplier refers back to the SRA paid to Members of the [former] Commercial Services Committee in recognition that that Committee met with “exceptional frequency” (i.e. once per month). Consequently, an SRA was felt to accord with Regulation 5(1)(e) of the Local Authorities (Members’ Allowances) (England) Regulations 2003 (“the Regulations”).
- 3.5. This category of SRA is no longer directly applicable to Authority-appointed non-executive directors on the Board of Red One Ltd., however, as that Board is not a committee or sub-committee of the Authority. Rather, it is a separate legal entity. This particular category may, however, still be relevant by virtue of Regulation 5(1)(i) and this is addressed later in the report.
- Categories for which an SRA may be paid***
- 3.6. Section 5(1) of the Regulations set out the categories for which an SRA may be paid. For ease of reference, Regulation 5(1) is reproduced in full at Appendix B to this report. Any SRA payable must comply with one or more of the categories as set out at Regulation 5(1) but of particular relevance to this SRA are the following categories:

- representing the authority at meetings of, or arranged by, any other body (Regulation 5(1)(d)); and
- carrying out such other activities in relation to the discharge of the authority's functions as require of the member an amount of time and effort equal to or greater than would be required of him by any one of the activities mentioned in sub-paragraphs (a) to (h) (whether or not that activity is specified in the scheme) (Regulation 5(1)(i)).

3.7. Also of relevance to this SRA are the provisions of Section 5 of the Local Authorities (Companies) Order 1985. These limit the amount of remuneration for a Member director of a local authority controlled company to "...the greatest amount which would for the time being be payable by the relevant authority in respect of a comparable duty performed on behalf of that authority" i.e. an SRA.

Context and comparators for payment of SRA

3.8. Non-executive directors should have the same roles and responsibilities irrespective of the company to which they are appointed. Also, from a legal perspective, there is no distinction between executive and non-executive directors in terms of exposure to liabilities associated with the company in question.

3.9. On this basis, the views of the current chair of the Board of Red One Ltd. have been sought to inform consideration as to the appropriate level of SRA for Authority-appointed non-executive directors.

3.10. The Board chair has indicated that they feel the current level of SRA for the Authority-appointed non-executive directors reflects a fair amount given the nature of the role. In support of this, the Board chair has commented that, while the company's overall position has improved considerably over the last twelve months, it has (along with almost all other parts of both the private and public sector) been significantly impacted during the current year by the COVID-19 pandemic. On this basis, the risk profile for all the directors of Red One Ltd. remains largely unchanged.

3.11. The Board chair has also commented that, in their experience, private sector remuneration for directors indicates daily fees in the range of £500 to £1,000 per day, with the lower end usually being typical for public sector-owned companies. The Board chair has indicated that the current Authority-appointed non-executive directors would be expected to spend between 1.5 and 2 days per month discharging their duties. Using the lower of the two figures (daily rate and time commitment), discounted by the public service element (30%) as referenced in the Independent Consultant's report, this would equate to remuneration of £6,300 per annum.

- 3.12. It should, however, also be recognised that – while a suitability assessment prior to appointment is undertaken – by its very nature the role of Authority-appointed non-executive director is not subject to any competitive external appointment process as would be the case for other company directors in the private or public sector. Similarly, as indicated by the Independent Consultant in their report, consideration should be given to other factors, for example the Local Government Association day rate of £210 (£300 less 30% public service element).
- 3.13. By way of further context, research has been undertaken into those other fire and rescue authorities who either are operating, or have recently operated, commercial trading arms. The results of this research are set out in full at Appendix C to this report. In summary, the research indicates that, of the 10 other fire and rescue authorities in England and Wales that still have active companies:
- (a). only two have Members serving as non-executive directors on the Boards of those companies; and
 - (b). of these two, neither pay any SRA in relation to discharging that role.
- 3.14. As previously mentioned, Regulation 5(1)(i) allows for an SRA to be payable for “...carrying out such other activities in relation to the discharge of the authority’s functions as require of the member an amount of time and effort equal to or greater than would be required of him by any one of the activities mentioned in sub-paragraphs (a) to (h)”
- 3.15. As indicated in Table 1, SRAs currently payable by this Authority in the main relate to being either the full Authority or a Committee Chair (as provided for by Regulation 5(1)(c)). While the company’s articles prevent the Authority-appointed non-executive directors being appointed as Chair of the Red One Ltd. Board, the role unquestionably adds considerable value to the operation of the Board and the confidence of the shareholder (the Authority) and, as a company director, it comes with associated responsibility and potential liabilities. On this basis, the SRAs payable to Chairs in accordance with Regulation 5(1)(c) may provide valid comparators for the purposes of Regulation 5(1)(i).
- 3.16. Regulation 5(1)(e) (meeting frequency/duration) also provides a useful comparator for the purposes of Regulation 5(1)(i). As previously indicated, this was used as the basis for the SRA payable to Members on the [then] Commercial Services Committee, to reflect that it was meeting with “exceptional frequency” i.e. 12 times per year as against an average of four meetings per year for other Committees.
- 3.17. In light of the above, the Authority is asked to determine that the SRA payable in 2021-22 to Authority-appointed non-executive directors on the Board of Red One Ltd. should be set at either:
- (a). the current level of £6,305, which is consistent with the rationale set out at paragraph 3.11; or
 - (b). £4,179, i.e. 1.5 x basic allowance, as recommended by the Independent Consultant (paragraph 3.3) and commensurate with the SRA paid to Members of the [former] Commercial Services (paragraph 3.4); or

- (c). £5,572, i.e. 2 x basic allowance reflecting recognition of additional responsibilities (1 x basic allowance) and meeting frequency (1 x basic allowance).

4. CO-OPTTEES ALLOWANCES

4.1. The Scheme also provides for the following co-optees allowances:

- an independent person appointed as required by Section 28(7) of the Localism Act will receive an allowance of £100 for each standards issue with which they are involved; and
- an Independent Employer Representative appointed to the Local Pensions Board in accordance with the provisions of Section 102(3) of the Local Government Act 1972 and Section 13(1) of the Local Government and Housing Act 1989 will receive an annual co-optees allowance of £500.

4.2. Under the current Scheme, these rates should be reviewed annually but there is no reference to any mechanism for such a review. It is suggested it would be pragmatic, however, to automatically uprate these co-optees allowances as per the basic and special allowances (i.e. in accordance with any “green book” pay award).

4.3. On this basis, the Authority is asked to confirm the co-optees allowances to be payable in 2021-22 at the rates as set out in paragraph 4.1, subject to any automatic annual uprating, with the Director of Governance & Digital Services being authorised to amend the approved Scheme accordingly.

5. REIMBURSEMENT OF TRAVEL AND SUBSISTENCE EXPENSES

5.1. The Allowances Scheme also provides for the reimbursement of travel and subsistence expenses as shown in Tables 2 and 3 below.

Table 2 - Rates Payable for Reimbursement of Travel Expenses

	<i>Rate per mile</i>	
	<i>First 10,000 miles</i>	<i>Above 10,000 miles</i>
Cars	45p	25p
Motorcycles	24p	24p

- 5p per passenger per mile (up to 4 passengers);
- 20p per mile bicycle allowance

5.2. The annual uprating mechanism for reimbursement of travel expenses is by reference to rates published by Her Majesty’s Revenue and Customs (HMRC). It should be noted that “home-to-Service Headquarters” journeys are classified by HMRC as taxable, with any tax element being deducted at source.

Table 3 - Rates Payable for Reimbursement of Subsistence Expenses

Breakfast	£7.00
Lunch	£10.00
Tea	£4.00

Evening meal if returning home after 8.00pm	£12.00
Evening meal if staying overnight	£22.00

5.3. The rates payable for subsistence expenses are referenced to the rates and conditions on reimbursement of expenses as per Devon & Somerset Fire & Rescue Service employees in force at the time.

6. CONCLUSION

6.1. The Authority Scheme was last subject to a major review in 2019 to inform the Scheme to operate for the 2020-21 financial year and the associated annual uprating mechanism to apply for subsequent years up to and including 2023-24. The next major review should take place in 2023 to allow sufficient time to inform the 2024-25 budget setting process.

6.2. The Authority is now asked to consider this report and in accordance with the relevant Regulations to:

- (a). confirm the Scheme to operate for the 2021-22 financial year;
- (b). authorise the Clerk to the Authority to publish the rates so confirmed in one or more local newspapers circulating in the area served by the Authority.

MIKE PEARSON
Director of Governance & Digital Services

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EXTRACT FROM INDEPENDENT REVIEW OF THE DEVON & SOMERSET FIRE & RESCUE AUTHORITY MEMBERS' ALLOWANCES SCHEME (AS CONSIDERED AT THE AUTHORITY BUDGET MEETING ON 18 FEBRUARY 2020)

(i) Non-Executive Director (NED) roles on Red One Ltd

- 6.25. The role of NED on Red One Ltd had been developing over the period of the recent reviews. At the time of the last review there were three Authority NEDs, now there are only two. However, the Red One Board of Directors has been restructured since the last review and now provides for: two Independent NEDs (one of whom must be the Chair of the Board); two Authority Member NEDs; two Service officer NEDs; together with Executive Directors as may be appointed by the Board. This restructuring of the Board was a direct result of the Authority's recognition that the governance arrangements for Red One needed to be strengthened.
- 6.26. Guidance recognises that Non-Executive Directors may be remunerated although it is sometimes the case that these positions are not remunerated. Under the Local Authorities (Companies) Order 1995 Part 2, Regulation 5 the Authority Members appointed as non-executive director of Red One Ltd are "regulated directors" for the purposes of the Regulations (with Red One similarly being a "regulated company"). 5(1)(a) limits the amount of remuneration payable to a regulated director, with 5(3)(a) defining that limit as: "greatest amount which would for the time being be payable...in respect of a comparable duty performed on behalf of the Authority, less any amount payable by that authority in respect of the relevant duty" (paragraph 5).
- 6.27. The new Independent Chair was appointed in April 2018 and was interviewed as part of the Review. Her view was that currently the Board members have a very challenging role in ensuring the company has a firm operational footing. This view was shared by the Authority Chair and Vice Chair. The Independent Chair estimates the Member NEDs at present spend about 1½ days a month on the role and that for the time being this is likely to continue but may reduce in the future.
- 6.28. As part of the 2015 Review, the Review author identified the [then] Commercial Services Committee as a potential comparator which had an SRA with a multiplier of 1.5x Basic Allowance because it met once a month (the relevant regulations set out that one of the permitted reasons for an SRA is "acting as a member of a committee or sub-committee of the authority which meets with exceptional frequency or for exceptionally long periods"). This would have given an SRA [at that time] of £3,900. However, the Authority did not accept this and set an SRA at £6,000. The Review author felt at the time there was insufficient evidence to make a well-founded recommendation for a higher level of allowance.

- 6.29. As a further guide, as set out at paragraph 5.5, using the current LGA day rate of £300 less the public service element of 30% (giving a day rate of £210), 18 days a year would equate to £3,780 per annum. A multiplier of 1.5x Basic Allowance would give an SRA of £4,179 per annum (assuming the increase in Basic Allowance is accepted).
- 6.30. The circumstances of Red One are constantly changing and from the evidence there has been an increase in workload hence I am recommending that the SRA is maintained at the existing level. The expectation is that this workload should settle down and the SRA should be reviewed for 2021/22.
- 6.31. In the current circumstances given the challenges of the organisation and the pressures on the NEDs and also to align with the approach on other SRAs **I am recommending that the NED role should continue to receive an SRA of £6,305 for 2020/21 and the Authority should review this for 2021/22 with a view to using a multiplier of 1.5x Basic Allowance as set out at paragraph 6.29 above.**

**REGULATION 5(1), THE LOCAL AUTHORITIES (MEMBERS' ALLOWANCES)
(ENGLAND) REGULATIONS 2003**

Special Responsibility Allowances (NOTE: those categories applicable to the Devon & Somerset Fire & Rescue Authority are indicated in *bold, italics*).

“A scheme made under this Part may provide... for the payment for each year for which that scheme relates of an allowance (“special responsibility allowance”) to such members of the authority as have such special responsibilities in relation to the authority as are specified in the scheme and are within one or more of the following categories:

- (a). acting as leader or deputy leader of a political group within the authority;
- (b). acting as a member of an executive where the authority are operating executive arrangements within the meaning of Part II of the Local Government Act 2000;
- (c). ***presiding at meetings of a committee or sub-committee of the authority, or a joint committee of the authority and one or more other authorities, or a sub-committee of such a joint committee;***
- (d). ***representing the authority at meetings of, or arranged by, any other body;***
- (e). ***acting as a member of a committee or sub-committee of the authority which meets with exceptional frequency or for exceptionally long periods;***
- (f). acting as the spokesman of a political group on a committee or sub-committee of the authority;
- (g). acting as a member of an adoption panel within the meaning of the Adoption Agencies Regulations 1983;
- (h). acting as a member of any committee or sub-committee that deals with any function arising under any enactment authorising the authority to license or control the carrying on of any activity;
- (i). ***carrying out such other activities in relation to the discharge of the authority's functions as require of the member an amount of time and effort equal to or greater than would be required of him by any one of the activities mentioned in sub-paragraphs (a) to (h) (whether or not that activity is specified in the scheme)."***

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APPENDIX C TO REPORT DSFRA/20/21

SPECIAL RESPONSIBILITY ALLOWANCES PAYABLE RE: FIRE AUTHORITY OWNED COMPANIES

Name of Fire & Rescue Authority^A	Name of Company^A	Member Non-Executive Directors (Y/N) (No.)^B	SRA payable per annum (£) per non-executive director^C
Cleveland	Cleveland Fire Brigade Risk Management Services CIC	N	N/A
County Durham & Darlington	Vital Fire Solutions Ltd.	Y(3)	None
Devon & Somerset	Red One Ltd.	Y (2)	£6,305
Essex ¹	EFA (Trading) Ltd.	N	N/A
Hampshire	3SFire Ltd.	N	N/A
Humberside	HFR Solutions CIC	N	N/A
London Fire Commissioner ² (Met)	London Fire Brigade Enterprises Ltd.	N	N/A
Mid & West Wales	Rescue 365 CIC	<i>Dissolved 13 October 2020</i>	
Norfolk County Council	Norfolk Safety CIC	Y(1)	N
Nottinghamshire	Nottinghamshire Fire Safety Ltd.	N	N/A
Royal Berkshire	Royal Berkshire Fire & Rescue (Training) Ltd.	N	N/A
Shropshire & Wrekin	Shropshire Risk Management Services Ltd.	<i>Dissolved 6 October 2020</i>	
South Yorkshire (Met)	South Yorkshire Fire & Rescue Safety Solutions Ltd.	<i>Dissolved 23 April 2019</i>	
Stoke-on-Trent & Staffordshire ³	Safer Communities CIC	N	N/A
Tyne & Wear (Met)	Impeller Assurance & Resilience Ltd.	<i>Currently in liquidation</i>	

¹ no Authority - governed by Police & Fire Commissioner

² no Authority – governed by London Fire Commissioner

³ no Authority – governed by Police & Fire Commissioner

Sources

- A. “Creating and Operating a Successful Fire Trading Company” published February 2019 by Grant Thornton, the National Fire Chiefs Council, Trowers & Hamlins and the Fire Industry Association.
- B. Companies House website and individual fire and rescue authority websites.
- C. Approved Scheme of Members Allowances’, individual fire and rescue authority websites.

DEVON & SOMERSET FIRE & RESCUE AUTHORITY

16 December 2020

AGENDA ITEM 10 – EXCLUSION OF THE PRESS AN PUBLIC

RECOMMENDATION that, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public (with the exception of those representatives of the Board of Red One Ltd.) be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph of Part 1 of Schedule 12A (as amended) to the Act, namely information relating to the financial and business affairs of any particular person – including the authority holding that information.

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