

## Cambridgeshire and Peterborough Fire Authority: Minutes

Date: 4<sup>th</sup> November 2021

Time: 2:25 – 3.50pm

Venue: New Shire Hall, Alconbury Weald

Present: Cambridgeshire County Council:

Councillors: S Bywater, H Cox Condron, I Gardener, B Goodliffe, J Gowing, S Kindersley, P McDonald, M McGuire, E Murphy (Chair), K Reynolds, P Slatter, M Smith and S Taylor

Peterborough City Council:

Councillors: A Bond, M Jamil (Vice Chair), D Over and S Warren

Officers Present: C Strickland, M Warren, J Anderson, S Ismail and D Cave; C Doody

### 9. Apologies for absence and declarations of Interest

There were no apologies for absence or any declarations of interest.

### 10. Minutes of the Fire Authority meeting held 23<sup>rd</sup> June 2021

The minutes of the Fire Authority meeting held 23<sup>rd</sup> June 2021 were agreed as a correct record.

### 11. Chair's announcements

Appended.

A Member extended his thanks to the Chief Fire Officer and his colleagues for the Member seminar held earlier in the day. He particularly enjoyed the virtual tour of Gamlingay Fire Station. The Chair supported these comments.

### 12. Cambridgeshire and Peterborough Fire Authority – Audit Progress Report 2020-21

Rachel Brittain and Matthew Weller of BDO presented the Audit Progress Report for 2020-21. It was noted that the Audit Plan had been presented to the Overview and Scrutiny Committee in July, where the challenges with the delivery of the audit to date had been discussed, including the broader concerns relating to external audit in the public sector. The BDO representatives outlined the processes to date and those actions outstanding.

## Members noted:

- that materiality levels had not been reassessed since the audit planning report issued to Overview and Scrutiny Committee in July, but final materiality reflected gross expenditure reported in the draft financial statements presented for audit;
- the four most significant risks, specifically management override of controls, expenditure cut-off, valuation of non-current assets and valuation of pension liability. No significant issues had been identified in any of these areas of audit risk, but testing was still ongoing. With regard to valuation of non-current assets, the Fire Authority had engaged an external valuer to value all of its land and buildings as at 31 March 2021. The valuer had confirmed that there had been a material movement in valuation, and a net revaluation gain had been recognised in respect of this;
- with regard to the LGPS Pension Fund, this had been audited by the County Council's auditors, who had reported a number of misstatements. The Pension Fund had received an actuarial valuation as at 31 December 2020, and in the following three months (at 31 March 2021), there was an estimated increase in the value of this asset of £441,000. An unadjusted audit difference had been raised for this amount;
- in terms of the McCloud liability, the auditors estimated the maximum potential impact on the Firefighters' pension fund was £76,000, and negligible for the LGPS;
- the auditors' conclusions that the Fire Authority would remain a going concern for a period of at least 12 months, despite the additional challenges created by the pandemic;
- the detail of the eight unadjusted audit differences identified by the audit work to date;
- that there were no new recommendations resulting from the audit, although there were three brought forward from the previous audit (2019/20), which related to the net pension liability, generic user IDs used to post journals, and the need for Members to complete related party declaration forms before leaving the Authority. Officers were committed to ensuring that all actions were completed.

Commenting on the report, the Deputy Chief Executive highlighted that to put the actuarial valuation in context, the value of the Pensions Fund was over £300M. The variation in valuation reflected the differing valuation dates used by the two entities. He further advised that more broadly, there had been a notable turnover in finance staff during the period, and in view of this, pleasing progress had been made with the audit.

## Arising from the report:

- a Member observed that there appeared to be a lot of variances. Officers agreed, but commented that it was not uncommon to have such a list of unadjusted misstatements for an audit – the key issue was materiality, and even the seemingly large sums were not material e.g. the pension differences were in the context of

significant value of the Firefighter Pension Scheme. However, the auditors always strove to present the most accurate figures possible;

- Members noted that the final Statement of Accounts would be considered by the Policy & Resources Committee in December. Those statements, would be circulated to all FA Members when they were available;
- that the Fire Authority would receive an update on McCloud and Sargeant once these cases had been concluded, and the exact implications for the Fire Service were known in terms of a remedy.

Councillor Kindersley, speaking as Chair of Overview & Scrutiny Committee, reassured Members that that the Committee had thoroughly explored the issues raised in the auditors' report, and were confident with the audit opinion on the Fire Authority's financial statements.

It was resolved unanimously to:

Note the report.

*The following two items were considered out of sequence:*

### 13. Fire Authority Annual Report and Statement of Assurance 2020-21

Members of the Fire Authority considered the draft Annual Report and Statement of Assurance for 2020/21.

The Deputy Chief Executive highlighted that whilst the report covered the period of the pandemic and the restrictions on activity that had entailed, much had been achieved within the period, including the introduction of the new handheld radios and new turntable ladders, and continued community engagement, including the Firebreak programme restarting. The Fire Service also continued to engage with all staff on issues such as menopause, mental health and diversity, and develop and encourage all staff to reach their potential.

The Chief Fire Officer highlighted that in the last ten years, a number of operational staff had benefitted from leadership development at CFRS, and many had gone on to senior roles elsewhere, demonstrating the quality of staff within the organisation. Those individuals had been replaced with similar high quality members of staff who were being developed within the Service.

It was confirmed that the document would be subject to full proofreading prior to publication.

It was resolved to:

agree the draft Annual Report and Statement of Assurance 2020/21, attached at Appendix 1 to the report, subject to the additions highlighted in Paragraph 4.4 of the report.

## 14. Draft Annual Governance Statement 2020-21

The Fire Authority considered the draft Annual Governance Statement. In terms of significant findings, the new fire station and training centre at Huntingdon needed to be kept under continuous review, along with other property issues e.g. St Neots and the Police, and ongoing consultations e.g. the White Paper review of Fire and Rescue Services.

It was noted that the Governance Statement had been considered by the Overview and Scrutiny Committee. Speaking as Chair of that Committee, Councillor Kindersley welcomed the report.

A Member asked if there was any scenario whereby the government could stop the current project to relocate Huntingdon Fire Station and Training Centre. The Deputy Chief Executive confirmed that the contract could not be stopped, as legal agreements had been entered into, and the finances had been committed.

It was resolved to:

approve the Annual Governance Statement, as set out at Appendix 1 to the report, for external publication.

## 15. Proposed changes to Fire Authority Constitutional documents

The Fire Authority considered a report proposing changes to key constitutional documents, namely the Terms of Reference of Committees, a Statement of Delegated Responsibilities and the Standing Orders as to Meetings. The report also proposed that the remaining constitutional documents would be presented to the Fire Authority's February meeting. It was noted that there had been consultation and Member involvement prior to the meeting.

Presenting the report, the Monitoring Officer outlined the key drivers for the changes set out in the documents being considered.

In terms of delegations to the Chief Fire Officer, this was driven by the emerging national landscape, with the government and Home Office attempting to ensure operational independence for Chief Fire Officers.

The second driver related to the Standing Orders. As the political balance of the Fire Authority had changed, there had been a couple of meetings where numbers had been so close that the progress of the meetings had been frustrated as the Standing Orders lacked mechanisms to deal with this kind of situation. To address this, there were a number of changes which took the changed political balance into account and offered solutions to potential issues, thus ensuring all meetings could be effective. There were other minor changes, reflecting the latest best practice, ensuring that the governance framework was fit for purpose.

The overview document set out the purpose of the Fire Authority, and had been prepared in response to comments made following two consultation meetings with Members as well as an invitation to discuss any concerns over a period of weeks. It was noted that there were some inconsistencies in the Member information, especially in the photos, but these would be addressed prior to publication. A Member suggested that the document could include links to the Annual Report and other key documents,

setting out recent activities within the Service, and that these links should be kept updated. Action required.

Commenting on the suite of documents, Councillor Reynolds advised that the Conservative Group was disappointed that so much time and resource had been invested in what they regarded as such a low priority matter, given the challenges that the Fire Authority was facing. He pointed out that governance change was on the horizon nationally, and there was a risk that this work would need to be repeated. For these reasons, the Conservative Group did not feel able to support the suite of documents and would be abstaining from the vote.

A Member welcomed the revised Constitutional documents, as the existing documents had not been updated since 2015/16 and were totally outdated. Another Member supported these comments and noted that lack of clarity on a number of issues had led to issues at recent meetings.

The Monitoring Officer highlighted the main changes in the Terms of Reference of Committees. Currently, the Fire Authority appointed the Assistant Chief Fire Officer. The report proposed that whilst the Fire Authority continued to appoint the CFO, but again in line with the requirement that he has operational independence, the CFO in turn appoints the Chief Officer Group team. The Chief Fire Officer advised that this change was based on his recommendation, and he would ultimately be accountable for those decisions.

The second major change was the role of the Fire Authority in appeals. All staff currently had the right of appeal to a Committee of the Fire Authority. This was quite unusual, as for other public sector organisations, this was the responsibility of the senior officer team, and it was seen as appropriate for operational control to rest with the Chief Fire Officer. This was a material change which would necessitate consultation with representative bodies.

A number of other minor changes were noted, including:

- A change of wording from “Discipline Committee” to “Disciplinary and Grievance Committee”, and clarification of remit of that body, and the requirement for training;
- Policy Steering Group to be removed, as it had not met for a number of years, and its work was now covered by regular Member seminars.

The “Statement of Delegated Responsibilities” had been renamed “Scheme of Delegation”, and included urgency powers of Chairs, which had previously been understood but not formalised. The scheme of Delegation also absorbed the role of Treasurer within the Deputy Chief Executive’s role. The financial limits in this document had not changed but the procurement language had been modified to reflect current usage.

The changes to the Standing Orders included:

- gender neutral terminology e.g. “Chair”;
- the Chair would remain as Chair until their successor was appointed, with the existing Chair presiding over the election of Chair process at the Annual General Meeting. This was a positive step, providing continuity.

- in the case of a tied vote, the Chair had a casting vote. This was standard practice in the public sector. Alternatives had been explored but were not considered to be democratic e.g. the flip of a coin;
- Committee Chairs would be agreed at the Annual General Meeting, so that all 17 Fire Authority Members were party to those decisions;
- clarifications on the issue of recorded votes;
- changes to the process for monitoring Member attendance. Members were appointed by the two principal Councils, rather than being directly elected onto the Fire Authority, so it was seen as appropriate for any attendance issues to be taken by the principal authorities;
- some nominal changes to the Members' Allowance Scheme, which would be brought back to the next meeting of the Fire Authority.

Arising from the report:

- a Member asked what Member Allowances were based on, and whether this was subject to national guidance. The Monitoring Officer explained that local authorities determine Member Allowances through Independent Review Panels. Historically, the Fire Authority had 'piggybacked' on the County Council's Independent Review Panel, but there was a case for the Fire Authority to have its own Independent Review Panel in future, looking specifically at benchmarking against other Fire Authorities, local circumstances, etc. The Monitoring Officer agreed that it would be helpful to have more detail about the Independent Review process and agreed to update the document accordingly. **Action required.** The Chair stressed that the Fire Authority was not looking to increase Member Allowances;
- in response to a Member question, it was confirmed that if the outgoing Chair was no longer a Councillor, the Vice Chair would need to preside over the election of Chair item at the Annual General Meeting. It was noted that it was a fundamental qualification for Fire Authority Members to be Councillors of one of the two principal authorities.

The Chair thanked the Monitoring Officer and all those involved in developing the suite of Constitutional documents, and to Members for their input on these issues.

It was resolved, by a majority, to:

- a. consider and approve the document entitled Overview of Cambridgeshire and Peterborough Fire Authority at Appendix 1, to become part of the Fire Authority's Constitutional documents,
- b. provide views and comments on Appendices 3 and 5, namely the proposed changes to the Terms of Reference and Scheme of Delegation,
- c. authorise the Chief Fire Officer to consult with the representative bodies on Appendices 3 and 5 and to report the consultation findings to the next meeting of the Authority,

- d. receive a further report from the Monitoring Officer at its next meeting on 10 February 2022 to include any proposed changes to Appendices 3 and 5 following the above mentioned consultation,
- e. approve changes to Appendix 6, namely Standing Orders as to Meetings,
- f. approve the wording changes to the Members' Allowances Scheme,
- g. receive a report on 10 February 2022 from the Monitoring Officer on the remaining Constitutional documents, namely the Code of Corporate Governance, the Members Code of Conduct, the Member-Officer Protocol and the Members' Allowances Scheme.

## 16. Firefighter Pensions Update

Members considered a report on the latest position relating to immediate detriment and the Firefighters Pension Scheme (FPS), including a change to the recommended position.

The Deputy Chief Executive explained that this was ongoing issue. Transitional arrangements were in place, but these arrangements had been challenged. A Tribunal decision in 2018 had deemed that these transitional changes were not appropriate. Since that time, Officers had been waiting for guidance from the government on how to deal with these provisions for those people who had retired. It was an extremely complicated issue, as there were a number of calculations to be made e.g. tax benefits for pension deductions, different contribution rates that needed to be retrospectively applied, etc. Partly due to the complexity, the decision had been taken to wait until there was proper guidance from government.

The situation had recently moved on, and there was now an agreement between the Local Government Association (LGA) and the Fire Brigades Union (FBU) that if the Service proceeds to make these payments through the pension administrator, West Yorkshire Fire and Rescue Service, and it transpired that they were incorrect, there would be no challenge to CFRS.

A Member asked what would happen if a member of staff was paid too much, i.e. would the Service attempt to retrieve the overpaid amount. Officers advised that the Service had a duty to retrieve public money and whilst it was hoped this scenario would not occur, if a material mistake was made, attempts would be made to retrieve the amount albeit over the same time period the overpayments had been made.

It was resolved unanimously to:

- 1. note the latest position with regards to immediate detriment;
- 2. approve the Fire and Rescue Authorities (FRA) Scheme Managers revised approach to immediate detriment (Paragraph 4.9 of the report).

## 17. National Fire Chiefs Council (NFCC) Core Code of Ethics for Fire and Rescue Services – Revised Code of Conduct for Employees

The Fire Authority considered an update on the launch of the NFCC's Core Code of Ethics for Fire and Rescue Services ('Core Code') and the gap analysis work of the Core Code undertaken against the Authority's existing relevant policies and corporate documents. A draft revised Code of Conduct for Employees was also presented which ensured explicit reference and alignment to the principles of the NFCC's Core Code.

The Chief Fire Officer explained that Sir Tom Windsor had recommended in his "State of Fire" report that there should be a Core Code of Ethics. The Service's codes had been built up over years, through Values and Behaviours, in collaboration with staff, so on an organisational level, the Service was well placed. A gap analysis against existing corporate policies and documents, behavioural frameworks, values and cultural approaches had been carried out, to ascertain whether there were any significant gaps within current documents. The conclusion was that there were no significant gaps but a small number of opportunities to enhance current policies and documents were noted.

Arising from the report:

- A Member commented that this was an intelligent approach to ensuring that the Core Code of Ethics matched existing agreements, and therefore staff buy-in;
- It was noted that Staff Values were displayed all around Service properties;
- Noting comments in early items that a number of senior operational staff had moved on to other organisation, a Member stressed the importance of having positive role models within the Service.

It was resolved unanimously to:

- a. note the contents of this report and of the gap analysis undertaken (Appendix 1 of the report);
- b. endorse the implementation by the Chief Fire Officer of the revisions made to the Code of Conduct for Employees, which ensures explicit reference and alignment to the NFCC's Core Code.

## 18. Equality and Inclusion Compliance Report 2020-21

Members considered a report which set out progress with equality and inclusion in the year 2020/21, including the gender pay gap as at March 2021. The purpose of the annual Equality and Inclusion Compliance Report was to ensure the Authority met the requirements of the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2011 and 2017. As with previous reports, it was noted that the period covered was all during the pandemic.

Members noted:

- CFRS had one of the highest number of female employees compared to peer Services, and 61 of those women were in management roles. CFRS also had its first female Group Commander;
- no female colleagues who were on or had been on Maternity Leave during the period covered had left the Service;

- a series of listening sessions had been held following the death of George Floyd and the Black Lives Matter movement, to better understand the impact on colleagues and how the Service could further engage and support ethnic minority colleagues going forward;
- recruitment and promotion processes continue to be reviewed to provide equality of opportunity and remove any unnecessary barriers to people joining or progressing their careers within the Service. Examples were given of some of the positive changes that had been introduced;
- Fire Safety Business Seminars had been carried out online as a result of the pandemic.

Arising from the report, a Member commented favourably on the Firebreak programme, but noted that the reference to the Healthy School website should be updated to “Healthy Schools Cambridgeshire and Peterborough website”. She also advised that she had struggled to find details of the “Firebreak One” course on that website, and it was agreed that a link would be provided.<sup>1</sup>

The Chief Fire Officer commented that with regard to Firebreak, the programme had received a glowing endorsement from a local teacher, in terms of the improvements he had witnessed from pupils who had undertaken the programme, who were potentially going in the wrong direction. The programme clearly had a significant and lasting impact, and was very well received. He confirmed that there was a charge levied for the course, but only enough to cover costs.

A Member noted the reduction in disciplinary cases, from five in 2019/20, to none in 2020/21, which was very encouraging.

Speaking as Overview & Scrutiny Committee Chair, Councillor Kindersley commended the report, and asked Officers to give some thought to what they would like to see in next year’s report, i.e. any areas which could be improved further.

It was resolved unanimously to:

agree the content of the report (Appendix 1 to the report) or request any changes as deemed necessary. Once content is approved, the final design work and incorporation of appropriate images will be undertaken before publication.

## 19. Revenue and Capital Budget Monitoring Report 2021-22

The Fire Authority considered an update on revenue and capital spending as at 30 September 2021.

The budget for full-time firefighters was showing an overspend at present, including the pay award agreed with the Fire Brigades Union of 1.5%, which was applied from July 2021. The budget was being closely monitored and this overspend was expected to level off through the financial year. The Service had introduced control measures to monitor and manage overtime along with robust modelling of future recruitment to ensure control was exercised over this budget, whilst maintaining crewing levels at an

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<sup>1</sup> [Resources Archive - Healthy Schools \(healthyschoolscp.org.uk\)](https://www.healthyschoolscp.org.uk/)

appropriate level. In the short-term, the remaining operational reserve would be used this financial year to fund the overspend.

The supplies and services budget was showing an underspend, owing to the expenditure against specific ICT contracts that tend to be incurred later in the financial year. This budget was expected to be on target by the end of the financial year.

A Member queried the £34,176 variance on Fire Allowances. It was noted that this related to senior operational officers responding to the most serious incidents. The overspend in this area mainly related to needing to maintain operational structure during high levels of sickness.

In response to a question on the “*significant retrospective refund*” following the Business Rates review, it was noted that a one-off figure of around £200,000 was expected. Officers paid tribute to Maurice Moore, who had been tenacious in pursuing this full review as part of his property role.

It was resolved to:

note the position on revenue and capital spending.

## 20. Relocation of Huntingdon Fire Station and Training Centre

The Fire Authority received an update on the relocation of the current community fire station and training centre site based in Huntingdon to a new site at St Johns Business Park, also in Huntingdon. The report also provided an update on progressing the sale of the current site.

The Fire Authority had previously approved an increase to the overall project budget, for additional costs relating to enhanced training facilities, sprinkler system and drainage works. Those additional costs were forecast to increase the budget to £10.71M, but the final contract sum approved was £10.88M. The additional cost related to further attenuation for car park drainage, generator costs and additional windows and cladding to satisfy planning conditions.

It was envisaged that further advice would be received on the development of the current Huntingdon site in January 2022, which would in turn give an indication on likely value.

It was resolved to note the progress made against the project to date.

## 21. Dates of Fire Authority meetings 2022-23

Members received a report proposing a schedule of Fire Authority meeting dates for 2022/23.

In response to a Member question, it was confirmed that dates were needed for Policy and Resources Committee in both December 2022 and January 2023, to consider the proposed budget both pre- and post-consultation.

It was resolved unanimously to agree the schedule of meetings for 2022/23.

## Appendix – Chair’s announcements

### **ANNUAL EXCELLENCE AWARDS CEREMONY**

In late September, at the Marriott Hotel in Huntingdon, around 100 guests celebrated the achievements of staff from across different areas of the organisation, highlighting outstanding accomplishments during the coronavirus pandemic and the commitment, dedication and professionalism of staff regularly going above and beyond to provide the best possible service to the people of Cambridgeshire.

Although I was only able to join the celebrations virtually, I would like to thank Councillor Jamil for attending in person on behalf of myself and the Authority and the senior management team for hosting such a successful event.

It is very important to the Authority and myself that we are able to recognise the achievements of our staff from across all the different areas of the Service. The passion, enthusiasm and professionalism shown by the winners, as well as the years of commitment shown by those receiving long service awards, is really inspiring. It shows me how devoted our staff and their families who support them are to providing a great public service.

### **CELEBRATING TEN YEARS OF COMBINED FIRE CONTROL**

Members may be aware that last month the Service marked the tenth anniversary since the country’s first combined fire control launched; our very own combined fire control! On 25 October 2011, the 999 call functions for Cambridgeshire and Suffolk fire and rescue services joined together to form the first collaboration of its kind, taking calls for both counties. Since coming together, call handlers have taken more than 177,000 emergency calls and sent around 178,000 fire engines to incidents.

Both Chief Fire Officers (Chris Strickland and Dan Fearn) have been very public about how incredibly proud they are of the 40 call handlers that work within the Huntingdon based facility recognising the calm, professional and often life-saving advice they give to the residents of both counties in their time of need whilst mobilising the appropriate assets to deal with the emergency. I would like to add, on behalf of the Authority, my own appreciation of the work done and continuing to be done 24/7 by the watches.

The project has clearly demonstrated what can be achieved in terms of collaboration and efficiency. By joining forces, this collaboration alone has saved each fire service over £4m over the last decade and the innovative approach has led the way for other services around the country to merge their own control functions.

### **FIREBREAK - UPDATE**

I am delighted to report that after 20 months, September saw the return of FireBreak.

For those not familiar with the term, FireBreak is a funded one week course for 12 individuals that can be tailored to support the needs of those attending. It is an intensive intervention based on four principles; resilience, healthy relationships, efficacy and aspirations. It provides a positive alternative learning setting for young people and is carried out within the structured and disciplined environment of the Service on an operational fire station, combining classroom based learning with practical activity. It offers a unique opportunity for participants to engage

with operational firefighters who, as positive role models, are given additional training to become FireBreak instructors. The course culminates at the end of the week with a pass out parade where participants demonstrate their practical achievements and are awarded their certification in front of invited guests and dignitaries\*.

At present the Service is running one course every three weeks to catch up following its absence whilst it wasn't safe to continue during the pandemic last year. The latest pass out parade was held on 22 October at March Fire Station and Officers attending reported how it never fails to impress them what young adults can achieve given the right environment and support.

I am really proud that CFRS can provide this scheme and would urge all Members to become familiar with it and support it wherever possible.

*\* FireBreak costs approximately £4500 per course and includes food (breakfast and lunch), specialist instruction, a year's support afterwards encouraging community engagement and two AQA awards in First Aid: Basic Life Support and Cardio Pulmonary Resuscitation (CPR) and Firefighting Skills and Active Citizenship. This is normally self-funded through schools or grant funding that can be available through other partners.*

***Another initiative that has returned recently is .....***

#### **BIKER DOWN**

Again, after almost two years, the Service has been able to restart its 'Biker Down' road safety information sessions. These expertly delivered sessions provide motorcyclists with essential information for what to do if they come across an accident involving another rider, including 'First Person on Scene' first aid training and general road craft. Again, I am proud that the Service can offer this potentially life-saving advice to the communities of Cambridgeshire.

***Finally, I would like to briefly mention .....***

#### **ST JOHN'S PARK, HUNTINGDON**

Early last month, the ground was broken on the multi-million pound project to build a modern, purpose-built training centre and new community fire station at St John's Park, north of Huntingdon by the Chief Fire Officer, myself and key colleagues involved with the project from the Service and contractors Artisan.

Members will know that we have been seeking to improve our operational training for many years and it's fantastic to see work begin on this development. The facility will offer effective, reliable and realistic training for all operational staff, as well as giving much needed capacity to enable the Service to train more firefighters more often than the current site allows.

***We will have an opportunity to discuss the project in more detail at agenda item 12.***