

MINUTES OF FIRE AND RESCUE AUTHORITY MEETING HELD ON 13 FEBRUARY 2024

Present: Councillors A Ali, J Burnett (Chair), G Coombes, R Goodchild, M Headley (Vice-Chair), M Hussain, S Owen, A Sultan and R Wenham

CFO A Hopkinson, DCFO C Bigland, T/ACFO J Tai, ACO G Chambers, T/AC JJ Pekszyk, Ms L Ehren and Mrs N Upton

23-24/FRA/52 Apologies

Apologies for absence were received from Councillors Gurney, S Hussain and Versallion.

Councillor Wenham joined the meeting remotely via Teams.

Apologies for lateness were received from Councillors Coombes and Sultan.

23-24/FRA/53 Declarations of Disclosable Pecuniary and Other Interests

There were no declarations of interest.

23-24/FRA/54 Communications

Correspondence from the Home Office

The Chief Fire Officer advised that the Service had recently received two letters from the Home Office, both of which would be circulated to Members for information.

The first, from the Minister of State for Crime, Policing and Fire, provided an update on the introduction of minimum service level regulations in the event of future industrial action and how this would be applied to control, emergency response and fire safety service provision. Further guidance had now been published and the Service was in the process of reviewing this and engaging with partners to produce detailed guidance on service levels locally.

The second letter, from Sarah Gawley, related to the requirement for fire and rescue services to produce productivity and efficiency plans for the next financial year by the end of March 2024.

In response to a question from the Chair, the Chief Fire Officer stated that it was his intention for this plan to be submitted to the next meeting of the Authority.

Forthcoming Member Development Events

The Chief Fire Officer reminded Members of the events being held on 29 February 2024 and 8 March 2024.

23-24/FRA/55 Minutes for 15 December 2023

Councillor Headley requested the following corrections in terms of the accuracy of the Minute recording the discussion on the Mid-Year Treasury Report (23-24/FRA/48):

- that the words “overborrowed position of the” be included before CFR in the sixth paragraph; and
- that the tense in the seventh paragraph be changed so that the sentence reads as “could not have been avoided” rather than “could not be avoided”.

RESOLVED:

That the Minutes of the meeting of the Fire and Rescue Authority held on 15 December 2023 be confirmed as a true record, subject to the amendments to Minute 23-24/FRA/48 (Mid-Year Treasury Report) as detailed above.

23-24/FRA/56 Public Participation

The Monitoring Officer read out five questions that had been submitted to the meeting in advance, as the individual putting the questions was unable to attend the meeting. The questions, and responses from the Chief Fire Officer, were as follows:

1. Brigade Managers are supposed to be strategic thinkers, their role is to set direction. Middle managers, and to a lesser extent, functional heads, are the ‘doers’ that implement change. This proposal would give Bedfordshire the highest ratio of Brigade Managers to employees of any of our family group and similar FRSs and twice the England average. It would also give us one Brigade Manager per 6.5 managers at Station Group or Area Manager level. The average for the rest of our family group and for England is 1 Brigade Manager per 15 Station Managers/Area Managers. Middle manager level is where our real capacity challenge lies. The proposal will reduce our ‘doer’ capacity by substituting 1 Area Manager for one ACFO at significant extra cost. Where will the work of that Area Manager go and how will this proposal increase our capacity to implement the changes necessary to address concerns raised by HMICFRS and our budget challenges?

The Chief Fire Officer responded: Operating within an increasingly complex and demanding environment, this Service faces unprecedented workloads driven by external mandates such as the Home Office reform programme, HMICFRS inspections and various public inquiries on top of our own internal transformational efforts.

Despite prudent financial management, the Service now confronts significant financial challenges, necessitating additional savings of £700k in 2025/26 and £650k in 2026/27 on top of drawdowns from the Authority's reserves of circa £1.8m and £1m in each of those years respectively. The recent HMICFRS inspection identified several areas requiring improvement, notably in the core functions of prevention, protection and emergency response, highlighting the urgent need for transformative change and robust strategic leadership.

Put simply, a year in, the Service is simply not making the progress needed, either in terms of scale or pace. If the Authority wishes to achieve its ambition of discharging all the identified areas for improvement before the next inspection anticipated in early 2025 then radical change is needed.

I disagree with the view that the capacity challenge lies at middle manager level. Indeed, we have employed over 30 additional 'doers' since I joined the Service in 2018.

I believe that we simply do not have currently sufficient capacity, capability or experience of leading transformational change at the strategic level. In order to engage staff at all levels, you need talent and experience at the strategic level to identify, co-ordinate and lead transformational change of the scale necessary to balance the budget in the medium term.

In response, a proposal to temporarily amend the principal officer team structure to appoint an additional Assistant Chief Fire Officer/Director (ACFO) is being presented. This initiative aims to bolster capacity, capability, and resilience within the strategic leadership team, crucial for addressing transformational change and succession planning needs.

Acknowledging inherent risks and potential resistance from the workforce, the proposal underscores the necessity of temporary strategic growth to meet evolving challenges. The imperative of delivering timely and impactful change, coupled with succession planning imperatives, outweighs the

challenges posed by the proposal.

In terms of redistributing the work of the existing Area Manager role, I have committed to engaging the leadership team in designing the structure under the proposed new principal officer team and this is planned once the FRA have voted on my proposal.

2. BFRS faces a growing budget deficit. To close this gap will require difficult decisions and it is unrealistic to expect that this will not involve reductions in front line posts. To deliver savings and efficiencies the Service will need to fully engage and involve staff at all levels and seek their contribution to developing solutions. How does the FRA expect to gain any public or staff buy-in going forwards if its first step is to create what will be perceived as more 'fat cat' top salary positions which will have to be paid for by cutting front line services?

3. We do not believe this proposal, which has been developed in isolation and without proper engagement, will pass the 'Daily Mail test'. How does the FRA intend to deal with the damaging publicity poor industrial relations and negative reaction of its workforce and HMICFRS that is likely to follow?

The Chief Fire Officer responded to questions 2 and 3 together. I fully acknowledge that it will be a hard sell convincing the workforce that temporary growth at the strategic level is necessary but this pales compared to the challenge of not delivering the scale and pace of change needed in the next 18-24 months and also the succession planning risks in the PO team that I have articulated previously. A full communications and engagement plan has been developed and will adopt a cascade approach initially with strategic and middle managers before extending to the wider workforce. Proactive and reactive media and stakeholder communications are also planned. The additional funding required is being drawn from the Authority's Transformation Investment fund not by cutting front line services.

4. We have been told by the Chief Fire Officer that he does not consider it possible to recruit suitable candidates for anticipated Area Commander vacancies. Curtailing opportunities for progression to Area Commander for three years is likely to result in our Group Commanders seeking opportunities in other FRS exacerbating succession planning challenges at a number of levels. There is a wide pool of internal and external staff that could apply for Area Commander vacancies. Our neighbouring FRS who experience similar turnover are not proposing taking such drastic actions. Why are we not taking more action to attract more Area Commander applications?

The Chief Fire Officer responded: To be clear, what I have said is that I do not have confidence that we can recruit sufficient numbers of suitable candidates for the anticipated Area Commander vacancies. The last 3 AM strategic promotion gateways, which were ran in quick succession and advertised nationally have only produced one eligible candidate who is currently temporary in role. We have invested heavily in attracting more area commander applications including employing a specialist recruitment.

consultancy for the last process to assist in searching out and engaging potential candidates. Like many public services, we have recruitment and retention challenges at all levels.

5. The proposal is for a substantive appointment of two ACFOs. The only way to reduce this head count would be by restricting future Principal Officer recruitment to internal candidates (contrary to our own policy and national framework). Vacancies at CFO or DCFO cannot

be guaranteed (there is no statutory requirement to retire at a set age). There is no guarantee that those appointed to ACFO will be suitable to progress to DCFO or CFO. How can the appointment of an additional ACFO be guaranteed to be time limited?

The Chief Fire Officer responded: It is true that nothing can be guaranteed. However, notwithstanding the extraordinary long tenure of my predecessor, CFO Paul Fuller, this Service has seen circa 5 substantive appointments at principal officer level in the last 5 years and 3 temporary appointments in that time. With the rate of turnover in leadership roles across the UK fire service, so I am confident we will see turnover at the PO level in the next 2 years, at which point the CFO is required to consult the Authority on the leadership team structure.

The Monitoring Officer advised that, as the questioner had not been able to attend the meeting, written responses should be provided.

23-24/FRA/57 Audit and Standards Committee 4 January 2024

The Authority received the Minutes of the Audit and Standards Committee held on 4 January 2024 for information.

RESOLVED:

That the Minutes of the meeting of the Audit and Standards Committee held on 4 January 2024 be received.

23-24/FRA/58 Executive Committee meeting 22 January 2024

The Chair introduced the non-confidential version of the Minutes of the meeting of the Executive Committee held on 22 January 2024.

In response to a comment from Councillor Owen on concerns raised at the meeting on the content of one of the reports, the Chief Fire Officer took full responsibility for what was presented to Members at Committee meetings and stated that he had not had time to check the contents of the action plan on that occasion. The issue had been addressed and a revised report was being submitted to the next meeting of the Executive Committee for its consideration.

RESOLVED:

That the Minutes of the meeting of the Executive Committee held on 22 January 2024 be received.

Cllr Sultan arrived 10:26

23-24/FRA/59 Home Office Response to the White Paper Consultation 'Reforming our Fire & Rescue Service'

Temporary Area Commander J Pekszyk, Head of Strategic Support and Asset Management, presented Members with an update on the Home Office response to the White Paper consultation on 'Reforming our Fire & Rescue Service'.

The White Paper covered three strands: people, professionalism and governance. The original consultation paper had been published on 18 May 2022, and received 290 responses. In addition to this, representatives from 32 different fire and rescue services had taken part in online workshops on professionalism facilitated by the Home Office.

In relation to people, the White Paper supported direct entry opportunities and the Home Office would work with the National Fire Chiefs Council to develop pilot schemes. It was hoped to give more power to Chief Fire Officers to make local level decisions about staffing and to engage in a review with all parties on the NJC pay negotiation machinery.

Proposals on the professionalism strand included in the White Paper included the creation of a College of Fire and Rescue, based on the College of Policing model, and the introduction of a Fire and Rescue Service Code of Ethics. These had both been supported by respondents to the consultation.

In terms of governance, the Government had expressed a commitment to supporting the introduction of a single point of accountability for fire and rescue services, be that through a directed elected Mayor or a Police and Crime Commissioner where co-terminosity allowed. This would not be mandated, but the process was being simplified and voluntary transfers would be encouraged.

The operational independence of Chief Fire Officers would also be supported.

The Temporary Area Commander reported that several proposals that had been included in the original consultation document would not now be progressed, including the introduction of a fire and rescue services oath, ring-fencing of operational budgets within fire and rescue services run by county and unitary councils and Chief Fire Officers having corporation sole status.

Whilst it was noted that the current Police and Crime Commissioner for Bedfordshire had not expressed a desire to assume responsibility for the fire and rescue service, there were both PCC elections in May 2024 and a General Election due by the end of the year, so the situation could change.

Cllr Coombes arrived 10:41

The Chair and other Members expressed concerns about the governance proposals in the White Paper, with the Chair expressing the view that these were disrespectful to fire and rescue authorities, who appeared to have no say in whether a transfer of responsibility for fire and

rescue services took place. Members also expressed the view that the current governance arrangements relating to the Police Service were inferior and that holding operational leaders to account was a crucial public safeguard.

The transparency and openness in which Service Officers presented Members with information was in direct contrast to the lack of transparency displayed by the Police and Crime Commissioner and his office.

RESOLVED:

That the contents of the report be noted.

23-24/FRA/60 The 2024/25 Revenue Budget, Capital Programme and Council Tax setting

The Assistant Chief Officer and Treasurer introduced his report on the 2024/25 Revenue Budget, Capital Programme and Council Tax setting process. This had been delayed due to the final local government settlement being announced on 5 February 2024. The formal NNDR 1 returns had also been received on that date and both of these figures had been included in the final report.

The Assistant Chief Officer reported that Members had been engaged throughout the budget preparation process, including at two specific Member Budget workshops, and the Lead Member had been consulted frequently on the development of the proposals that were now before the Authority for approval.

The Authority was being asked to approve a revenue budget requirement of £38.829 million, with a corresponding precept of £26.312 million and a Council Tax increase of 2.99%, or an increase of £3.27 on a Band D property, leading to a Band D charge of £112.72.

The Medium Term Revenue Plan, savings and efficiencies, Medium Term Financial Strategy, Reserves Strategy and the Treasurer's statement on the robustness of estimates and adequacy of reserves were set out as appendices to the report.

The Assistant Chief Officer reported that 703 responses had been received to the budget consultation, with 59% of respondents supporting a Council Tax increase of 2.99%.

The Medium Term Financial Strategy considered various scenarios relating to pay awards, referendum cap changes and other factors. The forecasts had been based on a 'hard reset' of business rates in 2026/27.

The Assistant Chief Officer drew Members' attention to paragraph 4 of the report, as it detailed the 'golden thread' linking the budget proposals to the Service's Community Risk Management Plan and the priorities set by the Authority.

The value of the Capital Programme was £1.149 million, and it was noted that there was no investment in fleet planned for 2024/25, as there was an order being placed for fire appliances in the current financial year.

The Assistant Chief Officer highlighted row 15 of the Medium Term Revenue Plan, setting out the future requirements for transformational savings of £700,000 in 2025/26 and £650,000 in 2026/27, as referred to earlier in the meeting.

Members discussed the scenario of a hard reset of business rates, as the view was expressed that this was unlikely and that transitional funding would be provided by the Government. The Assistant Chief Officer advised that this scenario was prudent given the information currently available.

The Government's decision to allow for a Council Tax increase of up to £5 for small district councils, but not for other precepting bodies such as this Authority, was noted.

The Chief Fire Officer, in light of the questions posed at the beginning of the meeting, advised that funding for an additional Principal Officer post was from row 8 of the budget (Transformation Investment/Initiatives).

He also requested that his thanks to the Assistant Chief Officer on the production of the budget in light of several vacancies in the finance team and other challenges, be recorded. This was echoed by Members of the Authority.

Councillor Headley, as the Lead Member for Finance, commented on the need to invest in transformation given the scale of the budget gap in 2025/26 and 2026/27 of £1.35 million. Investment was required to produce efficiency savings in future years.

In response to a request from Councillor Owen that a briefing note be produced for Members expanding on Councillor Headley's statement, Councillor Headley advised that this would be drafted and circulated to Members.

The recommendations relating to the revenue budget requirement of £39.829 million, with a corresponding precept of £26.312 million and a Council Tax increase of 2.99% were put to the meeting, as well as the associated recommendations, and the votes recorded thereon were as follows:

For the Recommendations (8) Councillors Ali, Burnett, Coombes, Goodchild, Headley, M Hussain, Owen and Sultan

Councillor Wenham also supported the budget proposals, although he could not vote as he was not physically present at the meeting.

Therefore, these recommendations were carried unanimously.

RESOLVED:

1. That it be determined for 2024/25 that:
 - a. A Revenue Budget requirement is set at £39.829m, met as indicated in paragraph 3.7 of this report.
 - b. In meeting this budget requirement, the Authority's Precept be set at £26.312m and that consequently, a council tax increase of 2.99% up to £112.72 per Band D equivalent property, calculated as shown in Paragraph 3.7 of this report.
 - c. In order to meet the Precept requirement, the Treasurer be authorised to issue Precepts in the necessary form to each of the Unitary Councils and for the amounts indicated in Paragraph 3.10 of this report.
2. That the Medium-Term Revenue Plan attached at Appendix 1 to the report and the 2024/25 savings and efficiencies detailed at Appendix 2 to the report be approved.
3. That the Medium-Term Capital Programme attached at Appendix 3 to the report be approved.
4. That the Medium-Term Financial Strategy attached at Appendix 4 to the report and the Reserves Strategy attached at Appendix 5 to the report be approved.
5. That in considering the above recommendations, the Treasurer's statement on the robustness of estimates included in the budget and the adequacy of the reserves for which the budget provides, attached at Appendix 6 to the report be noted.

23-24/FRA/61 Localism Act 2011 - Pay Policy Statement 2023

The Temporary Assistant Chief Fire Officer presented the annual pay policy statement and its constituent parts as required by the Localism Act 2011. The pay multiple reported was based on the period between 1 April 2022 to 31 March 2023.

The pay multiple for the reporting period was 1:7.34. This compared to a local government average of 1:9.31.

RESOLVED:

That the submitted proposed pay policy statement for 2024/25 be approved.

23-24/FRA/62 Serious Violence Duty

The Deputy Chief Fire Officer provided Members with a high-level brief on the Serious Violence Duty (SVD) and how the Service was supporting the delivery of positive outcomes for the people of Bedfordshire across the partnership. Current service activity supporting the duty was set out in section 3 of the report.

The Deputy Chief Fire Officer advised that the Service was working with the Office of the Police and Crime Commissioner on a funding bid to deliver an early intervention programme, Fire Break, that had previously been run successfully in the past. Fire Break as a week long programme based on fire skills to help develop young peoples' life skills and discourage individuals, who were at risk of disengaging from education, employment or training or becoming involved in criminal activity from poor decision making and exposure to harm.

In response to a question, the Deputy Chief Fire Officer advised that the indicators of harm were based on the World Health Organisation definition.

RESOLVED:

That the contents of the report be noted.

23-24/FRA/63 Calendar of Meetings for 2024/25

Members received the calendar of meetings for 2024/25 for approval.

Councillor Headley requested that the Member Development/Budget Workshop planned for 27 November 2024 be rearranged as there was a meeting of Bedford Borough Council's Full Council that evening, and the workshop could sometimes run late into the afternoon, making it difficult for Members representing Bedford Borough to travel back to Bedford in time.

The Chief Fire Officer advised that a change of date, or change of venue, could be considered for that event.

RESOLVED:

That the provisional calendar of dates for meetings of the Fire and Rescue Authority and its associated Committees for the forthcoming year be approved, subject to consideration being given to a change of date or venue for the Member Development/Budget Workshop scheduled for 27 November 2024.

23-24/FRA/64 Work Programme

The Authority received its updated work programme.

The Chief Fire Officer advised that, in accordance with comments made earlier in the meeting, the draft productivity and efficiency plan would be added to the work programme for the next meeting of the full Authority.

In relation to minimum service levels, this would be discussed with Members at the workshop on 8 March 2024 with a view to submitting a report to the meeting of the full Authority, although this may not be prepared in time for the March meeting.

Councillor Owen referred to the work programme for the Executive Committee, noting that the Committee was due to receive an update on progress against the HMICFRS Action Plan but that this was not included in the work programme for the full Authority.

The Chief Fire Officer reminded Members that the Executive Committee had been delegated authority to oversee progress against the action plan on behalf of the full Authority and that these discussions would be reported to the full Authority via the Minutes of those meetings.

Given the importance of the issue, the Chair agreed that the full Authority would also be provided with an update on progress.

RESOLVED:

That the work programme for 2023-24 and the 'cyclical' Agenda Items for each meeting in 2023-24 be noted.

23-24/FRA/65 Executive Committee Meeting 5 January 2024

RESOLVED:

That, pursuant to Sections 100A(2) and 100A(4) of the Local Government Act 1972, the public be excluded from the discussion of the following item on the grounds that the matters to be discussed involve the likely disclosure of exempt information as defined in Paragraph 1-3 of Part 1 of Schedule 12A to the Act (as amended):

Items

23-24/FRA65 Executive Committee meeting minutes 5 January 2024

and

23-24/FRA66 ACFO Recruitment and Succession Planning

The meeting ended at 12.38 pm