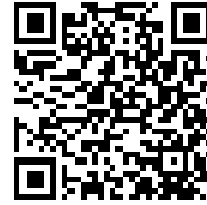


To: All Members of the Authority



The Protocol and Procedure for visitors attending meetings of Merseyside Fire and Rescue Authority can be found by clicking [here](#) or on the Authority's website:
<http://www.merseyfire.gov.uk> - About Us > Fire Authority.

**J. Henshaw
LLB (Hons)
Clerk to the Authority**

Tel: 0151 296 4000
Extn: 4113 Kelly Kellaway

Your ref:

Our ref HP/NP

Date: 4 April 2018

Dear Sir/Madam,

You are invited to attend a meeting of the **AUTHORITY** to be held at **1.00 pm** on **THURSDAY, 12TH APRIL, 2018** in the Liverpool Suite at Merseyside Fire and Rescue Service Headquarters, Bridle Road, Bootle.

Yours faithfully,

Clerk to the Authority

Encl.

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MERSEYSIDE FIRE AND RESCUE AUTHORITY

AUTHORITY

12 APRIL 2018

AGENDA

1. Preliminary Matters

The Authority is requested to consider the identification of:

- a) declarations of interest by individual Members in relation to any item of business on the Agenda
- b) any additional items of business which the Chair has determined should be considered as matters of urgency; and
- c) The following items of business required the exclusion of the press and public during consideration thereof, due to the possible disclosure of exempt information:
 - Agenda item 5 – “Confidential Report” contains Exempt information by virtue of Paragraph(s) 1, 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

2. Minutes of the Previous Meeting (Pages 5 - 14)

The Minutes of the previous meeting of the Authority, held on 14th December 2017, are submitted for approval as a correct record and for signature by the Chair.

3. Information Governance and Security Policy (Pages 15 - 26)

To consider report CFO/022/18 of the Chief Fire Officer, concerning the implications of the introduction of the General Data Protection Regulation on 25th May 2018 and request that Members consider and approve the Authority’s Information Governance and Security Policy (Appendix A), which has been revised to reflect this legislative change.

4. Multi Agency Hoarding Protocol Progress Report (Pages 27 - 30)

To consider report CFO/015/18 of the Chief Fire Officer, the progress made in relation to the Multi-Agency Hoarding and Self-Neglect Protocol (MHSP) developed following a double fatality at a fire in a single private dwelling where hoarding was identified as a contributory factor in relation to the loss of life.

5. **Part 2 EXEMPT minutes**

The Part 2 EXEMPT Minutes of the previous meeting, held on 14th December 2017, were approved as a correct record and signed accordingly by the Chair.

6. **Confidential Report**

To consider a confidential report, that will be provided to Members on the day.

This report contains EXEMPT information by virtue of Paragraph 1 and 2, of part 1 of Schedule 12A of the Local Government Act 1972

If any Members have queries, comments or require additional information relating to any item on the agenda please contact Committee Services and we will endeavour to provide the information you require for the meeting. Of course this does not affect the right of any Member to raise questions in the meeting itself but it may assist Members in their consideration of an item if additional information is available.

Refreshments

Any Members attending on Authority business straight from work or for long periods of time, and require a sandwich, please contact Democratic Services, prior to your arrival, for arrangements to be made.

MERSEYSIDE FIRE AND RESCUE AUTHORITY

14 DECEMBER 2017

MINUTES

Present: Cllr Dave Hanratty (Chair) Councillors Lynne Thompson, Sharon Sullivan, Lynne Clarke, Edna Finneran, Denise Allen, Sharon Connor, Joe De'Asha, Janet Grace, Brian Kenny, Les Byrom, Peter Brennan, Barbara Murray, Lesley Rennie, James Roberts and Jane Kennedy (PCC)

Also Present:

Apologies of absence were received from: Cllr Chris Meaden, Cllr Jean Stapleton and Cllr Paul Tweed

13. CHAIR'S ANNOUNCEMENT

Prior to the start of the meeting, information regarding general housekeeping was provided by the Chair to all in attendance.

The Chair confirmed to all present that the proceedings of the meeting would be filmed and requested that any members of the public present who objected to being filmed, make themselves known.

No members of the public voiced any objection therefore the meeting was declared open and recording commenced.

The Chair of the Authority reminded Members that there would be a presentation following the meeting concerning MFRA's response to the Grenfell Tower incident; and requested Members attendance.

The Chair of the Authority then welcomed the Police & Crime Commissioner for Merseyside, to her first meeting as a full Member of MFRA; and commented that her knowledge and experience would undoubtedly be beneficial to the Authority.

Members commented on the recent MFRA Carol Service and requested that their thanks and appreciation be placed on record to all those involved in its planning and delivery.

1. Preliminary Matters

The Authority considered the identification of any declarations of interest, matters of urgency or items that would require the exclusion of the press and public due to the disclosure of exempt information.

Resolved that:

- a) no declarations of interest were made by individual Members in relation to any item of business on the Agenda
- b) no additional items of business were determined by the Chair to be considered as matters of urgency; and
- c) The following items of business required the exclusion of the press and public during consideration thereof, due to the possible disclosure of exempt information:
 - Agenda item 11 – “PART 2 EXEMPT MINUTES” contains Exempt information by virtue of Paragraph(s) 3, 4 of Part 1 of Schedule 12A of the Local Government Act 1972.
 - Agenda item 12 – “ITHC Remedial Work Plan” contains Exempt information by virtue of Paragraph(s) 7, 7a of Part 1 of Schedule 12A of the Local Government Act 1972.

2. Minutes of the Previous Meeting

The Minutes of the previous meeting of the full Authority, held on 19th October 2017, were approved as a correct record and signed accordingly by the Chair.

3. STATEMENT OF ASSURANCE 2016-17

Members considered Report CFO/073/17 of the Chief Fire Officer, concerning the Authority’s Statement of Assurance 2016-17 for publication on the Authority website.

Members were provided with an overview of the report, which explained that the Statement of Assurance is a backwards looking document, covering the 2016/17 financial year. The document ensures that the Authority meets its requirement to provide assurance on financial, governance and operational matters and show how they have had due regard to the expectations set out in their Integrated Risk Management Plan.

Members were informed that the Foreword to the Statement of Assurance document sets out the financial context and backdrop of extreme budget cuts, to serve as a sense check to readers and explain why those severe cuts have had inevitable consequences.

Members commented on the number of typographical errors within the document within the section regarding financial performance. Members were assured that the errors were within information provided by the Authority’s Internal and External Auditors.

It was therefore requested that Officers raise the matter with Auditors, to request that they proof read their documents and make the necessary corrections.

Members resolved that:

the information contained within the Authority's draft Statement of Assurance 2016-17 report, be approved.

4. FINANCIAL REVIEW 2017/18 - APRIL TO SEPTEMBER

Members considered Report CFO/076/17 of the Chief Fire Officer, concerning a review of the financial position, revenue and capital, for the Authority for 2017/18, covering the period April to September 2017.

Members were provided with an overview of the report, which covers the revenue and capital position, reserves; and treasury management performance.

Members were advised that with regards to the implementation of budget savings, all savings options had been delivered as expected, with the exception of the firefighters pay award. It is anticipated that any award will be higher than the 1% budgeted for, in which case further permanent savings will be required. Members were informed that if the firefighters award is settled before the end of the financial year then any additional pay award above the budgeted 1% will be funded from the inflation reserve in 2017/18, however new permanent savings options will need to be identified during the 2018/19 budget setting process to fund the additional award on a permanent basis.

Members were informed of the potential £900k favourable revenue position identified within the report; and the recommendation that this be utilised to increase the smoothing reserve.

Members were also advised of amendments to the capital programme, which includes the work on the new Emergency Services Mobile Communications Programme (ESMCP), which is fully funded by Home Office grant. The Authority's investments have all been in line with its Treasury Management Strategy and no new loans had been taken out by the Authority during the period.

Questions were raised regarding the Authority's Treasury Management Strategy and investment in lower than AAA rated institutions. Members were assured that Liverpool City Council provide the Authority's Treasury Management and that although there is always an element of risk, investments are always made wisely, ensuring that security is paramount.

Further comments were made, highlighting that Liverpool City Council utilise B rated institutions for its own investments, and therefore MFRA are more prudent.

Members requested that a breakdown of the Authority's return on investment be provided and were advised that a thorough Treasury Management Report would

be taken to the Authority's Audit and Scrutiny Committee in February; and that this information would be incorporated within that report.

A further question was raised regarding the increase in the Bank of England base rate and whether this may have an impact on the Public Work Loans Board (PWLB) rates. Members were advised that future PWLB rates are likely to rise if interest rates are increased, however at present it was cheaper to use internal cash to invest, although there will be a point in time when new loans will be required. They were advised that officers would continue to monitor the situation and consider the overall cashflow position when determining when the Authority should look to take out new loans.

The PCC fully endorsed the way in which the Authority's finances were managed, however a question was raised regarding the Authority's level of reserves and how these are justified.

Members were advised that all the earmarked reserves had been established to meet existing or future planned spend, and as an example the capital reserve was being used to contribute to the station mergers initiative and avoid the Authority having to borrow to fund this significant capital investment. Assurance was provided to Members that all reserves could be justified and explained.

Further comments were made regarding the firefighter pay negotiations and how this highlights the uncertainties around the budget setting process.

Members also requested that their thanks be placed on record to the Treasurer and his staff for all their hard work.

Members resolved that:

- a) the potential £0.900m favourable revenue position identified within this report, be noted;
- b) the utilisation of the £0.900m favourable revenue position to increase the Smoothing Reserve in order to enable the Authority to have the time to identify permanent additional savings should future pay awards exceed the assumption in the current financial plan, be approved;
- c) the Treasurer be instructed to continue to work with budget managers to maximise savings in 2017/18;
- d) Further information be incorporated within the Treasury Management Report submitted to the next meeting of the Audit and Scrutiny Committee, providing a breakdown of the Authority's return on its investments.

**5. EQUALITY & DIVERSITY PLAN 2017-2020, FUNCTIONAL PRIORITIES
2017/18, 6 MONTH UPDATE**

Members considered Report CFO 067/17 of the Deputy Chief Fire Officer, concerning an update on the agreed Equality and Diversity (E& D) plan for 2017/18 together with an update on progress against the actions for the first 6 months of the year; and an update on the Equality Objectives for 2017/18.

Members were provided with an overview of the report, focussing on progress against the Equality and Diversity Action Plan and Equality Objectives. Members were informed of some of the exceptional work undertaken by staff and volunteers, such as work to tackle inequalities within the community, a targeted fire safety campaign in the run up to this year's Ramadan period, the joint development of Autism Attention Cards with Merseyside Police and the Authority's response to the Grenfell Tower incident.

Members were also advised that this year for the first time, MFRA has published data regarding the Gender Pay Gap. Its Engaging Diverse Business project has been successfully adopted and supported by the National Fire Chief's Council; and the wider use of community profiles across the service to help inform the planning process.

Members were informed that Appendix A captures the priority areas across each Function; and Appendix B highlights the Authority's Equality Objectives moving forward.

Members thanked officers for the excellent report, commenting that it highlights the breadth of work undertaken by MFRA. Comments were made regarding reassurance campaigns that Members have participated in; and the respect that the public have for MFRA, which enables our staff to access some of the most vulnerable people within our communities.

Members also commented on campaigns they had participated in led by other organisations, such as Age UK, through which many lonely, vulnerable people were identified; and queried how such information and the work MFRA do with other organisations, is fed into reports such as this.

Members were advised that MFRA is targeting its resources at individuals over the age of 65, mainly utilising health data. However referrals from other agencies are vital, with our Prevention Teams working closely with a range of partners, ensuring that as an organisation, MFRA are as effective as they have ever been.

Comments were made regarding the fantastic youth engagement work undertaken by MFRA, with particular mention to a Fire Cadet Unit within Merseyside, which is the only all Young Female Cadet unit in the Country.

Members resolved that:

- a) The content of the Equality and Diversity progress report be noted.

- b) The progress made in relation to the Authority's Equality Objectives, be noted.

6. IRMP Update and Planning Process for 2018/19

Members considered Report CFO/078/17 of the Deputy Chief Fire Officer, concerning the progress made so far in relation to the 2017/20 Integrated Risk Management Plan and the planning process and timetable for 2018/19.

Members were provided with an overview of the report, highlighting the timescales for the planning process for 2018/19, which commenced in November 2017 with the development of Functional Plans and Objectives, which will in turn inform the development of the Service Delivery Plan.

Members resolved that:

- a) the planning process and timetable for 2018/19, be noted;
- b) the publication of the IRMP update (Appendix A) on the website for a period of two months, as a method of informing stakeholders about progress and inviting comment to inform the planning process, be approved.

7. Variation to Fire Transformation Grant Funding

Members considered Report CFO/074/17 of the Deputy Chief Fire Officer, informing Members that the Home Office have agreed to a variation in the use of Fire Transformation Grant funding for the station merger programme.

Members were provided with an overview of the report, which explained that Fire Transformation Grant Funding was awarded to part fund the Station Mergers Programme. However due to the decision to close Allerton Fire Station outright, rather than pursue a merger within Liverpool; and the significant delays and increased costs associated with the other station mergers, the Home Office were informed and an updated Fire Transformation Grant Bid Calculator was completed and submitted.

Members were advised that the Home Office have subsequently responded and confirmed that they are happy with the variation in the use of the Fire Transformation Grant funding for the station merger programme.

Members resolved that:

The contents of the report, be noted.

8. PROPOSED FIRE STATION, SAUGHALL MASSIE, WIRRAL

Members considered report CFO/059/17 of the Deputy Chief Fire Officer, concerning approval to proceed with the scheme to build a new fire station on land at Saughall Massie Road, Saughall Massie, Wirral.

Members were provided with an overview of the report, which detailed the background information to the Saughall Massie fire station proposal.

Members were informed that an independent valuation of the land had been jointly commissioned by MFRA and Wirral Borough Council, with Wirral Borough Council's Cabinet approving the transfer of the land to MFRA on a 150 year lease at a peppercorn rent. It was confirmed that the decision by Wirral Borough Council's Cabinet had not been called in.

Members were advised on the next steps in the build programme, should the recommendations be approved, which includes initial site investigation, design and other preparatory works, which will take approximately 5 to 6 months, followed by a build period of approximately 12 months.

The estimated build costs, which includes costs incurred so far, were highlighted to Members.

It was also stressed that although the merger would not improve fire cover from that provided previously from Upton and West Kirby fire stations, as MFRA had been unable to crew West Kirby fire station for some time, with cover provided from Upton alone, the merger would greatly improve the current provision to West Wirral.

Questions were raised regarding the delays encountered with the project and whether those delays had led to additional costs to the Authority. Members were advised that although it is hard to quantify without undertaking a full breakdown, there had undoubtedly been extra costs incurred as a result of the delays, with a prudent estimate being £100k.

Further questions were raised regarding the archaeological settlement referred to during the planning process and Members were informed that this would be looked into during the site investigation works however at this juncture, there is nothing to indicate that one exists on the site.

Members commented that it has been a long, drawn out process, which has been extremely difficult and which has undoubtedly had financial consequences for MFRA. They also stressed that the only aim of MFRA is to ensure that the people of West Wirral receive a sufficient response.

Members requested that their thanks and appreciation be recorded to all officers involved in the process to date.

Members resolved that:

- a) the building of a new fire station on land at Saughall Massie Road, Saughall Massie, Wirral, be approved;
- b) the capital budget for the scheme in the sum of £4.8million be approved; and
- c) the drawdown of £600,000 from the capital investment reserve to fund the variant in capital cost from that in the approved capital programme, be approved.

9. DEFENCE EMPLOYER RECOGNITION SCHEME

Members considered Report CFO/077/17 of the Chief Fire Officer, concerning MFRA's active participation in supporting the Defence Employer Recognition Scheme.

Members were provided with an overview of the report, which set out the details of the Defence Employer Recognition Scheme. They were advised that MFRA had been successful in achieving the Bronze Award previously, with Cllr Ian Francis (Armed Forces Champion for Liverpool City Council) kindly endorsing MFRA's subsequent application for the Silver Award, which MFRA were successful in achieving in November 2017.

Members were advised that officers had reviewed the criteria for achievement of the Gold Award; and believe that MFRA can provide sufficient evidence to demonstrate that they meet the required criteria. Therefore, Members are requested to approve and support a future application for the Gold Award.

Members expressed their support and thanked officers for their fantastic work in relation to this scheme.

Members resolved that:

- a) the successful receipt of the Silver Award, be noted.
- b) a future application for Gold Award Status, be supported.

10. REFORM OF MERSEYSIDE FIRE AND RESCUE AUTHORITY

Members considered Report CFO/075 of the Monitoring Officer, concerning the progress of the working group established to consider the detail of the proposed reforms to Merseyside Fire and Rescue Authority (MFRA).

Members were provided with an overview of the report, which outlined the progress of the working group and subsequent discussions between the Chair of the Authority, the Chief Fire Officer and the Metro Mayor, regarding future "tranches" of the devolution plans for Merseyside. As a result of those

discussions, Officers from MFRA and Merseyside Police have been asked to consider and provide options regarding the future governance of both organisations.

As a result of these developments, Members were advised of the recommendation of the Chair of the Authority, to suspend work on the reform of the Authority, until the outcome of those considerations is known.

The Chair of the Authority commented that there are lessons to be learnt from other areas in which responsibility for fire and rescue has already been devolved to a Metro Mayor. He therefore stated that it is important for the Authority to pause and ensure that it does everything it can, to make sure that when any governance change occurs, it is on the best possible terms for the future of the fire and rescue service, to ensure that it can continue to change lives as well as save lives.

Questions were raised regarding approximate timescales and Members were informed that the Chief Executive of Halton has requested that MFRA and Merseyside Police set out a proposed way forward for consideration.

The PCC advised that discussions have paused at present, pending consultation with the PCC of Cheshire; and commented that a governance model similar to that within Greater Manchester, would be difficult to achieve given the required boundary changes for Police and Fire, to incorporate Halton. Therefore, it is anticipated that any potential governance changes are likely to take some time to implement.

The PCC also commented that the savings associated with the proposed Authority reform, are significant; and suggested therefore that potential changes to the Authority continue to be considered and discussed in the meantime, in an effort to reduce the overall financial challenge to the Authority.

The Chair of the Authority concurred with the PCC in respect of the timescale issues as a result of boundary complexities and commented that there is a great deal of work to be undertaken to look into how a future governance model may look and what will be delivered. He commented that the budget setting process will commence in the New Year and that various options for additional savings will be considered throughout that process, to ensure that the Authority can deliver a balanced budget. He also highlighted some of the changes made to date with regards to the Authority and the subsequent savings that those changes have delivered.

Members resolved that:

- a) The current situation in relation to the Liverpool City Region (LCR) Combined Authority, be noted.
- b) The recommendation of the Chair of the Authority, that any reforms of MFRA are suspended until the position of the LCR Combined Authority on Police and Fire and Rescue Service governance is known, be noted.

11. Part 2 EXEMPT Minutes

The Part 2 EXEMPT Minutes of the previous meeting, held on 19th October 2017, were approved as a correct record and signed accordingly by the Chair.

12. ITHC Remedial Work Plan

This minute contains EXEMPT information by virtue of Paragraph 7, 7a of Part 1 of Schedule 12A of the Local Government Act 1972.

Close

Date of next meeting Thursday, 12 April 2018

Signed: _____

Date: _____

MERSEYSIDE FIRE AND RESCUE AUTHORITY			
MEETING OF THE:	AUTHORITY		
DATE:	12 APRIL 2018	REPORT NO:	CFO/022/18
PRESENTING OFFICER	CHIEF FIRE OFFICER		
RESPONSIBLE OFFICER:	DEB APPLETON	REPORT AUTHOR:	DEB APPLETON JANET HENSHAW
OFFICERS CONSULTED:	STRATEGIC MANAGEMENT GROUP		
TITLE OF REPORT:	GDPR UPDATE AND INFORMATION GOVERNANCE SECURITY POLICY		

APPENDICES:	APPENDIX A: INFORMATION GOVERNANCE AND SECURITY POLICY
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Purpose of Report

1. To inform Members of the implications of the introduction of the General Data Protection Regulation on 25th May 2018 and request that Members consider and approve the Authority's Information Governance and Security Policy (Appendix A), which has been revised to reflect this legislative change.

Recommendation

2. That Members;
 - a. Note the implications of the introduction of the General Data Protection Regulation and the actions being taken to prepare for implementation.
 - b. Approve the revised Information Governance and Security Policy.

Introduction and Background

General Data Protection regulation overview

3. On 25th May 2018 the General Data Protection Regulation (GDPR) will replace the Data Protection Act 1998 and will have an impact on the way in which MFRA processes personal data. The GDPR applies to processing carried out by organisations operating within the EU. It also applies to organisations outside the EU that offer goods or services to individuals in the EU and therefore will apply to the UK even after Brexit. The UK Government is also currently in the process of introducing a new Data Protection Act which is currently progressing through the parliamentary process.

4. The GDPR provides one set of rules for processing personal data across the European Union and this is intended to make it simpler for services and business.
5. The GDPR applies to ‘controllers’ **and** ‘processors’. The definitions are broadly the same as under the current Data Protection Act – i.e. the controller says how and why personal data is processed and the processor acts on the controller’s behalf. MFRA is the data controller for all the personal information it collects directly from individuals, but is also a data processor in relation to personal data that is shared with it by other organisations. Similarly, other organisations (such as software providers or partner organisations) act as data processors in relation to information for which MFRA is the data controller.
6. The GDPR places specific legal obligations on processors; for example, to maintain records of personal data and processing activities and there is significantly more legal liability if a processor is responsible for a breach of the GDPR. These obligations for processors are a new requirement under the GDPR. The Regulator (the Information Commissioner) will have authority to issue penalties equal to the greater of 10 million euros or 2% of the organisation’s gross revenue for breaches of record keeping, notification of breaches and privacy impact assessment breaches.
7. However, controllers are not relieved of their obligations where a processor is involved. The GDPR places further obligations on controllers to ensure their contracts with processors comply with the GDPR, only using those processors that provide “ sufficient guarantees to implement appropriate technical and organizational measures” to meet GDPR requirements and protect date subjects’ rights.
8. The major differences between the Data Protection Act 1998 and the GDPR are outlined below.

Key differences between the Data Protection Act 1998 and the General Data Protection Regulation

DPA(Data Protection Act) 1998	GDPR (General Data Protection Regulation)
The Data Protection Act was developed to give protection and lay down rules about how data about people can be used. The 1998 Act covers information or data stored on a computer or an organised paper filing system about living people.	EU General Data Protection Regulation (GDPR) in Europe, adopted in 2016, will be directly applicable starting on May 25, 2018, and will replace the DPA
Only applies the UK	Applies to the whole of the EU and also to any global company which holds data on EU citizens

Enforced by the Information Commissioner's Office (ICO)	Compliance will be monitored by a Supervisory Authority (SA) in each European country. In the UK this will be the Information Commissioner.
Under the current legislation there is no need for any business to have a dedicated Data Protection Officer (DPO)	A DPO will be mandatory for public sector organisations or any business or organisations with more than 250 employees. For MFRA the DPO will be the Monitoring Officer and Solicitor to the Authority.
There is no requirement for an organisation to remove all data they hold on an individual	An individual will have the right to request erasure of any data (including web records) with all information being permanently deleted (unless there is a legal reason for it to be retained)
Privacy Impact Assessment (PIA) are not a legal requirement under DPA but has always been 'championed' by the ICO	PIAs will be mandatory and must be carried out when there is a high risk to the freedoms of the individual. A PIA helps an organisation to ensure they meet an individual's expectation of privacy
Data collection does not necessarily require an opt-in under the current Data Protection Act	The need for consent underpins GDPR. Individuals must opt-in whenever required and there must be clear privacy notices. Those notices must be concise and transparent and consent must be able to be withdrawn at any time
Direction sets aims and requirements, implemented through national legislation	Regulation is binding for all member states
Personal data and sensitive personal data	In addition to existing categories of sensitive data, this now includes online identifiers, location data, and genetic/biometric data.
Breach notifications not mandatory for most organisations	Notification of a breach of the GDPR is mandatory and must be made within 72 hours to the Information Commissioner's Office.
Any person who has material damage as a result of a breach is entitled to claim compensation	Any person who has suffered material or non-material damage as a result of a breach is entitled to claim compensation.

Data protection governance is down to best endeavours	MFRA (as with other public sector organisations) must appoint a Data Protection Officer.
Maximum fine for a breach of the Data Protection Act is £500,000	Maximum fine 4% of annual turnover or Euro20M whichever is greater
Responsibility for compliance with the Act rests with the Data Controller	Responsibility rests with both the controller and processor with the controller being able to seek damages from the processor
Parental consent for minors not required	Parental consent for minors (under the age of 13) now required
Accountability is limited to controllers	Accountability fully explicit and applies to both processors and controllers
Subject access requests, £10 per transaction and information provided to the Data Subject within 40 days	Free of charge and information must be provided within 30 days
Data consent free given, specific and informed	Clear affirmation action not just freely given, specific and informed but also unambiguous, demonstrable and explicit for Special Categories of data) with the ability to be withdrawn later. Further, there should be no silence or opt out

Action taken to implement the GDPR

9. A project group that includes the Data Protection Officer, Senior Information Risk Owner (the Director of Strategy and Performance) and information governance, ICT, People and Organisational Development and Legal staff has been working for several months to prepare MFRA for the transition from the Data Protection act to the GDPR.
10. This group is carrying out a number of activities including the following:
 - Reviewing policies, procedures and Service Instructions
 - Compiling an information asset register – including reviewing the reasons why information is collected
 - Carrying out Privacy Impact Assessments
 - Preparing Privacy Notices
 - Providing advice and information about the changes to staff
 - Working with suppliers (data processors) to ensure they are prepared for GDPR.

11. The attached Information Governance and Security Policy is the Authority's foundation for this work and a revised version that reflects the requirements of GDPR is attached at Appendix A for Members consideration.

Equality and Diversity Implications

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

Staff Implications

13. The Data Protection Officer has carried out briefings with departmental teams and internal communications have been disseminated and are planned for the future to ensure that staff are aware of their obligations. A number of staff from all departments are involved with the review and updating of policies and procedures.

Legal Implications

14. The GDPR is an important piece of legislation that will have implications for many organisations across the EU. The Data Protection Bill which is currently in the House of Lords Committee stage will mirror much of the GDPR but will also provide some additional special categories of sensitive data and make other "derogations" from the GDPR.

Financial Implications & Value for Money

15. There are no financial implications arising from this report.
16. Because the Monitoring Officer and Solicitor to the Authority has taken on the role of Data Protection Officer this has negated the need to identify additional funds to recruit to this statutory post, which even as a part time post would have cost in the region of £16,000 per year. This arrangement will be reviewed after a year, to determine if combining the roles is the best approach.

Risk Management, Health & Safety, and Environmental Implications

17. As MFRA already has comprehensive policies and procedures in relation to Data Protection it is in a relatively good position in relation to mitigating the risks associated with the introduction of the new legislation. However, a significant amount of work has already been done and remains to be done.

Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters*

18. The work currently being carried out in relation to the GDPR will ensure that the Authority is compliant with the new legislation and that the personal data of staff and citizens is protected.

BACKGROUND PAPERS

CFO/111/11 If this report follows on from another, list the previous report(s)

GLOSSARY OF TERMS

- MFRA** Merseyside Fire and Rescue Authority is the physical and legal entity. When writing reports MFRA is the “object”.
- MFRS** Merseyside Fire and Rescue Service is the service provided by MFRA. When writing reports MFRS is the “action”
- E.G.** You are employed by the Authority (MFRA). The job you do forms part of the Service (MFRS) provided by the Authority (MFRA). If in doubt use MFRA.



“An Excellent Authority”

**Service Policy No. STRPOL09
Information Governance &
Security Policy**

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Document Control

Active date	Review date	Department	Author	Editor	Publisher
25 th May 2018	March 2019	Strategy & Performance	Julie Yare	Information Security Forum (ISF)	Jackie Sutton

Legislation

Title	
Data Protection Act 1998 GDPR 2018 Freedom of Information Act 2000 Protection of Freedoms Act 2012 Human Rights Act 1998	

Amendment History

Version	Date	Author	Reasons for Change
1	October 2013	Julie Yare	Combined Information Governance, Data Protection & Security Policy.
1.1	November 2014	Julie Yare	Extra Information inserted to note SI 0725 and 0433
1.2	July	Deb Appleton	Extra Si numbers added
1.3	September 2016	Julie Yare	Review and update
1.4	April 2017	Julie Yare	Review and update
1.5	October 2017	Julie Yare	Updated to reflect actions taken for GDPR.
1.6	March 2018	Deb Appleton	Annual Review and update for GDPR

Equalities Impact Assessment

Initial	Full	Date	Reviewed by	Comments
X		09.05.07		
JY	YES	July 2013	Wendy Kenyon	

Civil Contingencies Impact Assessment

Date	Reviewed by	Comments

Distribution List

Name	Position	I/R
		I
Senior Management Group		R

Sign-Off List

Name	Position
Senior Management Group	

Related Documents

Ref No.	Title	Author	Version & Date
SI 0435	Protection of Personal and Business Sensitive information	J. Yare	1.5
SI 0437	Freedom of Information Requests/Publication Scheme	J. Yare	1.3
SI 0725	Closed Circuit Television (CCTV) use Operated by MFRA	J. Crimmins	1.3
SI 0759	Destruction of Information Assets (including Protectively Marked Information)	J. Crimmins	2.3
SI 0687	Preparing and transferring records to storage in the Archive Store, Vesty building	J. Crimmins	3.2
ICTPOL03	Acceptable use policy	Bernie Kenny	
SI0730	Internet Access & Usage	Bernie Kenny	
SI0703	Email	Ed Franklin	
SI0699	Using Social Media	Deb Appleton	

Target audience

All MFS	x	Ops Crews		Fire safety		Community FS		Support Staff	
Principal off.		Senior off.		etc.		etc.		etc.	

Ownership

FOI exemption required?	Yes		URL	
	No	x	Reason	



"An Excellent Authority"

Information Governance & Security Policy

Service Policy No. STRPOL09

1. Policy Introduction and Background

Information and data are necessary for Merseyside Fire and Rescue Authority (MFRA) to comply with its statutory duties and to arrange and provide services for the citizens of Merseyside and visitors to the area.

All Members, employees, contract and temporary workers and volunteers have a responsibility to ensure that information and data are managed properly and are secure and safeguarded from inappropriate release, modification or misuse.

This includes the associated supporting technology.

Information Governance is the way in which we bring together all of the requirements and standards that apply to the handling of information on all media. This ensures that the organisation and individuals have information that is accurate, meets legal requirements, is dealt with efficiently and is secure. It satisfies the information security principles of Confidentiality, Integrity and Availability.

The Authority will process personal data in line with the requirements of the general Data Protection Regulation (GDPR) from 25th May 2018 and will take all steps necessary to ensure compliance with that Regulation. The GDPR requires public bodies to appoint a Data Protection Officer and this role is performed for Merseyside Fire and Rescue Authority by the Monitoring Officer and Solicitor to the Authority, Janet Henshaw.

2. Policy Explanation

The objective of this Information Governance, & Security Policy is to protect MFRA's information and data assets¹ from all threats, whether internal or external, deliberate or accidental, to ensure business continuity, minimise damage and maximise the Authority's ability to deliver services by bringing together all of the requirements, standards and best practice that apply to the handling of information. It has four fundamental aims:

- To support and promote the effective and appropriate use of information to deliver services;
- To encourage responsible staff to work closely together, preventing duplication of effort and enabling more efficient use of resources;
- To develop support arrangements and provide staff with appropriate tools and support to enable them to discharge their responsibilities to consistently high standards and to

¹ This includes data & information printed or written on paper, stored electronically, and transmitted by post or electronic means, stored on tape or video, spoken in conversation.

ensure statutory obligations are met;

- To enable the organisation to understand its own performance against its objectives.

Information Governance and security includes compliance with:

- The General Data Protection Regulation
- Freedom of Information Act 2000
- Protection of Freedoms Act 2012
- Environmental Information Regulations 2004

It encompasses:

- Information Sharing
- The Confidentiality Code of Practice
- Records Management
- Information Quality Assurance
- Information Security
- Information Governance Management
- Risk Management
- Protective Security

Scope

The scope of this Information Governance & Security Policy covers all MFRA information and data held in any format and in any location including that held and used by Partner Organisations delivering services on behalf of the MFRA.

Policy

It is the policy of MFRA to ensure that:

- Information and data are protected from the loss of confidentiality², integrity³ and availability⁴.
- Legislative and regulatory requirements are met⁵.
- Business continuity plans are produced, maintained and tested.
- Information security awareness training is made available to all employees and Members.
- All breaches of information and data security, actual or suspected, are reported as soon as possible to the Data Protection Officer (the Monitoring Officer and Solicitor to the Authority), and investigated by the Senior Information Risk Owner (SIRO); the Director of Strategy & Performance. The Data Protection Officer is required to report such breaches to the Information Commissioner within 72 hours.
- All Strategic Management Group members and heads of department are responsible for implementing the Information Governance & Security Policy within their respective business areas.
- It is the responsibility of each member, employee, contract and temporary workers and volunteers to adhere to this policy and associated Service Instructions.

² Confidentiality: ensuring that information is accessible only to authorised individuals.

³ Integrity: safeguarding the accuracy and completeness of information and processing methods.

⁴ Availability: ensuring that authorised users have access to relevant information when required.

⁵ Includes legislation such as the General Data Protection Regulation, Freedom of Information Act 2000 and the Computer Misuse Act 1990.

3. Policy Implementation

This Policy relates to the following Service Instructions and Policy.

SI 0435 Protecting Personal and Business Sensitive Information.

SI 0437 Freedom of Information requests and Publication Scheme

SI 0725 Closed Circuit Television (CCTV) use Operated by MFRA SI 0759 Destruction of Information Assets (including protectively marked document)

SI 0687 Preparing & Transferring Records to Storage in RM Archive Store Vesty Building.

SI 0829 Processing Vulnerable Person Data

SI 0433 Retention Schedule and applying retention periods to information.

ICTPOL03 Acceptable use policy

SI0703 Internet Access and Usage

SI0699 Using Social Media

SI0730 Email

SI0816 Protective Marking

SI 0818 Personnel Security

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MERSEYSIDE FIRE AND RESCUE AUTHORITY			
MEETING OF THE:	AUTHORITY		
DATE:	12TH APRIL 2018	REPORT NO:	CFO/015/18
PRESENTING OFFICER	CHIEF FIRE OFFICER		
RESPONSIBLE OFFICER:	AM GUY KEEN	REPORT AUTHOR:	KEVIN JOHNSON
OFFICERS CONSULTED:	GM MARK THOMAS; KEVIN JOHNSON		
TITLE OF REPORT:	MULTI-AGENCY HOARDING AND SELF-NEGLECT PROTOCOL PROGRESS REPORT		

APPENDICES:	
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Purpose of Report

1. To advise Members of the progress made in relation to the Multi-Agency Hoarding and Self-Neglect Protocol (MHSP) developed following a double fatality at a fire in a single private dwelling where hoarding was identified as a contributory factor in relation to the loss of life.

Recommendation

2. That Members;
 - a. Note the effective progress of the MHSP.
 - b. Note the significance of this progress in light of the double fatality fire incident and the consequential regulation 28 letter from the Coroner to the Secretary of State for the Home Office.
 - c. Note the intention to share the learning from this progress with safeguarding partners and the wider Fire and Rescue Service.
 - d. Note the recent success in obtaining a warrant of entry in order to conduct a hoarding intervention to safeguard vulnerable occupants.
 - e. Note the intention to write to the Liverpool and Wirral Coroner and Secretary of State for the Home Office to update them on the progress following their previous involvement.

Introduction and Background

3. Members will be aware of Report CFO/018/17 Regulation 28 Coroners Letter: Hoarding Fire Fatality that was directed to the Rt. Hon. Amber Rudd, Secretary of State for the Home Office by the Senior Coroner for Liverpool and Wirral following the double fatality at a fire in a single private dwelling where hoarding was identified as a contributory factor in relation to the loss of life.

4. Members will recall that following the incident which occurred on 23rd October 2016 at 268 Mather Avenue, Liverpool, the Coroner wrote to the Secretary of State for the Home Office requesting that she review the law and the powers afforded to Fire and Rescue Authorities to gain entry to single private dwellings in order to effect interventions to address fire safety risk to vulnerable occupants.
5. Members will also recall that the response of Rt. Hon. Amber Rudd made the following key points:
 - a. Current legislation does not address the risk of fire caused by the behaviour of occupants in domestic dwellings and that to do so would place an onerous and unjustifiable burden on individuals.
 - b. Where the behaviours of vulnerable people are challenging and complex a more holistic approach should be taken by all relevant agencies to safeguard the safety of these people;
 - c. Strongly supported the recommendation from Merseyside Fire and Rescue Authority (MFRA) to strengthen local partnerships in order to reduce the risk of such a tragedy from reoccurring.
6. Finally Members will recall that the report provided an update on the Safeguarding Adult Review Group proposing an MHSP. Whilst this was initially rejected it is now adopted in Liverpool and Sefton and as part of the Practice, Procedure and Process Sub-group which will be expanded to include Knowsley and Wirral.
7. As a consequence of the adoption in Liverpool, the MHSP has achieved its first landmark ruling through the granting of a warrant of entry into an owner occupied property in order to address a high risk hoarding safeguarding concern.
8. This safeguarding incident was brought to MFRA attention following North West Ambulance Service (NWAS) attendance at the property on 16th December 2017.
9. The occupier was found in the hallway with his son and daughter who refused paramedics access any further into the property stating that they live in squalor. The father at the occupancy was found to have an untreated 10 inch ulcerated wound and gangrene on his right leg. The son and daughter advised NWAS that their mother was bedbound on the first floor of the property. The property was in poor condition with high fire loading and hoarding throughout.
10. An emergency strategy meeting was convened at Cunard Building on 28th January 2018 as the occupier had been expected to pass away due to sepsis and other associated complications (which fortunately did not materialise). The family are owner occupiers and made it clear that despite this incident, they wanted no assistance and would not allow access to any agency.
11. Environmental Health made an application under the Housing Act to obtain a warrant of entry due to the hoarding and safeguarding concerns which were

bolstered by a submission from MFRA officers citing distinct similarities with the Mather Avenue incident.

12. On 6th February the warrant of entry was granted and on 7th February 2018 MFRA Officers attended the property and entered with Liverpool City Council Housing, Environmental Health Officers and Adult Social Care despite reluctance from the family.
13. During the intervention, significant high fire loading was moved in order to reduce fire risk and improve means of escape, and a number of additional smoke alarms were fitted in order to provide the occupants with early warning in the event of any fire.
14. This is an important case study as it demonstrates the effectiveness of the proposals made by MFRA and supported by the Secretary of State for the Home Office in overcoming obstacles where in the past serious fire risk from hoarding to vulnerable persons in owner occupier residences had been prevented due to occupier resistance to safeguarding interventions.
15. Officers within Community Risk Management will share the learning from this case study via professional networks with partners and Fire and Rescue Authorities, including:
 - a. A post on the National Fire Chiefs Council (NFCC) Communities of Practice; and
 - b. The case study to be presented to the next NFCC Home Safety Committee on 2nd May 2018.
16. The Deputy Chief Fire Officer will be writing to the Liverpool and Wirral Coroner and Secretary of State for the Home Office to update them on the progress following their previous involvement.

Equality and Diversity Implications

17. It is likely that a significant proportion of vulnerable hoarders will be older persons (though not exclusive to this group). There is no current intelligence to suggest that other groups with protected characteristics will be disproportionately affected by hoarding.
18. The main points of this report have been shared at Safeguarding Adult Boards and with key partners to disseminate internally. This is expected to improve the safety of vulnerable hoarders, their co-habitants and neighbours, therefore there are no envisaged detrimental impacts.

Staff Implications

19. Effective multi-agency working to reduce the incidents of hoarding will result in reduced risks for operational firefighters and other frontline staff by reducing the frequency and severity accidental dwelling fires where hoarding would otherwise have been a contributory factor.

Legal Implications

20. There are no legal implications that arise directly in relation to this report.

Financial Implications & Value for Money

21. There are no additional costs arising from this report.

Risk Management, Health & Safety, and Environmental Implications

22. Actions arising from this report will result in reduced risks for operational firefighters and the community.
23. Any specific actions arising from this report will be covered by existing Health and Safety policies and procedures. Where appropriate, this will involve dynamic and analytical risk assessments.

Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters*

24. This directly contributes to the Authority mission as it reduces high fire risk to vulnerable residents and assists in preventing a serious fire which would pose a significant risk to firefighters due to high fire loading and congestion affecting access and egress.

BACKGROUND PAPERS

CFO 018/17/ SMG report: Regulation 28 Coroners Letter: Hoarding Fire Fatality

GLOSSARY OF TERMS

MFRS	M erseyside F ire and R escue S ervice is the service provided by MFRA. When writing reports MFRS is the “action”
MHSP	M ulti- A gency H oarding and S elf- N eglect P rotocol
NFCC	N ational F ire C hief’s C ouncil.
NWAS	N orth W est A mbulance S ervice