

MERSEYSIDE FIRE AND RESCUE AUTHORITY

10TH JUNE 2021

MINUTES

Present: Cllr Leslie T. Byrom CBE (Chair) Councillors Pam Thomas, Lynnie Hinnigan, Sharon Connor, Kathy Hodson, Lynne Thompson, Janet Grace, Brian Kenny, Lesley Rennie, James Roberts, Elizabeth Hayden, Paul Tweed, Andrew Makinson, Gillian Wood, Lisa Preston and Edna Finneran

Also Present: Anthony Boyle

Apologies of absence were received from: Hughie Malone & Linda Maloney

8. 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 welcomed the new Fire Authority Members and gave thanks to the Members that had previously been part of the Fire Authority.

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.

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) Cllr Thomas declared an interest in relation to the Membership of the Authority 2021-22 on the Agenda. She announced that the Police and Crime Commissioner, Emily Spurrell, was her daughter-in-law. This information was noted by Members. Cllr Wood also declared that she is employed by the Liverpool City Region Growth Platform, an organisation which is to be considered as part of the report on the Appointment of Members to Outside Bodies. Cllr Wood was advised to not partake in any discussion or approval on that report (of which Cllr Wood did not).
- b) no additional items of business were determined by the Chair to be considered as matters of urgency; and

- c) no items of business required the exclusion of the press and public during consideration thereof because of the possibility of the disclosure of exempt information.

2. Minutes of the Previous Meeting

The Minutes of the previous meeting of the Authority, held on 20th May 2021, were approved as a correct record and signed accordingly by the Chair.

3. Election of Chair

Nominations were requested for the position of Chair of the Authority for the Municipal Year 2021/22.

Nominee:

- Cllr Les Byrom - nominated by Cllr Brian Kenny
- seconded by Cllr James Roberts

No further nominations were made; and this nomination was unanimously agreed.

Members resolved that:

Cllr Les Byrom be confirmed as the Chair of Merseyside Fire & Rescue Authority for the Municipal Year 2021/22, and preside over the remainder of the meeting.

4. Election of Vice-Chair

Nominations were requested for the positions of Vice-Chair of the Authority for the Municipal Year 2021/22.

Nominees:

- Cllr Brian Kenny and Cllr James Roberts - nominated by Cllr Les Byrom
- seconded by Cllr Jan Grace

No further nominations were made; and these nominations were unanimously agreed.

Members resolved that:

Cllrs Brian Kenny and James Roberts, be confirmed as the Vice- Chairs of Merseyside Fire & Rescue Authority for the Municipal Year 2021/22.

5. Membership of the Authority 2021-22

Members considered Report CFO/030/21 of the Acting Monitoring Officer, concerning the changes to the membership of the Authority for 2021/22.

Members were advised that the Police Crime & Commissioner (PCC) Emily Spurrell had requested to join the Authority Committee as per her powers under section 7 of the Policing and Crime Act 2017.

Members were happy to welcome the PCC onto the Authority.

Members Resolved that:

the content of the report, be noted;
the membership of the Authority further to the appointments by the five district councils, be noted; and
the appointment of the Police & Crime Commissioner (PCC) for Merseyside to the Authority, be approved.

6. Structure of the Authority 2021-22

Members considered Report CFO/031/21 of the Acting Monitoring Officer:

- (a) Informing Members of:
 - (i) the minimum legal structure of the Authority
 - (ii) the existing decision making structure of the Authority; and
 - (iii) optional variations to the existing structure
- (b) requesting that the Authority determines an appropriate decision making structure for 2021/22; and
- (c) requesting that arrangements are made for the appointment of Committees, the nomination of Chairs, the determination of the powers and duties of Committees, the appointment of Members to Committees; and Special Responsibility Roles.

Members were informed that the structure of the Authority has remained the same as last years.

Members were advised that since the elections there had been a change to the political balance of the Authority and the groups are now represented as follows: 14 Labour Members, 2 Liberal Democrat Members and 2 Conservative Members.

Members were told that the list of names for each Committee Membership had been completed by each political party and that the Democratic Services Department would supply all Members with this.

Members resolved that:

- a) The following decision making structure of the Authority and appointments to roles and Committees for 2020/21, be approved:-

Chair of Authority:
Vice-Chairs of the Authority

Cllr. Les Byrom
Cllr. Brian Kenny
Cllr. James Roberts

Labour Group Leader:

Cllr. Les Byrom

Liberal Democrat Opposition Spokesperson:

Cllr. Andrew Makinson

Conservative Opposition Spokesperson:

Cllr. Lesley Rennie

Committee	Members
Community Safety & Protection Committee 9 Members (7,1,1)	1 Cllr (Chair) Kenny 2 Cllr Finneran 3 Cllr Grace 4 Cllr Hinnigan 5 Cllr Maloney 6 Cllr Thomas 7 Cllr Tweed 8 Cllr Thompson 9.Cllr Hodson
Policy & Resources Committee 9 Members (7,1,1)	1 Cllr (Chair) Roberts 2 Cllr Byrom 3 Cllr Connor 4 Cllr Hayden 5 Cllr Malone 6 Cllr Preston 7 Cllr Wood 8. Cllr Makinson 9. Cllr Rennie
Audit Committee 5 Members (4,(1or1)) (Plus 1 Independent Person)	1 Cllr (Chair) Maloney 2 Cllr Finneran 3 Cllr Grace 4 Cllr Preston 5 Cllr Makinson
Scrutiny Committee 9 Members (7, 1, 1) (Plus 1 Independent Person)	1 Cllr (Joint Chair / Scrutiny Lead) Grace 2 Cllr (Joint Chair / Scrutiny Lead) Tweed 3 Cllr Connor 4 Cllr Finneran 5 Cllr Thomas 6 Cllr Preston 7 Cllr Wood 8 Cllr Makinson 9 Cllr Hodson

Appointments Committee (3,1,1) Made up of the Chair, Vice Chairs, and Opposition Spokespersons	1 Cllr (Chair) Byrom 2 Cllr Kenny 3 Cllr Roberts 4 Cllr Rennie 5 Cllr Thompson
Appeals Committee (3,1,1) Made up of the Chair, Vice Chairs, and Opposition Spokespersons	1 Cllr (Chair) Byrom 2 Cllr Kenny 3 Cllr Roberts 4 Cllr Hodson 5 Cllr Thompson
Joint Fire & Police Collaboration Committee 4 Members (3,(1or1)) (Plus PCC & DPCC)	1 Cllr (Chair) Byrom 2 Cllr (vice) Kenny 3 Cllr (vice) Roberts 4 Cllr Rennie

Member Development & Engagement Group (2,1,1)	1 Cllr (Chair) Finneran 2 Cllr Preston 3 Cllr Rennie 4 Cllr Thompson
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- b) Should Members be unable to attend a meeting they are appointed to, they are to arrange for an appropriate alternate Member to attend on their behalf, to ensure correct political balance; and inform Democratic Services of such representatives prior to the start of the relevant meeting.

7. **MFRA Report for Constitution 2021-22**

Members considered Report CFO/032/21 of the Acting Monitoring Officer, concerning the draft amended Constitution for Merseyside Fire and Rescue Authority (the Authority) for 2021/22.

Members were advised that there were minor amendments made to the Constitution, highlighting the change to Part 5 whereby the Code of Conduct for Members has been updated with the new model code which was approved by Members at the previous Authority meeting.

New Members to the Authority were informed that they will receive a copy of the Constitution for their own records and perusal and the existing Members were informed that they would receive the updated parts to add to their copies of the Constitution.

Members Resolved that:

- a) the draft amended Constitution for 2020/21, be approved;
- b) the Acting Monitoring Officer to the Authority, be instructed to keep the Constitution under review; and
- c) a further report be brought to the Authority, in the event of any relevant changes in legislation.

8. **Authority Meeting Dates for 2021-22 & 2022-23**

Members considered Report CFO/033/21 of the Acting Monitoring Officer, concerning the draft dates for Authority Committee meetings and events for 2021/22 and the draft provisional dates for 2022/23.

Members were informed that remote meetings had stopped taking place from May 2021 and face to face meetings were now taking place.

Members were advised that scheduled dates for Station Visits and Staff

Engagement Events were included in the calendars, however how these can be delivered, whether in person or remote, these will be dependent on any restrictions still in place due to the Covid 19 pandemic.

Members requested a miniature calendar of the committee dates and were informed that these would be produced for Members following today's meeting.

Members Resolved that:

- a) the schedule of meeting dates and events for 2021/21 (attached at Appendix A and provisionally agreed at the AGM on 11th June 2020), be approved.
- b) The draft provisional dates for 2022/23 (attached at Appendix B), be noted.

9. Members Allowance Payments 2020-21

Members considered Report CFO/029/21 of the Acting Monitoring Officer, concerning payments made to Members in the form of allowances, during the financial year 2020/21.

It was raised by Members that there was an error with regards to the Opposition Spokesperson Allowance in 2020/21, which should have been split 50/50 last year, until September 2020 when another Liberal Democrat Member joined the Authority.

Members were advised that this has been rectified and that due to that error (where the Conservative Opposition Spokesperson received the full allowance for 2020/21), it has been agreed that between the opposition parties that this year the Liberal Democrat Opposition Spokesperson will receive the full allowance.

Members Resolved that:

the information contained within the report and at Appendix A, be noted.

10. Scheme of Members Allowances 2021-22

Members considered Report CFO/034/21 of the Acting Monitoring Officer, concerning the current Scheme of Members' Allowances; and recommendations on any changes the Authority wishes to make to the Scheme.

Members were advised that as per the Budget Authority Meeting in February 2021, it was agreed that Members Allowances for 2020/21 would remain the same and not increase as per the Firefighters pay award.

Members were advised that if they have any considerations regarding next year's allowances (2022/23), that it would need to be raised before the Budget Authority Meeting in February 2022.

Members Resolved that:

- a) continuation with the current Members' Allowance Scheme, be confirmed;
- b) inflationary increases to the Authority's Scheme of Members' Allowance be noted as being aligned to the previous year's Firefighters' pay, however, the decision at the Authority's Budget meeting on 25th February 2021 to freeze all 2021/22 Members Allowances for the twelfth consecutive year, be noted;
- c) their intention to reject any pay increases in line with Firefighters' Pay Award for 2021/22, which would apply to 2022/23 allowances, be confirmed; and
- d) continuation of the combined roles of Co-opted Member and Independent Person, be confirmed, with the individual:
 - i. Being appointed to both the Audit Committee and Scrutiny Committee.
 - ii. Continuing to consider any complaints against Members, alleged to have breached the Members' Code of Conduct as "Independent Person" and serve on the Independent Panel in respect of Statutory Officers Disciplinary procedure;
 - iii. Being paid for conducting such roles following submission and verification of invoices, at a daily attendance rate of £50 (as and when required) as is the current case.

11. Questions on discharge of functions

Members considered Report CFO/035/21 of the Acting Monitoring Officer, concerning Member nominees from each of the five constituent District Councils as the Members responsible for answering questions in their Council on the discharge of the functions of the Authority.

Members Resolved that:

The following Members be appointed by the Authority as the Members responsible for answering questions in their respective Councils, on the discharge of the function of the Authority for 2020/21:

- Cllr Les Byrom Sefton Council
- Cllr James Roberts Liverpool City Council
- Cllr Edna Finneran Knowsley Council
- Cllr Brian Kenny Wirral Council
- Cllr Lisa Preston St. Helens Council

12. Appointment of Members to Outside Bodies

Members considered Report CFO/036/21 of the Acting Monitoring Officer, concerning the outside organisations to which it is currently affiliated; and to request where appropriate, confirmation of continuing affiliation for 2021/22 and the appointment of representatives to those organisations.

Members were advised that over the past 12 months due to the Covid 19 pandemic, that there had not been any meetings of the North West Employers Organisation or the North West Fire & Rescue Advisory Forum. Members were informed of the previous appointments to these Outside Bodies and told that they could re-nominate for these appointments if they wish when the meetings re-started.

Members were also advised that Liverpool City Region's "Liverpool Enterprise Platform", was now known as "Growth Platform".

Cllr Finneran was appointed to Merseyside's Community Safety Partnership.

Members Resolved that:

Continuation of affiliation with the following organisations and the appointment of the following Members to those organisations, be approved:

<u>Organisation</u>	<u>Representative Member</u>
Local Government Association Fire Services Commission	Cllrs Les Byrom, Brian Kenny & James Roberts
North West Employers Organisation	Cllr James Roberts
North West Fire and Rescue Advisory Forum	Cllrs Les Byrom and Lesley Rennie
Association of Metropolitan Fire & Rescue Authorities	Cllr Les Byrom
Liverpool City Region Growth Platform	Area Manager (AM) Gary Oakford
Merseyside Community Safety Partnership	Cllr Edna Finneran

13. Approved Conference and Outside Meetings

Members considered Report CFO/037/21 of the Acting Monitoring Officer, concerning approval for attendance at conferences and outside meetings by

representatives of Merseyside Fire & Rescue Authority, to be determined by the Chair of the Authority.

Members Resolved that:

Attendance at conferences and outside meetings by representatives of Merseyside Fire & Rescue Authority, to be determined by the Chair of the Authority, be approved.

14. Meetings with National Politicians at Party Political Conferences

Members considered Report CFO/038/21 of the Acting Monitoring Officer, concerning the attendance of Members at meetings held at the location of party political conferences, in order to make Authority related representations in line with the Members Scheme of Allowances.

Members Resolved that:

- a) the attendance of appropriate representatives of the political groups of the Authority at meetings with Ministers, Opposition Spokespersons and other relevant national politicians, to be held at the location of their own party political conferences, to discuss issues relating to the business of the Authority, be approved;
- b) payment of appropriate travel and subsistence expenses be approved for attendance at such meetings, but no payment be made for conference fees; and
- c) should Members attend such meetings, issues raised and responses, and progress on information received, be reported back to the Authority.

15. Firefighter Pension Schemes - McCloud/Sargeant Ruling - Treatment of HO Informal Guidance on Treatment of 'Immediate Detriment'

Members considered report CFO/020/21 of the Director of Finance concerning how the Authority may wish to implement the Home Office 'Immediate Detriment' informal guidance. The guidance proposes a methodology for removing the age discrimination suffered by some Firefighters who were members of the 1992 or 2006 Firefighter Pension Scheme (FPS) when the Government introduced public sector pension changes on 1 April 2015.

The report outlines the risks faced by the Authority and the eligible FPS members by implementing this informal guidance in advance of having all the required information and systems in place.

Members were provided with some background to the FPS pension changes introduced in 2015 and the findings of the Employment tribunal that deemed the Government's proposed transitional arrangements to be unlawful as they discriminated against some members based in their age.

The Government's proposal is to remove the age discrimination from all public pension changes, including the FPS and Local Government Pension Scheme arrangements. The Government's proposal includes 2 parts:

- the removal of the retrospective discrimination covering April 2015 – March 2022, known as the remedy period. Eligible members would be able to choose to receive benefits from the legacy scheme or the 2015 scheme, but this will apply for the full remedy period; and
- the removal of future discrimination by moving all members onto the reformed 2015 schemes from 1 April 2022.

Members were advised that a pension member who has been impacted by the retrospective discrimination, isn't required to make a decision over which scheme they wish to opt into over the remedy period until they retire. However, to enable them to make the decision they require two benefit statements outlining what each option will mean to them in terms of pension benefits, retrospective employee contributions and tax implications. The current view is that these statements will not be available until potentially October 2023.

Members were informed that the Home Office informal guidance would allow Fire and Rescue Authorities the ability to let eligible retiring firefighters have access to their legacy pension scheme immediately and in advance of the relevant Her Majesty's Treasury (HMT) and Local Government Association (LGA) guidance, along with the Pension Administrator's data and information systems being in place to produce accurate dual pension benefit statements.

Originally no Fire and Rescue Authority had intended to implement the Home Office informal guidance note on immediate detriment cases until the required guidance from the Home Office, HMT, and the LGA was available. The position of some Fire and Rescue Authorities has now changed and they are now implementing the Home Office informal guide for eligible firefighter retirements.

Members were advised that it is therefore right that the Authority now consider its position on the Home Office Immediate Detriment informal guidance note and were informed of some of the challenges the Authority would face in implementing the Home Office proposal.

Members were also advised that with:

- the LGA now signing off the data template, that it would be used to collect the relevant pension information to produce dual benefits statements;
- HMT are about to issue a policy statement on the tax issues surrounding the proposed remedy; and
- the development of a national framework to standardise the approach towards implementing the Home Office Immediate Detriment proposal by the Local Government Association, Fire and Rescue Authorities and other interested parties.

The Scheme Manager is now in a position to take a proposal for implementing the Home Office Immediate Detriment guidance notes to the next FPS Pension Board for scrutiny and sign-off. The Scheme Manager would then work with the Authority's FPS Pension Administrator and Payroll & Pensions team to implement the proposals as soon as possible.

Members resolved that:

- a) the report, be noted;
- b) the FPS' Scheme Manager, be instructed, to continue to progress the proposals to enable the Authority to implement the HO Immediate Detriment guidance;
- c) the Scheme Manager, be instructed, to take the final proposals to the FPS Pension Board for review;
- d) the agreement to offer those members who have yet to lose their tapered protection the option to remain within their legacy scheme if they so choose, to be included within the proposals to the Pension Board; and
- e) that the Scheme Manager prepare a 'waiver statement' that any member who wished to take up the option to remain in their legacy scheme in advance of the required guidance(s) must sign to acknowledge they understand the risks involved.

16. SERVICE DELIVERY PLAN 2020-21 END OF YEAR REPORT

Members considered Report CFO/028/21 of the Chief Fire Officer, concerning the scrutinising of performance against the objectives and the performance targets/outcomes as set out in the Service Delivery Plan 2020/21.

Members were provided with an overview of the report highlighting the completion of the feasibility study and costing of the Training and Development Academy (TDA) redevelopment. Members were asked to focus on advised on the change of focus to the new build of the TDA and were informed that information on this will be in the Integrated Risk Management Plan (IRMP) report that will be going to the Authority Meeting on 30th June 2021.

The service endeavours still ensure collaborative Collaborative work continues, including the joint Service's response to COVID 19 and Members were informed the Local Collaboration Overview document has been updated and can be shared with them a copy has been sent to the Police Crime Commissioner.

Merseyside Fire & Rescue Authority's (MFRA) 'ground rules' have been updated empowering staff to identify and challenge inappropriate behaviour and the 'mission and values' have been discussed with staff and will be reviewed in 2021/22.

MFRA's staff survey was completed in November and December 2020 with significant improvements in staff engagement.

Members were advised that the objectives of the Service Delivery Plan for 2020/21 shows benchmark indicators are better and the majority of targets were met, including the total number of primary fires attended which had decreased from the previous year by 323.

The objective for the number of deliberate dwelling fires in occupied properties is indicated amber, meaning it is within 10% of the target and Members were informed that work will be carried out with Merseyside Police over this.

Members were advised that the objective for available shifts lost to sickness is indicated red due to the challenge that has been faced regarding Covid 19. The overall sickness percentage target is 4% and the result is just over this (4.27% for operational staff and 4.62% for non-uniformed staff). This was managed so well as MFRA has a sharp focus on business continuity ensuring preparation. If the Covid 19 absence was taken away from the sickness loss percentage, the available shifts lost to sickness would only be 2.54-2.58%.

Members were assured that the Authority has responded to the previous Her Majesty's Inspectorate inspection which was in 2018 and has continued to do so since then.

The management of performance and developing leaders is indicated Amber - Members were advised that staff-led work to revise our values and leadership message has been completed and that further engagement and a launch is being planned in 2021/22.

Making the fire and rescue service affordable now and in the future continues to be streamlined and automated using Microsoft Forms and InfoPath forms. Thirty six previously automated processes have been improved in this way since the last inspection. and finance have also automated previously paper-based processes such as virements.

Members were advised that within the IRMP there were some Amber indicators but these may change due to improving performance in communities.

MFRA will continue to work with North West Ambulance Service (NWAS) to develop an Integrated Demand Management Programme Plan for times of high demand, such as during the Covid 19 pandemic. This expands the previous IRMP action to enter into Emergency Medical Response (EMR) alongside the Ambulance Service.

The Urban Search & Rescue Team indicator will change from Amber to Green shortly due to MFRA choosing to take a different course with regard to training.

Regarding the Amber indicator for the 'use of technology to support the mobilisation of resources to all operational incidents types' - preliminary work has been undertaken in relation to the 999Eye application. This action is linked to the launch of the Vision 5 mobilising system which has now been upgraded. This technology will enable images/videos from phones being sent to Control

staff for live viewing and the recommendation for this to be up and running is within 12 months.

The Amber indicator for Safe and Well visits is lower than anticipated due to the fact that not as many visits have been done because of Covid 19 restrictions. Although we have continued to undertake safe and well visits and Home Fire Safety Checks, the risk of fire outweighs the risk of virus transmission. This also applies to Partnership work with the Police and Local Authorities to stop the transmission of the virus.

Newer Members were advised that the MFRA does a lot of work with that MFRA do to support children and young people, highlighting the work involving the Prince's Trust, Fire Cadets and Beacon Courses. It was added that the work MFRA do here is fantastic and something that the organisation is proud of. Members were encouraged to attend presentations that are held by these departments.

Members were also advised that a Business Support Group is to be re-enacted along with significant partnership work around Grenfell.

The Chair of the Authority requested that the Scrutiny Committee consider information from the IRMP and it was confirmed that this will be done by Scrutiny.

Members were informed that the Prince's Trust Presentation evenings are open for all Members to attend and that they are extremely worthwhile. It was added that the work done over 16 weeks by the Merseyside Fire & Rescues Prince's Trust teams is amazing and New Members of the Authority were encouraged to attend.

Members expressed how incredible they thought the sickness percentage was at 2.4% (not including the Covid 19 absences) and thanked and congratulated all MFRA staff. Members were informed that this had been a challenging time for staff, but the option of working from home was introduced to help with this and it worked really well. Fires were still extinguished, road traffic accidents were still attended and work was still completed by staff that worked tirelessly. Members stated that this was a testament to staff and added that they were grateful for all the work that is done.

Members Resolved that:

the attached reports for publication on the website, be approved.

Close

Date of next meeting: 30th June 2021