

MINUTES

Date: Thursday 4 June 2020
Time: 11.00 – 13.00hrs
Venue: Virtual Meeting - Microsoft Teams

Attendees:

Suzanne McCarthy (SMC) – Chair
Alison Sansome (AS) – Vice-Chair
Jonny Bugg (JB) – Home Office
Nick Chard (NC1) – Local Government Association (LGA)
Susan Ellison-Bunce (SEB) – NFCC Central Programme Office (CPO)
Julia Mulligan (JM) – Association of Police & Crime Commissioners (APCC)
Roy Wilsher (RW) - National Fire Chiefs Council (NFCC)

In Attendance: Joy Flanagan (JF) – NFCC Central Programme Office (CPO)
Sadie Bryant (SB) – NFCC Central Programme Office (CPO)
Nick Collins (NC2) – NFCC Central Programme Officer (CPO)
Jessica Norman (JN) – Local Government Association (LGA)
Eddie Smithwick (ES) - Association of Police & Crime Commissioners (APCC)

Introductions, welcome and apologies and conflicts of interests Chair

The Chair welcomed attendees to the sixth meeting of the Fire Standards Board.

There were no apologies or conflicts of interest.

Minutes of meeting 2 April 2020 and matters arising Chair

The Chair asked for any comments, omissions or errors in the minutes of the previous meeting.

Action: A031 - Correct the acronym for Nick Chard to NC1 and for Nick Collins to NC2 on pages 3,4 and 5 in minutes from 2nd April 2020.

SMC asked JB for an update regarding HO engagement with the Department for Transport (DfT) about the Fire Standard for Emergency Response Driving.

JB confirmed there had been contact with the DfT to understand what point the legislation had reached. He confirmed this would be secondary legislation underpinning primary legislation which was enacted in 2006 (Road Safety Act). A consultation on the secondary legislation would commence shortly to which the NFCC and others would be able to submit comments.

JB asked in general terms how legislation changes might impact on both Fire Standards development and approval and how to ensure that the latest legislative frameworks are referenced by the Fire Standards. In this particular case, but also with regard to future Fire Standards. In particular, would this cause delays, how that that be avoided?

JF responded by explaining that approved Fire Standards would be online with links to relevant legislation to ensure that the most current legislation could easily be found. She explained that the main challenge with the legislation concerning emergency driving is the stipulation of training time emergency response drivers would be required to undertake and that this did not take fully into account local risk profiles, environments, and staffing models (on-call). The result could be additional financial burdens on certain fire authorities which in turn could result in the need to bid for financial support from Government in order to be compliant with the legislation and achieve the Fire Standard.

She continued that the NFCC Lead was considering the feedback to the recent consultation on the Emergency Driving Fire Standard in order to provide further information to both the Home Office and the DfT.

SEB responded to JB's concern about legislative framework causing delays to Fire Standard development by reminding Board members that this may be a lesser issue once Fire Standards were in place. Where a Fire Standard was in place, if there were changes to the legislative framework, this would trigger a review of the particular Fire Standard. Having said that, she observed that at present the Fire Standards were yet to be defined.

SMC reminded Board members that Fire Standards will not remain static and frozen in time. The Fire Standards are aimed at driving continuous improvement based on good practice and as such they will evolve and develop as new good practice emerges.

JB explained that as with any new legislation, if it appeared to bring about an additional financial requirement on fire authorities, then a new burden assessment would be triggered. This may be an area that needs to be considered in this case.

JB said that the DfT were reporting a mixed picture from fire and rescue services in their conversations to date regarding emergency driving training. He added that the DfT had said that they noted no voices of dissent about the legislation from those around the table. This did not appear to be in line with the feedback received to the consultation.

RW challenged consistency of representation on the DfT discussion groups. He asked for confirmation of whom was representing the NFCC in DfT discussions.

JM supported RW's point in the importance of ensuring that we had the right people sitting around the right table to achieve the appropriate level of representation. She observed that this is particularly key when dealing with the impact on service delivery and community outcomes, and in this particular case the considerable impact on services which rely primarily on on-call workforces.

JF said that to date the DfT had drawn together more tactical level representatives who, while being subject matter experts, do not have the delegated authority from the NFCC or from the individual

services, to speak at a strategic level or who would understand the broader strategic impacts of the legislation.

JB offered to write to the Chair to explain the current position.

JF added that in this case it is not the wording of the Fire Standard that was the issue, but the impact of legislation on the underpinning guidance (training and competency framework). Working with the NFCC lead, she confirmed that work was underway to consider re-wording the guidance to see if the Fire Standard could be progressed more quickly until the impact of the legislation becomes clear.

Action - A032 – JB to write to SMC and explain the current understanding and position of the HO following their discussions with the DfT. This should include reference to representation of the NFCC at the DfT groups. The CPO offered to include feedback from the consultation in any response to that.

Item 3 - Paper 1 - Draft Fire Standards

Chair

Item 4 – Paper 2 - Fire Standards Delivery Plan Revised Timeline

Items 3 and 4 were presented in combination so that RW could hear the majority of the discussion before having to leave the meeting temporarily.

JF summarised the papers explaining that the first paper provided the Board with a progress update on all of the Fire Standards being developed in Phase One. This included a detailed table showing progress against the stages of development area by area.

It also included the draft Fire Standards developed to date which were the three Operational Response Fire Standards and the Code of Ethics Fire Standard.

The second paper provided the Board with a revised timeline for delivery of the Standards as requested at the last meeting.

JF clarified that the Operational Response Fire Standards were underpinned by the suite of National Operational Guidance (NOG) and are at the peer review stage of the development process. They would progress to full consultation during July.

Whilst NOG had been adopted by many services, as evidenced by the HMICFRS inspections, there were inconsistencies noted with the approach taken by different services. JF informed the Board of further work the CPO was undertaking to assist and support services with achieving the Operational Response Fire Standards and implementing NOG as intended. The aim was to learn as much as we can from those services who are further on with NOG implementation to help and support those services who are not as advanced in this work.

The draft Fire Standard for the Code of Ethics was at an earlier stage in development and had not undergone peer review at the time of the Board meeting. JF asked the Board to note the style taken by

the development team resulting in the draft wording of the Fire Standard being different from the approach the Board was hoping to achieve.

JF invited comments and feedback from the Board on the revised delivery plan timeline and draft versions of Fire Standards.

SMC thanked JF and the CPO on work done to date on the draft Fire Standards. She invited the Board to comment.

During discussion various points were made about the interpretation of the brief from the Board to the project team developing the Fire Standard. In addition, observations were made about applying a single code of ethics nationally when many services either have locally agreed codes in place or may have to follow those laid down by the local authority they are part of.

Several Board members gave examples of sectors having a national code of ethics. This approach allowed for local organisations to have their own organisational vision statements and values and complimentary or accompanying conduct and behavioural codes or policies, but with these underlying the national code. The clear consensus was that whatever was produced locally had to remain consistent with, and align to, the overriding national code. Several Board members expressed the view that having a national code of ethics was important but that local, complimentary policies could exist alongside.

AS suggested that the Board needed to be clear about what or who the code of ethics should be targeted at – organisations and their approach to ethical behaviours or individual employees across all services, or both.

There was a consensus that the priority was that whatever the code says, services should be demonstrating use of the code on a day-to-day basis to generate a positive working culture for all. How services implemented and followed the code should be evident to the inspectorate through the actions of employees at all levels.

NC2 asked for clarification of the Board's brief as he thought that the work done to date did not appear to have met the requirement of the original brief being to:

“set a standard for what an organisation that has embedded a code of ethics would look like and what evidence you would see that an organisation has properly embedded a code of ethics. It was not intended to be just a piece of paper, but worked into the fabric of an organisation in some way.

The standard would then point to a model code of ethics, produced jointly by the LGA and the NFCC. Underpinning the code of ethics, we would also have series of model policies, protocols and procedures for services to use should they wish. There would be an acceptance that where a service already has a well-defined ethical code, as long as it aligned to the national code of ethics, that would be acceptable.”

NC2 asked the Board if it was still comfortable with this brief or whether they felt it needed to be amended.

The Board clarified that having a national code should be seen as the baseline which could be added to but could not be taken away from.

JB commented that it was useful to be aware of how other sectors approach this subject not just policing. He also reminded members that police standards are statutory. He asked if the Board wanted to push towards that approach for Fire Standards.

SMC responded by saying that she was not aware of any desire to have a statutory footing for Fire Standards considering that it was important for the Fire Standards to be owned "by the services, for the services" - mirroring the approach taken with National Operational Guidance (NOG). Her view was that such an approach was likely to see greater levels of acceptance and willingness to meet the Fire Standards by services because of their involvement in their development. There was also a risk that making the Fire Standards statutory would result in them being inflexible.

She added that reflecting on the discussions earlier in the meeting, not only would a national code bring about consistency, which is what the Fire Standards were aiming to achieve, but would also improve external perception of the service by showing that it was unified in working to the same national code. She agreed with other Board members in supporting the establishment of a national code for all services and for that to be the Fire Standard.

RW stated that while he felt no-one on the Board was against a "model" code that could be aligned to by services, he cautioned that having a single code for all of the service was potentially unachievable.

SMC responded by referring to the earlier examples of sectors where a single code did exist but could be added to at a local level.

JF reminded the Board that following the recommendation made by the HMICFRS for a national Code of Ethics, work was underway between the NFCC and the LGA to develop this.

AS suggested that the way forward would be dependent on the contents of the code. She proposed that the likely content for the code should be very similar to the content of what many organisations have developed locally but in isolation. She also suggested that with the collaborative approach being taken to the development work of the "national code of ethics" which includes representatives from local authorities and PCFC's, it should be achievable to agree on content that would be acceptable to all.

14.15hrs RW temporarily leaves the meeting.

JM supported the statement made by AS. She also reminded members of the importance of the role of the inspectorate which would refer to it as part of their inspections, and that in time whatever they would refer to would become the national standard.

JF stated that the draft Fire Standard for Ethics which had been shared was in the very early stages of development with further work required. She suggested that in light of the discussions at the meeting, the CPO should provide feedback from Board members to the project team to help them revise and review the Fire Standard to achieve the Board's intent.

JM asked about the involvement of the APCC in the development of the code of ethics. It was agreed that the CPO and the APCC would ensure inclusion of a nominated representative in the project team.

Action: A033 - Appropriate representation of Police, Crime and Fire Commissioners in the project work to produce the code of ethics be established. The CPO will liaise with the APCC to facilitate this.

SMC proposed that the discussion about the code of ethics Fire Standard be brought to a close and for Board members to provide any feedback on the proposed draft Fire Standards for Operational Response (NOG).

AS highlighted the importance of getting consistency in the style and language used across the Fire Standards and that the draft Fire Standards for ethics needed revision to ensure that it was in line with the other draft Fire Standards.

AS went on to raise a further point about language and referenced a conversation and agreement from the previous meeting. In particular, the need for clarity in any requirements the Fire Standard sets out and the appropriate use of the terms “must, should or may” when referring to the achievement of a Fire Standard. She asked whether the style guide had been updated to reflect that previous Board agreement. She continued that whilst the Board had no intention of prescribing how services should run their organisations, the Board must have the power to set out requirement services are expected to achieve in order to meet the Fire Standards.

She raised a concern that currently the language used needed strengthening, especially in the draft Fire Standards presented at this meeting, if they were to add to guidance already in place and drive consistency and improvement.

SEB reminded the Board that NOG had been a starting point. But she added that if the Fire Standards did not add more than a steer towards better performance, then they may not achieve the desired outcomes. She proposed that there may be a number of ways in which to overcome the language issues to address the concerns raised by AS to make sure that the Fire Standards do add impetus to performance improvement.

Action: A034 – CPO to facilitate a discussion with the HMICFRS sharing the draft Fire Standards to date to gain their feedback for Board.

Action: A035 – CPO to provide feedback to the project team working on the code of ethics and leadership Fire Standards.

SMC asked members if they had any further comment in relation to the NOG Fire Standards.

AS responded that they were very well written and clear, even when reading them from a non-fire professional perspective.

SMC asked the Board for their approval that the CPO should continue with plans to progress the Operational Response Fire Standards to consultation following the planned peer review in June. This was agreed.

Decision: D012 - The Board was content for the NOG Fire Standards to be released for consultation after peer review at the end of June 2020.

The Board discussed the revised Fire Standards delivery timeline.

JF introduced the revised timeline. She wanted to ensure that the Board was aware that the work on a number of Fire Standards was happening in parallel and not that one piece of work was finished before another was started. She also asked the Board to be mindful of the continuing impact of the COVID-19 lockdown on progress in some areas as national priorities were temporarily diverted. She added that the order of the work was influenced by recommendations made by the HMICFRS and the Grenfell Tower Inquiry recommendations.

NC2, speaking on behalf of RW, wanted to ensure that the Board understood the potential impact on the service of the three Operational Response Fire Standards especially the Fire Standard relating to operational competence. These would cause a significant culture shift moving away from training based on a very traditional prescriptive approach to a more dynamic risk assessment-based approach. Implementation support would be needed by many to achieve this change and something the CPO was looking to provide through increased engagement.

SMC asked about the progress with the Leadership Fire Standard as the delivery timetable stated it was in progress but it had not been brought to this Board meeting.

JF confirmed that work on this Fire Standard was being progressed in parallel to the work on the ethics Fire Standard, but that it is not at a stage where a draft was ready to be shared with the Board. In addition, the scoping work underway with respect to Leadership might result in further Fire Standards being proposed for this subject area.

JM questioned whether the Fire Standards could be released for consultation in batches to avoid lots of individual consultations happening simultaneously.

NC1 said that he was less concerned about the pace of the work now as it is evident that there had been significant developments. He also stated that as further Fire Standards were drafted, the initial issues regarding language and style should probably diminish which should help improve the pace of Fire Standards development.

JB also agreed that the timeline and progress reported gave confidence to the pace of work taking place in line with the Board's priorities.

Item 5 – Paper 3 - General Progress Report

CPO

RW re-joined the meeting

SMC introduced the paper.

She confirmed that she, AS, JB and JF had met with the Fire Minister and provided an overview of that discussion. She considered that the meeting had helped in building the Minister's confidence that the Board was progressing work on Fire Standards.

JB reminded the Board that the portfolio for this Minister was focused on fire and rescue specifically. He was acquiring an understanding of the sector and was starting to identify his priorities for transformation across the services. The challenge for the Board would be to demonstrate to him tangible delivery of standards.

A discussion about the proposed Fire Standards for risk management planning took place. JF summarised the purpose of that Fire Standard, its priority and confirmed that work was underway. She proposed that further information be brought to the next Board.

Action: A036 – The CPO to provide an update on progress with the Risk Management Planning Fire Standard to the next Board meeting.

NC2 confirmed that the work on risk management was very important to establish a consistent way for services to approach the development and content of their integrated risk management plans (IRMP's).

JF summarised the remaining points included in the paper shared for information, these included the impact of the COVID-19 and lockdown on progress, a general communications and engagement update and the latest development with the pilot Fire Standard (Emergency Response Driving).

AOB

Chair

There was no AOB.

Next Meeting

The date of the next meeting would be confirmed in line with delivery plan developments.

Actions & Decisions

Action Log				
ID	Date	Action	Action Owner	Status
A031	4 June 2020	CPO to correct the acronym for Nick Chard to NC1 and for Nick Collins to NC2 on pages 3,4 and 5 in minutes from 2nd April 2020.	CPO	Completed
A032	4 June 2020	JB to write to SMC and explain the current understanding and position of the HO based following their discussions with the DfT. This should include reference to representation of the NFCC at the DfT groups. The CPO offered to include feedback from the consultation in any response to that.	CPO	Letter received and response provided (see Item 6 – Paper 4)
A033	4 June 2020	Appropriate representation of Police, Crime and Fire Commissioners in the project work to produce the code of ethics be established. The CPO will liaise with the APCC to facilitate this.	HO	Completed – APPC engaged
A034	4 June 2020	CPO to facilitate a discussion with the HMICFRS sharing the draft Fire Standards to date to gain their feedback for Board.	CPO	Meeting planned with CPO and HMICFRS
A035	4 June 2020	CPO to provide feedback to the project team working on the code of ethics and leadership Fire Standards.	CPO	Completed for Code of Ethics See Item 6 – Paper 4 for Leadership
A036	4 June 2020	The CPO to provide an update on progress with the Risk Management Planning Fire Standard to the next Board meeting.	CPO	Completed - See Item 6 – Paper 4

Decision Log		
ID	Date	Decision
D012	4 June 2020	The board was content for the NOG standards to be released for consultation after peer review at the end of June 2020.

DRAFT