

MINUTES

Date: Monday 12 October 2020
Time: 14:00– 16.00hrs
Venue: Virtual Meeting - Microsoft Teams

Attendees: Suzanne McCarthy (SMcC) – Chair
 Alison Sansome (AS) – Vice-Chair
 Jonny Bugg (JB) – Home Office
 Cllr Nick Chard (NC1) – Local Government Association (LGA)
 Julia Mulligan (JM) – Association of Police & Crime Commissioners (APCC)
 Roy Wilsher (RW) – National Fire Chiefs Council (NFCC)

Apologies: Nick Collins (NC2) - NFCC Central Programme Office (CPO)

In attendance: Natasha Elia (NE) – NFCC Central Programme Office (CPO)
 Joy Flanagan (JM) – NFCC Central Programme Office (CPO)
 Anjli Mapara (AM) – Home Office
 Tom Pinchbeck (TP) – Home Office
 Eddie Smithwick (ES) – Association of Police & Crime Commissioners (APCC)

Introductions, welcome and apologies and conflicts of interest Chair

The chair welcomed members to the meeting.
 Nick Collins (NC2) sent his apologies.
 No conflicts of interest were expressed by Board members.

Minutes of meeting 3 September 2020 and matters arising Chair

Minutes were agreed as an accurate record of the meeting of the 3rd September 2020. An update on the actions is given below:

A037 JB to arrange a meeting with the FSB Chairs and JB’s team.

In response to Action A037 SMcC confirmed that this was scheduled for 15th October 2020

A038 and A039 JB to provide an update to the Board on whether the Department for Transport (DfT) was receptive to a meeting on Emergency Response Driving as suggested in the letter sent to the Department contained in the Board meeting pack. It was confirmed that a response had been received on 6th October 2020.

A040 FSB Chairs, NFCC and LGA to meet before the 12 October 2020 Board meeting and discuss how to move forward with the consultation on the Code of Ethics and the associated Fire Standard.

In response to Action A040 SMcC confirmed that a meeting took place on 28th September 2020 and a way forward was agreed.

A041 JF to further discuss Positive Action directly with JM

Action Response JF confirmed that a meeting between JM and herself took place and further details of the meeting would be discussed under agenda item 3.

A042 SMcC to draft and send a response to Sir Tom Windsor.

In response to Action A042 A copy of the letter sent was included as an appendix to Paper 1.

Item 3 – Paper 1 - General Progress Report

CPO

Memorandum of Understanding

SMcC confirmed that the Memorandum of Understanding (MoU) between Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) and the Fire Standards Board (FSB) had been signed off by SMcC and Sir Tom Windsor. Sir Tom's office was drafting a joint press release.

Website Development

The Board was asked to comment on the further development of a section of the Fire Standards Board's website. JF highlighted that the mock-ups contained in the papers were an additional part of the Fire Standards Board website and were intended to enable visitors to the site to easily see the component parts of each Fire Standard. Users will also be able to reach each Fire Standard via the Activity Framework.

JB thought that the design looked great but felt that it needed clarity on whom the intended users would be and whether the proposed structure would accommodate their needs.

JM concurred with JB's comments and added that the content should be accessible to all audiences from firefighters to those outside the services including governing bodies, local authorities and councillors.

RW agreed that the website needed to be accessible for everyone.

JF responded saying the comments were useful and, whilst the intention of the proposed design was to meet all accessibility needs, she agreed that as suggested by the Board that some additional user testing would be beneficial.

Action A043 – CPO to conduct user testing on the proposed new elements of the FSB website.

Item 4 – Paper 2 – Delivery Plan Progress Update

CPO

Implementation Support

JF highlighted the need for implementation support to underpin national products to both ensure they are interpreted correctly and applied consistently. For example, the expectation is that to meet the Operational Response Fire Standards, services would have successfully implemented the suite of National Operational Guidance (NOG) that underpins them.

It is evident from the HMICFRS' inspection findings that while some services were reviewing their existing policies alongside their training approach to ensure these aspects were considered together, some services were not.

In response to feedback from services, work was underway to create an online support guide to further support services with NOG implementation. This would help services understand what is expected of them and allow services to self-monitor their implementation progress.

The Board then discussed progress made against the Fire Standards contained in phase one.

Code of Ethics Fire Standard

Reflecting on the development of the Code of Ethics Fire Standard and supporting code, NC1 explained that the impact of Fire Standards on services was important to consider especially given the differing governance structures involved such as for those services that were embedded within county councils.

He also explained that it was important to learn from the development of these early Fire Standards, particularly from the Code of Ethics Fire Standard, which has proved more complex than he initially envisaged. He noted that the Board should be aware of the sensitivities of those bodies involved in Fire Standards development.

JM noted the points made by NC1, but suggested that the Fire Standards needed to be appropriate to all services and accommodate their differing governing structures as the HMICFRS would inspect irrespective of how a service is governed. There was a risk that Fire Standards would not be as effective as intended if they were not seen as applicable to all services. She proposed that while the Board

needed to bear in mind the sensitivities of stakeholders and governing bodies, this should not affect the robustness of the Fire Standards.

SMcC said that the Chairs understanding was that the Board was creating Fire Standards suitable for all services in England and each service should be able to achieve the Fire Standards regardless of their particular governance model.

JF reminded the Board that the CPO acted as facilitator between those bodies and groups which have been commissioned to develop a Fire Standard and the Board itself. The CPO acted in an advisory capacity as part of the development process. This included an appropriate peer review stage to ensure that the views of key stakeholders were considered at the earliest stage. This engagement with stakeholders helped to raise awareness, drew in useful views and insights and ultimately helped with acceptance and implementation. JF explained that some of the bodies involved in the development process seemed to be less keen to follow the process, and this was something over which the CPO had limited control.

JB responded that engagement was key as the Fire Standards were for all of England and all bodies needed to feel involved. There needed to be a balance between moving at speed to deliver and involving all key partners.

RW agreed with JM that the Fire Standards created should be appropriate for all service. However, the Board was not able to mandate the Fire Standards. JM agreed and reflected that there had been too much focus on the organisational issues which had potentially led to development work not meeting the Board's requirements.

JF reminded the Board that the development of the Core Code of Ethics (core code) was done in partnership between the LGA and the NFCC and was based upon the HMICFRS' recommendation that they should develop a code of ethics for all services in England. She added that whilst it was clear there had been some challenges in producing this particular Fire Standard and its underpinning code due to concerns about the need to finalise the code before sharing it, the important thing was to ensure lessons had been learnt.

NC1 thanked JF for navigating the situation and said that he misjudged the complexities and sensitivities involved in this area of work. He agreed that in future more emphasis on engagement with the broad range of stakeholders at an earlier stage of development was important to help raise awareness of the work in progress and gain input during the development process rather than at the end.

AS concurred with NC1's comments and said she felt the Board did understand that the landscape was complex and that there were certain areas where there were sensitivities which needed to be

managed. She also highlighted that ethics in any profession was always an important and sensitive subject as it affects every person and their beliefs and behaviours. However, she cautioned that in attempting to satisfy the various sensitivities or by including too many optional components, the Board could potentially dilute the Fire Standards and result in weakening their effectiveness especially in supporting transformation and change.

Leadership Fire Standard

JF updated the Board on the Leadership Fire Standard and clarified that previously there were mixed views about what it should contain. The consensus of the Board was that there should be two Leadership Fire Standards that describe the following:

1. What a well led organisation looks like; and
2. How we develop leaders in fire and rescue services

The Board agreed the above approach for the Fire Standards for Leadership and the next steps were for the Chairs to meet with Becci Bryant (NFCC Lead for Leadership) in late October 2020 to discuss this further supported by a Commissioning Brief.

ACTION A044 CPO to facilitate meeting between Chairs and Becci Bryant and draft Commissioning Brief.

Community Risk Management Planning Fire Standard

JF advised that Phil Loach, who leads the Community Risk Management Planning (CRMP) Fire Standard for the NFCC as part of the Community Risk Management Programme, was keen to ensure that this Fire Standard had been circulated widely as part of its peer review including at the National Fire Chiefs Council meeting in late September.

Unfortunately, this meant that the timeline of meeting dates and the period of peer review did not align with the Board's meeting dates. However, their peer review process had been thorough and the team wanted to reflect as many of the comments into the final draft Fire Standard before consultation.

JF advised that the version being shared with the Board at this meeting was current at the time of papers being circulated, and that the final version for consultation would be shared with the Board by email. It was anticipated that any changes would be minor. This process had resulted in a delay as the consultation would be postponed by a week. This should not, however, affect the final proposed publication date for this Fire Standard, but that would be dependent on the results of the consultation.

ACTION A045 CPO to issue final version of the CRMP Fire Standard prior to consultation via email.

Delivery Plan Progress for Fire Standards

JF introduced the progress update on the Fire Standards contained in phase one delivery plan and summarised the highlights included in the report.

JB commented about the colour coded system on the progress table suggesting that the amber status was confusing.

AS suggested the colours used within the progress table may be better used to reflect whether the intended publication dates would be achieved. She also queried how long the Quality Assurance (QA) process would take to complete.

JF confirmed that the progress table would be revised to reflect the Board's suggestions and clarified that the exact time for quality assessment (QA) had yet to be confirmed as it was a new part of the process and had not taken place yet. She added that there was an overestimation of time allowed for QA and that the timeline contained indicative timescales. Much like the pilot Fire Standard, the first QA process would be treated as a pilot and a learning curve. This would allow the team to more accurately predict the time needed for QA in the future.

ACTION A046 CPO to update the progress table colours coding, specify whether expected publication dates will be achieved.

ACTION A047 CPO to review QA timescales once the pilot process had been completed.

Appendix A – Operational Response Fire Standards Consultation Responses Summary

RW stated that he was pleased with the levels of engagement and the response to the Operational Response Fire Standards consultation, bearing in mind the number of consultations that services had been asked to respond to over the past few months.

SMcC noted that there was a disparity between the 88% who said the Fire Standards would be beneficial and the 72% who said that lack of resources was a barrier to implementation.

JM agreed that this was an interesting juxtaposition, and it would be useful to understand more about the respondents and their comments.

JB requested whether there was further information about the challenge of insufficient resources to implement the Fire Standards.

JF confirmed that the report provided to the Board was primarily the statistical data which was easier to collate. She reported that over 600 individual comments had been made and that more time was needed for that more detailed feedback to be considered. She confirmed that further detail would be provided once the full analysis with a balanced range of peers had been completed. A full and detailed post consultation report would be brought to the Board at the next meeting in December when it is

anticipated that the final draft of these Fire Standards would be proposed to the Board for approval subject to QA.

ACTION A048 CPO to provide a consultation report and final draft proposals to the Board for the Operational Response Fire Standards.

In response to JB's comment regarding insufficient resources, JF stated that the responses from the consultation highlighted the need for implementation support. JF stated that regular turnover of staff tasked with implementing NOG along with insufficient handover was an identified problem across many services. She went on to explain that it was acknowledged that some services were further ahead with implementation of NOG which ultimately resulted in a service being able to achieve the Fire Standards.

Two areas of the country where NOG implementation was well advanced were Kent and the East Midlands region. The services there had collaborated successfully to maximise resources available. JF stated there was much to learn from these areas, and that the implementation support work planned aimed to harness the lessons learnt by those areas and share that by way of an online implementation guide. The intention was to draw upon the experiences of Kent and the East Midlands to help explain the challenges they had faced and how they overcame them to provide peer support to others.

JB requested clarity on the role of the bodies represented on the Board in relation to consultation. He questioned whether there was a need to position some stakeholders as priority to ensure products were shared early for comment and identification of issues prior to consultation. He queried whether additional steps in the process were required to allow for this.

SMcC responded that this is likely to be on a case-by-case basis.

RW reminded the Board that at the last meeting a Commissioning Brief was discussed and agreed which should help resolve these issues.

JF added that any support the Board could provide to enable better engagement with stakeholders would be welcome. She confirmed that the Commissioning Brief provided a logical way forward and did not add any additional processes which may cause delays.

AS agreed that the Commissioning Brief allowed the Board to check its thinking and provided the opportunity to all members of the Board to comment. She agreed that the Board should have early sight of emerging products and be able to offer input. By selective pre-briefing the Board, however, risked giving some stakeholders more say than others. In this case, there was still the opportunity for all stakeholders to comment through consultation.

AS requested clarification on whether the Board expected others such as Fire Authorities and Police Fire and Crime Commissioners to comment on consultations.

JM felt that governing bodies would want to comment particularly on Leadership and Succession Planning Fire Standards.

SMcC added that the Board represented several bodies, and that Fire Standards were presented to the Board for comment and early sight to all Board members.

JM reflected on how she could help raise the profile of the Board's work with her fellow Police, Fire and Crime Commissioners (PFCC's) and agreed to take an action to increase awareness with them.

ACTION A049 – JM to promote the work of the FSB and consultations to other PFCC

NC1 added that on some Fire Standards, early engagement and intervention from Board members might help with engagement and development work, specifically if it could help aid progress and attempt to identify issues before they arise. Learning from the work on the Core Code of Ethics would be important to ensure that we do not repeat the issues that occurred and in turn cause delays.

Item 5 – Paper 3 – Fire Standards Progress

CPO

Core Code of Ethics

JF introduced the draft Code of Ethics Fire Standard and the draft Core Code of Ethics (Core Code). She informed the Board that following the discussion about consultation timelines at the last Board meeting, some members of the Board and the development team had met on 28th September and it was agreed that both the Core Code and the Fire Standard should go out for consultation at the same time for four weeks until 2nd November 2020

NC1 again acknowledged his earlier belief that the Core Code would be easy to draft and had not recognised the nuances in terms of governance. He added that the LGA and the NFCC were wrongfooted by the recommendation and timeline specified by Sir Tom Windsor about a Code of Ethics, which had potentially caused some of the issues with the work in this area. As there were variances in approach within services and the codes of ethics they may have, the challenge for the HMICFRS was in not seeing ethical behaviour being actually demonstrated on the ground whether a code was in place or not.

RW agreed with NC1 and that the position of HMICFRS was more about behaviours and values and services demonstrating those behaviours. He added that the Core Code would go some way to help drive changes in behaviour. He also added that to his knowledge only a small number of services did not have some form of ethical code. RW added that he believed the Core Code was in a reasonable state, and there was now something in place to inspect against although it was hoped HMICFRS would

also recognise equivalents in some services where behaviours were demonstrated even if the language was not exactly the same.

JM agreed with NC1's analysis of HMICFRS' position. However, she also noted that while the Core Code should drive those behaviours, she did not believe the Core Code would be able to do this as drafted. She added that HMICFRS had identified significant cultural issues across many services that needed to be addressed. This confirmed that the current situation was not working and whatever was introduced needed to be a tool to drive improvements.

JM raised concerns that the Core Code confused the individual and corporate ethical behaviour and added that there were examples of Code of Ethics produced and used by other public bodies which were much clearer than what had been produced. For example, the Policing Code of Ethics set out the framework of the behaviours expected of the individual. The General Medical Council's Code of Ethics was separated into three distinct categories; Corporate, Individual and Nolan. JM observed that there was a danger that the purpose had been lost and that what was needed was an actual tool to change culture in services and individuals. She stated that she would feed this back via the formal consultation process. She observed that early engagement with PFCCs would have been helpful rather than having to raise these issues via the formal NFCC and LGA consultation.

SMcC raised that should the Core Code require substantial revision based upon the responses to the consultation, the Fire Standard may not be able to be implemented until the underpinning code was ready.

AS agreed, but advised that the Board would need to view responses for both consultations before any decision was made. AS also said improving the clarity of the Core Code which would lead to an increase in its application and that the Core Code should be clearer regarding the audience it was addressing in each statement.

Reflecting on the conversation about early engagement of all employer parties involved, JB said there was a risk that the Core Code in its current format may not speak nationally to all services because not all of them were represented under the banner of those organisations who had developed the current Core Code. He suggested a role that the Board could have in helping to resolve this issue would be by taking ownership of the brand of the Core Code as well as the Fire Standard.

JB asked, if the Core Code was to change significantly after the consultation was finished and met the requirements of the Board, would there be a need to re-consult. SMcC responded that this would be dependent upon how substantial any required changes were.

JB noted that there was some good work in the Core Code such as using lessons learned from the Police Code of Ethics by incorporating fire specific ethical principles. He commended the first fire

specific principle of being responsive to the public. However, he continued that the wording of the equality, diversity and inclusivity principle felt more like managerial language. He also agreed with JM's point that it was not clear who was the intended audience, service leaders or firefighters. He felt that including examples of meeting the principles would help. Work needed to be done to make it clearer as to what the Core Code would mean to different roles within the services.

JF added that conversations with HMICFRS indicated those services that did not have clear guidance or information about ethical behaviour where there was evidence of a higher level of toxic behaviour at all levels. JF noted the comments about the Core Code from the Board and proposed that the language being used within the Core Code could potentially be improved with the support of communications expertise especially relating to making its contents appropriate to the intended audiences.

SMcC added that it was not expected that the Board submit a formal response to the Core Code consultation. Her expectation was that all Board members would submit consultation responses on behalf of their organisations, respectively.

Code of Ethics Fire Standard

JB commented that there were more "must" requirements than "should" within this Fire Standard and suggested that the Core Code and the Fire Standard could be more closely wrapped together as one product with Fire Standards Board branding which could provide the desired national leverage.

SMcC agreed with JB's comment regarding the number of "must" versus "should" requirements, in particular noting that under the "should" section, the statement *"A fire and rescue service should encourage its leaders, members of its governing body and employees to demonstrate their commitment to the core code"*, should sit within the "must" requirements section.

JM suggested wording within the second sentence of the desired outcome section of the Fire Standard was not robust enough to ensure that services would demonstrate that they were meeting the requirements.

JF noted that the Board's position was to drive positive outcomes and agreed that the "must" and "should" requirements and the wording within the desired outcome statement could be reviewed, but only once the consultation responses were received and responses analysed.

SMcC proposed that with respect to this particular Fire Standard all of the statements about achieving the Fire Standard should be "must". JM agreed and stated that her preference was to emphasise in the wording of the Fire Standard more commitment to the delivery of the Fire Standard by the service. It is the delivery that would drive real positive change in cultural and ethical behaviour.

RW suggested a change to the wording of the section headed “*What is required to meet this Fire Standard*”, to, “*To achieve this Fire Standard...*”. This change would shift the emphasis and strengthen the message that says clearly this is what services must do to achieve the Fire Standard. This was nuanced but more actionable. The Board agreed with this amendment.

ACTION A050 CPO to amend Fire Standard template section header “*what is required to meet this standard*” to “*To achieve this standard...*”.

Community Risk Planning Fire Standard

JF introduced the Community Risk Planning Fire Standard which had completed a peer review and was being prepared for consultation.

RW added that again the items under the “should” requirement section should be moved to the “must” requirement section. This was supported by the Board.

JM commented that in Police, Fire and Crime Commissioner (PFCC) models, it is the PFCCs that consult with stakeholders and therefore the language in the second bullet point of the desired outcome would need to reflect this.

NC1 commented that the desired outcome did not emphasise the allocation of resources strongly enough. JM supported this comment, but suggested that the support should be appropriate to the risk, rather than adequate. JF advised that appropriate resource allocation to risk was included in how services should achieve the Fire Standard as detailed in item e) - *Make decisions about the deployment of resources based on the risk levels*.

JM said her preference was for this to be included within the outcome statement. NC1 clarified that the language needed to be clear that resources allocated were appropriate to the risk and that he felt this was not currently articulated adequately.

In response to both JM and NC1, RW stated that in every fire authority it is the Authority as the governing body that would agree the draft Integrated Risk Management Planning (IRMP) for consultation. Further, it was not always possible to have the appropriate resources applied to the risk because of many years of austerity and 25% reduction in workforce.

JB reiterated RW’s point and noted that it was known there was untapped risk in communities which in some cases could be a political choice for Authorities to make. JB queried whether this Fire Standard would provide a consistent approach to risk that would satisfy HMICFRS. JF responded that the development team were also drafting risk definitions which would underpin the Fire Standard and form part of the improvement process and this would lead to national consistency in relation to risk.

AS understood the Fire Standard was to provide a consistent approach to the delivery of a good risk management process. Services should look at what was needed, identify gaps, and make proposals based upon the information available. Any political decisions regarding resourcing (including under-resourcing) should be made explicit and transparent in the risk management (and approval) process so as not to make it appear as though an IRMP had been manipulated to suggest unmet risks had been fully addressed.

NC1 agreed that before making political decisions, it was important for services to understand the gaps between risk and resourcing and more importantly understand the increased risk these decisions create.

JM said defining the IRMP was an analytical process which was assessed through consultation and she viewed this Fire Standard as ensuring the process would be done correctly and so informed decisions could be made. JM reflected that this Standard would be useful in identifying all the steps in the process of completing an IRMP.

JF said that the comments from the Board needed to be passed back to the development team for review, and that this may result in further communications prior to the Fire Standard being released for consultation. SMcC said that the Fire Standard should be circulated to the Board prior to it being released for consultation.

RW reminded the Board that it previously discussed the potential for the relevant leads for any Fire Standard to be invited to the Board to answer questions. JF suggested that now that we are in delivery phase of the Fire Standards, it would be appropriate and more efficient to include the relevant lead in the Board's discussion to present the standard and answer questions.

DECISION D016 – Development leads to attend Board when their draft standard is presented if the Board feels this is desirable.

Any Other Business

Chair

SMcC said that she would like the Board to have more frequent and improved engagement with the Home Office and to develop a closer relationship with the Minister in order to directly explain to him what the Board was doing and the progress being made. SMcC suggested that it should be arranged for the Chairs to meet with the Minister in December in conjunction with the letter that the Chairs plan to send to him. JB responded that a meeting at the end of the year when products and achievements were underway was a good suggestion and he would support the facilitation of this.

ACTION A051 – JB to facilitate a meeting being arranged with Chairs and Minister in December

Additionally, SMcC raised that the Chairs were asked previously if they would like to be involved in a ministerial group. SMcC understood that an advisory group did meet, although the Chairs were not invited.

JB responded that such a group had evolved over time into a Chatham House discussion group for policy ideas. Therefore, there are no papers to share with the Chairs. JB advised that there was another group in addition to the advisory group being the Fire Reform and Building Safety Board which included Home Office and Communities department and that this Board may be better suited for the Chairs to attend. JB advised that he would flag the Chairs' interest in joining that group and suggested that the Chairs should flag how they could play a bigger role in fire reform in the letter they plan to send to the Minister.

JB raised that he would like to review the Leadership Fire Standard and requested when he would be able to do so. JF responded that conversations with the Project Executive would need to take place before she could provide a definitive answer, although this was likely to be before the end of the year. However, it was noted that a Home Office representative was on the NFCC Leadership Project board, where any standards they lead on would be discussed at an early stage.

ACTION A052 – JF to provide clarity to JB on when the Leadership Fire Standard would be available for review.

Next Meeting: 9th December 2020

Actions & Decisions

Action Log				
ID	Date	Action	Action Owner	Status
A043	09/10/2020	CPO to conduct user testing on the proposed new elements of the FSB website	JF	In progress and feedback to be provided at next meeting
A044	09/10/2020	CPO to facilitate meeting between Chairs and Becci Bryant and draft Commissioning Brief.	JF	Completed
A045	09/10/2020	CPO to issue final version of the CRMP Fire Standard prior to consultation via email.	JF	Completed
A046	09/10/2020	CPO to update the progress table colours coding, specify whether expected publication dates will be achieved.	JF	Colour coding on progress table amended and will clarify publication dates at next meeting.
A047	09/10/2020	CPO to review QA timescales once the pilot process had been completed.	JF	Will confirm QA arrangements at next meeting and report back on predicted timescales after the pilot process has taken place in January 2021.
A048	09/10/2020	CPO to provide a consultation report and final draft proposals to the Board for the Operational Response Fire Standards.	JF	To be presented at next Board
A049	09/10/2020	JM to promote the work of the FSB and consultations to other PFCC	JM	TBC at next meeting
A050	09/10/2020	CPO to amend Fire Standard template section header " <i>what is required to meet this standard</i> " to " <i>To achieve this standard a service must...</i> ".	JF	Completed
A051	09/10/2020	JB to facilitate a meeting being arranged with Chairs and Minister in December	JB	JB engaging Minister's private office. Update to be provided shortly
A052	09/10/2020	JF to provide clarity to JB on when the Leadership Fire Standard would be available for review.	JF	TBC at next meeting

Decision Log		
ID	Date	Decision
D016	09/10/2020	Development leads to attend Board when their draft standard is presented if the Board feels this is desirable.