

Agenda

Meeting: North Yorkshire Police, Fire and Crime Panel

Venue: Brierley Room, North Yorkshire County Council, County Hall, Northallerton
DL7 8AD

Date: Tuesday 15 January 2019 at 2:00 pm

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Meeting to be adjourned at around 3:15pm, to re-convene at 3:30pm.

Business

1. **Apologies.**
2. **Minutes of the Meeting held on 4th December 2018.** (Pages 8 to 12)
3. **Declarations of Interest.**
4. To consider the exclusion of the public and press from the meeting during consideration of the items of business listed in column 1 of the following table on the grounds that they involve the likely disclosure of exempt information as defined in the paragraph specified in column 2 of Part 1 of Schedule A to the Local Government Act 1972 as amended by the Local Government (Access to Information)(Variation) Order 2006:-

Item Number on the Agenda	Paragraph Number
6	1

5. **Confirmation Hearing** - Following the intention of the North Yorkshire Police, Fire and Crime Commissioner to notify the North Yorkshire Police, Fire and Crime Panel of the proposed appointment of a preferred candidate to the role of Interim Chief Fire Officer to the North Yorkshire Fire and Rescue Service, for the North Yorkshire Police, Fire and Crime Panel to hold a Confirmation Hearing, in accordance with Schedule 8 of the Police Reform and Social Responsibility Act 2011 (amended in accordance with the provisions of the Policing and Crime Act 2017). Papers enclosed for this item are as follows:

- (i) Report from the Panel Secretariat;
(Pages 13 to 16)
- (ii) Supporting information from the Police, Fire and Crime Commissioner;
(TO FOLLOW)
- (iii) Personal statement from the preferred appointee.
(TO FOLLOW)

6. Closed Session - for the North Yorkshire Police, Fire and Crime Panel to discuss and agree its recommendation following the North Yorkshire Police, Fire and Crime Commissioner's notification to the North Yorkshire Police, Fire and Crime Panel of the proposed appointment of a preferred candidate to the role of Interim Chief Fire Officer to the North Yorkshire Fire and Rescue Service.

7. Public Questions or Statements to the Panel.

- Any member of the public, who lives, works or studies in North Yorkshire and York can ask a question to the Panel. The question or statement must be put in writing to the Panel no later than midday on Thursday 10th January 2019 to Diane Parsons (contact details below).
- The time period for asking and responding to all questions will be limited to 15 minutes. No one question or statement shall exceed 3 minutes.
- Please see the rules regarding Public Question Time at the end of this agenda page.

8. Members' Questions.

9. Changes to the Panel's Rules of Procedure – for agreement – report by the Panel Secretariat

(Pages 17 to 26)

10. Update report from Panel presentation to the Selby District Council Scrutiny Committee – report by the Panel Secretariat.

(Pages 27 to 28)

11. Baseline assessment report of North Yorkshire Fire and Rescue Service (authored by Dave Etheridge OBE) – presented by the Police, Fire and Crime Commissioner

(Pages 29 to 56)

12. Setting the precepts for 2019/20: police and fire and rescue – report by the Chief Financial Officer to the Police, Fire and Crime Commissioner.

(Pages 57 to 86)

13. Correspondence handling within the OPCC and Freedom of Information update:

(a) Correspondence handling – report by the Police, Fire and Crime Commissioner.

(TO FOLLOW)

(b) Freedom of Information Act update – report by the Police, Fire and Crime Commissioner.

(Pages 87 to 93)

14. Such other business as, in the opinion of the Chairman, should, by reason of special circumstances, be considered as a matter of urgency.

- **Dates of future meetings:**

- Tuesday 5 February 2019 (PRECEPT) – 2:00pm – Northallerton
- Thursday 21 February 2019 (Precept Reserve) – 10:30am – Northallerton
- Thursday 11 April 2019 – 10:30am – Selby District Council.

Barry Khan
Assistant Chief Executive (Legal and Democratic Services)

County Hall
Northallerton

7th January 2019

NOTES:

- (a) Members are reminded of the need to consider whether they have any personal or prejudicial interests to declare on any of the items on this agenda and, if so, of the need to explain the reason(s) why they have any personal interest when making a declaration.

The Panel Secretariat officer will be pleased to advise on interest issues. Ideally their views should be sought as soon as possible and preferably prior to the day of the meeting, so that time is available to explore adequately any issues that might arise.

- (b) Tea and coffee will be available outside the meeting room before the start of the meeting will Members please help themselves.

Public Question Time

The questioner must provide an address and contact telephone number when submitting a request. The request must set out the question in full. The question/statement:






1. must relate to the Panel's role and responsibilities;
2. must not be substantially the same as a question which has been put at a meeting in the past 6 months;
3. must not be defamatory, frivolous, vexatious or offensive;
4. must not require the disclosure of confidential or exempt information; and
5. must not refer to any matter of a personal nature.

At the meeting: Once the question has been approved, the questioner will be contacted to make arrangements to attend the meeting to put the question.

Questioners must attend the meeting personally to put the question. If they do not attend their question may not be answered, although they can re-submit their question at a later date.

Any questions will normally be answered at the meeting but in some cases this might not be practicable and a written answer will be provided within 14 days of the meeting.



North Yorkshire Police, Fire and Crime Panel

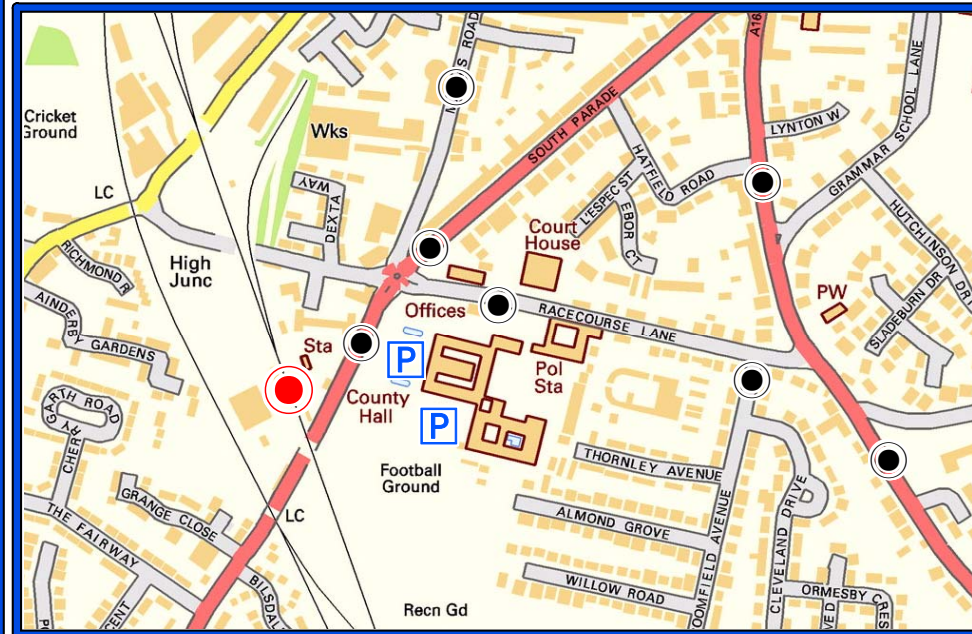
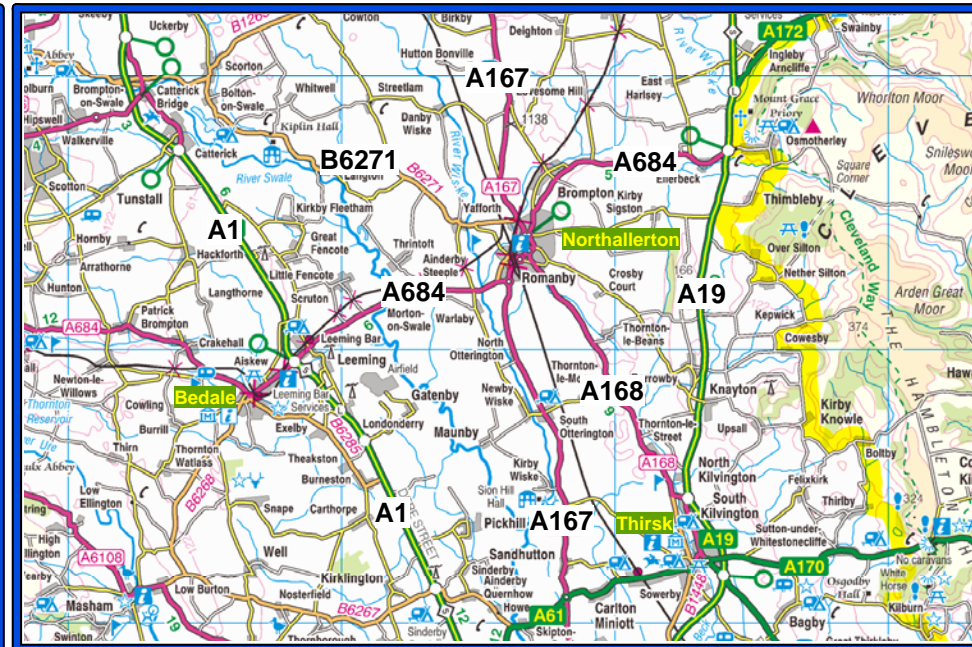
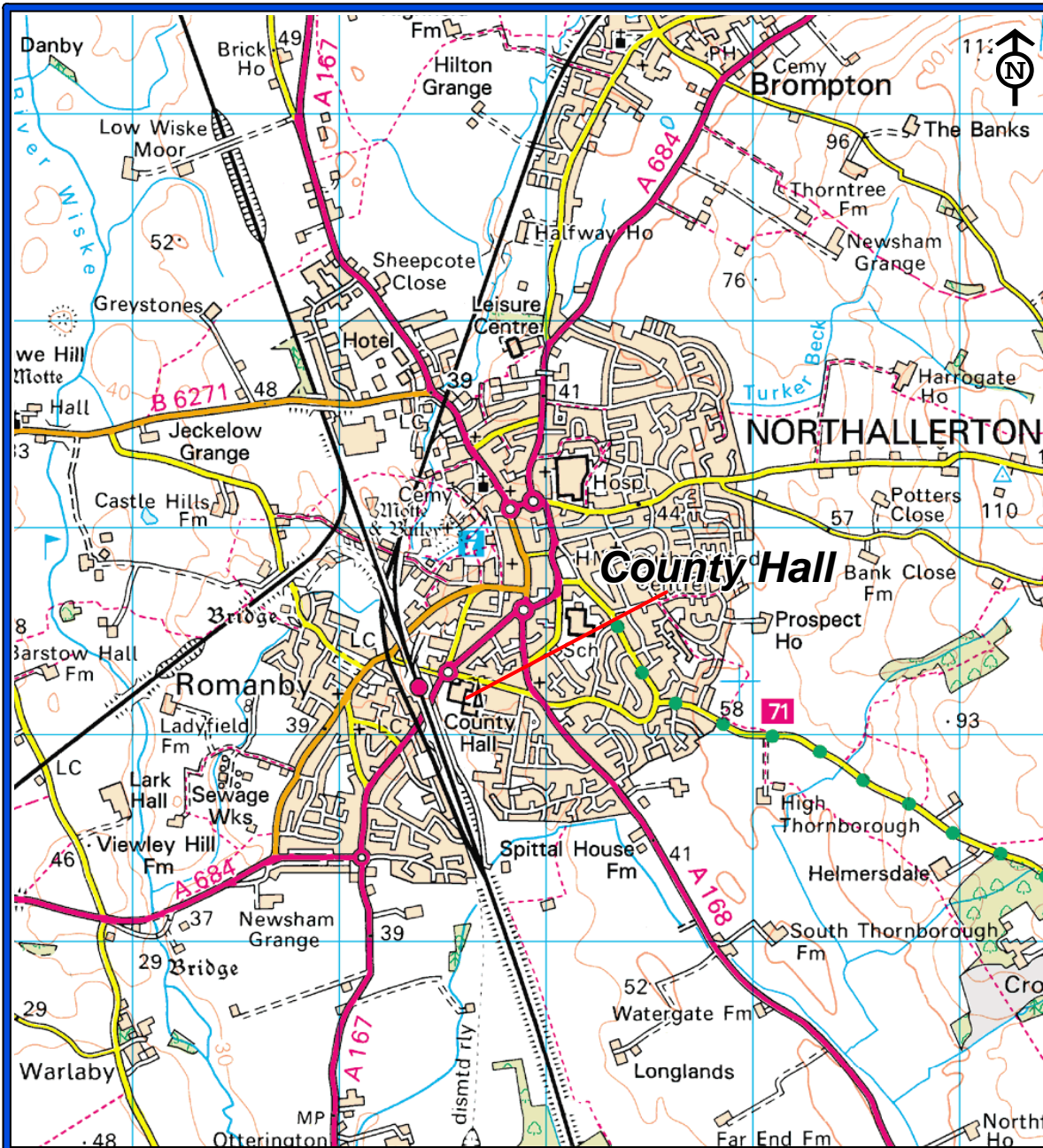
	Name	Photograph	Political Party
Craven District Council	Cllr Peter Madeley		Labour
Hambleton District Council	Cllr Peter Wilkinson		Conservative
Harrogate Borough Council	Cllr Michael Chambers MBE		Conservative
North Yorkshire County Council	Cllr Carl Les		Conservative
Richmondshire District Council	Cllr Russell Lord		Independent

North Yorkshire Police, Fire and Crime Panel

Ryedale District Council	Cllr Val Arnold		Conservative
Selby District Council	Cllr Mel Hobson		Conservative
Scarborough Borough Council	Cllr Sandra Turner		Conservative
City of York Council	Cllr Ashley Mason JP		Liberal Democrat
City of York Council	Cllr Chris Steward		Conservative

North Yorkshire Police, Fire and Crime Panel

Community Co-opted	Paula Stott		Community Co-opted
Community Co-opted	Santokh Singh Sidhu		Community Co-opted



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North
Yorkshire County Council

North Yorkshire County Council

Police, Fire and Crime Panel

Minutes of the meeting held on Tuesday 4 December 2018, commencing at 2:00pm in the Grand Meeting Room at County Hall, Northallerton.

Present:-

Councillors: Val Arnold (Ryedale District Council), Michael Chambers MBE (Harrogate Borough Council), Mel Hobson (Selby District Council), Carl Les (North Yorkshire County Council, in the Chair), Sandra Turner (Scarborough Borough Council) Peter Wilkinson (Hambleton District Council).

Community Co-opted Members: Santokh Singh Sidhu and Paula Stott.

Julia Mulligan (Police, Fire and Crime Commissioner).

Officers from the Office of the Police, Fire and Crime Commissioner: Fraser Sampson (Interim Chief Executive Officer), Michael Porter (Chief Financial Officer),

Officers from NYCC: Diane Parsons (Panel Secretariat).

Copies of all documents considered are in the Minute Book

334. Apologies

Apologies had been received, and were noted, from Councillor Russell Lord, Councillor Ashley Mason and Councillor Chris Steward.

335. Minutes

The Commissioner was asked to provide clarification regarding a point made (and minuted) at the previous Panel meeting on 15th November 2018 where the Panel were informed that the Commissioner does not have line management responsibilities for staff. This was particularly queried in relation to the Commissioner's new responsibilities and oversight of the Fire and Rescue Service (FRS).

Fraser Sampson described that the head of paid staff for the FRS is the appointed Chief Fire Officer, who has the ultimate responsibility for those staff working to him/her operationally at the FRS in relation to their terms and conditions, welfare at work, and so on. However, it was explained that everyone working in the FRS is under a contract to the Commissioner and the legal provisions enable the Commissioner to exercise greater influence around employment setting for the FRS than would be the case for the Commissioner's relationship with the police. Essentially, the difference arrived at under the change in governance for the FRS is around the employer's status rather than the difference being around direct line management responsibility as described for the head of paid staff.

Resolved –

That the Minutes of the meeting held on 15 November 2018, having been printed and circulated, be taken as read and be confirmed and signed by the Chairman as a correct record.

336. Declarations of Interest

No declarations were made to the Panel.

337. Exclusion of the Public

Resolved –

That the public and press be excluded from the meeting during consideration of Item 6 on the grounds that this involves the likely disclosure of exempt information as defined in the paragraph specified in column 2 of Part 1 of Schedule A to the Local Government Act 1972 as amended by the Local Government (Access to Information)(Variation) Order 2006.

338. Confirmation hearing – Chief Financial Officer /s151 Officer to the North Yorkshire Police, Fire and Crime Commissioner Fire and Rescue Authority

The Panel formally accepted the reports provided by the Secretariat, the Commissioner and the proposed appointee as context to the hearing.

The Commissioner and the proposed appointee, Michael Porter, were asked a number of questions by the Panel, in order for the Panel to reassure themselves that the appointee would meet the required standards of professional competence and personal independence.

Question 1: Councillor Sandra Turner asked the Commissioner if she had any concerns regarding the hours which would be required for someone to adequately take on the role, and whether the allocated hours (22.5 per week) would be sufficient for a very demanding job.

The Commissioner praised the work that Michael Porter had undertaken for her over the previous four years within the policing and crime role. The Commissioner felt that having a single person overseeing both the policing and fire functions under her remit presents exciting opportunities. Mr Porter has expressed his excitement about the role and has given assurances that if the role does get too much then he will flag this up so that it can be addressed.

Question 2: Councillor Turner asked a supplementary question to express her concern that under the sharing agreement proposed with the Cleveland Police and Crime Commissioner, 22.5 hours of Mr Porter's time did not seem a lot for such a high-profile position.

Fraser Sampson responded that careful consideration had been given to whether and how this role could be comfortably – and adequately – discharged by one person and that it will be kept under close review between himself and the Chief Executive Officer at Cleveland.

Question 3: The Chair further highlighted the Panel's concern that the three key organisations central to Mr Porter's shared role (Cleveland Police, North Yorkshire Police and North Yorkshire FRS) are all facing significant financial challenges going forward and as such queried whether the sharing agreement was a sustainable position to adopt.

Mr Porter conveyed that he felt he had managed the challenges well thus far and that his own skill at time management had also developed over time in the shared role. He conveyed that the challenges faced by these organisations have added to the professional

interest for him in the role and that he would be clear not to allow pressures of work to impact on his life outside of work. The Commissioner added that work-life balance is important and that Mr Porter has evidenced this far that he is able to maintain that balance.

Councillor Wilkinson conveyed that he had been impressed with how Mr Porter had tackled the policing finance function in North Yorkshire and that his recent involvement in the Panel finance sub-group in which he briefed members on the FRS budget position led him to believe that professionally, he was very able to discharge the role. However, he expressed concern that Mr Porter may be spreading himself too thinly. He recommended that the arrangement be reviewed after six months.

Question 4: Councillor Peter Wilkinson asked Mr Porter how he would ensure that he would be able to give independent advice to the Commissioner and senior colleagues.

Mr Porter expressed a clear-sighted approach to the requirements for safeguarding public funds and he referenced drawing on the expertise of other Chief Financial Officers regionally to ensure that he is fully sighted and able to maintain independence of thought around decision-making.

Question 5: Paula Stott asked how Mr Porter would support collective ownership of strategy, risks and delivery across both the policing and fire services.

Mr Porter referred to the advantages of having oversight of both organisations in this role in enabling learning points to be identified and applied in other areas. In particular he felt the FRS treatment of risk could be a useful learning area for North Yorkshire Police and he has observed good practice in Cleveland which he has brought to bear in his North Yorkshire role thus far.

Question 6: Councillor Peter Wilkinson asked Mr Porter if he could provide an example of where he has had to challenge a colleague or senior leader on a business case proposition and what the impact was of this.

Mr Porter referred to the advantage in not working directly to the Chief Constables in Cleveland and North Yorkshire to be able to bring a level of challenge to bear in working with officers from these services. He referred in particular to early discussions around the development of the Force Control Room. He described that his approach is to ask a question that no one else is asking to ensure a dynamic of appropriate challenge in considering business proposals.

Question 7: Councillor Mel Hobson asked Mr Porter about his experience of working with the North Yorkshire Panel thus far and what financial monitoring information he thought could be provided going forward to help the Panel effectively scrutinise the Commissioner's performance in relation to both policing and the FRS.

Mr Porter made reference to the Police and Crime Plan and focussing on how information brought to the Panel aligns with progress against this Plan. He considered it important that the Panel understand how £180m is being spent on both services.

Question 8: Paula Stott asked if Mr Porter could provide an example demonstrating where he has contributed to a change programme through the identification of enhanced service efficiency and/or value for money.

Mr Porter described his experience in leading on an outsourcing programme for Cleveland Police Authority, in which he spent a lot of time looking at how the service could become more effective and efficient. The learning from such experiences has been applied to looking at North Yorkshire Police in relation to achieving value for money and identifying where transformation can occur. He stressed the importance of learning about taking other

people with you through a change programme rather than have others feeling that change is being done to them. He felt this would be similarly important across the FRS and the police service.

Question 9: Councillor Val Arnold asked Mr Porter how he would seek to ensure that the financial governance arrangements of the OPFCC are sufficiently robust to enable him to make certain that public monies are safeguarded and used appropriately.

Mr Porter was clear that the key part of his role is the safeguarding of public money and that his thorough understanding of the systems and processes in place means that he can quickly identify when things don't align. He referred to spending ten years in a Treasurer role so feels he has a sound handle on stewardship.

Question 10: Santokh Sidhu asked Mr Porter what examples he could give from his past experiences which he believes demonstrate strong planning or project management skills.

Mr Porter explained to the Panel that he does not have to oversee many projects. He has been on a project board in Cleveland around building a new community safety hub and his role has been to ensure that the project manager was delivering the financial aspects of that project as expected. He has a clear understanding of dependencies and can work with people to ensure appropriate planning is in place to ensure deadlines are met. He would not advocate that he is a specialist project manager but rather would draw on the experience of others who are as and when he needs it.

Question 11: Santokh Sidhu asked a supplementary question about how Mr Porter would best apply his skills to the new role in the next six months and beyond.

Mr Porter referred to the criticality of good time management and deployment of those working for him to ensure success in the role and ensuring that many things can be achieved at the same time, such as dealing with three precepts and budgets.

Question 12: Councillor Michael Chambers asked Mr Porter what he felt his personal and professional strengths to be and how he would describe his leadership style.

Mr Porter conveyed that he is a relatively laid back individual and he tries to use that to help get the best out of those around him and minimise stress. He referred to being a relatively quiet person who prefers small group work but who also wants to ensure that he provides a 'safety net' to empower others to take responsibility in their work and not feel isolated.

Question 13: The Chair asked how Mr Porter could further reassure the Panel regarding the time commitment required to manage the new role.

Mr Porter referred to ways in which he has re-organised his working day to make his use of time more efficient. If the arrangement does not work in six months' time then he will raise his concerns. However, being able to work from home when needed and also readily access the ICT for Cleveland and North Yorkshire will also help in managing time and commitment.

At the close of the Panel's questions, Fraser Sampson highlighted that the agenda erroneously referred to the Panel making a decision under Schedule 8 of the Police Reform and Social Responsibility Act 2011 when the decision would in fact come under of paragraph 11 of Schedule A2 to the Fire and Rescue Act 2004. There would as such also be no power of veto for the Panel.

The Chair then invited all parties, other than Panel Members and officers supporting the Panel, to leave and the Panel went into closed session.

After a period of time of discussion, the Panel resolved that on the basis of the information provided by the Commissioner, the discussions held in the confirmation hearing and examination of the evidence in both the public meeting and closed session, the Panel is pleased to endorse the appointment of Mr Michael Porter as Chief Financial Officer/s151 Officer.

The Chair added that while the Panel has no doubt about Mr Porter's suitability for the role, it does have some reservations about the workload. The Panel welcome the Commissioner's commitment to reviewing the agreement with Cleveland after six months and the Panel would like the Commissioner to share the outcome of that review with them.

Resolved –

- (a) On the basis of the information provided by the Commissioner; the discussions held in the Confirmation Hearing; and examination of the evidence in both the public meeting and the closed session; the Panel is pleased to endorse the appointment of Mr Fraser Sampson to the role of Interim Chief Executive Officer;
- (b) that the Panel will receive an update from the Commissioner in six months' time regarding the review of Mr Porter's appointment and the sharing agreement in place.

The meeting concluded at 3:00pm.

DP

NORTH YORKSHIRE POLICE, FIRE AND CRIME PANEL

15 January 2019

Confirmation Hearing – Interim Chief Fire Officer

1.0 Introduction

- 1.1 This report can be used as supporting information for the confirmation hearing for Interim Chief Fire Officer, North Yorkshire Fire and Rescue Service (**Agenda Item 5**) on **15 January 2019**.
- 1.2 The Police, Fire and Crime Commissioner (the Commissioner) has responsibility for appointing a Chief Fire Officer to the North Yorkshire Fire and Rescue Service. Before making such an appointment the Commissioner has to notify the Police, Fire and Crime Panel (the Panel) and it must review the appointment. The Panel must hold a public Confirmation Hearing prior to making a report to the Commissioner, which includes a recommendation as to whether or not the candidate should be appointed. This process applies equally to an interim appointment as it does to a substantive one.

2.0 Procedure

- 2.1 It is important that the process relating to Confirmation Hearings is scrupulously fair. It is an unusual situation for a candidate to be 'interviewed' for a job in a public forum. The process outlined below has been designed to ensure rigour and fairness in all circumstances.
- 2.2 Candidates will be treated with courtesy and respect throughout the whole appointment process, including at the Confirmation Hearing and in public statements relating to recommendations made by the Panel.
- 2.3 The focus will be on the individual's capabilities and expertise, their professional competence and personal independence. In order for the Panel to form a view on these issues, it will be important for the Commissioner to provide the Panel with reliable and objective evidence about the candidate.
- 2.4 Professional competence may include a reliable, objective assessment of the candidate's:
 - ability to carry out the role by comparing their background and experience, for example, with the role profile
 - professional judgment and insight
 - understanding of the various stakeholders who need to be involved and engaged with, in what way and with what outcome
 - experience in the development and delivery of a major strategy.
- 2.5 Personal Independence may include a reliable objective assessment of the candidate's:
 - ability to advise effectively
 - understanding of the separation of political and operational responsibilities
 - ability to respond constructively to situations where they might be held to account.

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- 2.6 Confirmation Hearings should take place as quickly as possible with minimal time between notification of the appointment, the hearing and reports and recommendations being made to the Commissioner. (The Act stipulates that a report and recommendation has to be sent within 3 weeks of the day that the Panel receives notification from the Commissioner.)

3.0 Formal Notification by the Commissioner

- 3.1 The Commissioner must formally notify the Panel of the proposed appointment. At the same time, the Commissioner will supply the evidence required for the Panel to determine whether his/her judgement has been properly exercised.

4.0 Confirmation Hearing

- 4.1 The Hearing will be held in public and the candidate will be requested to appear for the purpose of answering questions relating to the appointment.

- 4.2 The Panel will:

- welcome the candidate
- introduce those present
- explain the process and key themes
- explain the process for making a report and recommendation to the Commissioner as to whether or not the candidate should be appointed and (in the case of the Chief Constable only) the power to veto
- treat the candidate fairly and politely
- ask appropriate questions
- not make statements
- give the candidate an opportunity to clarify answers or ask questions

- 4.3 The Panel will be seeking to establish if, in its opinion, there are any grounds to not follow the Commissioner's proposal for appointment.

- 4.4 The questions need to relate to two general principles –

- i. Professional Competence
- ii. Personal independence

- 4.5 The hearing should be a relatively focussed opportunity to explore key issues relating to these general principles. The LGA/Centre for Public Scrutiny guidance on confirmation hearings advises that a hearing should not be used as an opportunity for a Panel to explore the candidate's views on various areas of the Commissioner's policies, national policy issues or their plans once they assume the post, except insofar as those questions might relate directly to professional competence.

- 4.6 The hearing ought not to be used to explore hypothetical instances ie asking the candidate what they would do in a particular situation but should address issues of competence, suitability and expertise, priorities and vision, availability.

5.0 Decision Making by the Panel

- 5.1 The Panel will exclude the press and public to come to a decision on its report and recommendation.
- 5.2 The Panel's decision making process is as follows :–
- 5.3 Taking account of the minimum standards of professional competence and personal independence does the candidate meet the criteria set out in the role profile?
 - a) Do they have the Professional competence to carry out the role
 - b) Do they have the personal independence to carry out the role
- 5.4 The Panel must then determine whether to recommend that the preferred candidate is appointed. In the case of a Chief Constable or Chief Fire Officer appointment, the Panel is able to exercise a power of veto (see also section 6, below).
- 5.5 A veto will only be used in exceptional circumstances by the Panel if the candidate does not appear to meet the minimum requirements of the post in relation to the individual's capabilities and expertise, their professional competence or personal independence.
- 5.6 In a circumstance where the candidate meets the two standards, but there is still cause for concern about his/her suitability, the Panel may choose to outline those concerns in its response to the Commissioner.

6.0 Report and Recommendation

- 6.1 The report and recommendation will be sent to the Commissioner within two working days of the Confirmation Hearing. (It has to be sent within three weeks of the day that the Panel received notification from the Commissioner.)
- 6.2 There are 3 options available to the Panel:
 1. Report and recommendation to appoint
 2. Report and recommendation not to appoint
 3. Report and veto (in the case of the Chief Constable/Chief Fire Officer only)
 - An appointment can only be vetoed if two thirds of the Members of the Panel present at the time when the decision is made vote in favour of the veto
 - If a candidate is vetoed they cannot be appointed
 - The Commissioner may put forward another person as reserve candidate and the process will be followed again from 'Formal Notification by the Commissioner'. In these circumstances the Panel may only issue a report with a recommendation whether or not to appoint.
- 6.3 In the case of the Chief Constable/Chief Fire Officer only – if the Panel does not make a report (including a recommendation as to whether or not the candidate should be appointed or veto

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the candidate) within 3 weeks of the day on which the Panel received the notification from the Commissioner of the proposed appointment, the Commissioner can go ahead and make the appointment.

7.0 Response by the Commissioner

- 7.1 The Commissioner must have regard to any report made with recommendations and then notify the Panel whether she accepts or rejects the Panel's recommendation within three working days.
- 7.2 The Commissioner will give reasons for her decision.
- 7.3 If the Commissioner accepts the Panel's recommendation not to appoint a reserve candidate (relates to a Chief Constable/Chief Fire Officer only) then she can put forward another person as reserve candidate and the process will be followed again from 'Formal Notification by the Commissioner' until a candidate is appointed.
- 7.4 The Commissioner will notify the candidate of the decision.

8.0 Publication

- 8.1 The Panel will decide how and when to publish the report and recommendation. The standard procedure will be to publish it on the Panel website. It will be published in full.
- 8.2 The decision will be taken following consultation with the Commissioner and the candidate, and they will be given at least two working days' notice of the date of publication.
- 8.3 The report and recommendation will normally be published within five working days of the Commissioner taking a decision whether or not to appoint.
- 8.4 If a candidate withdraws after a report and recommendation has been sent to the Commissioner, the report and recommendation will still be published in accordance with the procedure set out above.
- 8.5 If, having regard to the report and recommendations from the Panel, the Commissioner decides not to appoint, the Commissioner will publish details of what she is going to do next in relation to the vacancy within five working days.

Diane Parsons
Police, Fire and Crime Panel Secretariat
7th January 2019

County Hall,
NORTHALLERTON

Background Documents - Nil

North Yorkshire Police, Fire and Crime Panel

15 January 2019

Changes to the Panel's Rules of Procedure

1 Purpose of Report

- 1.1 To ask the Panel to agree the updated Rules of Procedure as provided at Appendix 1:

- 2** At the Panel meeting of 15th November 2018, it was agreed that changes would be made to the Panel's Rules of Procedure to:

(a) reflect the extension of the Panel's remit to include scrutiny of the performance of the Police, Fire and Crime Commissioner's functions in respect of governance of the fire and rescue service; and

(b) amend the Panel's quorum requirement to become one third of the Panel's whole membership (currently 4 members).

- 3** The Rules of Procedure have been updated and are provided at Appendix 1 for agreement by the Panel.

- 4** As discussed on 15th November 2018, the Panel also requires updates to be made to its Arrangements following the extension in scrutiny remit. Legal guidance is currently being sought regarding the process for updating and agreeing these and Panel will be updated further at the next Panel meeting.

5 Recommendations

- 5.1 The Panel is recommended to agree the revised Rules of Procedure provided at Appendix 1.

Diane Parsons
Principal Scrutiny Officer
North Yorkshire County Council

7 January 2019

Background Documents:

Appendix 1 - Draft Panel Rules of Procedure (as at 7 January 2019)

North Yorkshire Police, Fire and Crime Panel
Rules of Procedure (Draft as at 7 January 2019)

1.0 General

- 1.1 These Rules of Procedure have been established under the provisions of Schedule 6, paragraph 25, of the Police Reform and Social Responsibility Act 2011 and have been amended in accordance with the provisions of Schedule 1 of the Policing and Crime Act 2017.
- 1.2 The Panel will be conducted in accordance with the Rules. The Rules should be read having regard to the Panel Arrangements.
- 1.3 The Rules shall not be amended unless notification of a proposed amendment is received by the Chairman and the Lead Authority not less than fifteen working days prior to a Panel meeting, a report on the implications of the amendment shall be considered by the Panel and the amendment shall require agreement of three quarters of the current Membership of the panel. No amendment may be considered by the Panel which does not comply with the governing legislation, relevant regulations or statutory guidance.
- 1.4 If there is any conflict in interpretation between these Rules and the governing legislation or regulations, then the governing legislation and regulations will prevail.

2.0 Appointment of the Chairman of the Panel

- 2.1 The Chairman of the Panel will be appointed in July of each year by the Panel from amongst the Appointed Members sitting on the panel. The Panel shall determine the means by which the Chairman shall be appointed.
- 2.2 The Deputy Chairman will be appointed in July of each year from Appointed Members sitting on the Panel and the Panel shall determine the means by which the Deputy Chairman shall be appointed. The Deputy Chairman will preside in the absence of the Chairman and if neither are present the Panel will appoint a Chairman from among the remaining Appointed Members for the purposes of that meeting.
- 2.3 In the event of the resignation or removal of the Chairman a new Chairman will be appointed by the Panel at its next meeting from the Appointed Members.
- 2.4 The Chairman may be removed by agreement of a majority of the whole Membership of the Panel and in that event the Panel will appoint a replacement Chairman from the Appointed Members.

3.0 Panel Meetings

- 3.1 The Panel will meet in public at least four times per year to carry out its functions.
- 3.2 Extraordinary meetings may be also called from time to time as the Panel considers necessary.
- 3.3 An extraordinary meeting may be called by:
- a) the Chairman, or
 - b) any four Members of the Panel giving notice in writing to the Chairman and the Panel Secretariat.
- 3.4 The Panel shall have power to determine the location of its meetings.
- 3.5 Members of the Public shall be able to ask questions or make a statement to the Panel at each meeting, provided that the total time allowed for public questions shall not exceed 30 minutes, and no question or statement shall be allowed more than three minutes.

4.0 Quorum

- 4.1 A meeting of the Panel cannot take place unless one third of the whole number of its Members is present.

5.0 Voting

- 5.1 Voting will be by show of hands and by simple majority unless the governing legislation, regulations made thereunder or these Rules require otherwise.
- 5.2 The Chairman will have a casting vote.
- 5.2 All Panel Members may vote in proceedings of the Panel.

6.0 Work Programme

- 6.1 The Panel will be responsible for setting a programme for its work and in doing so shall have regard to:
- a) the requirement to properly undertake the functions and responsibilities of the Panel as set out in the governing legislation;
 - b) the priorities defined by the Police, Fire and Crime Commissioner ('PFCC'); and
 - c) the views of Panel Members and advisers as to appropriate work to be undertaken.

7.0 Panel Agenda

- 7.1 The Panel agenda will be issued to Panel Members at least 5 clear days before the meeting. It will also be published on the Panel's web site and by

sending copies to each of the Authorities, and by any other means the Panel considers appropriate.

- 7.2 Any Member of the Panel shall be entitled to give notice to the Panel Secretariat that he or she wishes an item relevant to the functions of the panel to be included on the agenda for the next available meeting.

8.0 Sub-Committees and Task Groups

- 8.1 The Panel may set up Sub-Committees from its membership to undertake specified functions of the Panel.
- 8.2 Sub-Committees and Task Groups may not undertake the Special Functions referred to at paragraph 11 below.
- 8.3 Task Groups may also be established from time to time by the Panel undertake specific task based work.
- 8.4 The work to be undertaken by a Sub-Committee or Task Group will be defined beforehand, together with the timeframe within which the work is to be completed and the outcome reported to the Panel.
- 8.5 A Sub-Committee of the Panel may not co-opt Members.

9.0 Panel Reports - General

- 9.1 Reports and recommendations made by the Panel in relation to its functions will be carried out in accordance with the procedure outlined in this paragraph.
- 9.2 Where the Panel makes a report to the PFCC it will publish the report or recommendations on its web site and by sending copies to each of the Authorities, and by any other means the Panel considers appropriate.
- 9.3 The Panel may require the PFCC within 20 working days (or within such other period as is indicated in these Rules) of the date on which s/he receives the Panel's report or recommendations to:
- a) consider the report or recommendations;
 - b) respond to the Panel indicating what (if any) action the PFCC proposes to take;
 - c) where the Panel has published the report or recommendations, publish the response from the PFCC in the same manner;
 - d) where the Panel has provided a copy of the report or recommendations to a Panel Member, provide a copy of the response to the Panel Member.
- 9.4 The publication of reports or recommendations is subject to the exclusion of any exempt or confidential information as defined in the rules on access to information in the Local Government Act 1972 (as amended).

10.0 Scrutiny and Review

- 10.1 The Panel must scrutinise and review decisions made or actions taken by the PFCC in the discharge of his/her duties, and make reports or recommendations to the PFCC with respect to the discharge of those duties.
- 10.2 The Panel will publish all reports or recommendations made in relation to the discharge of the PFCC's duties on its web site and by sending copies to each of the Authorities, and by any other means the Panel considers appropriate.
- 10.3 The Panel may, in discharging this function, review documentation and require the PFCC, and members of the PFCC's staff, to attend before the Panel at reasonable notice to answer questions which appear to the Panel to be necessary in order to carry out its functions.
- 10.4 Where the PFCC, or a member of the PFCC's staff, is required to attend the Panel in accordance with this provision, the PFCC will be given at least 15 working days written notice of the requirement to attend, and the notice shall:
 - a) state the nature of the item in respect of which s/he is required to attend;
 - b) whether any papers are required to be produced to the Panel; and
 - c) where it is necessary to produce a report, sufficient time will be given to allow for its preparation of that report.
- 10.5 Where, in exceptional circumstances, the PFCC is unable to attend on the required date, then an alternative date for attendance shall be arranged following consultation with the Chairman.
- 10.6 A member of the PFCC's staff attending a meeting of the Panel shall not be required to disclose any advice given to the PFCC by that person.
- 10.7 The Panel may require the PFCC to respond in writing to any report or recommendation of the Panel as set out in paragraph 9.3 above.
- 10.8 If the Panel requires the PFCC to attend before the Panel, the Panel may also (at reasonable notice) request the Chief Constable to attend before the Panel on the same occasion to answer any questions which appear to the Panel to be necessary in order for it to carry out its functions.
- 10.9 In undertaking its functions, the Panel may invite persons other than those referred to above to attend Panel meetings, to address the meeting, discuss issues of local concern and/or answer questions. This may, for example and not exclusively, include residents, stakeholders, councillors who are not members of the Panel and officers from other parts of the public sector.

11.0 Special Functions

- 11.1 The Special Functions of the Panel, are those functions referred to at paragraphs 12-16, below, and which are conferred on the Panel in relation to:

- a) the review of the Police and Crime Plan and Fire and Rescue Plan;
- b) the review of the Annual Report and Fire and Rescue Statement;
- c) the review of senior appointments;
- d) the review and potential veto of the proposed precept; and
- e) the review and potential veto of appointment of the Chief Constable and Chief Fire Officer.

11.2 The Special Functions shall be undertaken having regard to the requirements of the governing legislation and regulations in each case.

11.3 The issuing of reports and recommendations by the Panel in relation to the Special Functions outlined above will be carried out in accordance with paragraph 9 above.

12.0 Police and Crime Plan and the Fire and Rescue Plan

12.1 The Panel is a statutory consultee on the development of the PFCC's Police and Crime Plan and draft Fire and Rescue Plan and will receive a copy of the draft plans, or a draft of any variation to them, from the PFCC. The PFCC may also choose to present a combined Police, Fire and Crime Plan to the Panel.

12.2 The Panel must:

- a) hold a public meeting to review the draft Plans (or a variation to them), and
- b) report or make recommendations on the draft Plans which the PFCC must take into account.

13.0 Annual Report and Fire and Rescue Statement

13.1 The PFCC must produce an Annual Report and Fire and Rescue Statement about the exercise of his/her functions in the financial year and progress in delivering on the priorities set out in the Police and Crime Plan, and the Fire and Rescue Plan.

13.2 The Annual Report and Fire and Rescue Statement must be sent to the Panel for their consideration.

13.3 The Panel must comment upon the Annual Report and Fire and Rescue Statement, and for that purpose must:

- a) arrange for a public meeting of the Panel to be held as soon as practicable after the Panel receives the Annual Report or Fire and Rescue Statement;
- b) require the PFCC to attend the meeting to present the reports to the Panel and answer such questions about the Annual Report and the Fire and Rescue Statement as the Members of the Panel think appropriate; and

- c) make a report or recommendations on the Annual Report and Fire and Rescue Statement to the PFCC.

14.0 Proposed precept

- 14.1 The Panel will receive notification from the PFCC of the precepts which the PFCC is proposing to issue for the coming financial year for both policing and fire and rescue services. The Panel must arrange for a public meeting of the Panel to be held as soon as practicable after the Panel receives the precept proposals and make a report including recommendations.
- 14.2 Having considered the proposals, the Panel must:
 - a) support the precept without qualification or comment; or
 - b) support the precept and make recommendations; or
 - c) veto the proposed precept (by the required majority of at least two thirds of the persons who are members of the Panel at the time when the decision is made).
- 14.3 If the Panel vetoes a precept proposal, the report to the PFCC must include a statement that the Panel has vetoed the proposed precept and give reasons for that decision. The Panel will require a response from the PFCC to the report and any such recommendations.

15.0 Senior Appointments

- 15.1 The Panel has powers to review the PFCC's proposed appointments of Chief Constable, Chief Fire Officer, Chief Executive Officer of the Office of the PFCC, Chief Financial Officer to the PFCC and the Deputy PCC.
- 15.2 The Panel shall receive notification of the proposed appointments from the PFCC including:
 - a) the name of the candidate;
 - b) the criteria used to assess suitability of the candidate,
 - c) why the candidate satisfies the criteria; and
 - d) the terms and conditions proposed for the appointment
- 15.3 Within three weeks of the receipt of notification the Panel must consider and review the proposed appointment and report to the PFCC with a recommendation as to whether the candidate should be appointed. The three-week period will not include the post-election period.
- 15.4 Before reporting and recommending an appointment, the Panel must convene a public confirmation hearing of the Panel where the candidate must attend, either in person or by telephone or video link and answer questions relating to the appointment.
- 15.5 In relation to the appointment of a candidate for the position of Chief Constable or Chief Fire Officer, the Panel also has the power to veto the

appointment by the required majority of at least two thirds of the persons who are members of the Panel at the time when the decision is made.

- 15.6 The Panel must publish the report on its web site and by sending copies to each of the Authorities, and by any other means the Panel considers appropriate.
- 15.7 Where the Panel has exercised its veto – in the case of a proposed appointment for Chief Constable or Chief Fire Officer – then the PFCC must not appoint that candidate. In relation to other proposed senior appointments, the PFCC may accept or reject the Panel's recommendation, and must notify the Panel accordingly.

16.0 Appointment of an Acting Police, Fire and Crime Commissioner

- 16.1 The Panel must appoint a person to be acting PFCC if:
- a) no person holds the office of PFCC;
 - b) the PFCC is incapacitated (i.e. unable to fulfil the functions of PFCC) which is a matter for the Panel to determine; or
 - c) the PFCC is suspended.
- 16.2 In the event that the Panel has to appoint an acting PFCC it will meet to determine the process for appointment which will comply with these Rules of Procedure and any legal requirements.
- 16.3 The Panel may appoint a person as acting PFCC only if the person is a member of the PFCC's staff at the time of the appointment.
- 16.4 In appointing a person as acting PFCC in a case where the PFCC is incapacitated, the Panel must have regard to any representations made by the PFCC in relation to the appointment.
- 16.5 The appointment of an acting PFCC will cease to have effect upon the earliest of the following:
- a) the election of a person as PFCC;
 - b) the termination by the Panel, or by the acting PFCC, of the appointment of the acting PFCC;
 - c) in a case where the acting PFCC is appointed because the PFCC is incapacitated, the PFCC ceasing to be incapacitated; or
 - d) in a case where the acting PFCC is appointed because the PFCC is suspended, the PFCC ceasing to be suspended.
- 16.6 Where the acting PFCC is appointed because the PFCC is incapacitated or suspended, the acting PFCC's appointment does not terminate because a vacancy occurs in the office of PFCC.

17.0 Complaints

- 17.1 The Panel has formally delegated the initial handling of all complaints received regarding the PFCC or Deputy PCC to a nominated Lead Officer.
- 17.2 Serious complaints which involve allegations which may amount to a criminal offence by the PFCC or senior office holders are dealt with by the Independent Office for Police Conduct (the 'IOPC'). The Lead Officer will determine when a complaint must be referred to the IOPC.
- 17.3 The Panel may however be involved in the informal resolution of certain other complaints against the PFCC and Deputy PCC, where they are not being investigated by the IOPC or cease to be investigated by the IOPC.
- 17.4 Informal resolution of a complaint may require the Panel to encourage, facilitate, or otherwise assist in the resolution of the complaint otherwise than by legal proceedings. This process will normally be undertaken via a nominated sub-committee of three Panel members.
- 17.5 The Panel's full procedure for the handling of complaints received against the PFCC and Deputy PCC can be found on the Panel's web site.

18.0 Suspension of the Police, Fire and Crime Commissioner

- 18.1 The Panel may suspend the PFCC if it appears to the Panel that:
 - a) the PFCC is charged in the United Kingdom, the Channel Islands or the Isle of Man with an offence; and
 - b) the offence is one which carries a maximum term of imprisonment exceeding two years.
- 18.2 The suspension of the PFCC ceases to have effect upon the occurrence of the earliest of these events:
 - a) the charge being dropped;
 - b) the PFCC being acquitted of the offence;
 - c) the PFCC being convicted of the offence but not being disqualified under Section 66 of the Police Reform and Social Responsibility Act by virtue of the conviction, or
 - d) the termination of the suspension by the Panel.
- 18.3 In this section references to an offence which carries a maximum term of imprisonment exceeding two years are references to:
 - a) an offence which carries such a maximum term in the case of a person who has attained the age of 18 years, or
 - b) an offence for which, in the case of such a person, the sentence is fixed by law as life imprisonment.

19.0 Suspension and Removal of the Chief Constable or Chief Fire Officer

- 19.1 If the PFCC suspends the Chief Constable or Chief Fire Officer from duty they must notify the Panel of the suspension.
- 19.2 A Commissioner must not call upon a Chief Constable to retire or the Chief Fire Officer to resign until the end of the scrutiny process which will occur:
 - a) at the end of six weeks from the Panel having received notification if the Panel has not by then given the PFCC a recommendation as to whether or not they should call for the retirement or resignation; or
 - b) the PFCC notifies the Panel of a decision as to whether they accept the Panel's recommendations in relation to resignation or retirement.
- 19.3 The PFCC must notify the Panel in writing of their proposal to call upon the Chief Constable or Chief Fire Officer to retire or resign together with a copy of the reasons given to the Chief Constable/Chief Fire Office and any representation from the Chief Constable/Chief Fire Officer in relation to that proposal.
- 19.4 Within six weeks from the date of receiving the further notification, the Panel must make a recommendation in writing to PFCC as to whether or not they should call for the retirement or resignation. Before making any recommendation, the Panel may consult the chief inspector of constabulary/fire and rescue, and must hold a scrutiny meeting.
- 19.5 The scrutiny hearing which must be held by the Panel is a Panel meeting in private to which the PFCC and Chief Constable/Chief Fire Officer are entitled to attend to make representations in relation to the proposal to call upon them to retire or resign. Appearance at the scrutiny hearing can be by attending in person, or participating by telephone or video link.
- 19.6 The Panel must publish the recommendation it makes by sending copies to each of the councils, and by any other means the Panel considers appropriate.
- 19.7 The Commissioner must consider the Panel's recommendation and may accept or reject it, notifying the Panel accordingly.

North Yorkshire Police, Fire and Crime Panel

15 January 2019

Update following presentation of the Panel's annual report to the Selby District Council Scrutiny Committee

1.0 Purpose of Report

- 1.1 To update the Panel on issues raised by the Selby District Council Scrutiny Committee on 22nd November 2018; and
- 1.2 To seek comment from the Commissioner on the issues or queries raised, where appropriate, to assist in responding to the Committee.

2.0 Crime and Disorder Committee meeting – 19 March 2018

- 2.1 Selby District Council invited the Chair and Secretariat officer to attend their Scrutiny Committee ("the Committee") on 22nd November 2018 to present an annual update report on Panel business and future plans. The full report can be found at <https://democracy.selby.gov.uk/documents/s3230/Report%20North%20Yorkshire%20Police%20Fire%20and%20Crime%20Panel.pdf>. Questions received and issues raised focussed on the following points.
- 2.2 **Office of the Police, Fire and Crime Commissioner - staffing.** A query was raised regarding whether the Police, Fire and Crime Commissioner ("the PFCC") will need to recruit additional staff to her office in order to support her oversight of the North Yorkshire Fire and Rescue Service.
- 2.3 **Custody transport.** The Committee raised some concerns around the arrangements for custody transport. The Panel Chair was advised that due to the closures of local stations, officers had to transport offenders to other stations for custody arrangements, such as York, which consequently took resources away from local areas. Discussion took place on whether stations with custody arrangements could meet officers half way on the route when transporting people. It was agreed the issue of custody arrangements would be raised by the Panel with the PFCC.
- 2.4 **Street Wardens.** The Committee felt the Street Wardens service which used to be operational in the town centre of Selby had proved to be beneficial in assisting people who were out in the evenings and it was felt that this service should be reintroduced. It was agreed this would be raised by the Panel with the PFCC, to ascertain whether there would be any scope for the PFCC to revisit supporting this service.
- 2.5 The PFCC is invited to comment on the points raised with the Panel by the Committee. The Panel will refer any comments made back in writing to the Chair of the Committee.

3.0 Recommendation

3.1 That the Panel:

- (a) note the update provided; and
- (b) invite the PFCC to comment on the issues raised by the Committee.

Diane Parsons
Principal Scrutiny Officer
County Hall
Northallerton

7th January 2019

Background Documents: None.



15th November 2018

Baseline Assessment Report of North Yorkshire Fire and Rescue Service

Background

The Policing and Crime Act¹ was given royal assent in January 2017. The Act placed a high-level duty to collaborate on the emergency services (Police, Fire and Rescue and Ambulance). It also made provision for local assessments by Police and Crime Commissioners (PCCs) as to the most effective governance model for Fire and Rescue Services (FRS), giving them the ability to present a Local Business Case (LBC) to the Home Office where they perceived that a different governance model would generate improvements in economy, efficiency and effectiveness, and/or public safety.

After a full and independent assessment of the different governance models, including robust and extensive consultation with the public and workforce, the PCC for North Yorkshire submitted her LBC to the Home Office proposing the Governance Model:

- PCC takes on legal and overarching responsibility for the provision of the fire and rescue service in their area.
- The individual services of North Yorkshire Police (NYP) and that of North Yorkshire Fire and Rescue Service (NYFRS) retain their operational independence, budgets, their chief officers and, their own staff. The two services will continue to have distinct roles, identities and finances – one service's savings will not fund the other.

The Home Secretary approved the LBC in June 2018, recognising the benefits that joint oversight of the police and fire service would bring to the residents and businesses of North Yorkshire. From 15th November 2018, the PCC will take on all statutory responsibilities of the North Yorkshire Fire and Rescue Authority, becoming the elected Police, Fire & Crime Commissioner (PFCC) for North Yorkshire.

Context

At the time of writing the LBC, the financial challenges were significant; budgets continued to fall, both in policing and fire and rescue services, as well as for health, social care and local government. To maintain the current levels of service, of which the public rightly have an expectation, NYFRS would have needed to make savings of around £2.2m recurring from 2019/20. The scale of savings increased to £2.5m recurring, as a consequence of a service delivery decision taken by North Yorkshire Fire and Rescue Authority in December 2017. The Authority chose to use reserves to fund the budget shortfall between 2018/19 and 2020/21. However, their continued use would have depleted reserves by 2022/23, in turn losing the ability of the service to have funds available for unplanned emergency spending. The financial position has since worsened with the Treasury stipulating an extra £4.7bn nationally from the budget for schools, hospitals, the police, fire service and armed forces to cover a shortfall in public sector pensions. The anticipated rise in employer pension contributions for NYFRS could potentially equate to an *additional* shortfall of almost £1.5m, increasing the scale of recurring savings to £4m. There has been continued engagement with key partners in government to ensure that the funding and resource needs of the fire and

¹ Policing and Crime Act 2017, further reforms policing and enables changes to governance of the fire and rescue services and the police complaints and disciplinary systems
<http://www.legislation.gov.uk/ukpga/2017/3/contents/enacted>

rescue service are evidence-based and well understood, and those discussions continue, but the financial situation is unlikely to improve in the short to medium term.

Action plan

North Yorkshire Fire and Rescue Service is going through a period of change with a new governance model, changes to the senior management team, including the recent retirement of its Chief Fire Officer, and significant savings to make. The PFCC therefore commissioned a full-service review of NYFRS which commenced in August 2018 and now forms part of a larger transformation programme (Transform 2020) across both the police and fire services in North Yorkshire.

Additional expertise was brought in to specifically review NYFRS. Dave Etheridge OBE, former Chief Officer of Oxfordshire Fire and Rescue Service conducted the review. The initial phase of the review is now complete and provides the now PFCC with a baseline assessment of the service, providing a set of strengths, weaknesses, opportunities and threats along with a range of recommendations. The full report is appended (Appendix A).

This baseline assessment confirms that NYFRS is delivering its statutory functions and is making a positive difference to the lives of people who live, work and travel in North Yorkshire. These statutory functions encompass the prevention of fires, fire safety buildings and responding to incidents, and there are many examples of exemplary practice. The staff of NYFRS are proud to be part of the service. Dave has also set out the challenges facing the service, which are many and varied.

The PFCC and NYFRS will now jointly consider the recommendations, assess and prioritise them, setting out a clear road map for the years ahead. The immediate priorities for the PFCC and Corporate Management Team of NYFRS will be to:

1. establish a Finance Working Group and 'emergency budget' to identify one-off as well as recurring, deliverable savings and to enable the service to live within its means. This Group will be chaired by a senior member of NYFRS and will ensure an inclusive approach with staff;
2. specifically, create a robust Reserves Strategy to halt the unsustainable use of reserves to prop up day-to-day costs;
3. prepare a fundamental review of how the service operates and start to develop a new service delivery model, as well as a strategic Integrated Risk Management Plan, covering a minimum of three years. This should include a new performance framework, such as agreed response times to incidents, which is not currently in place;
4. receive and consider, at the start of the new year, business cases for the redesign of enabling support services across both organisations;
5. assess the outcomes of the current Craven pilot where a "Public Safety Service" model brings all partners together to tackle local community safety issues, building on the experience from the established Community Safety Hubs and capitalising on the collaborative opportunities presented by the Policing and Crime Act 2017 and the PFCC's LBC to improve community resilience and public safety.

Strategic approach

The next phase of Transform 2020 will seek to identify, across all aspects of the fire service, opportunities for deep and meaningful strategic and tactical collaboration with NYP, health and local authorities to develop and extend existing work on understanding and preventing vulnerability. It will ensure that clear and separate roles of policing and fire are retained, with their distinct and identifiable 'brands', that sufficient fire cover is provided, and that links with wider community partners are maintained or enhanced. This stage of the review will also seek to determine an appropriate principal officer structure to carry out this reform.

The outcomes from this phase will clearly set out the strategic priorities for the years ahead and will provide the guiding principles for how the service develops. This will form the basis of the PFCC's Fire and Rescue Plan, which will set out the strategic vision, priorities and objectives for NYFRS to the end of 2020

financial year. In developing this plan, the PFCC commits to obtaining the views of the community as she currently does in preparing her Police and Crime Plan. The Fire and Rescue Plan, together with the Integrated Risk Management Plan, will form the 'blueprint' for the direction of the NYFRS.

The staff of NYFRS have contributed to this review openly, honestly and passionately. Their feedback has been critical to forming this baseline assessment. Thanks also goes to Dave Etheridge for undertaking this first phase of the review and for the expertise and insight he has brought to it.

Since August 2018, The PFCC, alongside the interim Chief Fire Officer, has visited two-thirds of the thirty-eight fire stations across North Yorkshire, with the remaining visits scheduled over the next three months. These roadshows have provided a welcome and valuable opportunity for the PFCC to listen to staff views on the future of their service and the feedback will be used to inform the next phase of the review. A summary of the feedback is provided as Appendix B.

Baseline Assessment Report of North Yorkshire Fire and Rescue Service

Overall Summary

Introduction

The Police and Crime Act 2017 introduced a range of potential new governance structures to enable greater collaboration between emergency services, including enabling a Police and Crime Commissioner (PCC) to take on the governance of Fire and Rescue Services where a local case is made. The Home Secretary approved the business case put forward by the North Yorkshire PCC to take responsibility for the North Yorkshire Fire and Rescue Service (NYFRS). This change of governance means that North Yorkshire Fire and Rescue Authority (NYFRA) will be dissolved as from 15th November 2018, and the PCC will take on full responsibility, becoming Police, Fire and Crime Commissioner (PFCC). This enables NYFRS to pursue wider opportunities around community safety and collaborative partnerships with other bodies such as North Yorkshire Police.

This report was commissioned by the Office of the PCC to provide a baseline assessment of NYFRS at the point of transfer and to make recommendations to be taken forward by the PFCC. The report was produced by Dave Etheridge OBE, of Greston Associates, in partnership with PwC.

Partly because NYFRS is proactive in preventing incidents, it now attends fewer fires and incidents than ten years ago. However, the number of fire stations, fire engines and operational personnel who attend incidents has remained broadly the same.

The service is facing significant financial challenges. If nothing changes, between now and 2022/23, the service will spend at least £3.5m more than it receives in income. This is not sustainable. Her Majesty's Treasury are currently reviewing the cost of various public sector pension schemes including those effecting firefighters. Early indications from the Government led review (which are yet to be confirmed), estimate the potential increase in pension costs to NYFRS to be within the region of additional £1.5m a year. The year in which this fully comes in is also unknown.

Key Findings

NYFRS is delivering its statutory functions and is making a positive difference to the lives of people who live, work and travel in North Yorkshire. These statutory functions encompass the prevention of fires, fire safety in buildings and responding to incidents.

North Yorkshire is the largest authority area in England, covering over 3000 square miles and including seven districts and boroughs and the City of York. The population of 819,800 is spread across isolated rural settlements and farms, market towns and larger urban areas such as York, Harrogate and Scarborough. The geography and sparsity of the county brings challenges to the way NYFRS delivers its services to the public. Serving a population of 819,800, in 2017/18 NYFRS attended 6,475 emergency incidents. This compares with 110,107 incidents attended by North Yorkshire Police. NYFRS staff work hard and have an impressive track record of reducing not only the number of incidents they attend, but also deaths and injuries from fires and on the county's roads. The service also works well with businesses, enforcing the legislation which keeps people safe from fire at work and successfully prosecuting business that break the law.

The public expect NYFRS to attend incidents as quickly as possible. However, the service does not have a publicly prescribed and published Response Standard – that is, a promise to the public concerning the total time taken to reach an incident after a 999 call is received. Virtually every other fire and rescue service has a response standard against which it is measured.

Steps need to be taken to address the funding shortfall. These include a fundamental review of NYFRS and the development and adoption of a strategic Integrated Risk Management Plan (IRMP). These will ensure that, within the available resources, NYFRS has the right people, in the right place, at the right time and with the right equipment and skills, to deliver the best service, leading to a safer North Yorkshire.

Strengths, Weaknesses, Opportunities and Threats (SWOT) Analysis:

Strengths	Weaknesses
<ul style="list-style-type: none"> • Impressive record of reduction in fires and other emergencies over many years. • Effective partnership working and a good external reputation. • Firefighters and operational crews conduct Fire Safety Audits in businesses. • Strong track record of successful prosecutions of business who place employees/public at risk. • Effective approach to Fire Investigation, especially in relation to fatal fires. • All house and business visits are recorded on a software system which provides a clear audit trail. • Effective training framework, especially concerning operational competencies. • Effective Health and Safety framework. • Effective Incident Command training. • Effective fitness policy for all operational staff. • Fire Cover Review has produced a large volume of data for the service to use in future. • NYFRS has many dedicated staff who 'go the extra mile'. 	<ul style="list-style-type: none"> • Unsustainable financial position. • Reliance on reserves to 'plug' the financial gap. • IRMP approach is not looking far enough into the future. • No comprehensive Emergency Response Strategy. • No Response Standard which tells the public the time the service will take to attend a 999 call. • Industrial relations are challenging due to the complexity of various projects and initiatives and the lack of process. • Buildings/furnishings need replacement or refurbishment. • Service could make better use of data and intelligence from other organisations to target higher risk businesses and vulnerable people. • The service should celebrate success more concerning the positive impacts achieved around community safety. • There is minimal evaluation of the effectiveness of prevention and protection activities.
Opportunities	Threats
<ul style="list-style-type: none"> • Timely to conduct a fundamental review of the service in all the following areas: <ol style="list-style-type: none"> 1. Understanding where, why and when previous incidents occurred. 2. Assessing future risks from housing and business growth and an ageing population and likely future incidents. 3. Reviewing the number and location of fire stations. 4. Reviewing the future equipment on fire engines and other vehicles. 5. Assessing how fire engines should be crewed at different times during the day and night. 6. A management review to create a flatter structure. <p>There are also opportunities to:</p> <ul style="list-style-type: none"> • strengthen industrial relations through greater transparency and consultation; • place greater emphasis on public safety/risk reduction; • put the service on a firm financial footing; • collaborate further with Police, Ambulance and other public services; • fully engage workforce in the future design and service delivery of NYFRS; • opportunities to broaden partnership working and community safety to become more 'relevant' and add further value to residents and business; • reassess the Tactical Response Vehicles project; • develop a longer-term workforce development strategy; and • ensure future establishment of enabling services jointly with the Police provides greater resilience in the supporting functions (Enabling Services) 	<ul style="list-style-type: none"> • Loss of corporate knowledge and strategic experience due to high number of senior managerial retirements. • Service could receive a poor outcome from the forthcoming baseline review by HM Inspectorate of Constabulary and Fire and Rescue Services. • Worsening of financial position due to the potential reduction in government grant. • The potential pensions burden of £1.5m by the next financial year. • NYFRS will have insufficient or no reserves by 2022, leading to a vulnerable position and the inability to use reserves for other programmes. • Service could be open to criticism concerning the lack of equality and diversity within the workforce, especially concerning the employment of women and members of ethnic minorities. • Inflexible working patterns could lead to a less effective service to the public. • Several important projects will run concurrently, putting pressure on capacity and resource allocation.

Finance

The Fire Authority has known about the funding problem for some time. It decided to use reserves, between 2018/19 and 2020/21, to bridge the funding shortfall. This decision limits the use of reserves for other purposes and is not common in other Fire and Rescue Services. It is not a sustainable approach. We recommend that NYFRS should immediately create a Finance Working Group to identify opportunities for savings, to enable the service to live within its means. The Corporate Management Board is accountable for the delivery of the savings identified and for ensuring that enabling service opportunities are aligned to the wider transformation programme being progressed by the PFCC and North Yorkshire Police.

The table below provides a snapshot of the total budget for NYFRS compared to other fire and rescue services who have similar characteristics, whole-time and retained staffing, industrial, urban and rural areas. It demonstrates that expenditure is rising in North Yorkshire, despite a drop in demand, and that expenditure per head of population is higher than in 2 comparator FRAs.

Table 1. Budget and expenditure per head of population:

Authority	17/18 Budget	17/18 Expenditure	17/18 Expenditure per head of population
North Yorkshire	£29.90m	£29.85m	£36.41
Cumbria*	-	£16.79m	£33.69
East Sussex	£37.40m	£37.44m	£44.55
Kent	£68.64m	£67.99m	£37.11
Oxfordshire*	-	£31.88m	£46.72
Staffordshire	£39.9m	£39.9m	£35.43

**Cumbria and Oxfordshire are county council run Fire Authorities so budget comes from central council
Information taken from respective Statement of Accounts for each authority / county council as appropriate.
Population estimates taken from ONS.*

Integrated Risk Management Planning

NYFRS has published a Community Safety Plan which covers the period 2016/17 to 2020/21. This acts as its Integrated Risk Management Plan (IRMP).

NYFRS is required by law to publish an IRMP which considers risks such as fires, road traffic accidents and flooding. It must show how the service will work with others to reduce incidents involving these risks and respond to them when they happen. We recommend the service creates a more strategic and longer-term IRMP covering a minimum of 3 years but considers changes in risk covering the next 10 years.

Leading up to the creation of the Strategic IRMP, the service needs to conduct a fundamental review of how it operates. The number of fires has fallen over recent years, so the demand on the service has reduced. The review should examine the incidents the service has attended over many years, where they occurred and at what time. Once this evidence is clear, the service can decide on how best to respond to likely future incidents. This will include the speed with which it attends, the number and type of fire engines and how those fire engines are crewed with firefighters at different times of the day and night. Fire Stations should also be reviewed to make sure they are in the right place and that they are used by other organisations to save tax payers' money. There should also be a managerial review to ensure the service operates with a flatter structure.

Emergency Response

NYFRS has 38 fire stations and 46 front-line fire engines. When compared to the services in table 1 NYFRS has the second highest number of fire stations per 100,000 residents. This number is partly due to the population sparsity over a large rural area and the two national parks.

NYFRS needs to introduce a Response Standard and to implement a dedicated Response Strategy. A Response Strategy states how the service will respond to 999 calls, including the number and type of fire engines and firefighters. The service acknowledges that a Response Strategy is required.

To end of September 2018, Retained Duty System (RDS) stations were available for 999 calls around 79.59% of the time. In 2017/18 the figure was 83.02% and in 2016/17 it was 86.36%. Most other services in the UK are also finding availability of RDS stations a challenge.

Emergency Call Control Room (Fire Control)

The service has an agreement with Cornwall County Council Fire and Rescue Service concerning how the two services work together to create a connected 'virtual' Fire Control function. This means that in spate conditions (such as flooding or snow) each of the two services can take 999 calls and mobilise resources for the other.

Prevention (Risk Reduction)

NYFRS is a trusted organisation which has the ability to be welcomed across nearly every threshold in the county. NYFRS encourages people and home owners to have Home Fire Safety Visits (HFSVs). The visits may include recommendations about smoke alarm fitting and can provide smoke alarms free of charge.

When compared to the services in table 1, NYFRS delivers far fewer HFSVs than others in the group.

Protection

NYFRS is the designated inspecting and enforcement body for The Regulatory Reform (Fire Safety) Order 2005 (the 'RRO' or 'FSO') in the County of North Yorkshire. NYFRS is responsible for enforcing the RRO and carrying out audits of fire safety arrangements in premises the service considers present the greatest risk. When compared to the services in table 1, NYFRS delivers far more Fire Safety Audits than others. This is achieved partly through firefighters on fire engines completing audits as well as Fire Safety Officers.

Training and Development, Health, Safety and Welfare

The service has a good training framework to make sure firefighters stay as safe as possible when they are dealing with dangerous situations. It also has health and safety policies which encourage firefighters to stay fit, make life safer for all staff groups and offer support to them when they are injured or unwell. The service has a low sickness record when compared with other fire services except for Fire Control Staff.

Estates and Fleet Management

The service has 41 buildings. Because of budget restraints, there is little preventative and planned maintenance. As a result, the buildings and furnishings are tired and in need of investment.

The service has a fleet consisting of 190 vehicles which cover all aspects of the service. There appears to be a comprehensive approach to the preventative servicing and maintenance regime.

Recommendations

The following 13 recommendations are in priority order, with suggested timescales for delivery;

Report Section	Recommendation Description	Priority
3	Finance Working Group (FWG): NYFRS should immediately create an FWG to identify deliverable savings (both one-off and recurring). This is in preparation for the MTFP.	1
4	Fundamental Review of North Yorkshire Fire and Rescue Service: A fundamental review of NYFRS should take place which covers <u>all</u> strategic aspects of the service.	2

3	Medium Term Financial Plan: This should be fully reviewed, to include detailed funding and spending plans for revenue and capital.	3
3	Reserves Strategy: NYFRS should publish a Reserves Strategy on its website or as part of its Medium-Term Financial Plan.	4
4	Create an Integrated Risk Management Plan: Following the outcome of the Fundamental Review, the service should create a strategic and 'guiding' IRMP which covers a minimum of three years.	5
6	Emergency Response Strategy and Response Standard: The service should create a clear Response Strategy, aligned with the IRMP and including a Response Standard.	6
8	Prevention and Risk Reduction Strategy: NYFRS should review its Risk Reduction and Prevention Strategy.	7
9	Protection Strategy: NYFRS should review its Protection (Technical Fire Safety) Strategy.	8
2	Statement of Assurance (SOA): The service should review how this statement is constructed.	9
10	Talent Management Strategy: The service should create a comprehensive Talent (or People) Management Strategy.	10
10	Incident Command: NYFRS should extend the current command assessment arrangements which cover Bronze (Operational) and Silver (Tactical) Commanders to also include Gold (Strategic).	11
11	Employee Welfare: The service should consider the use of external agencies to provide an independent report on the service's arrangements. Review long term, high sickness levels within the Control Room.	12
7	Options Review of Emergency Call Control Room: The service should create a working group with North Yorkshire Police to conduct a market analysis and consider options.	13

Professional Judgement Closing Statement

NYFRS is delivering its statutory functions. North Yorkshire is a safer county as a result of the actions taken by the service to reduce risks to the public and businesses. We understand that the vast majority of staff are proud to be part of the service.

The service will need to become more efficient if it is to meet the current funding shortfall and provide services which are both sustainable and of high quality. To this end, the three most important projects that the service must undertake are:

- The establishment of a Finance Working Group to identify savings and enable the service to live within its means.
- The fundamental service review, covering all strategic aspects of the service.
- The development of a strategic Integrated Risk Management Plan.

Contents – Full Baseline Report

1. Introduction to North Yorkshire Fire and Rescue Service
2. Legislative Framework
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13. Appendix A – Fire Station 999 Call Utilisation

- extinguishing fires, and protecting life and property when fires do occur,
- minimising damage to property arising from firefighting operations,
- rescuing people involved in road traffic collisions,
- ensuring necessary training for firefighters,
- ensuring that 999 calls for assistance are dealt with effectively,
- obtaining information needed to respond safely and effectively to emergencies,
- ensuring the provision of the resources necessary to meet all normal requirements (the 2004 Act does not define what constitutes 'normal', it is a matter for local determination),
- dealing with other types of emergencies, as specified by the Secretary of State in Statutory Instruments or Orders.

National Framework 2018

The 2018 National Framework seeks to embed the Home Office fire reform programme which includes the following reforms:

- enabling Mayors and PCCs to take responsibility for their FRS;
- establishing Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) as an independent inspection regime for FRSs;
- developing professional standards to drive sector improvement;
- supporting services to transform through more efficient procurement and collaboration;
- increasing transparency by publishing performance data and creating a new national fire website; and
- workforce reform, which includes: enhancing professionalism, management and leadership; training and development; equality and diversity; culture; and options for flexible working.

There are two mechanisms in the National Framework to assist FRAs in addressing these priorities: integrated risk management planning (IRMP) and the preparation of an annual Statement of Assurance.

Integrated Risk Management Planning (IRMP)

The term 'integrated' is used to reflect the fact that community risk is managed by balancing service delivery interventions across three disciplines:

- Prevention – trying to prevent emergencies from happening in the first place;
- Protection – ensuring that fire safety standards in buildings are appropriate;
- Response – minimising the impact of emergencies through well-trained, well-equipped firefighters who respond quickly and effectively.

Statements of Assurance

A Statement of Assurance (to be known as a Fire and Rescue Statement for PFCC Governance) is required to be produced annually by each FRA, and published after scrutiny. For a PFCC, scrutiny is carried out by the Police, Fire and Crime Panel (PFCCP) in addition to audit.

The Regulatory Reform (Fire Safety) Order 2005

The Regulatory Reform (Fire Safety) Order 2005 (the 'RRO') is the legislation under which fire safety standards in almost all buildings are controlled. Single private dwellings are specifically excluded, although the common areas (access corridors, staircases, etc.) in blocks of flats do fall within the scope of the RRO.

The Policing and Crime Act 2017

The Policing and Crime Act 2017 created a statutory duty on FRAs, police forces and ambulance trusts to:

- keep collaboration opportunities under review;

- notify other emergency services of proposed collaborations that could be in the interests of their mutual efficiency or effectiveness; and
- give effect to a proposed collaboration where the proposed parties agree that it would be in the interests of their efficiency or effectiveness and that it does not have an adverse effect on public safety.

The Crime and Disorder Act 1998 (CDA)

Fire and rescue authorities are designated as 'responsible authorities' under the CDA. This means that they are required to work alongside other responsible authorities (police, local authorities, the probation service and clinical commissioning groups) on community safety partnerships (CSPs).

The Civil Contingencies Act 2004 (CCA)

The CCA was introduced to establish a coherent framework within which organisations would work together to plan for dealing effectively with major emergencies. Under the CCA, fire and rescue authorities are designated as 'category 1 responders'.

Key Findings

3. Finance

The service is facing significant financial challenges. The Medium-Term Financial Plan (MTFP) identified a shortfall up to and including 2022/23. The elected members of the Fire Authority took the decision to use reserves.

The table below identifies that the authority is facing a total recurring shortfall of £2,510k, starting with £1,210k in the current financial year (2018/19). This gap is currently funded by use of one-off revenue reserves which is not sustainable.

	Baseline	Incremental Position				
	2018/19	2019/20	2020/21	2021/22	2022/23	Total
	£000	£000	£000	£000	£000	
Net Spending	31,180.1	+718.5	+808.2	+871.5	+1,108.7	
Funding	(29,970.1)	(722.5)	(384.2)	(531.5)	(568.7)	
Recurring Shortfall	1,210	-4	+424	+340	+540	2,510

The Section 151 Finance Officer has proactively overseen a review of the budget assumptions, covering areas such as the assumed increase in Council Tax, pay awards and business rate receipts. This exercise identified a likely further ongoing financial pressure of approaching £1m per annum. When added to the original £2.5m gap, this means that the total shortfall is in the region of £3.5m.

To start to address the financial shortfall the service has been working to identify savings. The savings approach has identified approximately £1m of savings to date, resulting in a net shortfall of £2.5m. These include areas such as collaboration, and a review of senior management, the capital programme and the service's insurance contract. Other areas where there are plans to deliver savings include smarter procurement and a management challenge on various budget lines.

The final Financial Paper was presented to the Fire Authority on 28th September 2018. This showed that the financial position is broadly similar to the position set out in June 2018 with the final reported shortfall of £2.5k. The current MTFP assumes that reserves are to be used as a significant part of plan for this year and the next two financial years.

The cost of pensions is a major issue. On 6th September 2018, HM Treasury published its draft Directions for the 2016 valuation for comment. These include amendments to financial and demographic assumptions to be used by the Government Actuary's Department (GAD). Such

assumptions are used to produce valuation results for the firefighter pension schemes in England and are expected to apply from 1st April 2019, increasing employer's contributions. GAD is currently working on the financial impact. Although still not confirmed, for NYFRS, this could equate to a potential annual increase in employer costs of £1.5m in years to come. If that proves to be the case, adding the £1.5m to the net £2.5m identified above would take the total of savings required to approximately £4m. The service would be wise to plan on this assumption as failure to do so may create further financial challenges in later years.

The current use of reserves is not sustainable. It will be a major task to identify the necessary savings over the life of the MTFP. Further work is required to improve the accuracy of the estimates and also to identify the year in which the savings can be delivered.

Our recommendations are as follows:

Finance Working Group

- *NYFRS should immediately create a dedicated Finance Working Group (FWG) which is tasked with clear terms of reference, to identify deliverable savings (both one-off and recurring). The FWG should consider the potential savings which will be delivered as part of the T2020 work on the creation of Enabling Services (supporting functions such as HR, Finance etc) across NYFRS and North Yorkshire Police. It would be appropriate for the Chief Fire Officer to chair FWG. Membership should be drawn from the service as well as from external bodies and potentially other Fire and Rescue Services. This will bring experience and lessons learned from similar challenges faced elsewhere in the UK, where services have been transformed to deliver within the available resources. The FWG should consider the total of savings required to be approx. £2.5m but should be minded of the potential pension impact of a further 1.5m.*
- *The FWG should also examine 'invest to save' opportunities to ensure NYFRS can demonstrate it is more efficient and effective. The FWG should also examine income generating opportunities such as using its buildings better, renting out space plus establishing a separate FRS Trading Company.*
- *The FWG should also identify ways to ensure NYFRS can demonstrate it is more efficient and effective. For example, application of £1m of reserves to suppress capital debt can yield £100k of reduced capital financing costs (revenue spend). This would equate to a simple 10% return on investment.*
- *In addition to the financial element within the Statement of Assurance, NYFRS and the PFCC should consider if they would benefit from an external operational scrutiny peer review, which could be reciprocal. The findings of a peer review, and NYFRS's response to them, should be considered by the PFCC during the process of preparing and signing-off Statements of Assurance for public scrutiny.*

Medium Term Financial Plan

The current financial position concerning the use of reserves is unsustainable and places the service in a weakening position. NYFRS therefore needs a new drive and focus on the management of its budget. It will need to pursue all feasible opportunities to keep costs down while continuing to discharge its core duties effectively.

- *The Medium-Term Financial Plan should be fully reviewed to include detailed funding and spending plans for revenue and capital. The plan should take into account multiple years and link revenue budgets and capital investments, the role of reserves and the consideration of risks. The plan should be aligned with the new Integrated Risk Management Plan and, if appropriate, the PFCC Fire and Rescue Plan (when published).*

Reserves Strategy

- *NYFRS should publish its Reserves Strategy on its website, either as part of its Medium-Term Financial Plan (MTFP) or in a separate Reserves Strategy document. The reserves strategy should include details of current and future planned reserve levels, setting out a total amount of reserves and the amount of each specific reserve that is held for each year. The reserves*

strategy should cover resource and capital reserves and provide information for the period of the MTFP (plus an additional 2 years beyond).

- *General reserves of around 5% should be held by the authority and managed to balance 'one-off' funding and spending priorities as well as to manage risks.*

4. Integrated Risk Management Planning

NYFRS has published a Community Safety Plan (CSP) which covers the period 2016/17-2020/21. This acts as its Integrated Risk Management Plan (IRMP).

The use of risk information is increasing within the service to identify areas of priority and apply appropriate resource allocation. A Fire Cover Review was completed by the service a few years ago. This is a really strong example of where significant and robust analysis was conducted into understanding the 'demand' on the service, and then weighted scores placed against each fire station.

Industrial relations have been challenging within the service over recent years. Through a refreshed IRMP, where all stakeholders understand the risks and the future role of the service, an opportunity exists to work better together and take the service forward. The outcome of a shared vision should be to create a modern, flexible, responsive service that puts the public first and creates a safer society.

NYFRS has an understanding of performance and a clear approach to making improvements. An example of this is the way that emergency operational response is supported through the use of the Operational Staffing Reserve (OSR) to ensure that fire station availability is maximised.

Our recommendations are as follows:

A Fundamental Review of North Yorkshire Fire and Rescue Service is completed

- *A fundamental review of NYFRS should take place which covers all strategic aspects of the service. This includes looking at number, type, location, date and time of previous 999 incidents in recent years. NYFRS should take the opportunity to revisit and examine the level of current specialist skills around response to water related incidents. This may identify whether a rationalisation programme could be implemented to reduce the costs associated with the standing resources.*
- *The review process should use the latest and longer-term information from others. This should include data from other sources such as Health, Clinical Commissioning Groups, the Local Resilience Forum Risk Register and local authorities. This will gather information such as social deprivation, future house planning, transport and future industrial areas. By considering this information and evidence, the service will be able to assess the potential change in community risk and change how it delivers services to the public.*
- *Once this evidence is clear, the service can evidence how it best responds to likely future incidents. This will include the speed with which it attends, the number and location of fire engines and how those fire engines are crewed with firefighters during the day and at night.*
- *A full review of the fleet should be included in the fundamental review. The outcome should be a single and fully integrated approach to the identification, procurement, equipment and positioning of fleet covering both NYFRS and North Yorkshire Police. As part of the fleet review, consideration should be given to examining the potential arrangements for discharge of functions by others through neighbouring authorities under Section 16 of the Fire and Rescue Services Act. Non-emergency fleet, such as logistics vans, should also be reviewed, as there may be opportunities for rationalisation and standardisation.*
- *The fundamental review should also include a joint review of the estates (buildings) with the police resulting in a single estates strategy. All Fire Stations should be reviewed to make sure they are in the right place and used by other organisations to save tax payers money.*
- *A managerial review should also take place to ensure the service is lean and operates with a flatter structure.*
- *From a strategic level, the above information should directly contribute into the IRMP in preparation for public consultation in 2019.*

Integrated Risk Management Plan

- *Following the outcomes of the Fundamental Review, the service should create a Strategic and 'Guiding' IRMP which covers a minimum of 3 years. The document should use the information from the review and include up-to-date information from sources such as the Local Resilience Forum Risk Register. It should also include an assessment of all foreseeable fire and rescue related risks that could affect the area of North Yorkshire. Foreseeable risks include matters such as environmental risks, weather related incidents, transport, urban, rural and societal demographic information. This will evidence what and where the services thinks will be the future demand for emergencies and why.*
- *The Strategic IRMP will then set out how it will address those risks through the following approaches and strategies;*
 - *Really focussing on working with others to prevent fires, accidents or incidents from happening. It will do this through publishing a new Risk Reduction and Prevention Strategy.*
 - *Prioritise how to work with businesses in North Yorkshire to keep employees and the public safer when they use or stay in those buildings. It will do this through a publishing a new Protection (Technical Fire Safety) Strategy.*
 - *Set out how the service will respond to likely future incidents when a 999 is received. It will do this by publishing a new Response Strategy which includes a Response Standard.*

5. Preparedness and Capability for National Incidents

NYFRS is required to prepare and respond to emergencies through requirements of The Fire and Rescue Services Act 2004. Response is one of the 'core functions', it specifically concerns fire and road traffic accidents. The Secretary of State has issued an additional Order under the Act, requiring fire authorities to make provision to attend the following types of incident:

- chemical, biological, radiological or nuclear emergencies
- emergencies involving the collapse of a building or other structure
- emergencies involving trains, trams or aircraft

NYFRS houses several national resilience assets, namely two High Volume Pump Units, (which move large quantities of water), a Mass Public Decontamination Unit and a Module 4 Powerboat & Type B Swift Water Rescue Team. In the last five years, these assets have only been mobilised out of North Yorkshire on 3 occasions:

- Cumbria – Flooding: HVP and Boat Crew
- Royal Berkshire and Surrey – Flooding: HVP
- Manchester – National Exercise: HVP

In summary, NYFRS is audited regularly and has a very strong record of skills compliance and availability for deployment. NYFRS has resilient arrangements in place which are capable of providing support to significant regional and national incidents and which meet the requirements of national co-ordination. The service has established arrangements to maintain the readiness of National Resilience assets.

6. Emergency Response

NYFRS has 46 front-line fire engines and the table below provides a snapshot of how that compares to other services as well as the number of fire stations per 100,000 residents. The table shows the service has the second highest number of fire stations per 100,000 residents when compared to the others. This is partly due to geography of the county, the population sparsity over a large rural area and the two national parks.

Authority	No. Fire Stations	No. Stations per 100,000 residents	No. Fire Engines*
North Yorkshire	38	4.6	46
Cumbria	38	7.6	45

East Sussex	24	2.9	41
Kent	58	3.2	75
Oxfordshire	24	3.7	34
Staffordshire	33	2.9	Info not available

*Refers to number of traditional pumping appliances and does not include specialist equipment / appliances
Information collated from respective authority websites, corporate plans, performance reports, etc.

NYFRS does not have a Response Standard (which is the promise to the public of the total time the service says it will take to reach an incident after the 999 call is received), The service also needs a current, comprehensive and dedicated Response Strategy. A Response Strategy states how it will respond to 999 calls such as the number and type of fire engines or firefighters.

The service acknowledges that a review and refresh of a Response Strategy is required. Clearly both a Response Standard and a Response Strategy are inextricably linked and should be driven by the outcome of the assessment of risk within the IRMP.

The table below provides a snapshot of the Response Standards and Emergency Response Commitments set by the FRA of other FRs.

Authority	Response Target No. 1	Response Target No. 2	Response Target No. 3
Cumbria	80% of all primary fires in 10 minutes	80% of all other incidents in 15 minutes	N/A
East Sussex*	70% of on-station responses within 10 minutes	70% of on-call responses within 15 minutes	N/A
Kent	80% of life-threatening incidents within 10 minutes	89% of life-threatening incidents within 12 minutes	N/A
Oxfordshire	80% of emergency incidents within 10 minutes	95% of emergency incidents within 14 minutes	N/A
Staffordshire	100% high risk incidents within 8 minutes	100% medium risk incidents within 10 minutes	100% low risk incidents within 18 minutes

*East Sussex are currently reviewing these targets

As can be seen in the table in Annex 1 on page 24, some fire stations in NYFRS have very few 999 calls a year. The cost of a single wholtime fire engine a year is £907,774. For day-crewed it is £549,059 and for a retained station it is £78,825. These are all indicative staffing costs only so exclude the cost of the vehicles and fire-kit etc.

The table below shows there is a spend per head of population of £36.41, funding a high number of stations (4.6 per 100,000 residents). It also shows those stations attend a low number of incidents (790 per 100,000 residents), with a slower response time (11.2 minutes), compared to the national average and benchmarking group:

Authority	17/18 Expenditure per head of population	No. Incidents per 100,000 residents (17/18)	No. Stations per 100,000 residents	Incident Response Time 17/18 (mins)
North Yorkshire	£36.41	790	4.6	11.2
Cumbria	£33.69	797	7.6	11.1
East Sussex	£44.55	1,097	2.9	8.3
Kent	£37.11	1,034	3.2	9.5
Oxfordshire	£46.72	944	3.7	10.3
Staffordshire	£35.43	748	2.9	10.5
England (average)	Not available	1,016	2.5	8.7

Group chosen for similar combinations to NYP such as coastline, wholtime and retained staffing, industrial, urban and rural areas

The service is a lead key player in the Local Resilience Forum which it required to be involved with by law. Through their involvement, working together with the police, ambulance and local authorities, North

Yorkshire is more resilient when emergencies occur such as flooding, snowfall or large fires. This is really good news for people who live and work in the county.

To the end of September, Retained Duty System stations (RDSs) were available for 999 calls around 79.59% of the time. In 2017/18 it was 83.02% and in 2016/17 RDS fire engines were available for 86.36%. Most services in the UK are also finding availability of RDS stations a challenge. This 79.59% is supported by the deployment of firefighters not required elsewhere, as well as the use of the Operational Staffing Reserve (OSR). The OSR is a pool of staff who move around the county to help get Retained Fire Stations back 'on the run' where they have staff shortages. The OSR team demonstrate flexibility and often 'go the extra mile' for the service. Current estimates indicate that in excess of 8,000 hours of appliance availability will result from the OSR deployments this year. The use of the OSR is delivering value for money.

The service has had a significant recruitment drive within the RDS and has recruited at a faster rate than staff are leaving. This is worthy of note and is because of a real team effort. Previously, the service has invested in additional District based Watch Managers (one per District) who are employed to attract, recruit, help train and support retention of RDS staff. This is working well.

The knock-on effect of this 'churn' is that currently 45% of RDS staff are in development. This is higher than most other FRS in the UK. Therefore, balancing the competencies on fire engines to maintain a crew is very time consuming. One hundred of the three hundred RDS staff have been recruited in the last twelve months. Increased numbers are not currently translating to increased availability of fire engines. However, as staff acquire more skills, such as emergency response driving and become more competent, the service should see the benefits of its recruitment drive and efforts.

The District Watch Managers, Retained Crew and Watch Managers, plus other staff associated with the running of the RDS service, all rely heavily on the HR function of the Central Administration Office based at Headquarters. To ensure current recruitment success is maintained and improved, early consideration and engagement of this function should be considered in respect of the transfer into any future single Enabling Services providing supporting functions to the Police and NYFRS.

The service has invested heavily in water rescue capability over the last few years. There are now five water rescue teams, with associated equipment, which are on five of the of the Day Crewing stations. One of the teams is a national resilience flooding and swift water capability asset. This appears to be a high level of standing resources when compared to other services. This needs to be reviewed.

NYFRS has implemented suitable arrangements for the command, management and supervision of operational incidents. An analysis of its incident command requirements at all levels within the organisation has been conducted and an appropriate model implemented.

Effective arrangements are in place for gathering risk information about buildings and their contents. This helps keep firefighters safe. It is readily available to operational crews via a Site-Specific Risk Information (SSRI) card for the premises in question.

As detailed above, interaction and participation in the North Yorkshire Local Resilience Forum ensures that the multi-agency response is coordinated and effective. Similarly, the Yorkshire and Humber Operational Response Group provides a means to ensure that, regionally, the four services are aligned and able to work effectively together through the sharing of policies, procedures and learning. In terms of NYFRS crossing the border to assist neighbouring FRS's, the Watch Manager Operational Assurance ensures risk information for very high-risk premises are maintained for 10km over the border range. This is a commendable practice and ensures fire-fighter safety remains a priority.

Our recommendations are as follows:

Emergency Response Strategy and Response Standard

- *The service should create a clear Response Strategy aligned with the IRMP. It should detail how it will respond to incidents, and include a Response Standard, detailing a publicly declared attendance time which resources will arrive at a 999 incident. The Response Strategy should articulate how NYFRS will have the right people, in the right*

place and at the right time, with the right equipment, to deliver the best service within the available financial envelope. This will include the type and number of fire engines it will send. It will also indicate how those fire engines are potentially crewed with firefighters at different time of the day and night.

- *The Response Strategy and Standard should include an assessment of the availability of resources within local, regional and national boundaries.*
- *Adoption of a Response Standard would enable the service to understand where there is any under or over provision of resource which could be redistributed or create savings.*
- *Once a Response Standard is adopted, response performance information should be effectively evaluated at all levels to drive improvement. Results should be shared with personnel and partners. Success and improvement should be acknowledged and celebrated.*

7. Emergency Call Control Room (Fire Control)

All FRSs are required to ensure they are able to receive 999 calls.

NYFRS Fire Control call receipt and mobilising facility, based at Northallerton, is currently receiving investment in the form of additional members of staff. Previous reductions had led room function to be vulnerable. The Control Room is now nearly up to full strength. Out of the 17 people employed within the Fire Control Function, 8 are still in development. This has placed a training burden on other staff members and they should be congratulated on how they have assisted in developing new members of staff. Once these additional Fire Control Operators are in place and are deemed competent, the call receipt and mobilisation functions of NYFRS will become more resilient.

The self-rostering approach is still being embedded and staff are seeking to ensure cover is maintained.

NYFRS's call challenge scheme aims to challenge potential malicious calls and false alarms to reduce the number of these attended by fire engines. The table below also outlines the calls received in 2017/18 and the trend in attendance because of the above scheme.

2017 / 2018	No. Calls	% change compared to 5 Year Average
Administrative Calls Received	77,236	-
Emergency Calls Received	12,148	-
Mobilisations to Calls	8,366	-
No. Malicious Calls	104	24.4% decrease
No. Malicious Calls challenged	30	-
No. False Alarms Attended (from Automatic Alarms)	2095	16% decrease
No. False Alarms Not Attended (from Automatic Alarms)	858	21.6% increase

As you can see from the table above, effective implementation of NYFRS Unwanted Fire Alarms policy and call challenge has already reduced mobilisations and is working well. In 2017/18 NYFRS attended 24.4% less malicious calls and there was an increase of 21.6% of times that a fire engine was not mobilised to a building where the alarm was sounding. NYFRS is only one of a handful of services which has adopted this approach. Staff should be congratulated.

The service has an agreement with Cornwall County Council Fire and Rescue Service in terms of how the two services work together and create a connected 'virtual' Fire Control Function. This includes the ability for Cornwall to take 999 calls and mobilise NYFRS resources in spate conditions (like flooding or snow) and at times of high call volume. The arrangement is reciprocal to Cornwall. Such arrangements have enabled NYFRS to drop from three Control Staff to two at night.

Our recommendations are as follows:

Emergency Call Control Room (Fire Control) Working Group

- *As the current mobilisation and software platform is due for replacement, or contract extension, in 2023, the service should create a Working Group (WG). This should include colleagues from North Yorkshire Police. The WG should have a clear scope and terms of reference created to conduct a market analysis and consider options. This should include an assessment of the possibility of a single call receipt and mobilisation function across the two organisations (Police and Fire).*
- *The WG should also consider arrangements and locations to ensure adequate fall-back and resilience matters are implemented to deliver improvements against existing arrangements. It must carefully consider the current agreement with Cornwall County Council FRS in relation mutual supporting arrangements including the 'virtual' connectivity and fall-back processes and procedures.*
- *When compared to other services, emergency call numbers and incidents attended by NYFRS are falling. If the service decides to retain its own Control Room, it should direct the WG to consider other societal benefits, such as the ability to monitor alarms, and offer this to other organisations who provide 24-hour callout. This could also be 'scaled up' at a later stage to consider such activities as triaging 111 calls on behalf of the ambulance service, or creating a true 'Integrated Blue Light Control'. This will create an income stream for the new entity.*

8. Prevention (Risk Reduction)

NYFRS is required to deliver preventative and risk reduction activities under The Fire and Rescue Services Act 2004. Promoting fire safety through prevention is defined as a core function in the 2004 Act. NYFRS are discharging this function and are also involved in wider activities such as road safety. NYFRS is also active within Community Safety Partnerships through its statutory membership of such groups.

NYFRS has a Fire Prevention Strategy which was published in April 2016, covering 2016/17 to 2018/19. The strategy is set around the three core areas according to the 'risks and concerns' in North Yorkshire and the City of York alongside statutory responsibilities. These are:

- Home Fire Safety
- Road Safety
- Other Risks

NYFRS is a trusted organisation which has the ability to be openly welcomed across nearly every threshold in the county. NYFRS encourage people and home owners to have Home Fire Safety Visits (HFSVs) and attends any domestic premises on request. The visits look at the likely risk factors of the people who live there and may include recommendations about fitting a smoke alarm. NYFRS can provide smoke alarms free of charge. HFSVs are instigated immediately after an incident.

The table below is the latest available from the Home Office and shows a snapshot of the levels of Home Fire Safety completed by FRS's and in England. It shows NYFRS deliver far fewer HFSV when compared to others in the group and they carry out a low number of Home Fire Risk Checks (309 per 100,000 residents)

Authority	No. Home Fire Risk Checks 16/17	5 Year Average	No. Home Fire Risk Checks 16/17 (per 100,000 residents)
North Yorkshire	2,536	2,997.2	309
Cumbria	8,777	11,625.4	1,761
East Sussex	9,240	9,845.2	1099

Kent	9,000	9,467	491
Oxfordshire	3,245	3,120	476
Staffordshire	27,745	27,775	2,464
England	590,198	621,830	1,061

Information collated from Home Office website

Green / red indicates improvement / deterioration versus 5-year average.

NYFRS acknowledges it can improve the way that it targets resources allocated to HFSV. It should do this by becoming more intelligence and evidence led using its own and to data from other sources.

The service records all activities (job allocation and output) via the Community Fire Risk Management Information System (CFRMIS). CFRMIS is a comprehensive fire safety management software/system used by the majority of UK FRSS.

Clarity in defining responsibility for implementation of prevention activity is being increased through a Group Manager who is responsible for this function. There is a developing approach to prioritising prevention to meet the perceived needs of the local community. As well as operational crews investing time in preventative activities, there are also district-based resources which are utilised effectively.

Although it is not a statutory requirement, NYFRS is actively involved with the York and North Yorkshire Road Safety Partnership and helps to deliver road safety awareness campaigns. Seven times as many people are killed and seriously injured on the roads of North Yorkshire (21 in 2017/18) than in fires (3 in 2017/18). Because of partnership working there has also been a reduction in the number of deaths and injuries on the county's roads. This is to be commended.

Our recommendations are as follows:

Prevention (Risk Reduction) Strategy

- *NYFRS should review its Risk Reduction and Prevention Strategy. It should consider if, over the longer-term, there would be benefit in creating of a joint NYFRS/NYP Crime, Fire and Community Safety Plan overseen and delivered through a single team across the two organisations.*
- *The review should demonstrate real understanding of the risk and vulnerability index. The future Risk Reduction and Prevention Strategy should fully take account of the needs of the local community and will be clearly linked to the 'risks' identified through the IRMP.*
- *The service should ensure that its Risk Reduction and Prevention Strategy sets out the priorities for community safety, placing its importance as an integral part of the risk mitigation element of the IRMP.*
- *The Strategy should include seeking to create stronger links with voluntary groups, such as Age UK, who work with people who are vulnerable to fire. The service should also consider creating NYFRS Community Volunteers. These help to deliver preventative activities in communities, especially those in rural areas.*
- *To improve the level of evaluation of risk reduction and prevention activities, a systematic approach to the arrangements for auditing and reviewing prevention should be implemented.*

9. Protection

NYFRS is the designated inspecting and enforcement body for The Regulatory Reform (Fire Safety) Order 2005 (the 'RRO' or 'FSO') in the County of North Yorkshire. It is responsible for enforcing the RRO and is required to undertake risk-based inspection programmes. These involve carrying out audits of fire safety arrangements in premises that the service or fire officers consider present the greatest risk.

The table below is the latest available from the Home Office and shows a snapshot of the levels of Technical Fire Safety Audits completed by FRSS and in England. It shows NYFRS deliver far more Fire Safety Audits than others partly through firefighters on fire engines completing them as well as Fire Safety Officers.

Authority	No. Fire Safety Audits 16/17	5 Year Average
North Yorkshire	2,010	1,998
Cumbria	1,003	598.2
East Sussex	299	412.8
Kent	723	1,063.6
Oxfordshire	455	399.6
Staffordshire	317	946.8
England	54,247	63,816.8

NYFRS has a published Protection (Technical Fire Safety) Strategy which was published in April 2016 and covers the period 2016/17 – 2018/19. The service has structured the delivery of its Technical Fire Safety responsibilities through three geographical areas which centre around the three main areas of population – York, Scarborough and Harrogate. These three areas are not reflective of the service's approach to operations which is structured in to four areas, each of which contains two local authority districts (or one in the case of the City of York).

As with Prevention and Risk Reduction, the service records all activities (job allocation and output) via the CFRMIS.

Clear responsibility for implementation of the strategy is assigned and NYFRS has defined levels of competence and qualifications associated with its Protection Strategy. Inspections are completed by dedicated specialist Technical Fire Safety Officers who deal with complex issues or complaints. Operational Crews complete less complicated and lower risk audits.

NYFRS has been very successful in ensuring prosecutions against organisations who are failing to discharge their fire safety duties and therefore placing the public and employees at risk. NYFRS has a very good track record of cost recovery associated with the prosecutions.

Our recommendations are as follows:

Review of Protection (technical fire safety strategy)

- *NYFRS should review its Protection (Technical Fire Safety) Strategy. A new strategy will provide an intelligence and evidence-based effective risk-based approach to the fire safety audit programme to target its protection work at areas of priority in the business community.*
- *The service should ensure their Protection (Technical Fire Safety) Strategy sets out the high-risk priorities for audit, placing its importance as an integral part of the risk mitigation element of the IRMP.*
- *Future fire safety and protection performance information should be evaluated, through a performance measurement and management matrix,*

10. Training and Development

NYFRS has put in place a framework which seeks to ensure that all staff are competent to deliver the responsibilities of their role. Training accounts for 4.17% of the annual budget. There is a published Training and Development Strategy which was last reviewed in January 2018. This is aligned to the CSP and considers many of the foreseeable risks at local and national level. Clearly defined responsibilities and effective structures are in place for promotion of training, development and assessment within the organisation.

The Training and Development Strategy identifies three key elements for planning, training and development of all staff across NYFRS namely:

- Training Needs Analysis
- Training and Development Programme
- Personal Development and Performance Review

The annual Operational Training Programme is created centrally through the TNA process and is clearly linked to operational competence. Other bespoke development programmes or training requirements are designed for specific roles.

Competencies are present for all operational and technical roles and staff are aware of the qualifications they need to maintain to fulfil their role. Managers are also aware of the skills and qualification requirements through the role profiles associated with different levels. The requirements are considered annually through the Personal Development & Performance Review (PDPR).

Operational courses are generally designed and delivered by Training Centre staff. Some operational courses are subject to assessment and all training (delivered internally or externally) is recorded on FireWatch. The recording of training on the FireWatch system is used locally to provide the mechanism to plan station-based training. NYFRS has a systematic approach to ensuring that training course content remains accurate and in line with good practice information.

NYFRS has invested in Learn Pro which is used in many other Fire and Rescue Services in the UK. It is a software-based e-learning platform and in NYFRS is a key element of training delivery that specifically allows acquisition of knowledge in a flexible manner.

There is clear evidence of training, development and maintenance of competency for staff who may be required to operate at Tactical and Operational Levels (Silver and Bronze). However, whilst the Service provides the acquisition of skills associated with the role of a Gold (Strategic) Commander through the attending the national Multi-agency Gold Incident Command Course (MAGIC), there is currently no formal ongoing assessment process where competency is confirmed. Table-top and large-scale exercises are carried out but there is no formal competency assurance process applied.

Performance management systems for training and development activities are being established to identify strengths and areas for improvement. Extended arrangements for auditing and reviewing, training and development activities are being introduced and becoming embedded. The service has a Group Manager Operational Assurance who is responsible for auditing the quality of District and Station operational training delivery, along with identifying training needs from operations and exercise debriefs.

Our recommendations are as follows:

Incident Command

- *NYFRS should extend the current assessment arrangements which cover Bronze (Operational) and Silver (Tactical) Commanders to also include Gold (Strategic). The process should be formally constructed with clear areas of competencies, decision making, and behaviours identified to enable a structured debrief session to take place. The process could be a reciprocal arrangement with a neighbouring FRS's.*

Talent Management Strategy

- *NYFRS should develop a contemporary Talent Management Strategy (TMS) setting out the career pathways for progression in all roles, both uniformed and non-uniformed. The TMS should include the principles set out in the National Fire Chiefs Council People Strategy, The Fire and Rescue National Framework and also the following areas:*
 - *seek to continuously improve the diversity of the workforce to ensure NYFRS represents the community of North Yorkshire;*
 - *support equality, cultural values and behaviours;*
 - *tackle bullying, harassment and discrimination;*
 - *identify the various routes available in terms of recruitment, retention and progression;*
 - *enable flexible working;*
 - *set out to promote professionalism, skills and leadership;*
 - *set out training opportunities;*
 - *clearly link to health and safety, wellbeing, disabilities and support (e.g. mental health and physical support);*
 - *set out standards for fire-fighter fitness (the service already has a policy covering this in this area which is currently being embedded).*

11. Health, Safety and Welfare

NYFRS has a comprehensive Health and Safety framework which has been regularly reviewed, most recently in April 2018. There is a positive and embedded approach with clearly defined health, safety and welfare (HSW) policies which are communicated effectively to all staff to support the delivery of organisational plans and strategies. The leadership of NYFRS demonstrates a clear commitment to consult with representative bodies on all aspects of HSW.

E-learning is a key element of training delivery that specifically allows acquisition of HSW knowledge in a flexible manner. The Learn Pro system provides a full suite of modules based on the generic risk assessments designed to manage staff risk when attending incidents. Complywise is used to deliver health and safety training. These systems also contain a variety of assessments so that the knowledge of staff can be monitored and reported.

Competent staff investigate and report safety events which results in a reduction of risk. Health, Safety and Welfare (HSW) appears to be embedded within all functions throughout the organisation.

There is clear evidence of Active Monitoring. An example being that every Fire Station is inspected on a regular basis, six-monthly for whole-time and annually for RDS and volunteer. These inspections are carried out in conjunction with Trade Unions and in line with an agreed set of criteria. Local managers are responsible in following up any issues raised through estates and the Health and Safety Dept.

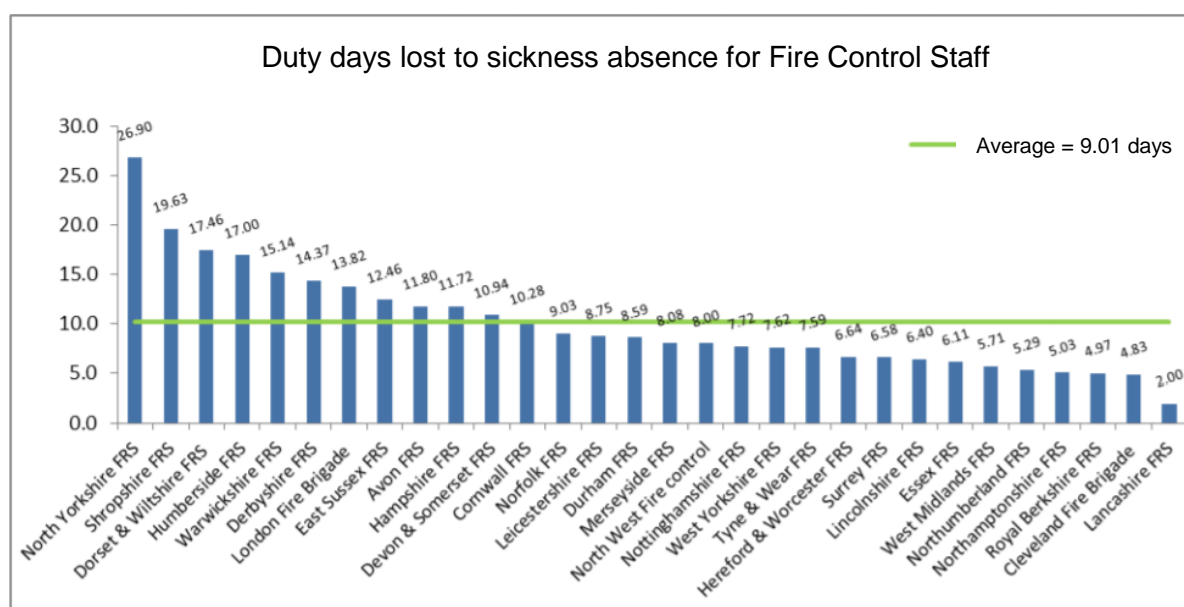
Occupational Health arrangements appear to be working with a framework in place to provide support to individuals across the organisation in relation to their health, welfare and wellbeing.

The table below provides a snapshot of the levels of days lost due to sickness in NYFRS across the RDS and all other staff groups. Across all staff, the number of working days lost due to sickness is increasing relative to the 5 Year Average:

Timescale	No. working days lost due to sickness for staff excluding RDS (17/18)		No. working days lost due to sickness for RDS staff	
	Total	5 Yr Avg.	Total	5 Yr Avg.
Short Term	1,187	1,113.3	1,103	941.2
Long term	1,398	1,815.5	2,649	2,464.6

Green / red indicates improvement / deterioration versus 5-year average

Comparison data below (compiled by Cleveland FRS) shows the number of duty days / shifts lost to sickness absence Control Room staff. The table below shows that NYFRS Fire Control Staff lost the most working days to sickness absence out of any authority in England (26.9 in 17/18):



Our recommendations are as follows:

Employee Welfare

- *The increase in days lost to long-term sickness needs to be understood. We would recommend working with HR to conduct a wellness to work evaluation, looking at reason why people go off, when they go off and how many people have repeat periods of absence.*
- *Concerning HSW arrangements, the service should consider the use of external agencies, organisations and/or peers to conduct or assist in the audit process to bring a valuable 'check and challenge'. This will include the ability to provide an independent report to the service's leadership providing assurance on arrangements. This could be a reciprocal arrangement with a neighbouring authority.*

12. Estates and Fleet Management

NYFRS has 41 buildings which are a blend of owned, leased and Private Finance Initiative property. The majority are owned by NYFRS. Due to budget restraints there is little preventative and planned maintenance and as a result the estate is tired and in need of attention. Although any renewal programme is on hold until 2023 to provide financial support to the current budget situation, the service is striving to ensure that facilities for female firefighters are programmed and implemented.

Geography plays a significant role in the number of fire stations. The service has 38 fire stations partly due to the population sparsity over a large rural area and the two national parks.

The service is active in the One Public Estate arena and there is evidence of the service being open to sharing space with other agencies. Examples of this are the North Yorkshire Police which uses Bedale, North Yorkshire Ambulance which uses Knaresborough and the National Blood Transfusion Service which uses Harrogate Fire Station.

The service has a fleet consisting of 190 vehicles which cover all aspects of the service. Management of the fleet sits with the joint NYFRS and NYP Transport and Logistics Hub.

There would appear to be a comprehensive approach to the preventative servicing and maintenance regime. This has enabled the service to adopt a policy around the life of the fire engines being in the service for 15 years. This is a common position in most services. Fifteen years is at the higher end but is reflective of the improved build quality and likely life of modern fire engines.

With the exception of the Tactical Response Vehicles which are currently being reassessed, feedback from staff indicates a high confidence in the fleet and equipment which is evidenced through pride in the fleet.

In terms of the Joint Transport and Logistics Hub, plans are being developed to consider the full integration of the team. The Fire Police Collaboration Programme Board are supportive of the option for a single integrated section, with all staff being employed by either NYFRS or NYP.

The table below shows that compared to the national average and comparative authorities, NYFRS hold a high number of operational and non-operational appliances (8.5 and 15.6 per 100,000 residents respectively) but attend a low number of incidents (790 per 100,000 residents):

Authority	No. Stations per 100,000 residents	No. Operational Appliances per 100,000	No. Non-Operational Appliances per 100,000	No. Incidents per 100,000 residents (17/18)
North Yorkshire	4.6	8.5	15.6	790
Cumbria	7.6	10.6	22.1	797
East Sussex	2.9	6.8	15.2	1,097
Kent	3.1	6.9	15.7	1,034
Oxfordshire	3.5	6.0	16.7	944
Staffordshire	2.9	5.4	11.1	748
England	2.5	5.8	10.5	1,016

Our recommendation is as follows:

- *As described within the section above under IRMP and the Fundamental Review, the service should include fleet and estate (buildings) within the process applied.*

Annex 1 - Table below shows how many incidents each fire station attended during the year April 2017 to March 2018.

Station Crew Type	Station	No. Incidents attended 17/18
24 hr whole time station	Scarborough (2 Fire Engines)	1185
	Acomb (Plus 1 RDS Fire Engine)	782
	York	1026
	Harrogate(2 Fire Engines)	1089
	Huntington (Plus 1 RDS Fire Engine)	430
Day – whole time Night – on call	Northallerton (Plus 1 RDS Fire Engine)	335
	Malton (Plus 1 RDS Fire Engine)	312
	Selby (Plus 1 RDS Fire Engine)	485
	Tadcaster (Plus 1 RDS Fire Engine)	264
	Ripon (Plus 1 RDS Fire Engine)	396
	Whitby	197
	Richmond	217
Retained Duty System (RDS) On call	Bedale	83
	Easingwold	76
	Stokesley	83
	Thirsk	161
	Helmsley	62
	Kirkbymoorside	73
	Pickering	118
	Sherburn	34
	Danby	35
	Filey	144
	Lythe	69
	Robin Hoods Bay	39
	Bentham	44
	Grassington	18
	Settle	73
	Boroughbridge	138
	Knarborough	242
	Masham	45
	Summerbridge	30
	Colburn	76
	Hawes	26
	Leyburn	80
	Reeth	25
	Skipton	351
Volunteer	Goathland	14
	Lofthouse	N/A
Total		8857

Feedback from the Police, Fire & Crime Commissioner Fire Station Roadshows

Since August, the Police, Fire and Crime Commissioner, together with the interim Chief Fire Officer, visited two-thirds of the fire stations across North Yorkshire with the aim of completing visits to all stations by the end of 2018. The feedback and suggestions from the visits to date are summarised below and will be considered as part of the next phase of the review.

Savings and income generation

- Regulatory Reform (Fire Safety) Orders are a legal requirement of business properties. Could the service charge for undertaking them?
- Consider advertising on appliances.
- Fit solar panels to fire station roofs for housing the appliances, which when installed could power the running of the stations, power any electrical vehicles, cars and even electric fire engines in the future. Green is the way forward and with government grants and incentives this could be achieved a lot cheaper than just buying equipment outright. These areas are so large you could even sell back to the grid to earn money, especially the retained stations as they require hardly any electrical running, it would be mostly just profit from these stations.
- There are thirty-eight fire stations in North Yorkshire and each has a tower. The top of the tower is hardly ever used. Could this space be rented out to mobile phone providers to house a mast to give better coverage where, in most fire station areas, the tower is the highest structure in the area.
- Look at using our training centre as a resource to provide external training to companies to raise revenue.
- Consider streamlining senior and middle management structure. Could a station be run between watch managers with any problems sorted out by an area manager.

Staffing and resources

- Drive equality, inclusion and positive action so that residents of North Yorkshire have a fire service that is truly representative of the community which we protect. Employees of North Yorkshire Fire and Rescue Service deserve to work in an environment that supports and celebrates diversity.
- Significant concerns around any possibility of cuts to the frontline.
- Would like certainty around when the service would next look to recruit wholetime firefighters.
- Work with partners to assist in medical emergencies. Views range from strong support to no support.
- Concern around the brand of the Fire and Rescue Service diluting if associated too closely with police.

Internal communication

- Internal communication improvements needed in terms of transparency between senior management and staff. Focus on engaging with staff.
- Provide regular updates to staff on key decisions and issues around ongoing disputes/issues e.g. Tactical Response Vehicles.

IT

- Ordering process for acquiring new kit from stores needs to be automated and more efficient.
- Concerns around technical issues with the Mobile Data Terminals used in the appliances.



Setting the Precepts 2019/20

Police and Fire & Rescue

Contents - Police

- Provisional 2019-20 Police Funding Settlement
- Precept
- Transformation Programme
- Precept Consultation
- Future Funding and Planning Assumptions
- Investment Plans
- Reserves
- Forecast Summary Revenue Plans

Provisional 2019-20 Police Funding Settlement – Headlines

- **Headline of £970m additional funding for the service – includes**
 - £161m additional formula funding,
 - £153m of pension grant,
 - £59m additional funding for Counter Terrorism,
 - £90m additional funding to tackle Serious and Organised Crime and
- £509m as a result of additional council tax flexibilities.

Provisional 2019-20 Police Funding Settlement – Headlines

- **What does this mean for North Yorkshire:**
 - £1,423k (2.1%) increase in formula funding,
 - £1,449k for a new pensions grant

However

- Impact of Police Pension changes to North Yorkshire
 - **Additional cost of circa £3.6m**
- So we are about £700k worse off before Precept.

Precept

- We were planning for a Precept increase of £12 for a Band D property for 2019/20 however the Referendum Limit for 2019/20 has been set at an increase of £24.
- Underlying Tax Base has increased by 1.3%
- This is in line with our 1% planning assumption.
- Council Tax Collection Surplus from 2018/19, due to PCC, is estimated to be £304k and available in 2019/20 – this is non-recurring and the lowest since 2013/14

Impact of a £12 increase in Band D Precept

Funding the Net Budget Requirement				
	2019/20	2018/19	(Increase)/Reduction	Year on Year Change
	£000s	£000s	£000s	%age
Government Funding				
Police Grant	(41,994)	(41,100)	(894)	2.2%
RSG/National Non Domestic Rate	(27,191)	(26,662)	(529)	2.0%
Council Tax Freeze Grant	(2,152)	(2,152)	0	0.0%
Council Tax Support Grant	(5,746)	(5,746)	0	0.0%
Total Government Funding	(77,083)	(75,660)	(1,423)	1.9%
Additional Police Pensions Grant	(1,449)	0	(1,449)	
Additional Police Pension Contributions	3,600	0	3,600	
Actual Impact of Settlement changes	(74,932)	(75,660)	728	-1.0%
Impact of a £12 increase in Band D Precept - 5.2% increase				
Net Surplus on Collection Funds	(304)	(492)	188	-38.2%
Council Tax Requirement	(73,701)	(69,168)	(4,533)	6.6%
Total Local Funding	(74,005)	(69,661)	(4,345)	6.2%
Total Government + Local Funding	(148,937)	(145,320)	(3,617)	2.5%

Transformation Programme

- The Challenge is to deliver £10m of cashable savings across 4 years from 18/19.
- £2.5m was assumed within the 18/19 plan.
- This then increases by £2.5m per year thereafter.
- This will then provide the Capacity for investment in Policing Priorities as per the following:
 - 2019/20 - £2.7m
 - 2020/21 - £5.1m
 - 2021/22 - £7.6m

Impact of a £24 increase in Band D Precept

Funding the Net Budget Requirement				
	2019/20	2018/19	(Increase)/Reduction	Year on Year Change
	£000s	£000s	£000s	%age
Government Funding				
Police Grant	(41,994)	(41,100)	(894)	2.2%
RSG/National Non Domestic Rate	(27,191)	(26,662)	(529)	2.0%
Council Tax Freeze Grant	(2,152)	(2,152)	0	0.0%
Council Tax Support Grant	(5,746)	(5,746)	0	0.0%
Total Government Funding	(77,083)	(75,660)	(1,423)	1.9%
Additional Police Pensions Grant	(1,449)	0	(1,449)	
Additional Police Pension Contributions	3,600	0	3,600	
Actual Impact of Settlement changes	(74,932)	(75,660)	728	-1.0%
Impact of a £24 increase in Band D Precept - 10.3% increase				
Net Surplus on Collection Funds	(304)	(492)	188	-38.2%
Council Tax Requirement	(77,314)	(69,168)	(8,145)	11.8%
Total Local Funding	(77,618)	(69,661)	(7,957)	11.4%
Total Government + Local Funding	(152,550)	(145,320)	(7,229)	5.0%

Precept

- Current Council Tax/Precept Levels:
 - Band D: £232.82 – £4.48 per week
- Impact of a £12 increase in 2019/20
 - Would equate to around 23p extra per week for a Band D property in 2019/20.
 - Would increase the funding available across the financial plan by just over £3.6m per annum.
 - Is in line with our previous plans.
- Impact of a £24 increase in 2019/20
 - Would equate to around 46p extra per week for a Band D property in 2019/20.
 - Would increase the funding available across the financial plan by just over £7.2m per annum.
 - **Would provide £3.6m additional funding to invest in local, visible policing services on a recurring basis.**

Precept consultation

- **Police and Fire & Rescue** consultation
- Representative telephone interviews
 - 1000 interviews (800 completed to date)
- Online survey
 - 970 surveys completed to date
- Leaflet distribution to public places
 - with survey questions and free post return address
- Consultation closes 18th January 2019
 - Full results to Panel in February

Police

- *How much more would you be prepared to pay per year through your council tax for policing?*
 - No more than I pay now – a precept freeze. This would mean a real terms cut to the police budget when inflation is taken into account
 - As per last year – an extra £11.50 per year for a Band D property – raising £3.5m
 - Between £11.50 and £24 - raising up to £7m
 - More than £24 – raising more than £7m

Indicative Consultation Results

- An indicative view of the consultation will be provided at the meeting although the consultation will remain open until the 18th January and full details will be provided with the Precept proposal to the February meeting.

Future Funding and Planning Assumptions

- Precept increases of 1.99% from 2020/21 onwards.
- Government Grant increases of 2% per annum from 2020/21 onwards
- 1.0% increase in Tax Base per annum.
- £400k collection surplus per annum.
- Pensions Grant continues at current level.
- Pay Awards and Inflation at 2%
- Any Funding Formula Review does not negatively impact on North Yorkshire

Reserves

- Current plan for 2018/19 assumed £1.8m was provided from General Reserves to support the proposal – we now expect only £800k will be needed.
- General Reserves are projected to be £6.0m by the end of 2018/19.
- This is 3.8% of Net Budget Requirement
- Full details on reserves will be provided in February

Forecast Summary Budgets

- The Revenue Budget is based on a £24 increase in Precept – **APPENDIX A**
- And assumptions outlined elsewhere
- A Summary Capital Budget is also provided – **APPENDIX B**

Contents - Fire

- Provisional Local Government Finance Settlement
- Precept
- Precept Consultation
- Future Funding and Planning Assumptions
- Reserves
- Forecast Summary Revenue Plans

Provisional Local Government Finance Settlement

- A national increase in the 2019-20 Core Spending Power of 2.8% compared to 2018-19. NFCC members (exc. London) see an increase in Spending Power of 3.2%, with stand-alone fire authorities seeing an average increase of 2.2%.
- Maintained council tax referendum principles (3%) for all Fire Authorities, Shire Counties, Single Tier Unitaries, Metropolitan Districts and London Boroughs as announced in the 2018-19 Settlement. Police referendum limit raised from £12 to £24.
- Announcement of £98.5m grant allocations to support increased pension costs of £108.5m. Expected to be paid in full in early 2019-20.
- No date has yet been provided for the CSR except that it shall be conducted in time for Budget 2019.
- Slight increase in Rural Services Delivery Grant to £81m (equal to 18-19).

Provisional Local Government Finance Settlement

- **What does this mean for NY Fire:**

- £293k (3.3%) reduction in Government Settlement
- Rural Services Grant remains at the same level.
- £1,466k Pensions Grant

However

- Impact of Fire Pension changes to North Yorkshire – **Additional cost of circa £1.6m**
- So we are about £450k worse off before Precept

Precept

- We were planning for a Precept increase of 2.99% for a Band D property for 2019/20 and this is what the Referendum Limit for 2019/20 has been set at.
- Underlying Tax Base has increased by 1.3%
- This is in line with our 1% planning assumption.
- Council Tax Collection Surplus from 2018/19, due to Fire, is estimated to be £90k and available in 2019/20 – this is non-recurring and the lowest since 2013/14

Precept

- Current Council Tax/Precept Levels:
 - Band D: £69.20 – £1.33 per week
- Impact of a 2.99% increase in 2019/20
 - Would equate to an annual increase of £2.07 for a Band D property. (or 4 pence per week)
 - Would increase the funding available across the financial plan by just over £600k per annum.
 - Is in line with our previous plans.
- **Any increase above 2.99% would require a Referendum**

Impact of a 2.99% Precept increase

Funding the Net Budget Requirement				
	2019/20	2018/19	(Increase)/Reduction	Year on Year Change
	£000s	£000s	£000s	%age
Government Funding				
Total Settlement Funding	(8,555)	(8,848)	293	-3.3%
Rural Services Grant	(514)	(514)	0	0.0%
Levy Allowance	(92)		(92)	
Total Government Funding	(9,161)	(9,362)	201	-2.1%
Additional Fire Pensions Grant	(1,466)	0	(1,466)	
Additional Fire Pension Contributions	1,615	0	1,615	
Actual Impact of Settlement changes	(9,012)	(9,362)	350	-3.7%
Impact of a 2.99% increase in Band D Precept				
Net Surplus on Collection Funds	(90)	(150)	59	
Council Tax Requirement	(21,455)	(20,559)	(896)	
Total Local Funding	(21,545)	(20,708)	(837)	4.0%
Total Government + Local Funding	(30,557)	(30,070)	(487)	1.6%

Fire & Rescue

- *How much more would you be prepared to pay per year through your council tax for the fire and rescue service?*
 - No more than I pay now – a precept freeze. This would mean a real terms cut to the fire and rescue budget when inflation is taken into account
 - As per last year – an extra £2 per year for a Band D property raising £600k
 - Between £2 and £5 – raising up to £1.5m
 - More than £5 – raising more than £1.5m

Indicative Consultation Results

- An indicative view of the consultation will be provided at the meeting although the consultation will remain open until the 18th January and full details will be provided with the Precept proposal to the February meeting.

Future Funding and Planning Assumptions

- Precept increases of 2.99% from 2020/21 onwards.
- Government Settlement continues to reduce at 3% per annum across the MTFP period
- 1.0% increase in Tax Base per annum.
- £150k collection surplus per annum.
- Pensions Grant and Rural Service Grant continues at current level.
- Pay Awards and Inflation at 2%

Reserves

- Useable Reserves as at 31st March 2018 totalled £6.6m
- Inherited budget assumed £1.2m was provided from General Reserves to support the 2018/19 budget.
- **Further use of reserves are currently planned to balance the budget in both 19/20 and 20/21**
- Full details on reserves will be provided in February

Forecast Summary Budgets

- Inherited Budget has a £1.2m deficit.
- This deficit was then projected to increase to £2.6m by the end of the MTFP period.
- The Draft MTFP, based on a 2.99% increase in Precept is attached at **APPENDIX C**
- A Summary Capital Plan is also provided – **APPENDIX D**

APPENDIX A

PCC Summary MTFP - Draft Projections at January 2019 based on £24 increase

	Actual Budget 2018/19	Forecast Budget 2019/20	Forecasts		
			2020/21	2021/22	2022/23
Core Funding	£000s	£000s	£000s	£000s	£000s
Government Grant	(67,762)	(70,634)	(72,018)	(73,429)	(74,869)
Council Tax Precept	(69,661)	(77,615)	(80,034)	(82,433)	(84,901)
Council Tax Freeze Grant	(2,152)	(2,152)	(2,152)	(2,152)	(2,152)
Council Tax Support Grant	(5,746)	(5,746)	(5,746)	(5,746)	(5,746)
Funding for Net Budget Requirement	(145,320)	(156,147)	(159,950)	(163,759)	(167,668)
%age Change in Net Budgetary Requirement	2.6%	7.5%	2.4%	2.4%	2.4%
Other Funding					
Specific Grants	(2,900)	(2,656)	(2,378)	(2,378)	(2,378)
Partnership Income/Fees and Charges	(8,702)	(8,542)	(8,342)	(8,332)	(8,429)
Total Funding	(156,923)	(167,345)	(170,670)	(174,470)	(178,475)
%age Change in Funding	1.4%	6.6%	2.0%	2.2%	2.3%
Office of the PCC Planned Expenditure	£000s	£000s	£000s	£000s	£000s
Total Planned Expenditure	1,011	1,080	1,100	1,120	1,145
Commissioned Services	£000s	£000s	£000s	£000s	£000s
Commissioned Services	3,979	3,655	3,575	3,580	3,595
Total Planned Expenditure	3,979	3,655	3,575	3,580	3,595
Policing Priorities Fund	£000s	£000s	£000s	£000s	£000s
Investment Fund	1,963	2,700	5,130	7,630	7,630
Local Visible Policing Services Investment		3,600	3,600	3,600	3,600
Total Policing Priorities Fund	1,963	6,300	8,730	11,230	11,230
Corporate Services	£000s	£000s	£000s	£000s	£000s
Staff Pay	7,183	7,587	7,735	7,892	8,060
Other Non Salary	79	75	76	78	79
Premises	4,387	4,217	4,301	4,386	4,473
Supplies and Services	8,843	9,869	10,418	10,623	10,268
Transport	620	728	738	751	764
Asset Management	906	616	616	706	706
Efficiency and Savings Target - 2018/19		(500)	(500)	(500)	(500)
Total Corporate Services	22,018	22,592	23,385	23,937	23,852
Police Force Planned Expenditure	£000s	£000s	£000s	£000s	£000s
Pay					
Police Pay	73,540	76,000	77,827	79,368	80,956
Police Overtime	2,070	2,033	2,073	2,115	2,157
PCSO Pay (incl Overtime)	6,605	6,719	6,853	6,990	7,130
Staff Pay (incl Overtime)	26,280	30,932	31,055	31,617	32,249
Pay Total	108,495	115,684	117,809	120,091	122,492
Non-Pay Budgets					
Other Non Salary	1,535	1,583	1,612	1,645	1,678
Injury and Medical Police Pensions	3,699	3,700	3,822	3,898	3,976
Premises	54	86	88	89	91
Supplies and Services	12,321	12,873	13,089	13,359	13,631
Transport	1,660	1,913	1,945	1,980	2,020
Efficiency and Savings Target 2018/19		(2,000)	(2,000)	(2,000)	(2,000)
Non-Pay Total	19,269	18,155	18,556	18,971	19,396
Total Planned Force Expenditure	127,764	133,839	136,365	139,062	141,888
%age Change in Expenditure	1.2%	4.8%	1.9%	2.0%	2.0%
Total Expenditure Budgets	156,735	167,465	173,156	178,929	181,710
Future Efficiency and Savings Target		(2,500)	(5,000)	(7,500)	(7,500)
Total Expenditure Budgets after Efficiencies and Savings		164,965	168,156	171,429	174,210
(Surplus)/Deficit before Reserves/Capital	£000s	£000s	£000s	£000s	£000s
(188)	(188)	(2,380)	(2,514)	(3,040)	(4,265)
Planned Transfers to/(from) General Fund	(1,800)	0	0	0	0
Contribution to Capital Programme	1,492	2,610	2,730	3,010	4,235
Projects	2,219	991	140	20	0
Planned Transfers to/(from) Earmarked Reserves	(1,724)	(1,221)	(356)	10	30
Net (Surplus)/Deficit After Reserves	0	0	0	(0)	(0)
General Reserves	£000s	£000s	£000s	£000s	£000s
General Fund Balance b/f	6,774	5,974	5,974	5,974	5,974
Proposed (Use of)/Contribution to General Fund	(1,800)	0	0	0	0
Current Year Forecast (Over)/ Under spend	1,000				
General Fund Balance c/f	5,974	5,974	5,974	5,974	5,974
Employee Numbers	FTEs	FTEs	FTEs	FTEs	FTEs
Police Officers	1,390	1,400	1,400	1,400	1,400
PCSOs	200	200	200	200	200
Police Staff - Police Force	838	874	871	870	870
Corporate Services, Commissioning and Projects	214	219	219	219	219
PCC Private Office Staff	13	13	13	13	13
Assumptions					
Staff Pay Increases	2.0%	2.0%	2.0%	2.0%	2.0%
Police Pay Increases	2.0%	2.0%	2.0%	2.0%	2.0%
Non Pay Inflation	2.5%	2.5%	2.5%	2.5%	2.5%
Precept Increases	5.2%	10.3%	2.0%	2.0%	2.0%
Government Grant Reductions (Cash Basis)	0.0%	1.9%	2.0%	2.0%	2.0%

				APPENDIX B		
<u>Capital Financing and Expenditure</u>						
	2018/19	2019/20	2020/21	2021/22	2022/23	5 Year Total
	£000s	£000s	£000s	£000s	£000s	£000s
Earmarked Reserve/Funding b/f	5,004	129	29	19	25	
Capital Grant	431	440	449	458	467	2,246
Capital Receipts	169	169	169	169	169	845
Capital Receipts from Estates Strategy	0	3,718	512	0	0	4,230
Contributions from Revenue	2,152	2,610	2,730	3,010	4,235	14,737
Transfers from Earmarked Reserves	420	0	0	0	0	420
External Funding	115	0	0	0	0	115
Borrowing	1,200	1,000	2,500	1,100	0	5,800
Projected in-year funding available	4,487	7,938	6,360	4,737	4,871	28,393
<u>Capital and Revenue Project Plans</u>						
Fleet	1,470	2,159	1,738	1,016	1,505	7,888
ICT	2,943	1,676	1,623	1,393	739	8,375
Estates	2,990	3,164	2,111	1,562	896	10,723
Other Rolling Programmes	428	869	758	707	1,313	4,075
Other Schemes	1,416	168	140	53	0	1,777
Externally Funded	115	0	0	0	0	115
Total Agreed Programme	9,362	8,038	6,370	4,731	4,453	32,954
Earmarked Reserve/Funding c/f	129	29	19	25	444	

APPENDIX C					
Fire Summary MTFP - Draft Projections at January 2019 based on 2.99% Precept increase					
	Actual	Forecast			
	Budget	Budget		Forecasts	
	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023
	£'000	£'000	£'000	£'000	£'000
Funding					
Total Settlement Funding	(8,848)	(8,555)	(8,300)	(8,049)	(7,805)
Rural Services Grant	(413)	(514)	(514)	(514)	(514)
Levy Allowance		(92)	0	0	0
Council Tax Precept	(20,560)	(21,455)	(22,313)	(23,206)	(24,134)
Collection Fund Surplus/Deficit	(150)	(90)	(149)	(149)	(149)
NNDR Surplus/Deficit	0	(1)	(1)	(1)	(1)
Funding for the Net Budget Requirement	(29,970)	(30,707)	(31,277)	(31,919)	(32,603)
%age change in Net Budget Requirement	1.2%	2.5%	1.9%	2.1%	2.1%
Specific Grants	(1,601)	(1,234)	(1,062)	(1,041)	(966)
Pensions Mitigation Grant	0	(1,466)	(1,466)	(1,466)	(1,466)
General Income	(480)	(498)	(432)	(440)	(449)
TOTAL FUNDING	(32,051)	(33,904)	(34,236)	(34,866)	(35,483)
Expenditure					
Direct Staff Costs					
Wholetime Firefighters	13,049	13,296	13,431	13,705	13,986
Retained Firefighters	2,711	2,638	2,692	2,747	2,803
Administrative & Clerical	3,504	3,605	3,573	3,646	3,721
Control Room Staff	763	790	804	821	837
Direct Staff Costs Total	20,026	20,329	20,500	20,919	21,347
Indirect Staff Costs	489	429	437	446	455
Members Expenses	81	0	0	0	0
Premises	2,108	2,114	1,966	1,844	1,880
Transport	914	721	736	750	765
Supplies and Services	2,914	2,905	3,042	3,039	2,915
Operating Leases	219	221	226	230	235
External Service Agreements	218	191	195	199	203
PFI (inc. capital element)	1,373	1,431	1,477	1,524	1,573
Total Indirect Staff and Non Staff Costs	8,316	8,012	8,077	8,031	8,026
PENSIONS	3,020	4,602	4,681	4,776	4,874
Provision for Debt Repayment	1,226	1,255	1,337	1,497	1,537
External Interest	674	631	677	730	806
Total Capital Charges	1,899	1,886	2,014	2,227	2,343
TOTAL EXPENDITURE BUDGETS	33,261	34,829	35,272	35,953	36,590
(Surplus)/Deficit before Reserves	1,210	925	1,035	1,087	1,106
Planned Transfers to/(from) Earmarked Reserves	(1,210)	(925)	(1,035)		
(Surplus)/Deficit After Reserves	0	0	0	1,087	1,106
Employee Numbers (Budgeted)	FTEs	FTEs	FTEs	FTEs	FTEs
Wholetime Firefighters	300	301	300	300	300
Retained Duty System Firefighters	342	342	342	342	342
Support Staff	96	95	95	95	95
Control Staff	17	17	17	17	17
Assumptions					
Staff Pay Increases	2.0%	2.0%	2.0%	2.0%	2.0%
Non Pay Inflation	2.0%	2.0%	2.0%	2.0%	2.0%
Precept Increases	2.99%	2.99%	2.99%	2.99%	2.99%
Government Grant Reductions (Cash Basis)	-2.6%	-3.3%	-3.0%	-3.0%	-3.0%

				APPENDIX D	
DRAFT FIRE CAPITAL PROGRAMME 2018/19 TO 2022/23					
	Estimated	Estimated	Estimated	Estimated	Estimated
	2018/19	2019/20	2020/21	2021/22	2022/23
	£000	£000	£000	£000	£000
Vehicle	1,680	1,153	1,120	1,612	1,227
Property	641	420	350	350	350
ICT	473	1,252	254	304	748
TOTAL	2,794	2,824	1,724	2,266	2,326
FUNDING	£000	£000	£000	£000	£000
Capital Contributions	35	-	-	-	-
Capital Receipts	124	464	134	134	134
Leasing	-	502	-	-	502
Internal Borrowing	2,635	-	-	-	-
External Borrowing	-	1,858	1,590	2,133	1,690
TOTAL FUNDING	2,794	2,824	1,724	2,266	2,326



Police and Crime Panel Report

Freedom of Information - update

This report follows a paper that came to the Panel earlier in the year, regarding the Freedom of Information (FOI) requests and the work of the Civil Disclosure Unit more generally.

The report provided an overview of the scale of work undertaken by the Civil Disclosure Unit (CDU), which continues to grow, the process by which that work is managed, the performance of the team and ways in which the PFCC and Chief Constable seek to improve that performance.

Whilst the action plan remains in place, of which an update is provided in this paper, the Panel will be aware that the new Data Protection reforms (including GDPR) came into force on 25 May 2018, and has generated new challenges for policing generally, but most keenly felt in the CDU who now need to navigate responding to the information requests under these new regulations.

Whilst the below will give the Panel an understanding of current performance of this team, the PFCC and Chief Constable requested an internal audit of this function, which is being undertaken in October. The PFCC is happy to share the feedback from that audit with the Panel once it is complete. Importantly, the legal team as a whole are also part of an ongoing collaboration with the Evolve region (North Yorkshire, Cleveland and Durham), with civil disclosure matters being part of that work. The Head of Legal for the Evolve region is reviewing the civil disclosure approach across all three forces, to ensure teams are able to work together to improve response times and quality, as well as share best practice and innovation. Again, the PFCC is happy to share this work with the Panel as it progresses.

Performance

As explained to the Panel previously, the Information Commissioner's Office (ICO) has set a compliance target for FOI responses within 20 working days of 90%. This was updated from 85% in April 2017.

Compliance had been under 70% in 2015, and an action plan developed to improve performance. The Panel were updated in this regard at a recent meeting. This paid dividends with compliance rates improving to almost 80% for a period of time, but the compliance rate for FOI requests specifically has now dropped, partly following the GDPR changes, but largely because of an increase in the number of civil disclosure requests across the board. Other elements of civil disclosure e.g. Subject Access Requests, have seen less impact in terms of compliance rates from the GDPR changes because of a specific effort to keep those requests as complaint as possible, with FOIs being the worst affected element of civil disclosure work.

The number of FOIs continues to increase year on year:

- 2014/15 – 1046
- 2015/16 – 1264 (20% increase)

- 16/17 – 1280
- 17/18 – 1390 (32% increase from 2015)
- 18/19 – projecting more than 1400

The below tables detail the FOI performance for the two data controllers for this financial year to date.

FOI Stats FY2018/19 – Point in time 28/12/2018					
	Received	Total Closed/ Completed	Outstanding	Total Non-Compliant	Currently Non- Compliant & Not complete
NYP	1033	665	368	199	300
PFCC	53	32	21	7	20

FOI Stats FY2018/19 – Point in time 31/08/2018			
	*Average Response Time (work days)	**Compliance %	Info Rights Tribunal
NYP	27	48%	1
PFCC	34	49%	2

Update on action plan

As the Panel knows, the CDU sits within Joint Corporate Legal Services, reporting to the Chief Executive Officer through the Director of Evolve Legal Services. The PFCC conducts scrutiny of their performance through her Chief Executive Officer and through reports to her Executive Board.

The action plan was developed a number of years ago, and had been largely complete when this issue was last discussed by the Panel. This has resulted in improved compliance rate and a more efficient and effective process for responding to civil disclosure requests, with a particular focus on FOIs. Following the completion of the action plan, the focus turned to improving consistency of response rather than developing a new action plan, and planning for changes being brought in via new data protection regulations.

Whilst there was good news and improving compliance in the short term, this was not maintained. The impact of GDPR was more extensive than had been expected, and this has resulted in the complexity of work increasing, therefore taking more time to complete, which has in turn reduced the compliance rate for FOI responses. This is explained below in more depth.

The GDPR challenge

The new Data Protection reforms (including GDPR) came into force on 25 May 2018, and has generated new challenges for the CDU. Generally the data landscape is now much more complex,

and there are, rightly, many more assurances which the CDU need to feel confident they are disclosing the relevant information.

One example of the pressures data protection reforms has brought is the timescale for responding to Subject Access Requests (SAR), which has now reduced from 40 working days to one calendar month which. This applies additional pressure to the team, not least because there are effectively 20 less working days to complete the work, which is half the time which was previously available, but also because the regulations make gathering the relevant data more complex and time consuming. Taken together, the impact is substantial to say the least. One impact in any part of the CDU team is felt by the whole team, especially by what are known as 'decision makers' who now have many more decisions to make, and more complex ones.

A similar effect has been had on FOI requests. However, despite compliance rates going down, the implementation of the action plan has stood the team in good stead, and the compliance rate would inevitably have been lower should the improvements not been made when they were. For example, the number of FOIs which are with the business area for providing further information is considerably less, with the increased backlog now largely due to the number of FOIs which are currently with the decision makers in the CDU, as explained above. In the case of FOIs, the work to prepare a response is not necessarily taking longer, but the time taken to make a decision on what to formally disclose is taking longer, impacting on compliance rates. Fundamentally, because of the increased workload within the CDU, this means decision makers are simply not able to action as many FOIs per day as they were previously.

Not only is the workload up considerably, for example in the July –September 2018 quarter the number of Subject Access Requests received into the Civil Disclosure Unit increased by 138% compared to the July-September 2017 quarter, but there is generally more disclosure work required in policing across the board. This is reflective of the changing nature of police demand, which is now more focussed on vulnerability and mental health matters, which in turn makes any disclosure more complex. Whilst unpalatable, areas of work outside FOIs are having to be prioritised, and rightly so. For example, the number of Court Orders for disclosure in Child Care is up significantly, and given these document's active involvement in court proceedings, these requests have a very short deadline and are critical requests. Equally, Court Orders around children can be extremely complex and the resource required to ensure the right information is being disclosed is very significant indeed. Lastly, given the increased focus on data protection on the media over the last six months in particular, not only are there more FOI and SAR requests, these requests are much more detailed and complex than used to be the case. One part of the action plan was to be transparent by design e.g. publishing information in the public interest proactively rather than waiting to be asked, and whilst this negates the need for some FOIs, many FOIs and SARs are now focused on personal information of applicants, which requires extensive searching of police systems and databases, of which there are many. The increase in scale and complexity, with reduced timescales to complete requests, combined with an added workload from other parts of policing, has had a big impact. That impact has been most keenly felt in the compliance rate of FOIs.

Returning to the action plan, one of the successes was reducing the number of FOIs which are sat with the business area e.g. finance, with the backlog now as a result of an increased number of FOIs which are sat with the decision maker within CDU. This is because of the increased work demand within the CDU generally, meaning that the Legal Officers are simply not able to action as

many FOIs per day as they were previously. In addition, it has been noted that the complexity of the FOIs received into the CDU is now greater and more time is being taken to respond.

Staffing

Staffing since January 2018 has been consistent within CDU, but recently one of the most experienced members of the team retired. Although this individual did not work specifically on FOIs, he did work on some of the other business areas listed above e.g. court disclosure. Given the impact that SARs and Court Ordered Disclosure have had on FOI compliance, the CDU is now reviewing the requirement to not only compensate for losing such an experienced member of the team but also trying to mitigate the increased volume of work across the whole of the CDU. The CDU have received permission to recruit for a part time Disclosure Assistant for the team and a part time Legal Officer.

Disclosure log

Alongside reductions in FOI compliance, the disclosure log has also been updated less than it otherwise would have been. Whilst not a statutory requirement to maintain, the PFCC and Chief Constable admit that it assists with both NYP and the PFCC in being as transparent and open as possible. This is part of the staffing review being undertaken by CDU.

Audit

In October 2018, an FOI Internal Audit took place in the CDU. 6 management actions were agreed as a result of the audit, 3 of low priority, 2 of medium priority and 1 of high priority and the final report was published on 26 October 2018. The high priority action is focused around the staffing issue within the CDU and the need for additional resource in order to increase the FOI compliance rate. This has been actioned as per the staffing update above. The remaining five actions focused around the need to update the FOI Disclosure Log, scrutiny of the FOIs at the Executive Board and the internal review process.

CDU in the future

The PFCC and Chief Constable acknowledge that FOI compliance has reduced to unacceptable levels, but work is underway to resolve these issues as quickly as possible. Not only via increased staffing, but in the work being undertaken across the Evolve region to better understand, manage and respond to civil disclosure requests of all types. The work is undertaken in different ways in each corporate sole in each force area e.g. CDU in North Yorkshire response to both Chief Constable and PFCC civil disclosure requests, but in Cleveland FOI responses are managed by the OPFCC independently. There are also varying degrees of experience and innovation in the three force areas, and it is important to share knowledge and best practice where possible.

Evolve work will continue, and processes, albeit already subject to an improvement action plan, will be assessed to ensure they are as slick as possible and there are not other ways to improve compliance with all types of civil disclosure request. This work will also seek to understand why North Yorkshire has a higher rate of FOI and SAR applications compared to the other forces in the Evolve region.

The head of legal services in North Yorkshire is working closely with the above work, and a business case is being developed in response to changes in data protection regulations, and in the subsequent impact this has had in North Yorkshire. One proposal currently under consideration is for the CDU team to move from the legal department to the information management department. Should these proposals progress, the Commissioner is happy to share this with the Panel.

Appendix 1: Action Plan

1. **New FOI Process** - Implement a new streamlined process largely based on the model recommended by CRU (outlined below) from the 1st October 2016. The implementation plan for this is also outlined below.
2. **IAB ownership of FOI** - Add FOI as a standing agenda item at IAB for verbal update by Police Lawyer (Civil Disclosure) – to include performance information and allow SIRO and the board to be briefed about any problems in information gathering and any high profile cases/organisational issues affecting the FOI/DPA process.
3. **FOI policy** – Policy to be amended so it essentially says that NYP will comply with the APP
4. **FOI procedure** – Draft a new supplementary procedure which sets out the new process (outlined below).
5. **FOI Champion** - Ensure an FOI champion is in place within NYP (suggest this is the SIRO) who can push this from the top down. If this is SIRO this will link to the IAB updates.
6. **FOI Officer** - The Police Lawyer (Civil Disclosure) to act as the NYP FOI Officer. If information owners or stakeholders have problems then these can be raised with the FOI Officer, who will have a direct route in to the FOI Champion (SIRO). Link to APP description of FOI officer.
7. **Empower FOI decision makers** - The Legal Officers should be empowered to make decisions without disproportionate scrutiny (decisions to be QA'd by the FOI officer where necessary & escalated to HOLS by exception) and should conduct the triage of all new requests.
8. **Transparency by design** - Implement “transparency by design” within NYP where the FOI team are consulted at the outset about potentially high profile issues so advice can be given about publication strategies – this will require education of COT, heads of department and project staff.
9. **FOI training** - implement FOI NCALT across the force as a mandatory training item for all existing and new staff and officers. Consideration for NCALTS to be done as team briefings.
10. **Internal comms** – to support the implementation of the new training, policy and process.
11. **FOI backlog** – recognise that process changes alone will not clear the backlog and that if the new process is to be successful it is best to start with as few outdated requests as possible. 20 days before “go live” all applicants for requests that are overdue by more than 2 weeks should be contacted and asked to confirm whether they still require the information, with it being made clear if they do not respond within 20 days their request will be treated as withdrawn.
12. **Review** – review compliance figures after 6 and 12 months to establish progress. The aim should be set for NYP to achieve 85% compliance within 1 year of the implementation of the new process.
13. **OPFCC** – personal details of force FOI applicants should not be shared with the OPFCC as this is a breach of data protection. The only exception to this is where the applicant has made the same request to both organisations.

Suggested new process

1. **New Requests** - new requests received into the civil disclosure inbox and transferred into FOI triage sub-folder within the inbox, but not logged or acknowledged.

2. **Triage** - On a daily rota basis, a Legal Officer (Civil Disclosure) will triage all requests, considering the following:
 - Can a link be provided to a previous response and/or published material?
 - Can the request be diverted into the SAR process/s40?
 - Is there a preferred option for dealing with the request outside FOI?
 - Can we contact the applicant by telephone to clarify what they want and why – and suggest better approach to the request?
 - Is the request excess cost and can we respond immediately?
 - Any remaining requests can be logged and acknowledged & any CRU referrals completed.
3. **Engagement with Information Owners** - On a daily basis, for requests that are to remain in the FOI process, an email should be sent by the triager to all potential identified information owners, for them to confirm whether recorded information is held and how long it would take to retrieve it. A response will be requested within 3 days (flexible on case by case basis, e.g. if we know performance are busy etc), together with a warning about non-response. Daily informal discussions between FOI staff within civil disclosure to identify information owners and stakeholders. Requests where information cannot be retrieved within cost, or where information is not held, can be closed at this stage.
4. **Information Retrieval and Comms** - Where information is held and a disclosure is possible, the information and details of any harm will be requested from the information owner, with a timescale set for them to provide it and warnings about failure to provide. At this stage, requests will also be sent to identified information stakeholders (including comms), with them given the same timescale to provide any comments/context/harm.
5. **Decision Making & QA** – once all information is received, the Legal Officer (Civil Disclosure) will draft a response and pass appropriate requests to the Police Lawyer (Civil Disclosure) to QA (check legally compliant and harm considered), which should be done on an almost daily basis (in line with CLPD advice). Police Lawyer (Civil Disclosure) to seek supervision on complex requests where necessary from Force Solicitor/Deputy Force Solicitor.

Inputs into FOI Team & Awareness of Responses

Organisational awareness - FOI team, or possibly Police Lawyer (Civil Disclosure) via SMT, will receive a weekly briefing from the Force Solicitor/Deputy Solicitor about organisational issues to be aware of. Potential publication schemes to be discussed and contact made with relevant parties. Complex cases to be discussed if needed.

Performance and Information Management – a Legal Officer (Civil Disclosure), Performance Researcher and Head of Information Management will meet on a weekly basis to discuss any relevant issues and requests that the FOI team require input on, or that the performance team have any issues with. Head of Information Management to provide guidance about potential information owners if not identified during the triage process.

Awareness of responses – A weekly list of all responses sent out will be sent to the staff office, Head of Legal Services and the comms team.