



HEREFORD & WORCESTER Fire and Rescue Authority

AGENDA

Policy and Resources Committee

Wednesday 27 March 2013
10.30 am

Conference Suites 1, 2 & 3
Headquarters,
2 Kings Court,
Charles Hastings Way,
Worcester
WR5 1JR

ACTION ON DISCOVERING A FIRE

- 1 Break the glass at the nearest **FIRE ALARM POINT**.
(This will alert Control and other Personnel)
- 2 Tackle the fire with the appliances available – **IF SAFE TO DO SO**.
- 3 Proceed to the Assembly Point for a Roll Call –

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- 4 Never re-enter the building – **GET OUT STAY OUT**.

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- 1 Proceed immediately to the Assembly Point

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- 2 Close all doors en route. The senior person present will ensure all personnel have left the room.
- 3 Never re-enter the building – **GET OUT STAY OUT**.

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WELCOME AND GUIDE TO TODAY’S MEETING. These notes are written to assist you to follow the meeting. Decisions at the meeting will be taken by the **Councillors** who are democratically elected representatives and they will be advised by **Officers** who are paid professionals. The Fire and Rescue Authority comprises 25 Councillors and appoints committees to undertake various functions on behalf of the Authority. There are 19 Worcestershire County Councillors on the Authority and 6 Herefordshire Council Councillors.

Agenda Papers

Attached is the Agenda which is a summary of the issues to be discussed and the related reports by Officers.

Chairman

The Chairman, who is responsible for the proper conduct of the meeting, sits at the head of the table.

Officers

Accompanying the Chairman is the Chief Fire Officer and other Officers of the Fire and Rescue Authority who will advise on legal and procedural matters and record the proceedings. These include the Clerk and the Treasurer to the Authority.

The Business

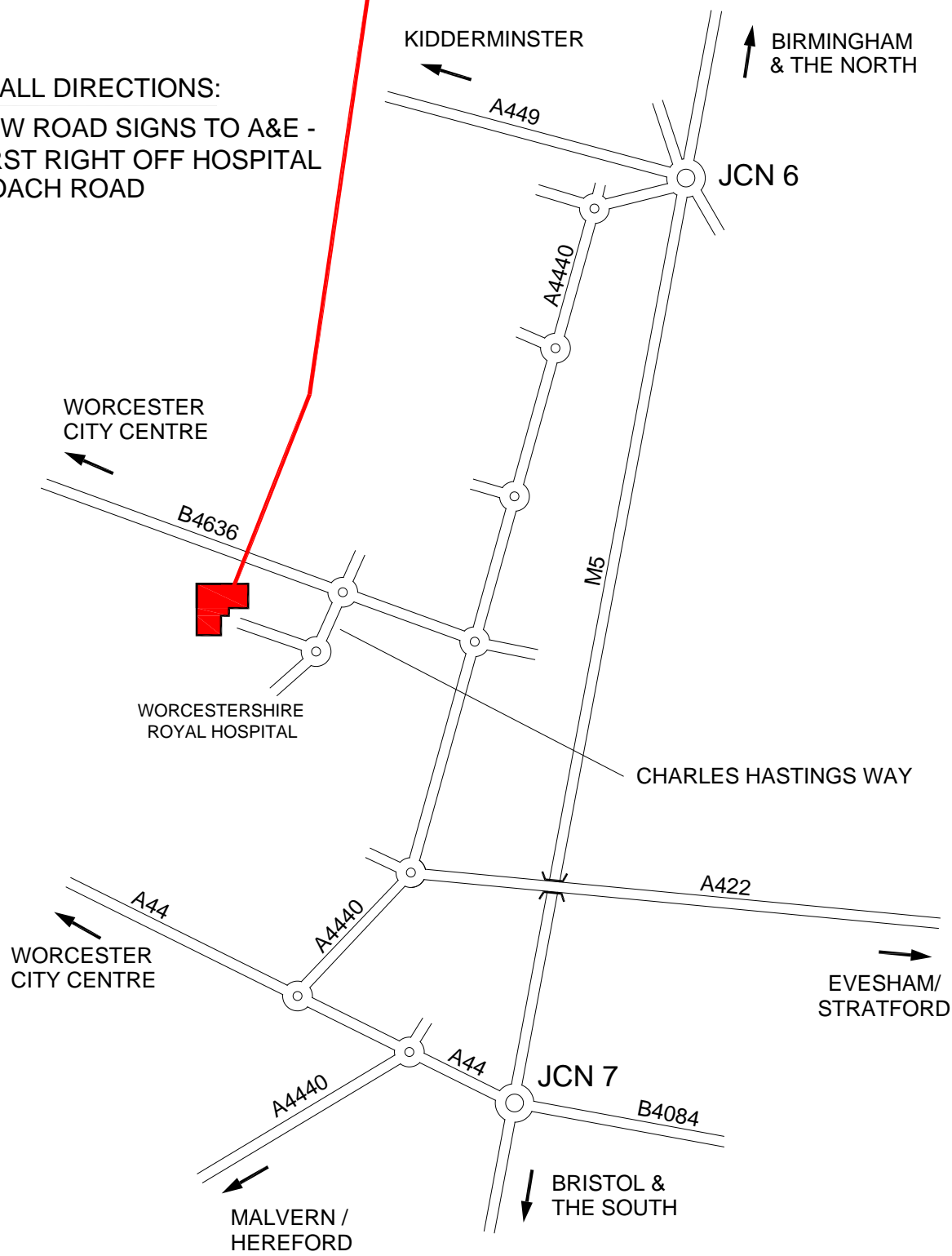
The Chairman will conduct the business of the meeting. The items listed on the agenda will be discussed.

Decisions

At the end of the discussion on each item the Chairman will put any amendments or motions to the meeting and then ask the Councillors to vote. The Officers do not have a vote.

HEREFORD & WORCESTER FIRE AND RESCUE SERVICE
HEADQUARTERS
2 KINGS COURT
CHARLES HASTINGS WAY
WORCESTER. WR5 1JR
TEL: 0845 12 24454

FROM ALL DIRECTIONS:
FOLLOW ROAD SIGNS TO A&E -
HQ FIRST RIGHT OFF HOSPITAL
APPROACH ROAD



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Agenda

Councillors

Mr K Taylor (Chair), Mr G Yarranton (Vice-Chair), Mr T Bean, Mrs M Bunker, Mr J Campion, Mrs L Eyre, Mr A Hardman, Brigadier P Jones CBE, Mrs M Lloyd-Hayes, Mrs J Potter, Mr D Prodger MBE, Mr D Taylor, Mr R Udall, Mr T Wells, Vacancy.

No.	Item	Pages
1.	Apologies for Absence To receive any apologies for absence.	
2.	Named Substitutes To receive details of any Member of the Authority nominated to attend the meeting in place of a Member of the Committee.	
3.	Declarations of Interests (if any) This item allows the Chairman to invite any Councillor to declare an interest in any of the items on this agenda.	
4.	Confirmation of Minutes To confirm the minutes of the meeting held on 23 January 2013.	1 - 3
5.	2012/13 Budget Monitoring – 3rd Quarter To inform the Policy and Resources Committee of the current position on budgets and expenditure for 2012/13.	4 - 8
6.	Development at Evesham To highlight a proposal from Wychavon District Council to purchase the current Evesham fire station site and re-provide a new fire station and training facility as part of a greater development plan for Evesham.	9 - 11
7.	Property - Special Purpose Vehicle (SPV) To advise the Policy and Resources Committee of a proposal by the Worcestershire Partnership Executive Group (PEG) to explore the potential of a Property Services Special Purpose Vehicle (SPV).	12 - 15

8.	Regulation of Investigatory Powers Act 2000	16 - 27
	To approve the adoption of a policy regarding the authorisation of covert investigatory techniques under the Regulation of Investigatory Powers Act 2000.	
9.	Fire and Rescue Authority Plan 2012/13 Quarters 1 - 3 Performance Analysis	28 - 45
	To provide the Policy and Resources Committee with a summary of Quarters 1-3 performance against the Fire and Rescue Authority Plan 2012-13.	
10.	Equality and Diversity Advisory Group Update	46 - 47
	To inform the Policy and Resources Committee of the key areas of discussion at the Equality and Diversity Advisory Group meeting on 6 February 2013.	
11.	Health and Safety Committee Update	48 - 50
	To provide the Policy and Resources Committee with an update on the activities and items of significance from the Service's Health and Safety Committee.	
12.	Joint Consultative Committee Update	51 - 52
	To inform the Policy and Resources Committee of the activities of the Joint Consultative Committee (JCC) since January 2013.	

**Hereford & Worcester Fire and Rescue Authority
Policy and Resources Committee
23 January 2013**



Minutes

Members Present

Mr K Taylor (Chairman)

Mr T Bean, Mrs M Bunker, Mr J Campion, Mrs E Eyre, Mr A Hardman, Brigadier P Jones CBE, Mrs J Potter, Mr D W Prodger MBE, Mr D Taylor and Mr R Udall.

No	Item
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1.	Apologies for Absence
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Apologies for absence were received from Mr G Yarranton.

2.	Named Substitutes
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No substitutes were appointed.

3.	Declaration of Interests (if any)
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The Chairman invited Members to declare any disclosable pecuniary or other interests against any of the Agenda items and none were declared.

4.	Confirmation of Minutes
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RESOLVED that the Minutes of the meeting of the Policy and Resources Committee held on 21 November 2012 be confirmed as a correct record and signed by the Chairman.

5.	Budget 2013/14 and Review of Medium Term Financial Plan (MTFP)
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A report was considered that reviewed the current position in relation to budgets for 2013/14 and beyond and requested the Policy and Resources Committee to make recommendations to the Fire and Rescue Authority.

Mrs E Eyre entered the meeting at 10.35 am

The Treasurer presented the report and handed round an additional sheet which outlined the latest resource forecast. Members were advised in turn of the resources available to the Authority, the precept assumption and the expenditure requirements. Reference was made to the budget gap and ways to address it which had been debated extensively by Members at the Budget Seminar held on 16 January 2013.

Mrs M Bunker entered the meeting at 10.40 am

Members then focussed on the impact of accepting the Council Tax Freeze Grant and a debate ensued on the merits of accepting this grant.

Recommended to the Authority:

- (i) that the Council Tax Freeze grant be taken in 2013/14;
- (ii) that the budget assumptions be agreed;
- (iii) to approve the consequential budget and precept requirements for 2013/14;
- (iv) to approve the precept policy for the Medium Term Financial Plan as 2%; and
- (v) to note the consequential budget gaps arising.

6. Development of Crewing Changes to Bromsgrove and Reduction in Watch Levels Across the Service

A report was considered that informed the Committee of the progress towards the implementation of the changes to crewing and staffing at Bromsgrove Fire Station aligned to the 2011/12 Integrated Risk Management Plan (IRMP) Recommendation 4.

At the Policy and Resources Committee meeting held on 7 June 2012 Members had requested that a paper be brought back to the Committee outlining the progress with regard to the proposed changes.

The Chief Fire Officer presented the report and outlined how the changes had so far been implemented.

RESOLVED that the Policy and Resources Committee note the report.

7. Member Learning and Development Strategy

A report was considered that obtained the views of the Committee with regard to a 3 year strategy to drive forward the learning and development of Authority Members.

The Head of Legal Services presented the report and Members responded with the following comments:

- The number of Members who turned up for training was disappointing and whether there was some way to mitigate this. (A Member suggested that this should be a matter for Group Leaders).
- It was considered important to have the appropriate skills in order for Members to be able to be effective in their role as a Member of the Fire Authority.

- It was also considered important that there should be no duplication of training from the constituent authorities, district authorities and the Fire Authority.
- It was suggested that work should take place towards having a shared Herefordshire/Worcestershire Member Development Programme.
- The timing of training should be taken into consideration particularly for those who were at work.
- Training for interviewing for the Appointments Committee should be made compulsory.

Members were thanked for their comments. It was confirmed that it was not the intention of the Authority to duplicate any training that Members received from their constituent authorities and the training that would be delivered would encompass specific areas which were linked to the Fire Authority. Members were asked to feed back any further thoughts to the Corporate Support Manager or to the Member Development Champions.

RESOLVED

- (i) **that the Policy and Resources Committee recommend to the FRA that the draft Member Learning and Development Strategy be approved; and**
- (ii) **to put forward any further views to the Member Development Working Group.**

8. Joint Consultative Committee Update

A report was considered that informed the Policy and Resources Committee of the activities of the Joint Consultative Committee (JCC) since November 2012.

RESOLVED

That the contents of the report be noted.

The meeting concluded at 11.51 am

Signed: _____
Chairman

Date: _____

5. 2012/13 Budget Monitoring – 3rd Quarter

Purpose of report

1. To inform the Policy and Resources Committee of the current position on budgets and expenditure for 2012/13.
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Recommendation

The Chief Fire Officer and Treasurer recommend that the report be noted.

Introduction and Background

2. This report relates to the Authority's financial position for the period April – December 2012 (Quarter 3 – 2012/13), and an out-turn projection based on that position.
3. Separate financial reports are included to detail the position for both Revenue and Capital for this period.

Revenue

4. In February 2012 the Fire and Rescue Authority (FRA) set a net revenue budget for 2012/13 of £33.821m.
5. Appendix 1 details the projected expenditure against the annual revenue budget, and predicts an under-spend for the financial year of £0.767m, compared with the forecast at the end of Quarter 2 of £0.675m. The following details should be noted.
6. The pay increase for Uniformed Staff has been included and projected into the forecast for the financial year. As part of this the amounts held within the Pay Award Provision have been released to the relevant budget.
7. As stated in previous Monitoring Reports the redundancy cost provision represents the balance of the costs for the salary protection for 3 years.
8. The provision for the Retained Duty System (RDS) settlement was made within the 2011/12 budget for the estimated costs of "grossing up" of £0.100m. To date not all entitled staff have been paid, but using this data to improve the estimate it is now expected that the "grossing up" cost will be nearer to £0.120m, an additional cost of £0.020m.
9. Latest specialist tax advice suggests that there may however be a potentially significant saving in the "grossing up".

10. Discussion at recent budget holder surgeries has identified the following significant variances:
11. Operational Logistics: Additional costs have been incurred which were not anticipated when the budget was originally set. This includes additional expenditure on the following:
 - BA Testing (following a problem reported on a cylinder);
 - Equipment for the Ultra Heavy Rescue Vehicles; and
 - Increased Hydrant maintenance costs following the implementation of increased testing.
12. Forecast RDS figures are predicting an over-spend on this budget head; there are several reasons for this but the incident at Lawrence Recycling has had a significant impact on expenditure. There are also a few issues surrounding the predicted expenditure on Course Attendance and Holiday Pay, the reason for this is currently being investigated.

Capital

13. Appendix 2 shows details of the Capital Budget.
14. Of the total Capital Strategy of £10.287m, £6.777m relates to the major building projects and £0.477m remains as unallocated minor schemes; of this £2.099m (20%) has been spent and a further £1.763 (17%) committed by way of order or contract.
15. The under-spend on the Capital Budget relates to the budget provision for the major schemes being in advance of the spend profile.

Financial Considerations

Consideration	Yes/No	Reference in Report i.e paragraph no.
There are financial issues that require consideration	Yes	Whole report considers financial position

Legal Considerations

Consideration	Yes/No	Reference in Report i.e paragraph no.
There are legal issues e.g. contractual and procurement, reputational issues that require consideration	No	

Additional Considerations

16. The table below sets out any additional issues arising from the proposals contained in this report and identifies the relevant paragraphs in the report where such issues are addressed.

Consideration	Yes/No	Reference in Report i.e paragraph no.
Resources (e.g. Assets, ICT, Human Resources, Training & Development, Sustainability).	Yes	Paragraph 4 - 5
Strategic Policy Links (e.g. IRMP, Authority Plan, Equality & Diversity, Partnerships, Environmental Impact).	No	
Risk Management / Health & Safety (e.g. risk management and control measures, risk register score).	No	
Consultation with Representative Bodies	No	

Supporting Information

Appendix 1 – 2012/13 Revenue Budget Monitoring

Appendix 2 – 2012/13 Capital Budget Monitoring

Contact Officer

Deborah Randall, Chief Accountant
(01905 368301)
Email: drandall@hwfire.org.uk

Hereford & Worcester Fire and Rescue Authority :
Policy and Resources Committee
Revenue Budget 2012-13 : 3rd Quarter

			Annual Budget	Pay Award Allocation	Updated Annual Budget	Forecast Annual Expend	Forecast Annual Variance
			£m	£M	£m	£m	£m
1	WT FF Pay		13.874	0.106	13.980	13.711	(0.269)
2	RDS FF Pay		3.185	0.024	3.209	3.267	0.058
3	USAR Pay		0.725	0.006	0.731	0.731	
4	Control Pay		0.798	0.006	0.804	0.805	0.001
5	Support Pay		3.778		3.778	3.752	(0.026)
6	Other Employee Costs		0.038		0.038	0.038	
7	Unfunded Pensions		0.753		0.753	0.753	
8			23.151	0.142	23.293	23.057	(0.236)
9	Strategic Management	Chief Fire Officer	0.058		0.058	0.046	(0.012)
10			0.058	0.000	0.058	0.046	(0.012)
11	New Dimensions	Head of Operations	0.114		0.114	0.117	0.003
12	Technical Fire Safety	Head of Com. Risk & Trg	0.025		0.025	0.021	(0.004)
13	Community Safety	Head of Com. Risk & Trg	0.094		0.094	0.074	(0.020)
14	Training Dept	Head of Com. Risk & Trg	0.724		0.724	0.674	(0.050)
15			0.957	0.000	0.957	0.886	(0.071)
16	Performance & Information	Head of Corp. Serv.	0.237		0.237	0.214	(0.023)
17	Ops Policy	Head of Ops Support	0.075		0.075	0.063	(0.012)
18	Personnel	Head of HR	0.274		0.274	0.220	(0.054)
19	Ops Logistics	Head of Ops Support	1.578		1.578	1.649	0.071
20	Fleet	Head of Ops Support	0.658		0.658	0.653	(0.005)
21	FRA Costs	Head of Corp. Serv.	0.101		0.101	0.090	(0.011)
22			2.923	0.000	2.923	2.889	(0.034)
23	ICT	Head of Asset Mngt	1.036		1.036	1.072	0.036
24	Facilities Mngt	Head of Asset Mngt	1.946		1.946	1.873	(0.073)
26	Insurances	Head of Asset Mngt	0.301		0.301	0.301	
27	Finance (FRS)	Head of Finance	0.124		0.124	0.124	
28	Finance SLA	Head of Finance & HR	0.151		0.151	0.151	
29	Capital Financing	Treasurer	2.636		2.636	2.636	
30			6.194	0.000	6.194	6.157	(0.037)
31	Legal Services	Head of Legal Services	0.036		0.036	0.036	
32			0.036	0.000	0.036	0.036	0.000
33	Core Budget		33.319	0.142	33.461	33.071	(0.390)
34	Pay Award Provision		0.180	(0.142)	0.038	0.000	(0.038)
35	Redundancy Costs Provision		0.284		0.284	0.025	(0.259)
36	2012/13 Savings		0.100		0.100	0.000	(0.100)
37	RDS Settlement		0.000		0.000	0.020	0.020
38			0.564	(0.142)	0.422	0.045	(0.377)
39	Core Budget		33.883	0.000	33.883	33.116	(0.767)
40	Use of Development Reserve		(0.040)		(0.040)	(0.040)	
41	Other Earmarked Reserves		(0.022)		(0.022)	(0.022)	
42			(0.062)	0.000	(0.062)	(0.062)	0.000
43	Net Budget Requirement		33.821	0.000	33.821	33.054	(0.767)

Hereford & Worcester Fire and Rescue Authority :
Policy and Resources Committee
Capital Budget 2012-13 : 3rd Quarter

Scheme	Budget	Actual	Commitments	Total	Remainder
Vehicles					
091 - Pinzgauer Routine Replacement 4WD	33,233	33,233	0	33,233	0
092 - Argocat Routine Replacement Off Road	4,137	2,804	0	2,804	1,333
105 - Routine Pump Replacement 2011/12	359,184	351,171	8,014	359,184	0
115 - Specialist Replacement Incident Support Vehicle	73,848	40,078	22,750	62,828	11,020
116 - Line Rescue Vehicle Fit Out	25,266	24,926	0	24,926	340
117 - Routine Pump Replacement 2012/13	451,999	405,562	46,626	452,188	(189)
128 - Bulk Foam Capability 2012/13	67,000	67,000	0	67,000	0
129 - Pinzgauer Routine Replacement 4WD 2012/13	52,000	0	24,777	24,777	27,223
Total	1,066,667	924,773	102,166	1,026,939	39,728
Major Building					
012 - IRMP Pebworth	37,063	0	0	0	37,063
Strategic Training Facilities	2,244,393	393,447	1,251,950	1,645,396	598,997
Other Projects	2,336,049	26,735	89,999	116,735	2,219,314
Total	6,776,711	442,071	1,415,364	1,857,434	4,919,277
Minor Schemes - Property					
023 - Legionella Engineering Works	9,235	9,000	0	9,000	235
068 - Evesham Flat Roof	640	0	0	0	640
069 - Stourport Flat Roof	550	0	0	0	550
072 - Ewyas Harold Resurface Yard	2,241	0	0	0	2,241
083 - SRT Storage	4,010	0	0	0	4,010
084 - RPE Cylinder Strategy	22,195	8,762	642	9,404	12,791
095 - Diversity Compliant Rest Facilities Kidderminster- Hereford	58,880	0	0	0	58,880
096 - Property Work From Health and Safety Audit	744	0	0	0	744
097 - Air Conditioning ICT Work	2,606	0	0	0	2,606
100 - Evesham Refurbishment	8,061	0	0	0	8,061
110 - Up Grade to Lifts to Comply with Legislation	4,902	734	0	734	4,168
113 - Replacement Windows	3,692	2,643	0	2,643	1,049
119 - Evesham House Refurbishment	1,548	0	638	638	910
131 - Hereford Safety Refurbishment	60,300	2,556	56,952	59,508	792
132 - Revised HQ Server Room Fire Suppression	50,000	0	0	0	50,000
133 - Pershore UPVC Fascias, Soffits and Gutters	15,000	0	0	0	15,000
134 - Stourport BA Wash	20,000	0	0	0	20,000
135 - Asbestos Removal	95,000	0	0	0	95,000
136 - Amphlett Court Roof Replacement	15,000	0	0	0	15,000
137 - Bromsgrove Welfare Provision	60,000	14,576	0	14,576	45,424
138 - Automatic Meter Reading	5,000	0	0	0	5,000
Total	439,604	38,271	58,233	96,503	343,101
Minor Schemes - IT					
005 - Comp Systems Computer Software	0	747	0	747	(747)
034 - Developments	0	430	0	430	(430)
074 - Command and Control Assurance	0	4,280	0	4,280	(4,280)
107 - Citrix Farm Updates	15,000	335	0	335	14,665
127 - Wide Area Network / Internet Improvement	25,000	0	0	0	25,000
158 - Hardware/Computer Purchase 12-13	39,000	2,204	14,829	17,033	21,967
159 - Computer Software 12-13	14,000	952	0	952	13,048
160 - Developments Tablets, Misc IT 12-13	10,000	2,009	1,225	3,234	6,766
161 - Network Upgrades LAN/ WAN	4,000	0	0	0	4,000
162 - Core Switch Hardware Replacement 12-13	15,000	0	0	0	15,000
Total	122,000	10,958	16,054	27,011	94,989
Minor Schemes - Other					
051 - Human Resource Information System	0	0	0	0	0
078 - Respiratory Protective Equipment	1,089	1,509	120	1,629	(540)
101 - Intel Application	13,700	0	0	0	13,700
103 - Fire Control Replacement	1,299,767	591,190	171,328	762,518	537,249
118 - BA Enhancements	0	0	0	0	(0)
123 - Transfer Crawling Rig From Betony Road To Redditch	824	0	0	0	824
125 - USAR Flood Rescue Boats	50,000	50,000	0	50,000	0
130 - E-Hydraulic Equip	40,000	39,708	0	39,708	292
Sub-Total	1,405,380	682,649	171,448	854,097	551,283
Total Minor Schemes - Allocated	1,966,984	731,878	245,734	977,612	989,372
Capital Budget	9,810,362	2,098,721	1,763,264	3,861,985	5,948,377
Minor Schemes - Unallocated					
999 - Unallocated	476,595	0	0	0	476,595
Total Minor Schemes - Allocated	476,595	0	0	0	476,595
Capital Strategy	10,286,957	2,098,721	1,763,264	3,861,985	6,424,972

6. Development at Evesham

Purpose of report

1. To highlight a proposal from Wychavon District Council to purchase the current Evesham fire station site and re-provide a new fire station and training facility as part of a greater development plan for Evesham.
-

Recommendations

The Chief Fire Officer recommends that:

- i) The Policy and Resources Committee agrees in principle to the proposed sale of the existing Evesham Fire Station site to Wychavon District Council on terms that allow for the provision of a new Fire Station and training facility.***
- ii) Details of the proposed terms be reported back to this Committee for approval following negotiation.***

Introduction and Background

2. Wychavon District Council has approached the Service with an interest in purchasing Hereford & Worcester Fire and Rescue Service's (HWFRS) Evesham Fire Station site as part of an initial proposal to redevelop Evesham. This proposal is hoped to bring increased prosperity to the area and thus encourage sustainable growth in the area.
3. The Authority has recently invested £562,000 in the construction of a new training facility at Evesham Fire Station. However, the current fire station will require further investment in the near future to address maintenance and repair issues and to overcome the current inappropriate layout and lack of modern facilities.

Outline Proposal

4. Wychavon District Council has outlined a proposal which will provide a new fire station and training facility at a location relatively near to the existing fire station. The proposed location is within an appropriate area to provide effective fire cover.

5. The proposal indicates little or no cost to the Authority for the provision as it is hoped that all costs would be generated as part of the development. In essence, the proposal is the purchase of the existing site by Wychavon District Council for a sum which will cover all costs to provide a new fire station and training facility at (and including the cost of) a new site. However, to proceed with this development, Wychavon require an in principle commitment from HWFRS that the project can proceed through to conclusion and so approval from the Policy and Resources Committee on this basis is now requested. The project will require additional resources to manage any construction works in addition to the existing capital fire station replacement programme, but it is envisaged that these costs will be included as part of the overall agreement. Any costs incurred as part of the development stage will be drawn from existing minor capital budgets and recovered at the appropriate time.
6. Should this proposal come to fruition it will benefit the Authority through the provision of a new station in Evesham which will reduce on-going maintenance in comparison to the existing station and provide up-to-date facilities which are more in keeping with the current requirements of a modern Fire and Rescue Service.

Conclusion/Summary

7. It is recommended that the Policy and Resources Committee approve the proposal in principle to sell the existing Evesham Fire Station site to Wychavon District Council as part of a development proposal which will include the provision of a new fire station including training facility at an appropriate location.

Financial Considerations

Consideration	Yes/No	Reference in Report i.e. paragraph no.
There are financial issues that require consideration	Yes	Paragraph 5

Legal Considerations

Consideration	Yes/No	Reference in Report i.e. paragraph no.
There are legal issues e.g. contractual and procurement, reputational issues that require consideration	Yes	Whole document.

Additional Considerations

8. The table below sets out any additional issues arising from the proposals contained in this report and identifies the relevant paragraphs in the report where such issues are addressed.

Consideration	Yes/No	Reference in Report i.e. paragraph no.
Resources (e.g. Assets, ICT, Human Resources, Training & Development, Sustainability).	Yes	Whole document
Strategic Policy Links (e.g. IRMP, Authority Plan, Equality & Diversity, Partnerships, Environmental Impact).	Yes	Asset Management Strategy
Risk Management / Health & Safety (e.g. risk management and control measures, risk register score).	No	
Consultation with Representative Bodies	No	

Supporting Information

None

Contact Officer

Ian Edwards, Head of Asset Management
(01905 368360)
Email: iedwards@hwfire.org.uk

7. Property - Special Purpose Vehicle (SPV)

Purpose of report

1. To advise the Policy and Resources Committee of a proposal by the Worcestershire Partnership Executive Group (PEG) to explore the potential of a Property Services Special Purpose Vehicle (SPV).
-

Recommendations

The Chief Fire Officer recommends that:

- i) The Policy and Resources Committee support officers of the Service in exploring the potential of an option of a joint Property Services Special Purpose Vehicle (SPV) between Worcestershire partners.***
- ii) If any proposals arising from this work show the potential to provide advantages for the Service, these will be brought back to the Policy and Resources Committee for any approvals needed to proceed.***

Introduction and Background

2. The Worcestershire Capital and Asset Partnership (WCAP) is well established, with a focus on property sharing opportunities across public bodies in the county. Its achievements are being monitored and acknowledged nationally and there is general recognition that opportunities may exist from using public sector property to promote economies of scale and work more efficiently.
3. The Worcestershire Partnership Executive Group (PEG) invited a number of WCAP Partner property representatives to discuss increased partnership working on 24 October 2012. PEG debated at length how to move the Capital and Asset Partnership work forward and a subsequent paper was delivered to PEG on 29 January 2013, which was generally supported. The group requested that a paper be distributed to each representative authority, requesting formal support to explore the potential of increased partnership working around the concept of a Property Services Special Purpose Vehicle (SPV).

Proposal to explore options around property services

4. The long term aim of a Special Purpose Vehicle (SPV) is to consider a model where the respective estates functions of partner organisations might be brought together, without Authorities losing individual sovereignty over their properties (although partners may wish to consider a pooled asset vehicle in the future), or losing local control over the services delivered. It may be that a singular approach to planning and managing the collective estate could realise some potential savings. The proposal is therefore to explore the potential (if any) of such an SPV, which would service all stakeholder authorities by combining the estate/property units into one service delivery unit.
5. The Government Property Unit (GPU) is actively exploring new ways of bringing central and local government property closer together. The Cabinet Office is looking for a small number of Local Authorities to develop local property solutions to drive this initiative and could consider Worcestershire as one such national pilot.
6. A detailed project plan is being developed, however the following key milestones have been suggested to be fundamental to determine whether or not a SPV model is feasible and/or desirable:
 - Agree core Project Members and Terms of Reference March 2013
 - Map Project Governance and identify funding sources April 2013
 - Baseline current services September 2013
 - Identify preferred model October 2013
 - Design new model February 2014
 - Present final option study to PEG April 2014
7. Whilst membership of this project could be open to the wider public sector and in particular the Worcestershire Capital Assets Steering Group, at this stage it is proposed that a core development SPV steering group will be restricted to the following stakeholders:
 - Worcestershire County Council
 - Worcestershire Health and PCT
 - Warwickshire and West Mercia Police
 - Hereford and Worcester Fire and Rescue Service
 - Worcester City Council
 - Redditch Borough Council

8. It is proposed that the SPV steering group will report directly to PEG, but will maintain clear and strong reporting links into the WCAP. When individual authority approvals are required a report will first be produced to PEG to seek support in principle. This will be followed by steering group members taking papers to their individual authorities for approval. The project will require commitment in time and resources from partner organisations to explore the potential of this approach and the need to release officers of the Service to contribute to a joint project team and joint project management of the process.
9. To deliver the programme identified above will require the partners to appoint a Project manager to co-ordinate activities of appointed consultants and partners. This will require liaison with central government departments along with legal and finance sections from each organisation. Initially it is estimated that this post would be for a one year term appointment. If the proposal is adopted a second term may need to be considered. Funding will be required to explore such an initiative, including external specialist advice on some of the more complex legal and financial aspects of an SPV. Evidence suggests that external funding is available to explore such an approach along with existing CAP funding and if agreement is given in principle to proceed, this can be developed as part of the overall project plan. It is considered possible in Year 1 to assemble a funding package, which places no additional revenue strain on each authority.

Conclusion/Summary

10. A joint Property Services Special Purpose Vehicle (SPV) between Worcestershire partners may provide an option to improve efficiencies and reduce cost: without feasibility work being undertaken, it is not possible to decide whether this would provide any advantages for HWFA or not. This paper requests that the Policy and Resources Committee support officers of the service in exploring the feasibility of an SPV and if there are advantages that need to be put into action, these will be brought back to the Policy and Resources Committee for any approvals needed to proceed.

Financial Considerations

11. This initial proposal does not require any funding from HWFRA budgets and any costs required at this stage will be found from external funding opportunities.

Consideration	Yes/No	Reference in Report i.e paragraph no.
There are financial issues that require consideration	No	

Legal Considerations

Consideration	Yes/No	Reference in Report i.e paragraph no.
There are legal issues e.g. contractual and procurement, reputational issues that require consideration	No	

Additional Considerations

12. The table below sets out any additional issues arising from the proposals contained in this report and identifies the relevant paragraphs in the report where such issues are addressed.

Consideration	Yes/No	Reference in Report i.e paragraph no.
Resources (e.g. Assets, ICT, Human Resources, Training & Development, Sustainability).	Yes	Assets – whole document.
Strategic Policy Links (e.g. IRMP, Authority Plan, Equality & Diversity, Partnerships, Environmental Impact).	No	
Risk Management / Health & Safety (e.g. risk management and control measures, risk register score).	No	
Consultation with Representative Bodies	No	

Supporting Information

None

Contact Officer

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8. Regulation of Investigatory Powers Act 2000

Purpose of report

1. To approve the adoption of a policy regarding the authorisation of covert investigatory techniques under the Regulation of Investigatory Powers Act 2000.

Recommendations

The Clerk recommends that:

- i) the draft policy on the use of the Regulation of Investigatory Powers Act 2000, attached, including the appointment of 'Authorising Officers' and 'Senior Responsible Person' as contained therein, be approved; and*
- ii) in accordance with the Home Office code of practice, an annual report be made to the Policy and Resources Committee with a review of the policy and the Authority's use of powers under the Act.*

Introduction and Background

2. The Regulation of Investigatory Powers Act 2000 ("RIPA") sets out procedural rules to enable specified public authorities to use covert investigatory techniques which might otherwise infringe legal rights to privacy and respect for family life under the Human Rights Act 1998. In particular they govern when and how hidden surveillance, covert witnesses and interception of communications can be used. Fire Authorities are included in the list of public authorities that can rely on RIPA.
3. This Authority has no history of using the covert investigatory techniques covered by RIPA and there is no expectation that there will be a need to use them in the future. It is anticipated that the Authority will usually be able to gather all the information required for its statutory functions without covert information gathering. This policy does not change this position. The purpose of this policy is to:
 - (a) reinforce advice to officers that the use of covert investigatory techniques should be avoided in most circumstances;
 - (b) ensure that should the unforeseen and exceptional eventuality arise when reliance on RIPA is needed there will be a clear procedure for handling its use; and
 - (c) meet the requirements of the Office of Surveillance Commissioners.

4. The terms of the policy have been drafted so as to comply with the requirements of the Codes of Practice issued by the Home Office under RIPA. It has also been informed by a review of available RIPA policies of other fire authorities, in particular London Fire Brigade.
5. Use of RIPA is overseen by the Surveillance Commissioners (for Directed Surveillance and Covert Human Intelligence Sources) and the Interception of Communications Commissioner (for access to communications data). This includes inspections. The draft policy was reviewed and approved by the Assistant Surveillance Commissioner during a recent inspection of the Service.

Role of Members

6. Best practice under the Codes of Practice requires Members of local authorities, including fire authorities, to set the policy on the use of RIPA and to review it annually. However under the Codes, Members should not be involved in considering any particular application to rely on RIPA.

Conclusion/Summary

7. This Authority has no record of using the covert techniques covered by RIPA and it is not envisaged we will need to do so in future but we are nonetheless required to have a policy in place to deal with that eventuality should it arise. The policy ensures that any applications to use the covert techniques covered by RIPA must be made using the appropriate Home Office forms and must be approved by one of the designated 'Authorised Officers' set out in this policy.

Financial Considerations

Consideration	Yes/No	Reference in Report i.e. paragraph no.
There are financial issues that require consideration	No	

Legal Considerations

Consideration	Yes/No	Reference in Report i.e. paragraph no.
There are legal issues e.g. contractual and procurement, reputational issues that require consideration	Yes	Whole report

Additional Considerations

8. The table below sets out any additional issues arising from the proposals contained in this report and identifies the relevant paragraphs in the report where such issues are addressed.

Consideration	Yes/No	Reference in Report i.e. paragraph no.
Resources (e.g. Assets, ICT, Human Resources, Training & Development, Sustainability).	No	
Strategic Policy Links (e.g. IRMP, Authority Plan, Equality & Diversity, Partnerships, Environmental Impact).	No	
Risk Management / Health & Safety (e.g. risk management and control measures, risk register score).	No	
Consultation with Representative Bodies	Yes	Any response will be reported to the meeting

Supporting Information

Appendix 1 – Draft Regulation of Investigatory Powers Act 2000 Policy

Background papers – Home Office: ‘Covert Surveillance and Property Interference – Revised Code of Practice’ 2010

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Regulation of Investigatory Powers Act 2000

Executive Summary

The Regulation of Investigatory Powers Act 2000 ('RIPA') sets out the procedures that must be followed before making use of:

- covert, directed surveillance techniques;
- covert human intelligence sources; or
- accessing communications data

HWFRS has no record of using the covert techniques covered by RIPA and it is not envisaged we will need to do so in future but we are nonetheless required to have a policy in place to deal with that eventuality should it arise.

Applications to use the covert techniques covered by RIPA must be made using the appropriate Home Office forms and must be approved by one of the designated 'Authorised Officers' set out in this policy.

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Regulation of Investigatory Powers Act 2000

1. INTRODUCTION

- 1.1. The Human Rights Act (HRA) 1998 was introduced to give effect to the European Convention on Human Rights (ECHR) and came into force in October 2000. The HRA imposes a duty upon public authorities, including Hereford and Worcester Fire and Rescue Service (HWFRS), to act in ways that are compatible with the rights under the ECHR. Failure to do so may enable a person to seek damages against the Service or to use our failure as a defence in any proceedings that we may bring against them.
- 1.2. The Regulation of Investigatory Powers Act 2000 ("RIPA") sets out procedural rules to enable specified public authorities to use covert investigatory techniques which might otherwise infringe legal rights to privacy and respect for family life under the HRA. In particular they govern when and how hidden surveillance, covert witnesses and interception of communications can be used. HWFRS is included in the list of public authorities which can rely on RIPA.
- 1.3. HWFRS has no history of using the covert investigatory techniques covered by RIPA and there is no expectation that there will be a need to use them in the future. It is anticipated that HWFRS will usually be able to gather all the information required for its statutory functions without covert information gathering. This policy does not change this position. The purpose of this policy is to:
 - (a) reinforce advice to officers that the use of covert investigatory techniques should be avoided in most circumstances; and
 - (b) ensure that should the unforeseen and exceptional eventuality arise when reliance on RIPA is needed there will be a clear procedure for handling its use.
- 1.4. The protection of RIPA is available to HWFRS only when carrying out its core functions as a fire and rescue authority. RIPA does not apply to the ordinary general functions carried out by all authorities e.g. staff disciplinary or contractual issues. Another legal basis for avoiding infringing rights to privacy would be needed in these circumstances.
- 1.5. This policy is intended to ensure that HWFRS policy and practice are in line with the Codes of Practice and guidance issued under RIPA. In any proposed utilisation of RIPA powers, reference should be made to the Codes of Practice and guidance published on the Home Office website and by the Office of Surveillance Commissioners <http://surveillancecommissioners.independent.gov.uk/>.

2. ACTIVITIES COVERED BY RIPA

2.1. There are three forms of covert intelligence gathering that are covered by RIPA and potentially available to HWFRS: Directed Surveillance; Covert Human Intelligence Sources and Accessing Communications Data.

2.2. **Directed surveillance** is:

- **Surveillance** (i.e. monitoring, observing or listening to people or their movements, conversations or other activities)
 - **which is covert** (i.e. done in a manner calculated to ensure that the subject is unaware that it is taking place)
 - **that is carried out in relation to a specific investigation or operation** (i.e. not as routine observations of people or an area in general)
 - and which is **likely to result in obtaining private information** about any person (i.e. any information about a person's private or family life including names, phone numbers or even business relationships).
- a) It does **not** include circumstances where this is done by way of an immediate response to events (as it would not be practicable for that to have prior authorisation).
- b) Any covert surveillance of what takes place in residential premises or a private vehicle is deemed as "intrusive" and outside what HWFRS may lawfully do even under RIPA.
- c) Overt and sign-posted use of CCTV cameras (on premises or on vehicles) is not Directed Surveillance because it is neither covert nor carried out in relation to a specific investigation or operation. *Covert* use of hidden CCTV cameras may be Directed Surveillance but only if this were part of a specific investigation or operation rather than the usual placing of cameras for general surveillance.

2.3. **Covert Human Intelligence Sources**

A Covert Human Intelligence Source (CHIS) is somebody who:

- **establishes or maintains a personal or other relationship with a person:**
 - **EITHER for the covert purpose of obtaining information** (i.e. any information whether private or not)
 - **OR for the purpose of covertly disclosing information obtained by the use of such a relationship**
- a) "Covert" means in a manner that is calculated to ensure that one of the parties to the relationship is unaware of the use of the relationship or disclosure of information.

- b) A CHIS must also necessarily have a relationship with another party. So a stranger to the subject who has been asked to “keep an eye” on comings and goings from particular premises would not be a CHIS as they have no relationship that provides the information (but they might need to be authorised for Directed Surveillance).
- c) The need for a CHIS authorisation is not limited to cases where someone has been tasked with obtaining information. It is the activity of the CHIS in exploiting a relationship for a covert purpose which is ultimately authorised by the 2000 Act, whether or not that CHIS is asked to do so by a public authority. A member of the public who voluntarily provides information obtained by covert means on a regular basis would be a CHIS. The Authority would owe that person a duty of care and must consider whether using the information provided might place the informant at risk.
- d) No CHIS authorisation is needed where there is another legal basis for a person to report information covertly (e.g. a professional duty to comply with regulations).
- e) Any type of relationship could be covered, e.g. a customer of a business. However statutory guidance suggests that a simple “one-off” transaction may not be sufficient interaction to constitute a “relationship”, and that more extensive engagement between the two parties would be needed, e.g. for the CHIS to be a regular buyer of “under the counter” goods from a certain supplier

2.4. Accessing Communications Data

A third technique of covert investigation is currently open to the Authority under RIPA: accessing communications data. Postal or telecommunications service providers hold certain types of communications data. RIPA gives fire authorities (along with other local authorities) a power to access this data. The communications data that can be obtained by fire authorities is strictly limited and extends only to:

- (a) **Subscriber information** – i.e. information about the customer’s account: name of the customer who is the subscriber for a telephone number/ e-mail account etc.; account information such as address for billing, delivery or installation; details of payments and bank or credit/ debit card details; Information provided by the subscriber to the Communications Service Provider such as demographic information or sign up data (other than passwords) such as contact telephone numbers; **AND**
- (b) **Service Use Data** – i.e. the general ways in which the service was used: periods during which the customer used the service; itemised records of telephone numbers called, Internet connections, dates and times of calls, duration of calls, text messages sent and quantities of data uploaded or downloaded; records of postal items, such as records of registered, recorded or special delivery postal items and records of parcel consignment, delivery and collection.

- 2.5. Fire Authorities (like local authorities generally) are NOT empowered to obtain what is called “**traffic data**” which is specific information about communications i.e. what websites visited, the origins of incoming calls, mobile phone cell site locations. The Authority could not access the *content* of an individual’s communications.

3. WHEN RIPA PROCEDURES CAN BE USED

3.1. The covert intelligence gathering techniques under RIPA can be used only in certain prescribed circumstances. These are where:

- (a) their use is **necessary** for:
 - the prevention or detection of crime;
 - preventing disorder; or
 - in the interests of public safety or the protection of public health;

and

- (b) their use is **proportionate** to the purpose of the operation.

(For **Accessing Communications Data** part (a) is limited to the prevention or detection of crime or preventing disorder or in the interests of public safety.)

3.2. Also, RIPA can be relied on only where it is exercised in accordance with **due process**. This means that the procedure in this policy must be followed and the Authority must abide by the relevant Code of Practice issued by the Home Office and published on the Home Office website.

3.3. RIPA can be relied on only in carrying out HWFRS' specific functions as a fire and rescue authority e.g. it is potentially available to help in statutory fire safety work. However, RIPA would not be available for "ordinary" functions common to any public authority such as employing staff or contracting with a supplier of goods or services.

3.4. In deciding whether the "necessary and proportionate" test is passed officers must consider whether the proposed activity is an appropriate use of the legislation and a reasonable way of obtaining the necessary result. In particular this must include consideration of:

- (a) Whether information could be gathered by **alternative overt means** e.g. evidence of non-compliance with fire regulations might be obtained from a well-timed unannounced visit to inspect rather than by covert surveillance;
- (b) The **size and scope of the proposed activity** against the gravity and extent of the possible crime (or other harm) being investigated;
- (c) How to minimise the impact of any intrusion on the subject or others;
- (d) Whether there is a risk of "collateral intrusion" i.e. whether there will be any interference with the privacy of a third party who is not the subject of the covert activity. This might include family members, customers or other associates of the subject. Where there is such a risk it should be considered whether that interference is itself necessary and proportionate and whether the risk can be mitigated;

- (e) Whether there is a risk of confidential information being revealed. The Codes of Practice identify confidential personal information, confidential information held for the purposes of journalism, confidential information passing between an MP and a constituent and confidential information concerning spiritual/religious counselling as well as information that is legally privileged i.e. passing between a person and a legal advisor. If there is a risk of revealing information that is legally privileged, specific legal advice is required.

4. THE APPROVAL PROCESS

Approval process for Directed Surveillance and Covert Human Intelligence Sources

- 4.1. The covert investigation techniques covered by RIPA can only be used with the appropriate approval in place. This approval process is outlined below.
- 4.2. The first step is for investigating officers to consider for themselves whether the use of a covert investigation technique is necessary and proportionate. A full written record of this preliminary consideration should be made and retained. It is envisaged that this self-assessment will invariably show that covert investigation is avoidable as alternatives are available. If so, the matter ends there.
- 4.3. If it continues to look like covert surveillance is necessary and proportionate an application for approval should be made only by a Group Commander or equivalent on the appropriate Home Office form, available from their website at <http://www.homeoffice.gov.uk/counter-terrorism/regulation-investigatory-powers/>. Applications for approval are to be made to the Authority's designated RIPA Authorising Officers:
- Chief Fire Officer
Deputy Chief Fire Officer
Assistant Chief Fire Officer
- (Only the Chief Fire Officer is authorised to approve the use of CHIS)
- 4.4. The Authorising Officer will decide whether to approve the use of one of the RIPA techniques and on what terms (if any) they may be used. The Authorising Officer must issue all authorisations in writing. No covert surveillance can begin until this authorisation is issued.
- 4.5. Any authorisation must be time limited for a set period from the date of the approval as follows:

Directed Surveillance –	3 months (less one day)
CHIS -	12 months (less one day)

In addition, when granting approval the Authorising Officer must set an appropriate review date (which must not be longer than one month). The Authorising Officer must review the continuing need for the authorisation on the review date – any approval should not last longer than is justified by the “necessary and proportionate” test and an approval will have to be cancelled early if a review shows it is no longer justified. If, on review, an authorisation is allowed to continue in force then a further review date must be set.

- 4.6. At the expiry of an authorisation it must be formally cancelled by the Authorising Officer and not allowed simply to lapse. Again the appropriate Home Office form is to be used for this. An authorisation may be renewed by a further application to the Authorising Officer on the appropriate form. If so, it will be necessary to show that the tests in this policy continue to be satisfied. In any case the Authorising Officer must continue to ensure appropriate and regular reviews of the authorisation (to be at least monthly).
- 4.7. Additionally, when authorising a CHIS the Authorising Officer must ensure before granting an authorisation that there is a "handler" in place. This handler will have day-to-day contact with the source and general oversight of them. The handler directs the source's day-to-day activities, records information supplied by the source and monitors the source's welfare and security. Officers seeking a CHIS approval must therefore include in the application an assessment of the personal, operational and ethical risks of using the CHIS, including the likely consequences to the CHIS of the role becoming known. This assessment must be kept with the other records of the approval in accordance with the policy on record keeping in part 5 of this policy. The Authorising Officer will not approve as a CHIS anyone who is:
- (a) a vulnerable adult (i.e. a person who may need community care services by reason of mental or other disability, age or illness and may be unable to take care of him/herself or protect him/herself from harm or exploitation); or
 - (b) under the age of 18.
- 4.8. Applications for approval may be made orally in cases of genuine emergency where the time required for the full application process would be likely to endanger life or jeopardise the investigation. Nevertheless, as soon as possible a record of the oral application and its approval (or otherwise) must be made. This should clearly state the reasons why the usual written process could not be used.
- 4.9. There are extensive requirements relating to record keeping when a CHIS is used. These are set out in 5.4 below.
- 4.10. It should be noted that this RIPA process establishes no more than that the covert operation would be lawful. Officers must ensure that all other appropriate planning and risk assessments (e.g. health and safety) are also in place.

Approval process for Access to Communications Data

- 4.11. Additional steps beyond those in 4.1-10 above are required to approve access to communications data to ensure any information received is handled in accordance with the law.
- 4.12. Where the Authorising Officer wishes to approve an application to access Communications Data the decision must then be referred to a designated Single Point of Contact ("SPoC") appointed by the Authorising Officer. The SPoC is responsible for facilitating the handover of any data in accordance with the law. The SPoC will review the approval from the Authorising Officer and consider whether:
- (a) the application has been properly made in accordance with due process; and

- (b) it is reasonable practicable or possible to obtain the communications data requested.

If satisfied of these the SPoC returns the application to the Authorising Officer to make a final approval decision. It is for the SPoC to prepare a Notice in the form prescribed by the Home Office and to serve this on the service provider. The service provider will provide the data to the SPoC who should deliver it direct to the Authorising Officer.

- 4.13. Anyone who is to act as a SPoC must have attended an accredited course and obtained a PIN reference from the Home Office. The PIN reference is produced to the service provider with any request for data in order to confirm the SPoC is able to receive the data lawfully. In the absence of a member of staff being trained and accredited as a SPoC, the Authorising Officer may appoint an external provider such as the National Anti-Fraud Network (NAFN) to undertake the SPoC service.
- 4.14. There currently are two approved SPoC officers within HWFRS:
Deputy Chief Fire Officer
Station Commander, Fire Control
- 4.15. RIPA makes provision for HWFRS to obtain communications data lawfully. The handling and storing of that data will also be governed by the Data Protection Act 1998 so regard must also be had to the Authority's policy on data protection.

5. RECORD KEEPING

- 5.1. In accordance with best practice in the Home Office Codes the Authority has appointed the Head of Legal Services (Clerk & Monitoring Officer) to be its Senior Responsible Person ("SRO"). The SRO is a senior manager with oversight of compliance with RIPA. The SRO therefore has overall responsibility for:
- (a) The integrity of the Authority's procedures for managing RIPA;
 - (b) The Authority's compliance with RIPA and the Codes of Practice;
 - (c) Dealing with external inspectors as appropriate, including monitoring the implementation of any post-inspection action plans.
- 5.2. Individual Authorising Officers must:
- (i) retain a copy every completed form in respect of each:
 - authorisation approved by them
 - review
 - renewal; and
 - cancellation
 - (ii) pass a copy of each of the above forms to the Head of legal Services who will maintain a central register with unique reference numbering of all requests and authorisations for covert surveillance under RIPA over at least the previous three years. This register must also include applications refused, stating the reasons for any refusal.

- 5.3. Alongside the register the Authorising Officer must maintain a copy of all completed forms including cancellations and renewals so that details of the applicant, the subject, length of the operation, mitigation measures etc. are all retained.
- 5.4. For a CHIS, records must be kept in a way that ensures the source and any information provided by the source remains confidential e.g. that no information is made available to officers unless it is necessary for them to see it. The Authorising Office (in this case, the Chief Fire Officer) should ensure an appropriate officer is designated with responsibility to ensure confidentiality. The following must also be recorded (and records retained for at least three years):
- (a) the actual identity of the CHIS;
 - (b) the identity used by the CHIS if any;
 - (c) any other investigating authority involved, and the means by which that authority identifies the CHIS;
 - (d) any information significant to the security and welfare of the CHIS;
 - (e) any confirmation by an Authorising Officer, in this case the CFO, that the relevant information has been considered and any identified risks been properly explained and understood by the CHIS;
 - (f) when and how the CHIS was recruited;
 - (g) the identities of the handler and others authorising activities including times and dates when they were authorised;
 - (h) the tasks given to sources and any demands made by the source in relation to his or her activities;
 - (i) all contacts and communications between the source and the handler;
 - (j) any information obtained from the source and any dissemination of it;
 - (k) any payment, benefit or reward provided to the source.

6. OVERSIGHT & REVIEW

- 6.1 The Head of Legal Services as SRO maintains general oversight of the Authority's use of RIPA and compliance with legal requirements and the Codes of Practice. The Surveillance Commissioners and Interception of Communications Commissioner provide external oversight and from time to time may inspect the Authority's policies and practice in regard to RIPA. The SRO has a duty to ensure the reporting of any errors in the use of RIPA to the relevant Commissioners and to ensure any remedial actions required by the Commissioners are taken.
- 6.2 In accordance with the codes of practice, the Authority's Policy & Resources Committee will review the policy on the use of RIPA at least annually. The annual report to Members will also detail (in an anonymised form) any use by HWFRS of RIPA. This is to ensure Members are able to judge whether the policy is being applied appropriately. For the avoidance of doubt, elected Members have no role in approving or refusing any particular application to use RIPA procedures.

9. Fire and Rescue Authority Plan 2012-2013 Quarters 1-3 Performance Analysis

Purpose of report

1. To provide the Policy and Resources Committee with a summary of Quarters 1-3 performance against the Fire and Rescue Authority Plan 2012-13.

Recommendation

The Chief Fire Officer recommends that the Policy and Resources Committee note the contents of this report.

Introduction

2. This report aims to provide an update on the Service's performance compared to the 2012-13 Fire and Rescue Authority Plan. In contrast to previous Quarter 3 reports, this report focuses on the cumulative Quarters 1-3 data to date, rather than examining Quarter 3 performance in isolation.

Quarter 3 Performance Year to Date

3. Quarter 1-3 saw a 15% reduction in total incidents compared to Quarters 1-3 combined last year. Although Special Service incidents have increased due in part to the flooding in June-July 2012 and November 2012, the overall numbers of fires have reduced as the expected seasonal increase in secondary fires during the summer has been negated by the predominantly wet weather conditions during the first two Quarters. False alarms have remained consistent with previous Quarter 1-3 levels.
4. Each individual Key Performance Indicator was tested against the tolerance levels expected for the cumulative Quarters 1-3 data and only one was out of tolerance at the end of Quarter 3, which was the number of days lost to non-uniform staff sickness per head. This is analysed in Appendix 1 together with an overview of overall operational activity, a summary of information requests received by the Service and an analysis of Retained Appliance availability that was proposed as being a standard item of future quarterly reporting.

Financial Considerations

Consideration	Yes/No	Reference in Report i.e paragraph no.
There are financial issues that require consideration	No	

Legal Considerations

Consideration	Yes/No	Reference in Report i.e paragraph no.
There are legal issues e.g. contractual and procurement, reputational issues that require consideration	No	

Additional Considerations

5. The table below sets out any additional issues arising from the proposals contained in this report and identifies the relevant paragraphs in the report where such issues are addressed.

Consideration	Yes/No	Reference in Report i.e paragraph no.
Resources (e.g. Assets, ICT, Human Resources, Training & Development, Sustainability).	No	
Strategic Policy Links (e.g. IRMP, Authority Plan, Equality & Diversity, Partnerships, Environmental Impact).	Yes	FRA Plan
Risk Management / Health & Safety (e.g. risk management and control measures, risk register score).	No	
Consultation with Representative Bodies	No	

Conclusion/Summary

6. The Policy and Resources Committee will continue to receive reports based on the new performance reporting method on the measures the Service is taking to stay within tolerance levels and where improvements are required.

Supporting Information

Appendix 1: Quarter 1-3, 2012-13 Performance Analysis

Contact Officer

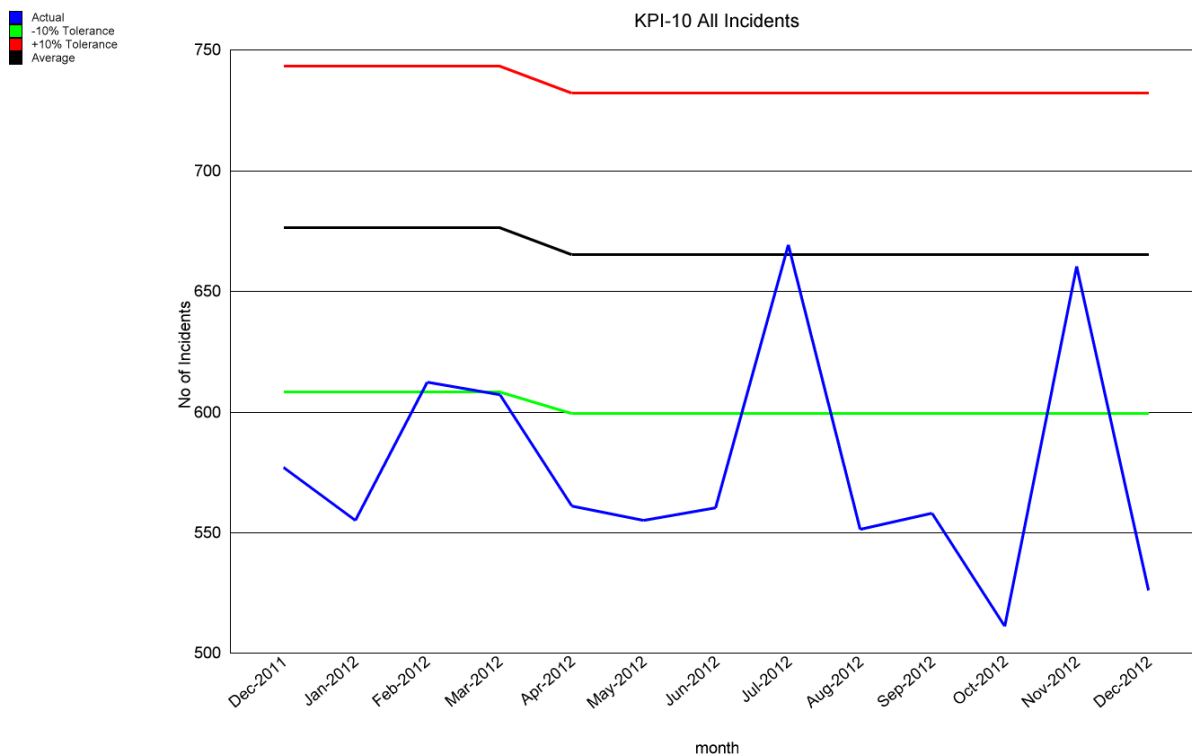
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Fire and Rescue Authority Plan 2012-13

Quarters 1-3 Performance

1. Operational Activity – Total and Fire Incidents

1.1. Quarters 1-3 Total Incidents Attended



(Figure 1 – Total Incidents per month December 2011 to December 2012)

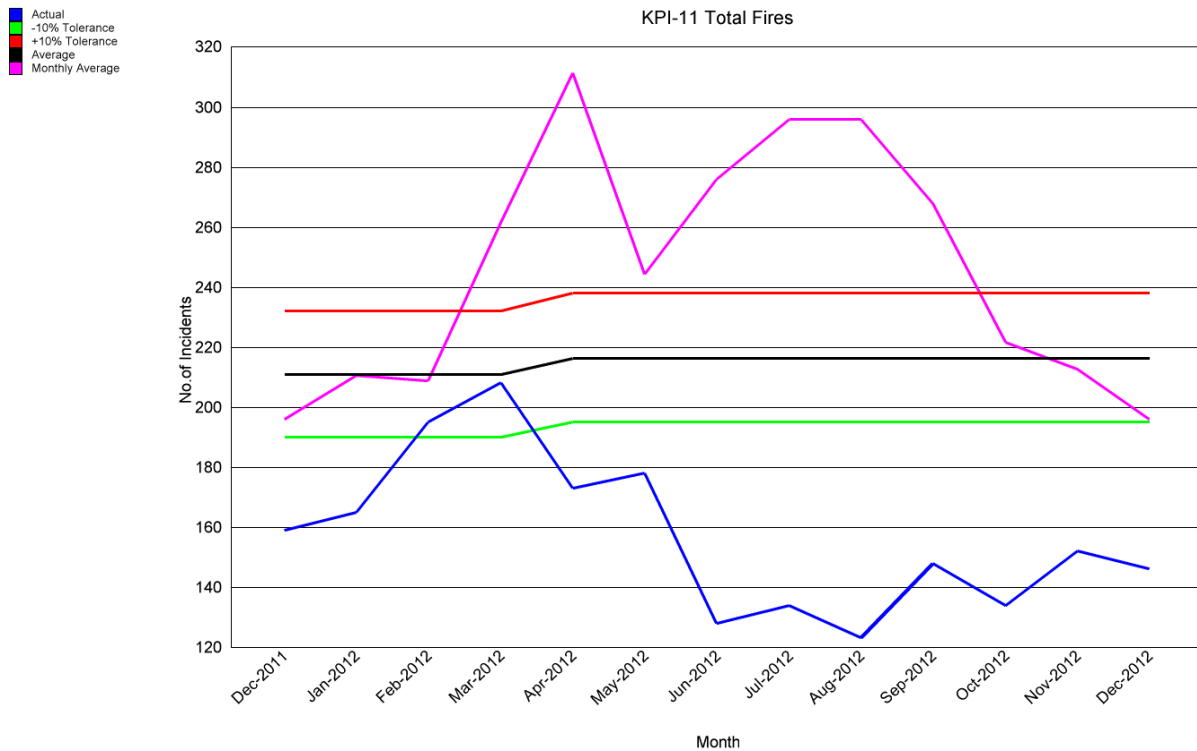
Summary Total incident operational activity levels for Quarters 1-3 show a decrease compared with the same period last year.

Total Incidents	Quarter 1-3 2011-12	Quarter 1-3 2012-13	Percentage change
All Fires	2281	1316	-42.3%
Special Services	1153	1345	16.7%
False Alarms	2649	2490	-6.0%
Total Incidents	6083	5151	-15.3%

(Table 1 – Total Incidents Quarters 1-3 2011-12 and 2012-13)

- A large reduction in the total number of fires attended in Quarters 1-3 compared with the same quarters last year.
- An increase in Special Services calls as a result of the spells of wet weather compared with the same quarters last year.
- A slight reduction in the number of false alarm calls compared with the position at end of Quarter 3 last year.

1.2. Quarters 1-3 Total Number of Fires



(Figure 2 – Total Fires per month December 2011 to December 2012)

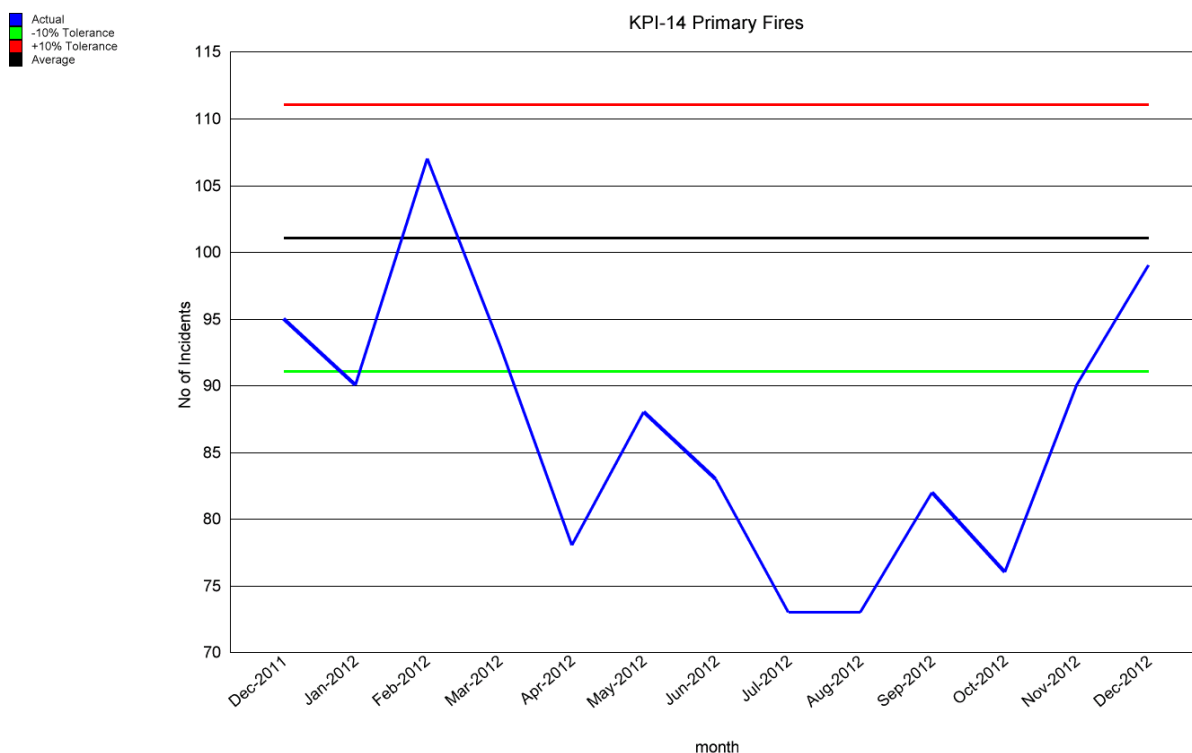
Summary A significant reduction in Secondary Fires attended in Quarters 1-3 compared with the same Quarters last year, has led to an overall reduction in the total number of fires attended.

Total Fires	Quarters 1-3 2011-12	Quarters 1-3 2012-13	Percentage change
Primary Fires	947	742	-21.6%
Secondary Fires	1240	455	-63.3%
Chimney Fires	94	119	26.6%
Total Fires	2281	1316	-42.3%

(Table 2 –Total Fires Quarters 1-3 2011-12 and 2012-13)

- Primary fires down 19.0% from last 3 years' Quarter 1-3 average.
- Secondary fires down 53.5% from last 3 years' Quarter 1-3 average.
- Chimney fires have increased compared with the same period last year but are down 5.1% on last 3 years' Quarter 1-3 average.
- The slight increase in the November 2012 monthly total fires was due to increases in primary and chimney fires compared with the previous month. Chimney fires accounted for 17% of all fires in November 2012 compared with 10.5% of all fires in November 2011.

1.3. Quarters 1-3 Primary Fires



(Figure 3 – Total Primary Fire Incidents per month December 2011 to December 2012)

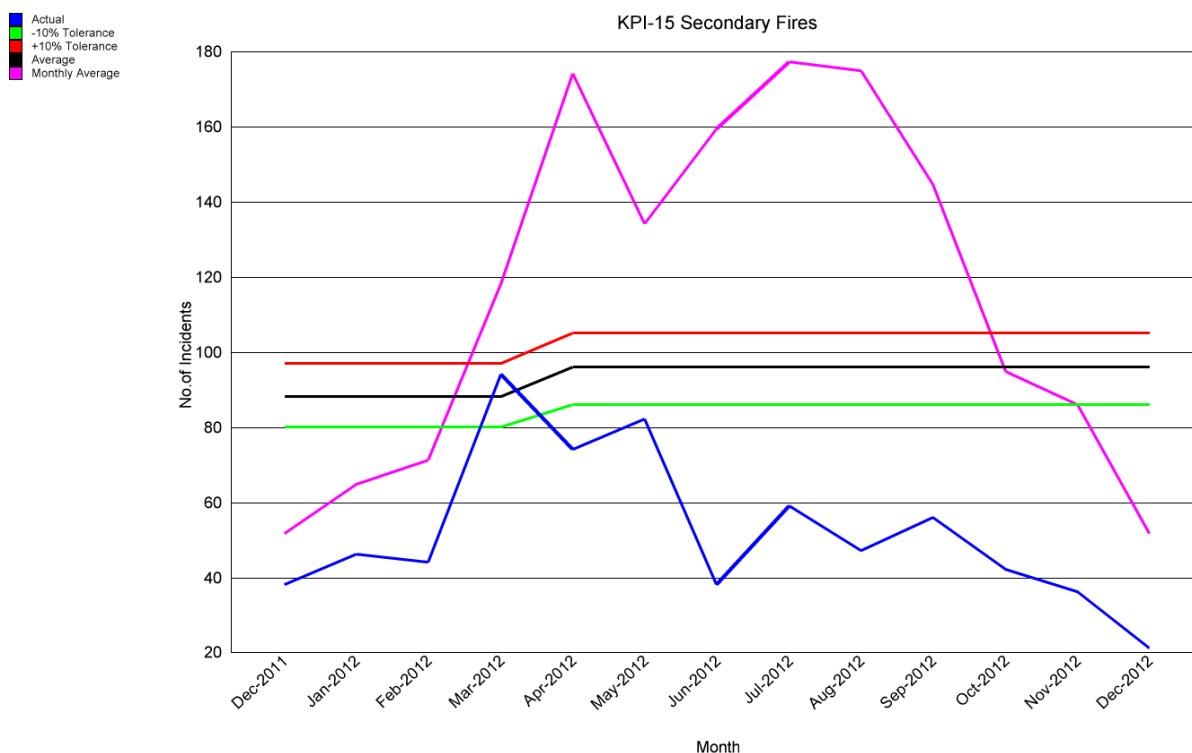
Summary Primary fires numbers in Quarters 1-3 reduced compared with same period last year.

Primary Fires	Quarters 1-3 2011-12	Quarters 1-3 2012-13	Percentage change
Building Fires	590	478	-19.0%
Vehicle & Transport Fires	258	211	-18.2%
Outdoor Fires	99	53	-46.5%
Total Fires	947	742	-21.6%

(Table 3 – Primary Fires Quarters 1-3 2011-12 and Quarters 1-3 2012-13)

- Building Fires have reduced by 19% compared with the same period last year. The largest decreases were in non-residential properties which have reduced from 233 in Quarters 1-3 2011-12 to 152 in Quarters 1-3 2012-13. This is partially due to the Service working closely with our partners in the local enforcement community to ensure that there is a far greater understanding and embedding of relevant Fire Safety Legislation.
- Car fires account for the largest proportion of Vehicle and Transport fires and they have reduced from 160 in Quarters 1-3 2011-12 to 133 in Quarters 1-3 2012-13.
- Although small in context, the number of outdoor fires has decreased from 99 in Quarters 1-3 2011-12 to 53 in Quarters 1-3 2012-13. This is mainly due to the predominantly wet weather conditions which have also affected the number of secondary fires attended.

1.4. Quarters 1-3 Secondary Fires



(Figure 4 – Total Secondary Fire Incidents per month December 2011 to December 2012)

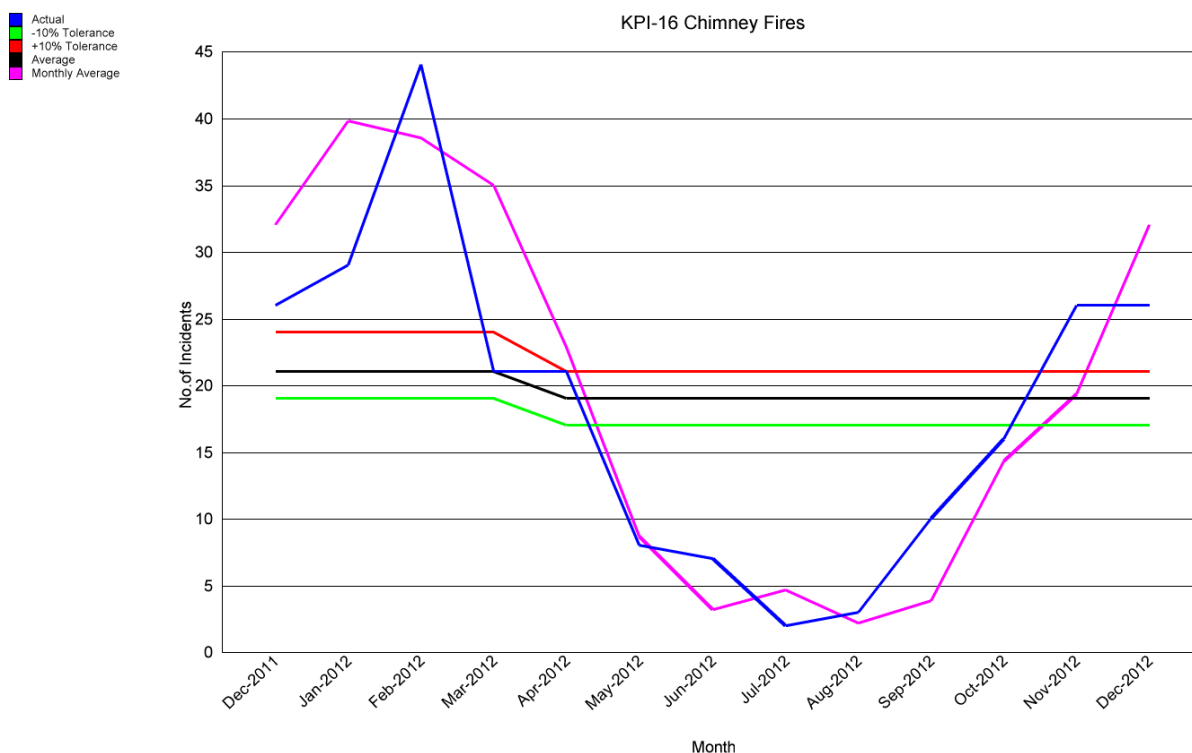
Summary Secondary fire numbers have decreased significantly compared with the same quarters last year due to the predominantly wet weather conditions in Quarters 1-3.

Secondary Fires	Quarters 1-3 2011-12	Quarters 1-3 2012-13	Percentage change
Grassland, woodland and crops	667	113	-83.1%
Other Outdoors (including land)	305	169	-44.6%
Outdoor equipment & machinery	16	10	-37.5%
Outdoor Structures	220	140	-36.4%
Building	22	21	-4.5%
Road Vehicle & Other Transport	10	2	-80.0%
Total Fires	1240	455	-63.3%

(Table 4 – Secondary Fires Quarters 1-3 2011-12 and 2012-13)

- The largest reduction in secondary fires comparing Quarters 1-3 2012-13 with Quarters 1-3 2011-12 is in fires located in grassland, woodland and crops. There were 113 grassland, woodland and crop fires in Quarters 1-3 2012-13 which represent 24.8% of all secondary fires compared with 667 grassland, woodland and crop fires in Quarters 1-3 2011-12 (53.8% of all secondary fires).
- There have been similar reductions in the number of secondary fires in other outdoor locations and outdoor structures which together with grassland, woodland and crop fires make up the majority of all secondary fires.

1.5. Quarters 1-3 Chimney Fires



(Figure 5 – Total Chimney Fire Incidents per month December 2011 to December 2012)

Summary Chimney fire occurrences are consistent with the monthly average number of incidents (see pink line in the graph above).

Chimney Fires	Quarters 1-3 2011-12	Quarters 1-3 2012-13	Percentage Change
April	12	21	75.0%
May	6	8	33.3%
June	3	7	133.3%
July	1	2	100.0%
August	3	3	0.0%
September	4	10	150.0%
October	23	16	-30.4%
November	16	26	62.5%
December	26	26	0.0%
Total	94	119	26.6%

(Table 5 – Chimney Fires Quarters 1-3 2011-12 and 2012-13)

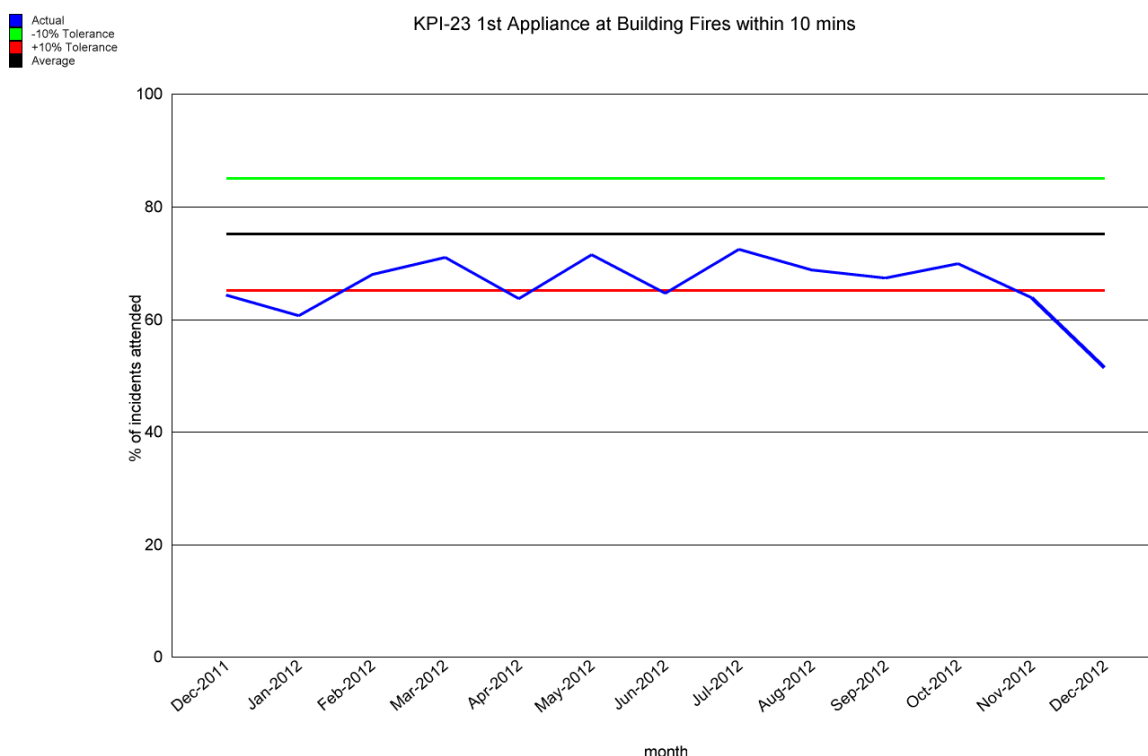
- Chimney fires have increased from the same period last year, with 26.6% more than in the same period last year; this may also be due to the cooler, wetter weather conditions in Quarters 1-3 2012-13.
- Increase in monthly figures particularly in June 2012 and September 2012 compared with the same month in 2011 but these are relatively low figures in terms of all incidents attended.

District	Quarters 1-3 2011-12	Quarters 1-3 2012-13	Percentage Change
North	21	34	61.9%
South	19	29	52.6%
West	54	56	3.7%
Total	94	119	26.6%

(Table 6 – Chimney Fires by District Quarters 1-3 2011-12 and 2012-13)

- Although the majority of chimney fires are as expected in rural West District, the largest year on year percentage increases have occurred in the other two districts. The largest year on year station increases were Worcester which increased from 1 chimney fire in Quarters 1-3 2011-12 to 10 in Quarters 1-3 2012-13 and Stourport and Kington which each increased from 1 in Quarters 1-3 2011-12 to 5 in Quarters 1-3 2012-13.
- Chimney fire prevention continues to be a major part of the Service's Home Fire Safety campaigns. We have written to all people identified as having a chimney in Home Fire Safety Checks to highlight the importance of having their chimney swept. We also have sent out copies of information leaflets to local registered chimney sweeps for their use.
- In the next Quarter, Age UK will be offering a free chimney sweeping service to 120 people we identify as being vulnerable, through our membership of the Warmer Worcestershire network. This is a partnership between public and voluntary sector organisations including Worcestershire County Council, the district councils, public health, the Fire Service, Act on Energy and Age UK Herefordshire and Worcestershire.
- The Network aims to reduce fuel poverty and CO2 emissions in the County by encouraging energy efficiency improvements in homes, helping vulnerable residents understand the links between effectively heating the home and the impact on their health and supporting the delivery of the cold weather plan for Worcestershire.
- In addition to the free chimney sweeping service, funding is also available for boiler repairs and servicing to ensure that heating systems run efficiently for householders who cannot afford to have servicing or repairs done themselves.
- A cold weather plan comes into force during cold snaps and should vulnerable occupants find themselves without heating, emergency heaters will be provided and delivered to households at no cost.
- Additional funding is now being sought to extend this innovative project beyond current levels which will help reduce chimney fires as well as helping vulnerable residents understand the links between effectively heating the home and the impact on their health.

1.6.Quarters 1-3 Attendance Standards – Fires in Buildings



(Figure 6 – Percentage of 1st Appliance at Building Fires within 10 minutes – December 2011 to December 2012)

Summary Although not out of tolerance for the whole of the period Quarters 1-3, the Service saw a reduction in the number of attendances at building fires that met the attendance standard compared with the same period last year. Travel distance accounted for 50% of these failures. Of the remainder, 18% were attended in a time of between 10 and 11 minutes.

1 st Appliance attendance at Building Fires within 10 minutes	Quarters 1-3 2011-12	Quarters 1-3 2012-13
Building fires attended within 10 minutes	436	325
Total Number of Building fires attended	609	498
% attended within 10 minutes	71.6%	65.3%

(Table 7 – 1st Appliance attendance Quarters 1-3 2011-12 and 2012-13)

- Monthly performance can be affected by a number of factors and the Service has seen a decline in performance in November and December 2012 for the number of building fires attended within 10 minutes when compared with the same months in 2011-12. The wet weather and flooding spate conditions experienced in those months may have contributed to this.
- In December 36 out of 70 building fires were attended within 10 minutes. This does not seem to be linked to retained availability or the number of times retained crews were mobile within 6 minutes as both of these indicators saw an improvement in that month when compared to the previous month.

- Further analysis indicates that non-attendances within 10 minutes in December were spread evenly across the Service area. Of the 34 failures, 15 were in North District, 10 in West and 9 in South District. Travel distance was a factor in North and West District with 8 out of the 15 non-attendances cited as being due to travel distance in North and 6 out of the 9 non-attendances in West.
- In South District the main reason cited for non-attendance within 10 minutes in December was retained and day crewed turn in time. 6 out of the 8 non-attendances in South were first attended by a retained or day crewed appliance.

Travel distance to the incident	96	Simultaneous Incident	3
Turn in time (Retained and Day Crew only)	21	Incorrect or insufficient information passed to Fire Control on initial call	2
Late Fire Call	9	Insufficient crew due to numbers of crew available	2
Incident outside Station turnout area	7	Mobilised to incorrect address	2
Difficulty in locating incident address	5	Mobilising error	2
Road obstruction/road closure/road works/temp traffic controls or heavy traffic conditions once mobile	5	Traffic conditions causing delayed turn in time to Stations (Retained and Day Crewed only)	2
Weather conditions/Road conditions	4	Appliance breakdown/Off the Run	1
Communication Equipment Fault	3	Appliance not booked in attendance	1
Mobilised from other location (not on home Station)	3	Insufficient crew with appropriate role skills	1
Responding at normal road speed, i.e. AFAs	3	Training event delaying turn out i.e. drilling	1
		Total	173

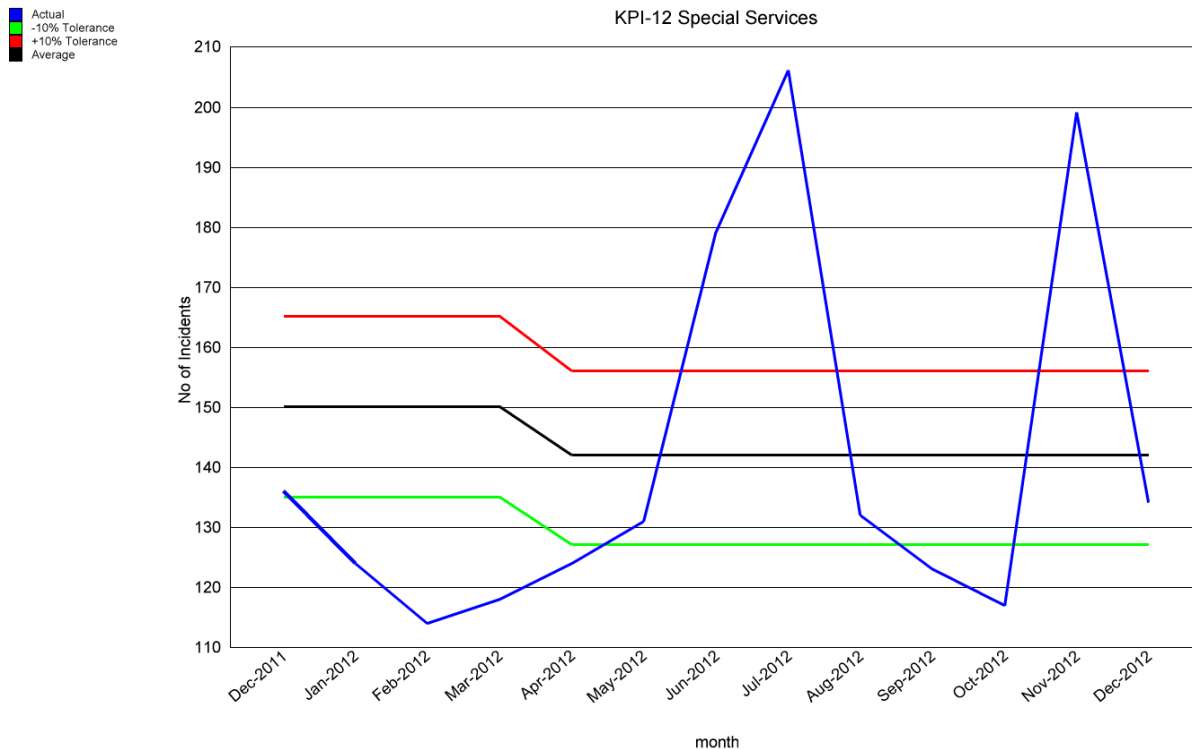
(Table 8 – Fire in Buildings – Reasons for standard not met Quarters 1-3 2012-13)

- The table above illustrates the breakdown of reasons supplied by the officer in charge at the scene of individual incidents for the 173 incidents where the standard was not met throughout the whole of Quarters 1-3. Travel distance accounted for over 50% of the failures.
- Although all non-compliances for attendances at building fires are recorded in the standard, there are some occasions where the Service has greater control over the outcomes than others. For example if late fire calls, responding at normal road speed, simultaneous incidents and mobilising errors were to be removed from the performance standard the percentage achieved would increase to 67.6% from 65.3%.
- 32 out of the 173 fires which were not attended within 10 minutes were attended within 11 minutes. The overall average time taken to attend all types of incidents in Quarter 1-3 2012-13 was 9 minutes 24 seconds (excluding the nine late fire calls).

2. Other Non-Fire Incidents

The second section of this report focuses on operational activity in terms of other non-fire incidents attended.

2.1. Quarters 1-3 Special Service Incidents



(Figure 7 – Special Services Incidents per month December 2011 to December 2012)

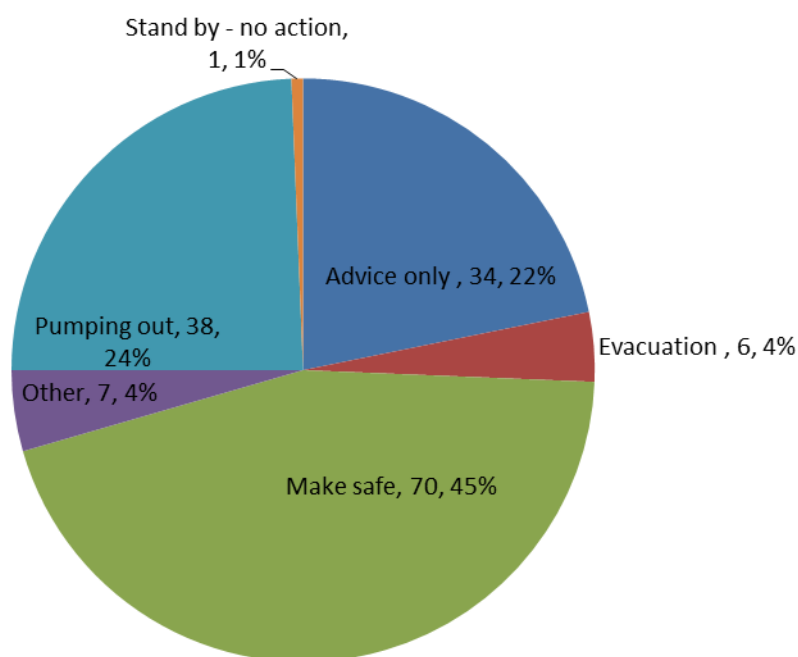
Summary The Special Service incidents totals have been adversely affected by an increase in flooding and other water related incidents in June-July 2012 and November 2012. Although the monthly totals in these months was out of tolerance, the overall Quarter 1-3 incident total continues to be within tolerance at this point in the year.

All Special Services	Quarter 1-3 2011-12	Quarter 1-3 2012-13	Percentage change
RTC Incidents	494	470	-4.9%
Flooding	44	156	254.5%
Other Special Services	615	719	16.9%
Total Incidents	1153	1345	16.7%

(Table 9 – Special Services Quarter 1-3 2011-12 and 2012-13)

- Flooding incidents refer specifically to property based incidents and there were 156 Flooding incidents in Quarter 1-3 2012-13 compared with 44 at the same point last year.
- 25 out of the 156 Flooding incidents occurred in the three day period 28-30 June 2012 and 15 occurred between 25 and 26 November.
- Other Special Services included quarter on quarter increases in making safe (not RTC) and rescues and evacuation from water, also linked to the spate conditions.

Flooding Incidents Q1-3 2012-13



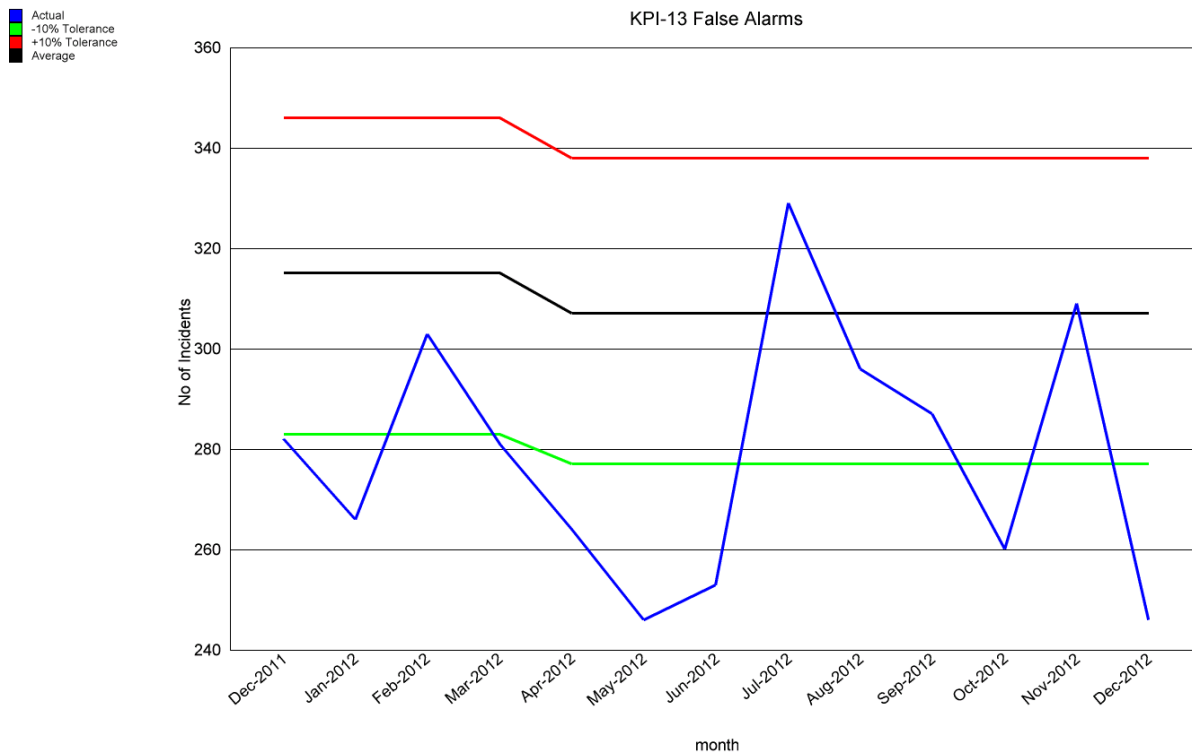
(Figure 8 – Flooding Incidents by type Quarters 1-3 2012-13)

- The table below illustrates the breakdown of the types of property affected by the flooding incidents in Quarters 1-3 2012-13

Property Type	Advice Only	Evacuation	Make Safe	Other	Pumping out	Stand-by	Total
Dwelling	27	3	52	4	31	0	117
Non-Residential	4	0	14	1	3	0	22
Other Residential	1	0	2	0	3	0	6
Other Outdoors	2	1	2	0	0	0	5
Road Vehicles	0	2	0	2	0	1	4
Other Transport	0	0	0	0	1	0	1
Totals	34	6	70	7	38	1	156

(Table 10 – Flooding incidents by property type Quarters 1-3 2012-13)

2.2. Quarters 1-3 False Alarm Incidents



(Figure 9 – False Alarm Incidents per month December 2011 to December 2012)

Summary False alarm numbers have decreased against Quarter 1-3 numbers for last year and also decreased against the last 3 years' Quarter 1-3 average.

Total False Alarms	Quarters 1-3 2011-12	Quarters 1-3 2012-13	Percentage change
Malicious False Alarms	52	33	-36.5%
False Alarm Good Intent	588	562	-4.4%
Automatic False Alarms	2009	1895	-5.7%
Total False Alarms	2649	2490	-6.0%

(Table 11 – False Alarms Quarters 1-3 2011-12 and Quarters 1-3 2012-13)

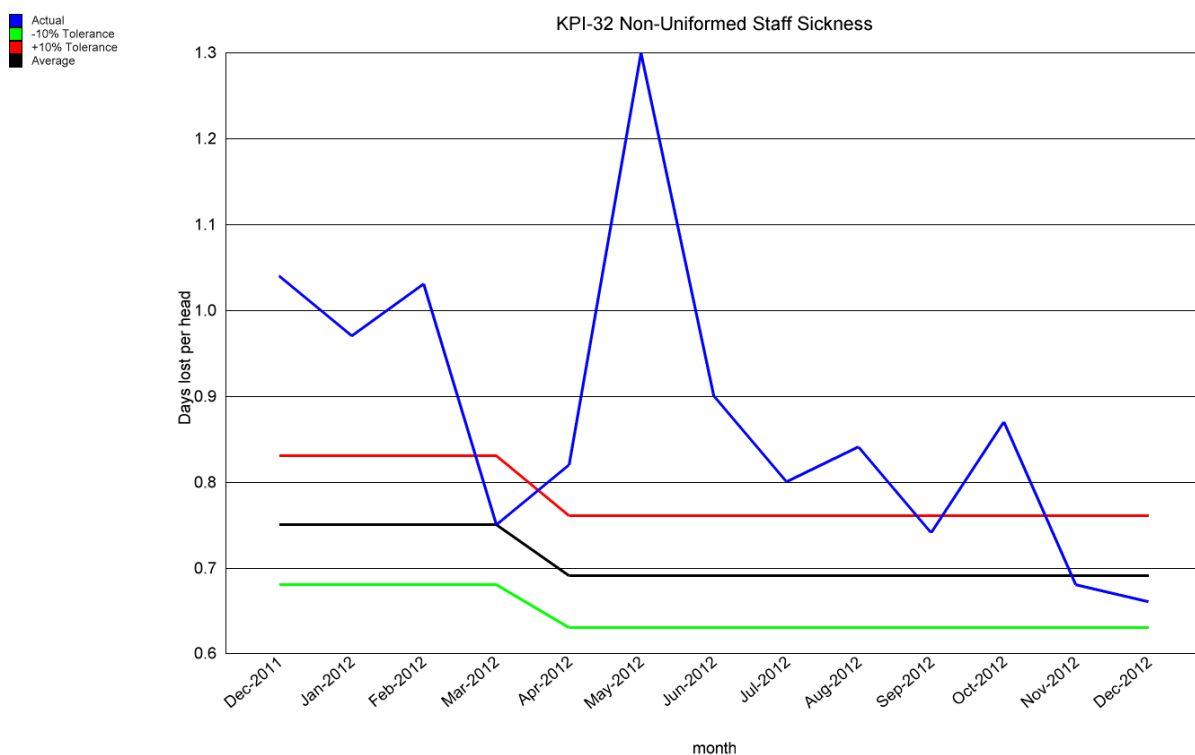
- Marginal decrease in the number of Automatic False Alarms in Quarters 1-3 2012-13 compared with same period last year and decreases in the other categories of false alarms compared with the same period last year.
- The spike in month performance in November 2012 was caused by increases in the number of false alarm good intent and automatic false alarms when compared from the previous month. Part of the increase in False Alarm Good Intent was due to false alarms raised as the result of bonfires and other controlled burning which accounted for 32 out of the 80 Good Intent False Alarms attended in November.

- As a result of the Interim AFA policy, the total number of mobilisations (Appliances and Rescue Appliance) to AFAs reduced from 2717 in Quarters 1-3 2011-12 to 2123 in Quarter 1-3 2012-2013. There have been 594 fewer mobilisations as a result of the application of the interim policy.
- A full update will be reported back to the 18 June 2013 Authority meeting on progress on the interim AFA policy which was approved by the Authority at its meeting on 14 December 2011.

3. Key Performance Indicators Out of Tolerance

At the end of Quarter 3, all key performance indicators (KPI) were within the 10% tolerance levels, except for the indicator regarding non-uniform sickness.

3.1. KPI-33 Non-Uniform Sickness



(Figure 10 – Non-Uniform Staff Sickness December 2011 to December 2012)

Summary Non-uniform staff sickness was above the 10% tolerance levels for the first five months of the financial year and then again in October 2012 and as a result was over the 10% tolerance level at the end of the Quarter. The main reason for this was an increase in long term sickness for non-uniform staff sickness.

	Non-Uniform Sickness days lost per head Quarters 1-3 2011-12 (days)	Non-Uniform Sickness days lost per head Quarters 1-3 2012-13 (days)	Percentage Change
April 2012	0.45 (54.74)	0.82 (98.78)	82.2%
May 2012	0.46 (55.72)	1.3 (154.08)	182.6%
June 2012	0.91 (108.43)	0.9 (107.97)	-1.1%
July 2012	0.79 (92.53)	0.8 (94.56)	1.3%
Aug 2012	0.72 (83.32)	0.84 (98.2)	16.7%
Sep 2012	0.98 (114.37)	0.74 (86.97)	-24.5%
Oct 2012	1.3 (152.8)	0.87 (102.986)	-33.1%
Nov 2012	1.66 (199.18)	0.68 (79)	-59.0%
Dec 2012	1.04 (126.11)	0.56 (76.93)	-46.2%
Total	8.08 (987.2)	7.48 (899.476)	-7.4%

(Table 12 –Non-Uniform Staff Sickness per month Quarters 1-3 2011-12 and 2012-13)

	Short Term Non-Uniformed Staff Sickness per head Quarters 1-3 2012-13 (days lost)	Long Term Non-Uniformed Staff Sickness per head Quarters 1-3 2012-13 (days lost)	All Non-Uniformed Staff Sickness per head Quarters 1-3 2012-13 (days lost)
April 2012	0.22 (26)	0.61 (72.78)	0.82 (98.78)
May 2012	0.47 (55.68)	0.83 (98.4)	1.3 (154.08)
June 2012	0.31 (37)	0.59 (70.97)	0.9 (107.97)
July 2012	0.11 (12.59)	0.69 (81.97)	0.8 (94.56)
Aug 2012	0.20 (23.4)	0.64 (74.8)	0.84 (98.2)
Sep 2012	0.39 (46.21)	0.35 (40.76)	0.74 (86.97)
Oct 2012	0.57 (66.986)	0.30 (36)	0.87 (102.986)
Nov 2012	0.49 (57)	0.19 (22)	0.68 (79)
Dec 2012	0.30 (34.93)	0.36 (42)	0.56 (76.93)
Total	3.0 (359.796)	4.48 (539.68)	7.48 (899.476)

(Table 13 – Non-Uniform Short & Long Term Sickness per month Quarters 1-3 2012-13)

- The largest monthly total of non-uniform sickness was in May 2012 which also had the greatest monthly total of long-term non-uniform sickness.
- Long term non-uniform staff sickness represented 60% of all non-uniform staff sickness in Quarter 1-3 2012-13. This can be compared with Wholtime staff sickness where long term staff sickness represented 50% of all Wholtime staff sickness.
- 4.48 days were lost to long term non-uniform staff sickness in Quarters 1-3 2012-13 compared with 5.08 days lost to long term non-uniform staff sickness in same period last year. There were three long term sickness cases at the end of Quarter 3 2012-13.

4. Retained Availability

Summary *There was an overall decline in availability of 2% of all Retained Appliances across the Service when compared with the situation at the end of the same period last year.*

Retained Availability	Quarters 1-3 2011-12	Quarters 1-3 2012-13	Percentage Change
April 2012	93.9%	91.8%	-2.1%
May 2012	94.1%	89.9%	-4.2%
June 2012	91.7%	89.9%	-1.8%
July 2012	91.8%	90.7%	-1.1%
Aug 2012	89.4%	86.0%	-3.4%
Sep 2012	89.9%	90.5%	0.6%
Oct 2012	89.2%	90.7%	1.5%
Nov 2012	91.7%	91.6%	-0.1%
Dec 2012	90.4%	89.8%	-0.6%
Total	91.3%	90.1%	-1.2%

(Table 14 – Retained availability by month – Quarters 1-3 2011-12 & 2012-13)

- Although still providing a high level of retained availability in Quarters 1-3 2012-13, some stations have declined in performance when compared with the same period Quarters 1-3 2011-12:
 - Hereford, although achieving 82.9% availability has reduced 13.57% on Quarters 1-3 2011-12 availability. This reduction in availability was mainly due to increases in unavailability of drivers, the lack of a minimum crew and the lack of an Officer in Charge.
 - Droitwich, although achieving 75.68% availability has reduced 9.99% on Quarters 1-3 2011-12 availability. This reduction in availability was mainly due to increases in unavailability of drivers, and the lack of an Officer in Charge.
 - Stourport, although achieving 91.12% availability has reduced 8.81% on Quarters 1-3 2011-12 availability. This reduction in availability was mainly due to large increases in the lack of a minimum crew and the lack of BA wearers.
- Although Evesham was the lowest performing Station in Quarters 1-3 2012-13 with a Retained availability of 71.71%, it had improved when compared with the same period last year. The lack of availability in Quarters 1-3 2012-13 was mainly due to the lack of an Officer in Charge.
- Three Stations have shown significant improvement from Quarters 1-3 2011-12 to Quarters 1-3 2012-13:
 - Pebworth (up 15.76% on Quarters 1-3 2011-12 availability). The increase in availability was mainly due to increases in availability of an Officer in Charge and of drivers.
 - Bewdley (up 13.13% on Quarters 1-3 2011-12 availability). The increase in availability was mainly due to increases in availability of BA wearers and of drivers.

- Ewyas Harold (up 9.80% on Quarters 1-3 2011-12 availability). The increase in availability was mainly due to increases in the availability of BA wearers and of drivers.
- Kingsland was the highest performing Station in Quarters 1-3 2012-13 with a Retained availability of 99.76%. Kingsland had 100% availability of BA wearers in the Quarter 1-3 2012-13.

Station	Availability Quarters 1-3 2011-12	Availability Quarters 1-3 2012-13	Better/Worse
21 Worcester	97.61%	95.35%	-2.26%
22 Stourport	99.93%	91.12%	-8.81%
23 Bewdley	81.45%	94.58%	13.13%
24 Kidderminster	99.09%	97.15%	-1.94%
25 Bromsgrove	77.35%	77.29%	-0.06%
26 Droitwich	85.67%	75.68%	-9.99%
27 Redditch	94.41%	88.29%	-6.12%
28 Evesham	65.81%	71.71%	5.90%
29 Pebworth	68.66%	84.42%	15.76%
30 Broadway	79.83%	82.54%	2.71%
31 Pershore	95.74%	90.56%	-5.18%
32 Upton	95%	89.3%	-5.7%
41 Malvern	99.43%	99.69%	0.26%
42 Ledbury	94.95%	92.32%	-2.63%
43 Fownhope	94.88%	97.74%	2.86%
44 Ross on Wye	99.46%	96.81%	-2.65%
45 Whitchurch	92.48%	85.34%	-7.14%
46 Hereford	96.47%	82.90%	-13.57%
47 Ewyas Harold	82.95%	92.75%	9.80%
48 Eardisley	99.49%	99.29%	-0.20%
49 Kington	97.62%	95.3%	-2.32%
50 Leintwardine	88.33%	88.9%	0.57%
51 Kingsland	99.95%	99.76%	-0.19%
52 Leominster	94.25%	90.47%	-3.78%
53 Tenbury	90.75%	91.83%	1.08%
54 Bromyard	85.09%	85.24%	0.15%
55 Peterchurch	98.54%	91.48%	-7.06%
Total Quarters 1-3	91.3%	90.1%	

(Table 15 – % availability by Station, comparing Quarters 1-3 2011-12 with Quarters 1-3 2012-13)

Reasons for Appliances being off the run Quarters 1-3 2012-13 for all stations	% of time Appliances unavailable
Did not meet minimum crewing requirement	8.45%
No BA wearers	5.34%
No Officer in Charge	6.28%
No driver	3.02%
Total impact on pump availability	9.9%

(Table 16 – Retained availability by factor – Quarter 1-3 2012-13)

Overall availability is dependent on a number of factors and an Appliance can be unavailable due to a combination of factors. The lack of sufficient crew is the largest reason for unavailability.

10. Equality and Diversity Advisory Group Update

Purpose of report

1. To inform the Policy and Resources Committee of the key areas of discussion at the Equality and Diversity Advisory Group meeting on 6 February 2013.

Recommendation

The Chief Fire Officer recommends that the Policy and Resources Committee note the content of this report.

Update

2. The third meeting of the Equality and Diversity Advisory Group was held on 6 February 2013. The Group was chaired by the Chief Fire Officer.
3. The Group noted that, at their meeting in December 2012, the FRA had formally approved the equality objectives recommended for publication, namely:
 - To continue to embed equality and diversity within all aspects of service delivery and support functions.
 - To develop partnerships to promote equality.
4. As a result, a draft action plan, identifying lead officers and timescales, has been developed to deliver these objectives and the Group was invited to feed comments to the Senior HR Advisor by 28 February 2013.
5. In addition, draft terms of reference for a Positive Action Sub Group were circulated and the Group was invited to feed comments to the Senior HR Advisor by 28 February 2013.
6. Following the approval of the updated Ethical Framework document, training on this is being cascaded throughout the Service, and it is anticipated this will be completed by 31 May 2013. It was noted that FRA Members will also receive this training as part of their induction programme following the local elections in May. A draft Ethical Framework Booklet was circulated and the Group was invited to feed comments to the Senior HR Advisor by 28 February 2013.
7. The Group discussed the annual subscription to the Asian Fire Service Association (AFSA) and decided to recommend to the Senior Management Board that this was renewed. The Senior Management Board approved this recommendation on 12 February 2013.

8. A draft Disability Policy was circulated which had been jointly developed by the Senior HR Advisor and the FBU, and the Group was invited to feed comments to the Senior HR Advisor by 28 February 2013.

Financial Considerations

Consideration	Yes/No	Reference in Report i.e paragraph no.
There are financial issues that require consideration	Yes	Whole report

Legal Considerations

Consideration	Yes/No	Reference in Report i.e paragraph no.
There are legal issues e.g. contractual and procurement, reputational issues that require consideration	Yes	Whole report

Additional Considerations

9. The table below sets out any additional issues arising from the proposals contained in this report and identifies the relevant paragraphs in the report where such issues are addressed.

Consideration	Yes/No	Reference in Report i.e paragraph no.
Resources (e.g. Assets, ICT, Human Resources, Training & Development, Sustainability).	Yes	Whole report
Strategic Policy Links (e.g. IRMP, Authority Plan, Equality & Diversity, Partnerships, Environmental Impact).	Yes	Whole report
Risk Management / Health & Safety (e.g. risk management and control measures, risk register score).	No	
Consultation with Representative Bodies	No	

Supporting Information

None

Contact Officer

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11. Health and Safety Committee Update

Purpose of report

1. To provide the Policy and Resources Committee with an update on the activities and items of significance from the Service's Health and Safety Committee.
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Recommendation

The Chief Fire Officer recommends that the Policy and Resources Committee note the contents of this report.

Introduction

2. The Health and Safety Committee last met on 29 January 2013.

Significant Issues Discussed

3. The revised Terms of Reference for the Health and Safety Committee (formerly the Health and Safety Liaison Panel) were adopted. These now align with the Health and Safety Executive recommendations.
4. The membership of the Committee has also been reviewed and future meetings will be chaired by a Principal Officer (the Assistant Chief Fire Officer). The intention is for the Committee to become more strategic in nature.
5. A review of the previous quarter's Health and Safety performance was discussed in detail. Overall, reporting levels and staff awareness continue to be good and, in general, any injuries reported were mostly minor in nature.
6. Twenty six incidents involving exposure to contaminated water had occurred whilst fire fighting at the Lawrence's Recycling incident in Kidderminster.
7. A significant programme of training continues across the Service including to National Examination Board in Occupational Safety and Health level and Institution of Occupational Safety and Health Managing Safely level.
8. A programme of single workplace inspections across the Service is being piloted this year and began in early February. These will be undertaken by the Health and Safety Officer together with representatives from Property and Operational Logistics. Early indications are that this has provided a co-ordinated response and reduced impact on stations.
9. A number of health and wellbeing initiatives are being promoted across the Service in order to encourage staff to be more proactive with regard to their personal fitness.

10. The Committee was informed that the University of Edinburgh, supported by the British Heart Foundation, is to undertake a study into why firefighters are more likely to suffer a heart attack on duty than at any other time. The study will take place over a two-year period.
11. The Service has a new Principal Health and Safety Executive Inspector and is currently looking at ways to develop its links with the HSE.

Financial Considerations

Consideration	Yes/No	Reference in Report i.e paragraph no.
There are financial issues that require consideration	No	

Legal Considerations

Consideration	Yes/No	Reference in Report i.e paragraph no.
There are legal issues e.g. contractual and procurement, reputational issues that require consideration	No	

Additional Considerations

12. The table below sets out any additional issues arising from the proposals contained in this report and identifies the relevant paragraphs in the report where such issues are addressed.

Consideration	Yes/No	Reference in Report i.e paragraph no.
Resources (e.g. Assets, ICT, Human Resources, Training & Development, Sustainability).	No	
Strategic Policy Links (e.g. IRMP, Authority Plan, Equality & Diversity, Partnerships, Environmental Impact).	Yes	Entire Report
Risk Management / Health & Safety (e.g. risk management and control measures, risk register score).	Yes	Entire Report
Consultation with Representative Bodies	Yes	

Supporting Information

None

Contact Officer

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12. Joint Consultative Committee Update

Purpose of report

1. To inform the Policy and Resources Committee of the activities of the Joint Consultative Committee (JCC) since January 2013.

Recommendation

The Chief Fire Officer recommends that the Policy and Resources Committee note the content of this report.

Update

2. Since its last update to the Policy and Resources Committee, the Joint Consultative Committee has met only once – on 24 January 2013. With the agreement of members, the meeting scheduled for 28 February 2013 was cancelled due to a large number of apologies and the fact that there were no new items for discussion.
3. Items still under discussion include the following:
 - Review of allowances for non-uniformed staff
 - Review of the job evaluation process
 - Time allocated to staff for fitness training
 - Use of driver/Officers in Charge on appliances
4. Since the Policy and Resources Committee was last updated, a number of items have been closed down and the number of 'live' items continues to decrease. Items closed at the January meeting (and currently awaiting formal sign off) include:
 - Part-time workers settlement
 - Use of Resilience Register to cover personnel training/taking part in competitions **
 - FDS rota changes (pre-arranged voluntary operational cover)
 - Wholetime pumps riding with crews of 4 rather than 5 **

** Whilst it was agreed that no further input was required by JCC on these particular items, and that they could therefore be removed from the tracker, all parties recognised that further discussion would continue outside of JCC.

5. New items raised at the January meeting included:

- Gym induction proposals
- Proposed changes to arrangements regarding station based instructors

Financial Considerations

Consideration	Yes/No	Reference in Report i.e. paragraph no.
There are financial issues that require consideration	Y	Paras 3, 4 & 5

Legal Considerations

Consideration	Yes/No	Reference in Report i.e. paragraph no.
There are legal issues e.g. contractual and procurement, reputational issues that require consideration	Y	Paras 3, 4 & 5

Additional Considerations

6. The table below sets out any additional issues arising from the proposals contained in this report and identifies the relevant paragraphs in the report where such issues are addressed.

Consideration	Yes/No	Reference in Report i.e. paragraph no.
Resources (e.g. Assets, ICT, Human Resources, Training & Development, Sustainability).	Y	Paras 3, 4 & 5
Strategic Policy Links (e.g. IRMP, Authority Plan, Equality & Diversity, Partnerships, Environmental Impact).	Y	Paras 3, 4 & 5
Risk Management / Health & Safety (e.g. risk management and control measures, risk register score).	N	
Consultation with Representative Bodies	Y	Paras 3. 4 & 5

Supporting Information

None

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