# Corporate Risk Quarter 3 Position Statement January 2020 Individual Risk Position Statement

### Corporate Risk 1 – External (Political and Legislative) Environment

#### **Corporate Risk 1.2:**

The Fire Authority is unable to positively position itself within public service reform to sustain and create new services resulting in reduced confidence, credibility and/or reputational damage.

Emerging Issues	The overall risk score remains the same as the previous quarter.
	The Fire Authority have constituted a Collaboration and Transformation Committee within the governance structure. This committee has approved a definition for Collaboration and Transformation for the Service's activities and a strategic framework of considerations when embarking on collaborative work.
	The development of the Strategy for 2020/2023, priorities for 2020/2021 and the IRMP consultation process (due to commence mid 2020) will support the delivery of collaborative and/or transformational approaches to achieving the agreed priorities and outcomes.
	The committee will further consider digital transformation and how we are able to work with and skill staff for future change and transformation, building on the positive outcomes from the HMICFRS inspection process which recognised the innovative approaches the Service has taken to develop staff and deliver wider services.
Changes to control measures	No additional controls
Assurance updates	The risk owner is confident that these measures are sufficiently strong to ensure that where possible the Service can position itself effectively in public service reform.

#### **Corporate Risk 2 - People**

#### **Corporate Risk 2.1:**

The Fire Authority is unable to maintain positive staff consultation and engagement, resulting in an inability to deliver strategic objectives, outcomes and continuous improvement.

# Emerging Issues

The overall risk score remains the same as last quarter at 9 (likelihood 3 x impact 3). Overall local control measures are implemented effectively. A consideration for continued monitoring in the second half of the year is the information received from the National Security Risk Assessment (NSRA). This relates to the potential for national industrial action which has assessed the likelihood as high, impact medium.

# Changes to control measures

Good progress in relation to the delivery of the collective agreement continues. The cultural review commissioned by the Chief Fire Officer through RealWorld HR has been completed and published to the service in September, ongoing engagement with key stakeholders and staff continue to take place in this quarter. Further engagement with RealWorld HR took place to enable all staff to consider the context of the report and improvements to support our journey from good to outstanding. The Joint Cultural Implementation Plan (JCIP) Steering Group had their initial meeting in December 2019.

In relation to the Employee Relations Framework (ERF) work has been undertaken to provide an E-cademy package for all employees to ensure a greater understanding of the ERF and the specific elements held within the policy. This is due to be implemented in guarter 4.

Consultation and engagement through the ERF continues to be positive throughout the quarter with all options being consulted on through the Joint Consultative Committee and alignment to the Health Safety and Wellbeing Committee. There have been ongoing national discussions in relation to pay and conditions of service. Following the results of the ballot in April 2019, where Firefighters rejected the current pay offer and re-endorsed the unions strategy in pay negotiations, discussions have continued nationally. The latest position to be noted from the Fire and Rescue Service national employer's states – the National Joint Council has agreed to pause the national broadening of the role negotiation. Further discussions are taking place in relation to a pay award.

Industrial action by firefighters has been identified as a new risk as part of the 2019 NSRA. The risk has been assessed as high likelihood – 5 and medium-low impact – 2. The risk owner for industrial action by firefighters is the Home Office (HO).

The latest version of the NSRA was released in August 2019 By the Cabinet Office and therefore led to a review by the

	service to ensure contingency arrangements are adequate within the West Midlands. This is covered within corporate risk 6.1.
	WMFS continues to engage with staff and the representative bodies on this matter and will continue to monitor the national discussions and potential impacts.
Assurance updates	Based on the increase in the risk assessment the national and local position the risk owner will continue and assess any significant changes and impacts on the corporate risk.

# **Corporate Risk 2.2:**

The Fire Authority is unable to deliver its Service Delivery Model effectively, as a result of insufficient or ineffective employees, throughout the organisation, resulting in reduced confidence and credibility; and increased reputational damage.

Emerging Issues	The overall risk score is 3 (likelihood) x 3 (impact) total 9. The risk score remains at 9 due to the current position as discussed in 2.1 and further control measures are in place regarding the delivery of the service delivery model.
Changes to control measures	The three-year staffing strategy continues to provide a strong level of forecasting for the organisation.
measures	Current recruitment and selection processes continue to provide required staffing levels are maintained to ensure the delivery of the Service Delivery Model (SDM). In addition, the revised attraction and selection process is enabling a high level of successful candidates from underrepresented groups.
	It has been identified that there continues to be a reduction in individuals applying for Crew Commander positions with a few positions not able to be filled. An evaluation of the issue has been carried out with several recommendations that will now be taken forward for consideration.
	The process of substantiating all roles within the service is now complete and the Strategic Enabling Team review has been concluded. This has brought greater certainty to individuals in relation to their roles. It is also anticipated that this will have a positive impact on those applying for Crew Commander roles, this is being monitored by the Service.
	The organisation through quarterly reporting has a good level of assurance in relation to the completion of standardised assessments. Progress is being made in relation to all

standardised assessments this will be monitored for progress as part of the quarterly performance review. The assessment of ability to deliver the competency framework in relation to Organisational Learning and People Development is being undertaken to ensure the appropriate levels of resources are available in support of the SDM.

The organisation received the outcomes of the Her Majesty's Inspectorate Constabulary (HMIC) with overall performance assessed as good with outstanding being awarded for responding to fires and other incidents. The areas for improvement are being considered and further organisational improvements will be taken forward following the cultural review outcomes.

Performance in relation to attendance management has risen and continues to be an area of focus. A task and finish group has been set up with development and support packages for managers and staff being delivered in the third quarter of the year and will continue into quarter 4.

There is an organisational focus around the levels of assurance against the Grenfell Phase 1 Report which is providing a level of confidence in attending fires in tall buildings which in turn the reputation and SDM and our ability to deliver safe and effective firefighting.

# Assurance updates

The risk owner is assured that the current control measures ensure the delivery of the services and therefore the risk score of 9 will remain the same in this quarter. This will be closely monitored throughout the next quarter.

#### Corporate Risk 2.3:

The Fire Authority is unable to meet statutory duties to provide a safe and healthy workplace and protect the environment, resulting in a significant failure and reduced confidence and credibility; and increased criminal proceedings, litigation and reputational damage.

Emerging Issues	The overall risk score remains the same at 6 (likelihood 2 x impact 3). This is a medium rated risk.
	Performance against corporate indicators reflects that injuries reported were below the target for quarter 3 (actual 26 compared to a target of 31.5).
	For RIDDOR, performance was below the target for quarter 3 (the actual was 1 compared to a target of 3.5).

	Levels of near hits and violence to crews (mainly verbal abuse)
	have reduced, compared to the same period in 2018/19. The Health, Safety and Wellbeing team has increased its challenge of near hit reports, where other reporting mechanisms should have been used and this will contribute to a reduction in near hits.
	The Health and Safety Policy has been reviewed and re-issued, with a refreshed joint statement from the Chief Fire Officer and Chair of the Fire Authority.
	The Environmental Policy is being reviewed.
	The Chair of the Brigade Health, Safety and Wellbeing Committee is now the DCFO. This aligns with his role in chairing the Joint Consultative Committee.
Changes to control measures	No changes have been made this quarter, but all risk owners are advised to check this corporate risk, as some controls have been reassigned to more appropriate owners.
Assurance updates	Control measures have been reviewed during January 2020.

# <u>Corporate Risk 3 – Delivery of Services - Prevention</u>

# **Corporate Risk 3.1:**

The Fire Authority is unable to engage with the most vulnerable members of the community and reduce community risk resulting in increased fire and non-fire related incidents, fatalities and injuries.

Emerging Issues	Safe and Well (SAW) visits continue to be delivered in line with the position agreed with the Fire Brigade Union (FBU) whereby information will be gathered for all questions. In cases where Firefighters are uncomfortable asking specific questions, the householder will be asked to complete an online form to provide the relevant information. An IT solution is currently being developed as part of the introduction of Tymly currently being piloted in the Black Country South, with the view to eventually rolling out across the service. The minimum viable product IT solution has been delivered and is being used to good effect in Black Country South. Further development is required to achieve full specification on the product; however, results are currently good.
Changes	No changes are required as the current situation provides an
to control	adequate platform for West Midlands Fire Service (WMFS) to
measures	manage risk (via Prevention) in line with the IRMP.
This is 6	- i

Assurance is provided through the Corporate Performance Indicators (PI).

# **Corporate Risk 3.2:**

The Fire Authority is unable to establish effective partnership arrangements and deliver community outcomes, resulting in a significant impact upon the organisation's financial standing, reputation and ability to deliver key objectives.

Emerging Issues	The annual target is 40% of Safe and Well (SAW) visits come from partner referrals. The quarter 3 performance is 37.6% an increase of 7.6% since the data cleanse. For the first time this quarter we have been able to get reliable figures from the Tymly system for partner referrals for Black Country South. This shows that the 873 of the 1168 visits (75%) on the Tymly system came from partner referrals. If these figures are included in the overall Brigade figures the service average increases to 42.5%
	During September 2019 the Partnerships Team hosted 14 CPD events aimed at frontline staff and managers from partner agencies. 500+ people attended. The purpose of the events is to improve their knowledge about risk and vulnerability to fire and increase referrals for SAW. Since then additional Continuing Professional Development (CPD) training sessions have been delivered to 9 individual organisations.
	Cleansing of the system of old referral forms and referral forms with no partner identification commenced in December resulting in 58 new referral forms with correct partner identification being issued to date.
Changes to control measures	No changes are required as the current situation provides an adequate platform for WMFS to manage risk (via Prevention) in line with the IRMP.
Assurance updates	Assurance is provided through the Corporate Performance Indicators (PI). This situation will be monitored, and it is envisaged that improvements can be made with the introduction of an ICT platform that makes partner referrals a more efficient process.

# <u>Corporate Risk 4 – Delivery of Services – Protection</u>

#### **Corporate Risk 4.1:**

The Fire Authority is unable to effectively discharge its duties under the Regulatory Reform (Fire Safety) Order and associated legislation, resulting in a decline in non-domestic fire safety standards; reduced confidence and credibility; and increased litigation and reputational damage.

Emerging Issues	The outcomes of the Pase 1 Grenfell Report continue to be considered. In respect of the specific issues that will impact on the ability to meet the Authority's responsibilities under the RRO a dedicated action plan is considering issues and opportunities. Phase 2 Grenfell Inquiry is being undertaken and monitored for impacts on the RRO and WMFS Plan.
Changes to control measures	Capacity has been increased in the Fire Safety Teams and competencies are being aligned to the revised standards and Competency Framework for Fire Safety Regulators. Response to statutory building consultations are now being managed within required timeframes.
Assurance updates	Engagement continues to take place with local authority and other property owners around changes to responsibilities under the RRO and developments linked to flammable building materials. Returns/Assurance is being provided to central Government via the NFCC and risk is being managed effectively. As an outcome of the changes in control measures above the likelihood of this risk has reduced from 3 to 2 which has reduced the overall risk score from 9 to 6 and improving the RAG rating from Amber (Satisfactory Assurance) to Green (Substantial Assurance).

#### <u>Corporate Risk 5 – Delivery of Services - Response</u>

#### Corporate Risk 5.1:

The Fire Authority is unable to ensure that operational incidents are dealt with safely, assertively and effectively using appropriate levels of resources and personnel, resulting in increased firefighter and community risk; reduced confidence and credibility; and increased reputational damage.

Emerging Issues	There are no new emerging issues to report for this quarter and subsequently the risk score remains unchanged.
	However, with the release of Phase 1 of the Grenfell Tower report in October the organisation has and continues to

	undertake a close examination of High Rise/Tall Buildings procedures.  Delivered within the 3PT programmes, but with an overarching
	action plan to capture all related activity, the analysis is comprehensive and will consider the recommendations from the Phase 1 report.
	The impending launch of the 'Tall Buildings' operational procedure will be used as the foundation stone for a period of focus within this area to build upon our current position.
	We continue to engage locally, regionally and nationally (through the NFCC) to understand how we can support and consider best practice.
Changes to control measures	Development of an organisational action plan which considers all the component parts of an assertive, effective and safe response to incident involving tall buildings.
Assurance updates	The risk owner is assured that the current control measures are appropriate and therefore the risk score will remain the same in this quarter. This will be closely monitored throughout the next quarter.

# **Corporate Risk 5.2:**

The Fire Authority is unable to maintain its command and control function, resulting in an inability to receive, process and respond to emergency calls effectively, so increasing community risk; reducing confidence and credibility; and increasing reputational damage.

Emerging Issues	There is a continuation of the previously updated 'emerging issue' in relation to Fire Control staffing. Previously the focus had been around the disproportionate affect that long term absence has on a relatively small team that relies on 'Optimum Crewing Levels'. Whilst this issue has somewhat changed (positively as many of the people experiencing long term absence have returned to work), there is still a pressure on Fire Control staffing caused through other factors such a leavers (career change) and secondment opportunities.
Changes to control measures	There will now be a more in-depth monthly review of Fire Control staffing completed by the management team and this will be reported through the quarterly PIM.
	In addition, there has been an increased level of recruitment (temporarily taking us above agreed establishment level) in

	order to mitigate against the impact of being under-staffed within the department.
	Management continue to work with the representative bodies through the Fire Control Joint Working Party (JWP) to understand and consider where improvements may be possible.
Assurance updates	The risk owner is assured that the current control measures are appropriate and therefore the risk score will remain the same in this quarter.

# Corporate Risk 6 - Business Continuity & Preparedness

# **Corporate Risk 6.1:**

The Fire Authority is unable to provide business continuity arrangements, to maintain delivery of core functions, as a result of extensive disruption to normal working arrangements, including national and international deployments, significant and major events, resulting in increased community risk; reduced confidence; increased reputational damage; and external scrutiny.

Emerging Issues	WMFS Industrial Action Plan reduces the effects on WMFS activity caused by industrial action. This currently involves the use of non-striking operational and support staff (including fire control).
	Due to recent developments in the National Security Risk Assessment and local risk assessments, it has been identified that the current Industrial Action arrangements cannot provide the level of confidence to meet the current risk and Home Office (HO) resource expectation. The HO expectation during periods of industrial action state "Fire and Rescue Services will maintain at least 30% minimal level of normal fire cover (based on PRLs staffed at 5), high rise facility capability (added post Grenfell) and availability of critical National Resilience Assets (linked to threat level)".
	EU Exit Operation Yellowhammer (cross-government contingency planning for the possibility of a no-deal Brexit) has been stood down. The Government are focussing on passing the Withdrawal Agreement Bill through Parliament so that the UK leaves the EU on 31st January 2020 with an agreed deal. As of 31st January, the Department for Exiting the European Union (DExEU) as a government department will be disbanded. Therefore, multi-agency European Union Exit planning has

	also been stood down. WMFS will continue to monitor developments and attend relevant meetings with stakeholders when required.
Changes to control measures	As a result of the West Midlands Fire Authority decision not to supplement Industrial Action business continuity arrangements in line with the Chief Fire Officers recommendation the impact of industrial action has been increased from 3 to 4. Current control measures are not sufficient to mitigate the consequences of loss off staff as a result of industrial action.
Assurance updates	As result of Control of Major Accident Hazard (COMAH) exercises during 2019, the Emergency Planning team have developed a training package for command groups to raise awareness of the COMAH regulations and COMAH sites within the West Midlands. This has been supported by COMAH site operators.
	WMFS have hosted both Business Continuity and Resilience Direct national events to promote and share best practice.
	WMFS is chairing the Risk Assessment Working Group for the West Midlands Local Resilience Forum. Work has been done with regional partners to develop a collaborative approach to the risk assessment process. WMFS arranged and participated in multi-agency training on the updated risk assessment methodology.
	During quarter 3, a severe weather exercise took place with key departments including Fire Control, Response, People Support Services, Appliances and Equipment, Transport Engineering Workshops and Corporate Communications to review and develop the Severe Weather Business Continuity Plan.
	Business Continuity training and exercising has continued on stations to support with the review and validation of station business continuity plans.

# **Corporate Risk 7 – Information, Communications and Technology**

#### **Corporate Risk 7.1:**

The Fire Authority is unable to provide and maintain an effective ICT provision to support the delivery of core functions, resulting in significant disruption to the organisation's functionality, reduced confidence, credibility, reputational damage and external scrutiny.

Emerging	The overall risk score is 6. The risk continues to be
Issues	medium. The organisation continues to take a cloud-

based approach to data storage thus reducing the reliance on in-house processes, procedures and infrastructure to access and maintain data. Cloud based solutions for business continuity and disaster recovery are being considered to improve resilience.

An external information security audit has been undertaken and identified four areas for improvement in the organisation. The areas identified were password management, legacy systems and hardware and a small number of firewall configurations. These areas have been risk assessed and the immediate risks remediated with the only areas outstanding being legacy systems.

There has been an uplift in malicious cyber-attacks being experienced. We are working with external companies and peers in following national guidance with regard the recent increase in cyber security threat. We have also bolstered the level of in-house expertise in relation to systems and information security.

An internal review of the out of hours cover rosters will provide clarity about levels of service to be provided to the organisation.

# Changes to control measures

The implementation of Office 365 has reduced the impact significantly of the loss of an on-premises data centre. Work is ongoing to establish accreditation for Code of Connection (CoCo) to the Emergency Services Network (ESN) and the Public Services Network (PSN) ensuring that the Home Office and the National Fire Chiefs Council (NFCC) requirements around cyber security threats are met.

Replacement of desktops with Virtual Desktop Infrastructure (VDI) at stations has simplified the organisational infrastructure and enhanced ability to maintain currency of security updates to protect organisational information systems.

Additional requirement to meet the first technical standard that will be incorporated into the Government Functional Standard for Security. Compliance with the Government Cyber Essentials standard has been achieved as directed in

	the technical standard and further work has been identified and resourced.
	Increased levels of communication have been made available to raise employee awareness around cyber security in the form of news bulletins, middle manager briefings, Yammer and Teams messages.
Assurance updates	The overall risk confidence opinion is amber

# **Corporate Risk 7.2:**

The Fire Authority is unable to provide effective management and security of organisational information and documentation including the receipt, storage, sharing and transfer of information and data, resulting in reputational damage, litigation, substantial fines and external scrutiny.

Emerging Issues	The overall risk score remains at 6. The risk continues to be medium. The risk level may reduce further over the next few quarters as automated processes to protect data are introduced within the organisation.
	The post implementation of the European Union General Data Protection Regulations (EU GDPR) on the 25.05.18. means that there is an increased requirement for organisations to demonstrate ongoing compliance with the legislation.
	Changes to the organisational data classification and marking scheme have been approved at strategic level and will be rolled out throughout Quarter 4 2019/20. This will simplify the current processes and provide more alignment with other organisations.
Changes to control measures	Increased levels of communications in relation to information security have been published to all employees as well as an increased drive to complete bespoke training packages related to EU GDPR and Management of Information. Increased levels of uptake of employees undertaking required training has reduced the number of reported data protection breaches for this quarter.
	Automated tools for marking documents and managing requests will replace the existing processes and provide better

	assurance by auditing compliance with the Management of Information framework.
	Officers are continuing to work collaboratively through the NFCC work streams to ensure national guidance is embedded consistently.
Assurance updates	The overall risk confidence opinion is amber

# **Corporate Risk 8.1:**

The Fire Authority is unable to deliver its statutory responsibilities, predominantly through the Service Delivery Model, due to insufficient funds, resulting in external scrutiny and intervention; reduced confidence and credibility; and increased reputational damage.

Emerging Issues	The risk score remains at 3 (Likelihood) x 3 (Impact) = 9. The overall risk level is Medium
Changes to control measures	In February 2016, The Government communicated the Authority's Core Funding settlement. In setting out a provisional 4-year settlement (2016/17 to 2019/20), confirmation was received that the core funding reduction would be circa £10 Million by 2019/20. This level of reduction presented a significant challenge to the Service in terms of maintaining the Service Delivery Model whilst setting a balanced budget. In planning for significant funding reductions, the Service set out an Efficiency Plan, which was considered and approved by the Fire Authority on 19 <sup>th</sup> September 2016 and submitted to the Home Office by 14 <sup>th</sup> October 2016.
	On 6 June 2018 the Executive Committee approved the removal of New Entrant contracts to avoid industrial action by Grey Book staff. It was recognised this decision would have a significant impact on the Services ability to generate Alternative Funding and achieve the full level of staff savings reflected within the Financial Efficiency Plan (FEP). At the Authority meeting on 17 <sup>th</sup> September 2018, Members supported a reduced level of Voluntary Additional Shifts to make savings of £750k in 2018/19 to offset the shortfall in the FEP. Further work was undertaken on five options presented to Members at the same Authority meeting, which were reported back to the 19 <sup>th</sup> November Authority meeting. A further report was presented to the Fire Authority meeting on 19 <sup>th</sup> February 2019, recommending the basis of the Service changes to be made from 2019/20 to ensure the 2019/20 budget and beyond could be set in a balanced manner (i.e. to meet the FEP shortfall combined with the Protection Function approve investment of £600k [Fire Authority meeting 19 <sup>th</sup>

November 2018] plus further proposed support service investments of £202k considered at the February 2019 Fire Authority meeting). The recommendations were approved by the Fire Authority.

The budget was set in February 2019 with a number of significant issues still to be determined re: future funding impacts (specifically in relation to the Firefighters Pension Scheme, Firefighters pay awards, the outcome of the Government's Fair Funding Review and lack of clarity around future Government funding settlements linked to the uncertainty of the timing and Impact of public sector Comprehensive Spending Reviews) but at this stage, details around those issues have not been determined. Monitoring reports on the budget have been presented at Authority meeting throughout the year showing an overall favourable variance against the revenue budget

Furthermore, on 4<sup>th</sup> October 2019 the Chancellor of the Exchequer announced that the funding settlement for the Fire & Rescue Service in 2020/21 is expected to be protected in real terms. This position was reflected in the provisional finance settlement announced on 20<sup>th</sup> December 2019. Thus, the Risk Owner considers the likelihood score of 3 should remain unchanged at this stage.

# Assurance updates

The work and associated reports of the external auditor provide assurance against several controls in place to manage against the realisation of risk on the assurance map.

Level 1 assurance has been provided across most of the control environment with most controls measures being awarded at substantial (green) rating in terms of their effectiveness in managing risk triggers and are supported by several level 3 assurances and therefore no immediate interventions were identified as being required.

The Risk Owner therefore has provided for a substantial (Green) confidence opinion as to the collective strength of the control environment in managing this risk.

#### **Corporate Risk 8.2:**

The Fire Authority is unable to deliver effective financial management arrangements, due to misuse of funds, resulting in external scrutiny, intervention and litigation.

Emerging	The risk score is 2 (Likelihood) x 3 (Impact) = 6. The overall
Issues	risk level is Medium.

Changes	There is no change to the control measures associated with
to control	the effective management of this risk
measures	
Assurance updates	The work and associated reports of the Internal Auditor and External Auditor provides assurance against several controls in place to manage against the realisation of risk on the assurance map.
	Level 1 assurance has been provided across most of the control environment with most controls measures being awarded at substantial (green) rating in terms of their effectiveness in managing risk triggers and are supported by several level 3 assurances and therefore no immediate interventions were identified as being required.
	The Risk Owner therefore has provided for a substantial (Green) confidence opinion as to the collective strength of the control environment in managing this risk.