

<b>Notes of the Policy Planning Forum</b>
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**Agenda Item No. 12**

**1st September, 2014 at 10.30 am  
at Fire Service Headquarters, Vauxhall Road, Birmingham**

**Present:**           **Members of the Authority**  
Councillor Edwards (Chair);  
Councillor Idrees (Vice-Chair);  
Councillors Aston, Atwal Singh, Clinton,  
Collingswood, Davis, Delaney, Eustace, Hogarth,  
Mottram JP, Phillips, Quinnen, Sealey, Shackleton,  
Singh, Skinner, Spence Tranter, Yardley and Young;  
Mr Ager.

**Officers:**           **West Midlands Fire Service**  
Deputy Chief Fire Officer (P Hales);  
Assistant Chief Fire Officer (G Taylor);  
Group Commander S Barry, Group Commander B Diamond,  
Area Commander P Burnham, J Connor.

**Clerk and Monitoring Officer**  
N Sharma  
R Jones.

**Treasurer**  
Stuart Kellas.

**Apology:**           Councillor Harley.

13/14

**Chair's Announcements**

The Chair invited all members to the Service's Band Concert, which marked its 30th Anniversary, to be held at Sutton Town Hall on 4th October, 2014. He asked members to get in touch with Alison Newis if they wished to attend.

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He also reminded members that the official opening of Haden Cross Community Fire Station was to be held on the afternoon of 6th September, 2014. Alison Newis was again the contact if members were going to attend.

The Deputy Chief Fire Officer, as President of the Service's Band, also promoted its 30th Anniversary event on 4th October, 2014.

He also updated members with regard to the firefighter industrial action and indicated that the Service had so far had no significant incidents during industrial action and that a reduced service had been maintained with existing and contingency crews. A dialogue had been initiated at a national level with the new Fire Minister and the Fire Brigade Union who had met last week.

### **14/14 PPR and the Integration into Operations**

Members received a presentation from the Assistant Chief Fire Officer, Gary Taylor, on PPR and its integration into operations,

Members were reminded of the Service's Reasons to Believe Campaign (RTB), to encourage the public to visit the Service's website and discover all of the areas of work which the Service undertook. The Service maintained 38 fire stations, with 41 PRLs and 19 BRVs and 1322 whole time Firefighters and 57 Technical Rescue staff. In order to maintain excellence these personnel received 16 hours training per week and since they were whole time employees this allowed them to pursue prevention and protection activities, particularly with vulnerable members of the community and businesses.

Through the delivery of The Plan the Service was changing and work had been progressing on a new Community Risk Strategy over the last six months. Over the last ten years the Service had developed specialists to assist its response and prevention functions. They had performed low level safety work, but had operated separately. Current thinking was that there was a better way of managing risk within the West Midlands.

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Operation One Team related to the performance management framework and was more focussed on delivery to the public, with some support service changes too. Members were informed of how this related to the Prevention, Protect and Response areas within The Plan and in particular how the Service had advised the Jayplas site owners following the serious incident at the recycling plant with regard to additional water points and “drenchers” being installed and the use of carbon fibre to cover the “fork” of fork lift trucks to prevent sparks.

It was intended that an integrated Community Risk Reduction Strategy would be carried out through front line staff improving their working relationships and partnerships on a day to day basis. To provide additional resilience for the Service “specialist” personnel, who had usually been firefighters before taking up their roles, had been asked to maintain their firefighter training. This would allow flexibility at “pinch” points, e.g. the first day of sickness absence by a firefighter, to ensure that vehicles were fully manned when called out.

Due to the high number of false alarms or non-category 1 incidents to which the Service was called out the use of Business Support Vehicles (BSVs) offered a more economical and efficient method of response. The provision of fire safety advice at these incidents often ensured that a similar occurrence was not repeated.

To promote collaborative working, which everyone could see the benefits of, various initiatives had been undertaken to gain feedback, including a questionnaire that had been issued to all staff, focus groups and forums and talking to other Fire Services to see what they were doing in this area.

The following responses were made to members’ questions and enquiries:-

Did Service officers have a right to enter premises, particularly houses in multiple occupation (HMOs), to give advice or did they have to be invited?

- The Fire Service Act gave a right to enter premises if it was believed that a risk existed there. The Service operated an on-going Inspection Programme for flats, hotels and business premises.

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The responsibility for safety of premises rested with the owner, however, the Service would give advice on what action was required to improve fire safety when it inspected. If a complaint was made by a member of the public about a fire safety issue at any premises then the Service had a statutory duty to inspect. Regulations in 2005 had transferred the emphasis from the Service to the owners of property to become compliant with fire safety. The Service always tried to work in partnership with owners to advise what action was required of them before any enforcement process was initiated.

#### **Staffing numbers of BSVs**

- BRVs had three staff and PRLs had five. Eight was the staffing number the Service would wish to maintain for high risk incidents. BSVs were staffed by volunteers and the Service was trying their operation on a seven day per week basis, to see how many it would require. Five bases had been suggested – two in Birmingham and three in the rest of the Authority's area.

Universities often seemed to have problems with fire alarms, particularly at the beginning of term

- The Service attended “freshers” weeks at universities to talk to and engage with students about fire safety and worked in partnership with the universities to this end. However, HMOs were required to be registered with local authorities or the Fire Authority and as such were dealt with differently than personal rooms/accommodation.

Could the Authority take any action in circumstances where householders “hoarded” rubbish and so were a potential threat to neighbouring properties in the event of fire.

- This was an issue. Council tenants could be dealt with under their tenancy conditions; however, this did not apply to private householders. The Service used its branding and reputation to access properties to a certain extent and worked closely with environmental health officers who had some limited powers in these circumstances. The network of Vulnerable Person Officers was increasing and through them the Service tried to get contact details of vulnerable persons' relatives and friends who might be able to assist if an incident did occur.

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Did the fire safety advice provided for businesses infringe on the operation of any consultancies which also offered such advice?

- Officers provided limited advice and there were companies who could offer businesses the whole package or advise them how they could do it. The Service did and could charge if it provided anything more than normal advice. It did often focus on more complex premises and some companies sought out the Service's fire specialist company to advise them on fire safety for their businesses or premises.

**15/14      Management of Occupational Road Risk**

Members received a presentation on how the Service managed its Occupational Road Risk in relation to its Emergency Response Fleet.

The Emergency Response Fleet currently comprised 54 Flexible Duty Officers and 3 Principal Officers. All these officers used their own private cars, which gave limited management control, and this was now considered to be an unacceptable risk, particularly due to requirements under the Road Safety Act 2006 that were likely to be enacted in November, 2014. Of the 46 English and Welsh Fire and Rescue Services only five used private cars for emergency response and three of these were currently reviewing this policy. Ambulance and Police service staff all used provided vehicles.

The risks of using private vehicles were reported as:-

- Litigation in the event of a collision
- Corporate Manslaughter
- Reputational issues:
  - New legislation
  - Limited organisational control
  - Vehicles and personnel responding to incidents in private cars
  - Insurance
  - Extreme weather conditions
  - National response

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The scale of the problem with regard to the number of officer mobilisations and the incidences of road fatalities of persons who were at work were reported and it was noted that the fine recommended for corporate manslaughter was above £500k.

The Service's fleet vehicles had proper equipment storage compartments. Due to the amount of kit required to be available, in a private vehicle this meant that it was stowed in the boot or footwell areas which was not efficient and could be dangerous in an accident.

Members were informed of the likely costs of continuing with private vehicles and the use of leased or purchased fleet vehicles. It was reported that the continued use of private vehicles was an unsustainable risk in comparison to provided vehicles which would enable effective control. Furthermore the use of leased vehicles was costly and offered only limited assurance, whilst purchased vehicles were cost effective and provided effective assurance and control.

Members questioned the insurance arrangements currently in place for those officers currently using their own vehicles to respond to an emergency and noted that some insurance companies claiming to cover blue light response actually did not. It was noted that there was varying advice nationally on whether appropriate blue light response insurance cover was being provided for private vehicles. It was also asked whether officers' home insurance was likely to cover the cost of the kit when it was not being stowed in the vehicle.

The proposal was that purchased vehicles would be provided for officers to respond to emergencies. These vehicles would be maintained to an equivalent standard of other WMFS fleet vehicles and would have a standard stowage and blue light fit out to reduce health and safety and occupational road risk. Further consideration would be given to the vehicles potentially showing some limited or removable Service branding.

It was noted there would be an initial capital outlay for the provided fleet however by purchasing through a recognised emergency vehicle purchase scheme the asset depreciation would be minimal. Other authorities used these schemes to sell and replace their vehicles after three years.

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There would be no additional cars purchased to cover those being serviced in the fleet as the current pool vehicles could be used in those circumstances.

Members were supportive of the proposals to further investigate the purchase of vehicles for Emergency Response officers, particularly in view of the increase in risk indicated by imminent legislation. A further report would be brought to the Authority.

(Meeting ended at 12.22 pm)

Contact Officer: Rosemary Jones Democratic Services Unit Sandwell Metropolitan Borough Council 0121 569 3896
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