

**ESSEX FIRE AUTHORITY**  
Essex County Fire & Rescue Service



**Cultural Review Sub-Group**

|              |  |   |
|--------------|--|---|
| <b>10:30</b> | <b>Wednesday, 10<br/>February 2016</b> | <b>ECFRS<br/>Headquarters,<br/>Kelvedon Park,</b> |
|--------------|--|---|

**\*Please note: This Committee will commence at the time shown above, or on the rise of the Principal Officers Human Resources Committee meeting to be held that morning, whichever is the later.**

**Quorum: 2**

**Membership**

Councillor A Holland  
Councillor B Aspinell  
Councillor A Erskine  
Councillor C Guglielmi  
Councillor C Kent

Chairman

**For information about the meeting please ask for:  
Judith Dignum (Committee Services Manager, Essex County Council)  
03330134579 / [judith.dignum@essex.gov.uk](mailto:judith.dignum@essex.gov.uk)**

## **Essex Fire Authority and Committees Information**

Meetings of the Authority and its committees are open to the press and public, although they can be excluded if confidential information is likely to be considered.

Meetings are held at Essex County Fire and Rescue Service Headquarters, Kelvedon Park, Rivenhall, Witham, CM8 3HB. A map can be found on the Essex County Fire and Rescue Service's website ([www.essex-fire.gov.uk](http://www.essex-fire.gov.uk)); from the Home Page, click on 'Contact Us'.

There is ramped access to the building for wheelchair users and people with mobility disabilities.

Please report to Reception when you arrive. The meeting rooms are located on the ground and first floors of the building and are accessible by lift where required.

If you have a need for documents in an alternative format, in alternative languages or in easy read please contact the Committee Services Manager (contact details on the front page) before the meeting takes place. If you have specific access requirements please inform the Committee Services Manager before the meeting takes place.

The agenda is also available on the Essex County Fire and Rescue Service website, ([www.essex-fire.gov.uk](http://www.essex-fire.gov.uk)). From the Home Page, click on 'Essex Fire Authority', then scroll down the page and select the relevant documents.

## **Part 1**

(During consideration of these items the meeting is likely to be open to the press and public)

### **Pages**

- |          |  |              |
|----------|--|--------------|
| <b>1</b> | <b>Apologies for Absence</b>   |              |
| <b>2</b> | <b>Declarations of Interest</b><br>To note any declarations of interest to be made by Members in accordance with the Members' Code of Conduct. |              |
| <b>3</b> | <b>Minutes</b><br>To approve as a correct record the minutes of the Sub-Group held on 7 January 2016.  | <b>5 - 8</b> |

### **Decision Items**

### **Information Items**

- |          |  |               |
|----------|--|---------------|
| <b>4</b> | <b>Progress report on the delivery of the work programme required to improve the culture of Essex County Fire and Rescue Service</b><br>To receive a report by the Acting Chief Fire Officer (EFA/023/16). | <b>9 - 16</b> |
| <b>5</b> | <b>Date of Next Meeting</b><br>To note that the next meeting of the Sub-Group will take place on Thursday 10 March 2016 at 10.00 am.   |               |
| <b>6</b> | <b>Urgent Business</b><br>To consider any matter which in the opinion of the Chairman should be considered in public by reason of special circumstances (to be specified) as a matter of urgency.          |               |

## **Exempt Items**

(During consideration of these items the meeting is not likely to be open to the press and public)

To consider whether the press and public should be excluded from the meeting during consideration of an agenda item on the grounds that it involves the likely disclosure of exempt information as specified in Part I of Schedule 12A of the

Local Government Act 1972 or it being confidential for the purposes of Section 100A(2) of that Act.

In each case, Members are asked to decide whether, in all the circumstances, the public interest in maintaining the exemption (and discussing the matter in private) outweighs the public interest in disclosing the information.

**7**

**Urgent Exempt Business**

To consider in private any other matter which in the opinion of the Chairman should be considered by reason of special circumstances (to be specified) as a matter of urgency.



**Minutes of a Meeting of the Cultural Review Sub-Group of the Principal Officers  
Human Resources Committee held on Wednesday 7 January 2016 at 10.00am**

**Present:**

|                        |          |
|------------------------|----------|
| Councillor A Holland   | Chairman |
| Councillor B Aspinell  |          |
| Councillor A Erskine   |          |
| Councillor C Guglielmi |          |
| Councillor C Kent      |          |

The following Officers were present in support throughout the meeting:

|                        |  |
|------------------------|--|
| Adam Eckley            | Acting Chief Fire Officer                            |
| Lindsey Stafford-Scott | Director of HR and Organisational Development        |
| Philip Thomson         | Clerk and Monitoring Officer to Essex Fire Authority |
| Judith Dignum          | Secretary to the Committee                           |

**1. Declarations of Interest**

The Chairman reminded Members that they should declare any interests at this point or during consideration of the appropriate agenda item.

**2. Progress Report on the delivery of the work programme required to improve the culture of Essex County Fire and Rescue Service**

The Sub-Group received report EFA/001/16 by the Acting Chief Fire Officer which provided a progress update on action taken since the last meeting towards the delivery of the work programme required to improve the culture within Essex County Fire and Rescue Service (ECFRS). Members noted that a revised version of the report had been circulated following the original despatch of the agenda for the meeting, to reflect the decision to withdraw the anticipated report by the Chairman of the Expert Advisory Panel in favour of a more detailed report, to be included on the agenda for the special meeting of Essex Fire Authority on 13 January.

In presenting the report, the Acting Chief Fire Officer advised that the first formal meeting of the Expert Advisory Panel would take place on 18 January, on the rise of the 2020 Programme Board. He also highlighted that, following the Sub-Group meeting, representatives from SOLACE were due to meet with members of the Principal Officers Human Resources Committee and the Clerk and Monitoring Officer to discuss the outline for an EFA member development programme.

The following points arose from consideration of the report:

- The need for high levels of participation in member development activities was emphasised, and the Sub-Group discussed how this may be achieved. One possibility would be the development of a set of expectations for EFA members, to be adopted formally by the Authority. This could include reference to participation in training opportunities. Any issues with regard to member engagement could be pursued through political groups and, if necessary, raised with the relevant Constituent Authority.
- Action was needed, both to assist Members in communicating their political role to ECFRS staff, and to ensure effective communication of the Authority's work to the Constituent Authorities.
- Work was underway to produce a single-page visual representation of the various work streams relating to future planning of the Service, to show how they fitted together.
- An update on the Retained Duty System (RDS) project would be submitted to the 13 April meeting of Essex Fire Authority.

The report was **noted**.

### **3. Date of Next Meeting**

It was noted that the next meeting of the Sub-Group would take place on Wednesday 10 February 2016 at 10.00am.

### **4. Urgent Business**

The Chairman agreed to consideration of the following items of urgent business on the grounds that there was a need to update Members on developments since the despatch of the agenda for the meeting:

#### **4A: Secondment of Member Services Officer**

The Clerk and Monitoring Officer advised that Basildon Council had expressed an interest in the Member Services Officer secondment opportunity and had been asked to submit a firm proposal by 8 January.

In response to delays caused by staffing changes at Brentwood Borough Council, the Sub-Group agreed that the Council should be offered a further opportunity to consider the secondment, albeit with an immediate response required.

#### **4B: Transfer of ministerial responsibility for fire and rescue policy**

The Acting Chief Fire Officer updated the Sub-Group on the recent decision by the Government to transfer responsibility for fire and rescue service policy from the Department for Communities and Local Government to the Home Office. The Rt Hon Mike Penning MP, formerly a firefighter with Essex County Fire and Rescue Service, had been appointed as Minister for Policing, Fire, Criminal Justice and Victims with effect from 5 January 2016.

## **5. Exclusion of the Press and Public**

### **Resolved**

That, having decided that, in all the circumstance, the public interest in maintaining the exemption (and discussing the matter in private) outweighed the public interest in disclosing the information, the press and public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as specified in Part 1 of Schedule 12A of the Local Government Act 1972

## **6. Early Retirement Options: Application for Early Retirement**

The Sub-Group considered report EFA/002/16 by the Director of Human Resources and Organisational Development which presented an application for early retirement received from a Principal Officer. A decision was sought as to whether to recommend the application for approval by Essex Fire Authority at its meeting on 13 January.

The report further advised that an expression of interest in early retirement had been received from another Principal Officer. As this had not progressed sufficiently for consideration at the meeting, authority was sought for any subsequent application to be submitted direct to Essex Fire Authority on 13 January, without further reference to the Sub-Group.

The Clerk and Monitoring Officer advised that responsibility for making recommendations on issues such as that currently before the Sub-Group had been delegated to the Principal Officers Human Resources Committee. However, as the Sub-Group comprised members of that Committee, it could proceed on this occasion, with more formal arrangements to be put in place for the future if required.

The Sub-Group gave detailed consideration to the business case for the application, noting that the financial implications could be met from within the previously approved provision for meeting costs associated with the ongoing staffing review.

The following points arose from consideration of the report:

- The Acting Chief Fire Officer confirmed his responsibility for the realignment of areas of work associated with posts to be discontinued, offering assurance that a satisfactory approach had been identified in this case.
- The Clerk and Monitoring Officer confirmed that, although law on the issue was complex, in general it was not considered good practice to re-engage in a consultancy role someone who had recently left an organisation by virtue of the discontinuation of their post.

### **Resolved:**

1. That the application for early retirement identified in report EFA/002/16 be recommended for approval by Essex Fire Authority at its meeting on 13 February 2016.

2. That any subsequent application for early retirement arising from the expression of interest identified in report EFA/002/16 be submitted direct to the meeting of Essex Fire Authority on 13 January 2016, without further reference to the Sub-Group.
3. That, if required, appropriate formal governance arrangements (delegated authority) be put in place to allow the Sub-Group to consider similar applications made by Principal Officers and make recommendations to Essex Fire Authority.

## **7. Urgent Exempt Business**

The Chairman agreed to consideration of the following item of urgent business on the grounds that there was a need to update Members on developments since the despatch of the agenda for the meeting.

### **7A: Chief Fire Officer**

The Clerk and Monitoring Officer updated the Sub-Group on the current position with regard to the Chief Fire Officer. In so doing, he emphasised the need for complete confidentiality with regard to the matters raised.

The meeting closed at 11.45am.

Signed.....

Chairman  
10 February 2016



# ESSEX FIRE AUTHORITY

## Essex County Fire & Rescue Service



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MEETING

**Principal Officers' Human  
Resources Committee**

AGENDA ITEM

**4**

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MEETING DATE

10 February 2016

REPORT NUMBER

**EFA/023/16**

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SUBJECT

**Progress report on the delivery of the work programme required to improve the culture within ECFRS.**

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REPORT BY

Acting Chief Fire Officer – Adam Eckley

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PRESENTED BY

Acting Chief Fire Officer – Adam Eckley

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### **SUMMARY**

The purpose of the report is to provide Members of the Principal Officers' Human Resources Committee with a progress report on the delivery of the work programme required to improve the culture within ECFRS. This supports the resolutions reached by Essex Fire Authority at its meeting of 7<sup>th</sup> October 2015.

### **RECOMMENDATIONS**

Members of the Principal Officers' Human Resources Committee are asked to note the contents of this report and the progress report provided by the Chairman of the Expert Advisory Panel attached as Appendix A.

### **BACKGROUND**

At its meeting on 7<sup>th</sup> October 2015 Essex Fire Authority accepted, in full, the 35 recommendations made within the report of the Independent Cultural Review of Essex County Fire and Rescue Service (conducted by Irene Lucas CBE). The report itself was received by the Authority on 2<sup>nd</sup> September 2015.

In addition to accepting the recommendations a number of other resolutions were reached at the 7<sup>th</sup> October meeting, amongst which was that Essex Fire Authority:

3. Instructs the Acting Chief Fire Officer to report progress to every meeting of Essex Fire Authority for a minimum of 24 months.

In the four months that have elapsed since the meeting of Essex Fire Authority on 7<sup>th</sup> October, the Acting Chief Fire Officer, members of the Strategic Management Board and Members of Essex Fire Authority have met with and benefited from the support and guidance of members of the Expert Advisory Panel and monthly meeting arrangements have now been formalised. Since the last progress report the following key actions have been taken:

1. Progressed further the management review in relation to which it can be confirmed that:
  - a) Members of the Essex Fire Authority received a report of the findings and recommendations in relation to the first stage of the management review at its meetings held on 13<sup>th</sup> January 2016. The recommendations in terms of the proposed management structure we agreed as were the suggested next steps.
  - b) Director HR & OD and key HR & OD staff have commenced the work to determine in detail the next steps in delivering this first two tiers of the revised management structure, including addressing any transitional management capability and capacity that will be necessary to support the Service as it seeks to deliver significant organisational change and transformation.
  - c) The Acting Chief Fire Officer has met with Natasha Edmunds along with Director HR & OD and key HR & OD staff to explore the following:
    - The requirements for the transitional management structure.
    - Agree what transitional management structure will look like and the duration and tenure of roles within it.
    - A realistic plan for the delivery of the transitional management structure.
    - Our communication approach to the staff affected.
    - Our communication approach for the remainder of the organisation.
    - Key messages and when and how they will be delivered.
    - Next steps including reporting to POHR committee and EAP and progress monitoring activity.
2. The Independent Review Action Plan was presented formally to Essex Fire Authority on 13<sup>th</sup> January 2016. Progress against this plan will now be monitored through the monthly meetings of the Expert Advisory Panel, the next meetings of which is to be held on Tuesday 16 February 2016.
3. Following the meeting of the POHR committee held on 7<sup>th</sup> January a number of lead consultants from the Society of Local Authority Chief Executives (SOLACE), who have been engaged by the Service to support this work support the proposed programme of development for elected members and officers, have met with the EFA Chairman, Vice Chairman and EFA Group Spokespersons to outline the content and approach for a range of development workshops in the months ahead.

In addition to the information set out above, a progress report, prepared by the Chairman of the Expert Advisory Panel, Steve McGuirk CBE, is attached as Appendix A for the consideration of Members of the Principal Officers' Human Resources Committee.

## RISK MANAGEMENT IMPLICATIONS

Failure to effectively address the issues identified within the Independent Review of Culture present significant risk to the Service and the Essex Fire Authority not least as the report suggests that without significant change our employees and the communities they serve may be at risk.

The information set out in this report and in **Appendix A** supports the delivery of the work programme required to improve the culture within ECFRS.

## FINANCIAL IMPLICATIONS

The costs over a 24 month period for the Expert Advisory Panel to support this work are estimated to total £400k. Around £100k of this is expected to fall in the current financial year. This report presents the progress that has been made to date and does not alter the financial implications already presented.

## LEGAL IMPLICATIONS

Failure to effectively address the issues identified within the Independent Review of Culture present significant risk to the Service and the Essex Fire Authority not least as the report suggests that without significant change our employees and the communities they serve may be at risk.

The information set out in this report sets out the progress made in the delivery of the work programme required to improve the culture within ECFRS and therefore serve to lessen any potential litigation presented by the risks identified within the Independent Review of Culture.

## EQUALITY IMPLICATIONS

Failure to implement the Independent Review Action Plan and address the associated recommendations could result in the Service failing to meet its obligations under the Equality Act 2010.

## ENVIRONMENTAL IMPLICATIONS

There are no direct environmental implications arising from this report.

| <b>LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985</b>  |   |
|---|---|
| <b>List of appendices attached to this paper:</b><br>Appendix A – Third progress report by the Expert Advisory Panel  |   |
| <b>List of background documents (not attached):</b><br>Independent Cultural Review of Essex County Fire and Rescue Service, EFA/081/15, EFA/082/15, EFA/096/15, EFA/097/15, EFA/098/15, EFA/099/15, EFA /104/15 and EFA/105/15. |   |
| Proper Officer:   | <b>Acting Chief Fire Officer, Adam Eckley</b>   |
| Contact Officer:  | <b>Acting Chief Fire Officer, Adam Eckley</b><br>Essex County Fire & Rescue Service, Kelvedon Park, London Road, Rivenhall, Witham CM8 3HB<br>Tel: 01376 576000<br>E-mail: <a href="mailto:adam.eckley@essex-fire.gov.uk">adam.eckley@essex-fire.gov.uk</a> |



## PROGRESS REPORT – EXPERT ADVISORY PANEL

### INTRODUCTION:

This is the third progress report to the Committee from me, as the Chair of the Expert Advisory Panel

I don't propose to say too much about the environment and context here, as this has been considered extensively in previous updates.

But it is worth making a couple of points that will continue to have an impact on the direction of travel for the Service and the Authority, but also the work of the Panel:

### CONTEXT:

- *A consultation paper around moving governance responsibility for fire and rescue from Fire Authorities to local Police and Crime Commissioners was published last year - and the Government has now published its response.*
- *In summary, the Government has confirmed that it intends to bring forward legislation to enable this to happen, following the next Police and Crime Commissioner elections and where there is an appetite locally to do so.*
- *Although, the government has stressed the belief that it believes this is the right thing to do, they are not directing the change to happen, they have made clear an expectation that "it should happen" – and the expectation that it will rather than extensive cases built to avoid the change.*
- *Notwithstanding the intention now to change local governance arrangements, the Government announced that responsibility for fire policy would move away from DCLG to the Home Office and Mike Penning MP now has responsibility for fire and rescue.*
- *Much of the detail for what this means, as identified last month, remains to be determined, but the early signals are of an appetite to make the shift significant, and to tackle what some perceive as a legacy of difficult industrial relations and a rigid, somewhat traditional culture in need of modernisation.*
- *Finally, on the issue of context, the Authority has received its financial settlement and analysed the implications - which represent an extremely difficult situation. So, the Authority is currently consulting the public as well as staff and their representatives on a range of options to achieve the best balance between savings and efficiency (see comments at the end of this update on this last point).*

It's important to continue to be explicit that, the issues described here are not directly matters for the Panel - they are clearly the domain of the Fire Authority and the Service.

But it's also important to acknowledge that achieving culture change against these major environmental factors adds another, difficult layer.

So, the context remains relevant to the work of the Panel supporting the Authority and Service.

### **ACTIVITY - FIRST QUARTER 2016**

The first phase of the Panel's role was laying the foundations for change and clearly establishing the role and governance of the Panel. In the last progress report a number of "next steps" were set out for the second phase and these are considered below with a brief overview of the progress against each:

- ***Finalise the report/ review on discipline and grievances with clear recommendations about how to improve - including where external assistance/ support may assist.***

An "emerging findings" report has been drafted and some outline recommendations developed. However, feedback from staff - and in particular managers – has been that they feel they want to contribute more, and they perceive a risk of a one-sided perspective to any recommendations and outcomes.

Whilst there is considerable information available (and a risk of repeating the Lucas review rather than picking up where it left off) the Panel acknowledges that in this area it is vital that there is broad (though not necessarily absolute) agreement to the future approach from all parties involved.

In addition to this perspective, there have also been a number of other cases and matters that have surfaced in the last few weeks and that fit within this aspect of the Panel's work - and require a deeper consideration and examination.

And so, rather than present conclusions as final and non-negotiable - there will now be more engagement with managers and staff and representatives on the emerging findings and reflection on that feedback, and a sense check made before making final recommendations.

There will also be further consideration of the relevance (or otherwise) of the matters recently highlighted to the recommendations going forward.

- ***Move to attending/ supporting the 2020 Programme Board on a monthly basis in a Non-Executive capacity (scrutiny/challenge role - first meeting January 18<sup>th</sup>).***

This has now happened - the first meeting took place in January, the second will be 16<sup>th</sup> February. Members of the Authority who attended those meetings will be able to provide feedback.

- ***Move to monthly EAP meetings to follow the Programme Board - the first of these to accept the agreed action plan and subsequent meetings to sign off progress against key actions.***

As above, this has now happened.

- ***Initiate the sub group of the "Your Voice" staff engagement group (to be chaired by Jim Barbour) as a staff sounding Board for the EAP.***

Jim Barbour has now met with the relevant managers' co-ordinating this activity and will bring an outcome to the next EAP meeting in February.

➤ ***Support the introduction and implementation of the Management Review.***

The Authority has now accepted the recommendations from the first stage of this Review, and the practical, project management arrangements of taking this activity forward have now commenced. Natasha Edmunds has met with the senior managers on a number of occasions and is providing on-going support to the implementation of this transition.

➤ ***Support the proposed programme of development for elected members and officers.***

On-going - SOLACE have been engaged by the Service to support this work and a number of their lead consultants have met with the EFA Chairman, Vice Chairman and EFA Group Spokespersons to outline the content and approach for a range of development workshops. Progress on this activity will be brought through the EAP on an on-going basis

➤ ***Allocate roles and responsibilities for panel members to ensure clarity going forward - and from this any bespoke or specific pieces of work required to be undertaken by individual Panel Members.***

There have been a number of meetings between Panel members and senior managers and a number of dates set aside for Panel members to do specific pieces of work as well as start to engage more widely with the Service - stations, etc.

➤ ***Establish the support arrangements/ programme management arrangements for the Independent Review Action Plan and the work of the POHR Cultural Sub Committee.***

This has now happened - appointments have been made to Member support arrangements and the 2020 Programme team and the Officers concerned are now establishing a clear programme of work, as well as a clear “way of working”. This is to ensure the EAP can make and support progress, but at the same time keep the Fire Authority (through the POHR Sub Committee) fully involved and engaged. The potential governance changes outlined already, though, add a new dimension to managing this transition at the same time as managing progress against the Independent Review Action Plan.

➤ ***Support the continued engagement of government stakeholders - Officials and Ministers - in the transition from DCLG to Home Office and in particular if there are changes around the issue of Inspection.***

On-going.

➤ ***Develop an approach to a six month Reassurance Review (in conjunction with Sir Ken Knight and against the backdrop of the governance changes described already).***

This will be discussed at the next EAP meeting in February.

➤ ***Further develop communications and staff engagement with the panel but without circumventing or cutting across line management or Service Management.***

On-going.

## **CONCLUDING COMMENT:**

It has been helpful to get in to the New Year and to start moving the work of the Panel in to steady state and get in place sustainable governance arrangements and project management arrangements.

It has been said on many occasions that culture change is not something abstract that happens in isolation to the day-to-day activity of the organisation and can be neatly packaged to achieve, regardless of everything going on around. So, some aspects of the work of the Panel will be in facilitating discussion and dialogue - not easily attributed in an action plan - but nevertheless important and hopefully, helpful activity.

And the “day to day” activity of Essex in recent weeks provides a good example of this, as it has been consumed by the consequences of the Autumn Statement and what that means for the whole Fire and Rescue Sector, but Essex in particular.

The options for change, currently being consulted on, all represent unprecedented and enormous change for Essex - even the “least worst” option (least worst from a staff/ staff representative perspective). It is going to be a real challenge to strike the best balance between risk, resources, council tax levels, service delivery and so on.

Its been said already that this is not directly under the remit of the Panel, and we remain anxious for that to be unequivocal - so we have not and will not in any way interfere in this consultation.

But, at the heart of the findings of the Culture Review lies the inability to cope and manage change without confrontation and/or industrial action. And so whilst we have continued to assert our governance position, we have also sought to be helpful and add perspective to the issues under consideration and consultation.

In other words, try to help Members and Senior Officers reflect on striking this tricky balance, and also help staff and their representatives deal with, and engage with, the new economic and political realities (rather than simply try to resist as may have been the case in the past).

We hope this has been helpful - we believe it has because Elected members and Senior Officers have slightly modified the proposed approach to consultation in order to leave the door open to important contributions from staff and the representatives, and not present a fait accompli.

Equally, staff representatives have undertaken to engage with the consultation process and put their efforts in to presenting their arguments and case professionally without the “threat” of industrial action at this stage. That’s not to say anything has been agreed - on the contrary, there are a lot of issues to be considered around risk management, the Integrated Risk Management Plan and the consequences of the options under consideration. But culture change must encompass the ability to agree to disagree on occasions when dealing with difficult change, and appreciating the respective positions and legal authorities, as well as the stakeholder communities of all the parties involved here.

**STEVE McGUIRK CBE, DL, QFSM**