

WEST YORKSHIRE FIRE AND RESCUE AUTHORITY

**MEETING TO BE HELD ON FRIDAY 24 APRIL 2009 AT 10.30 A.M. IN THE
TRAINING AND CONFERENCE SUITE, BIRKENSHAW**

AGENDA

1. CHAIRMAN'S ANNOUNCEMENTS

2. ADMISSION OF THE PUBLIC

The Committee is asked to consider whether, by resolution, to exclude the public from the meeting during the items of business marked with an 'E' reference, because of the possibility of the disclosure of exempt information.

3. URGENT ITEMS

To determine whether there are any additional items of business which, by reason of special circumstances, the Chair believes should be considered at the meeting.

4. DECLARATIONS OF INTEREST

To consider any Declaration of Interest in relation to any item of business on the agenda.

**5. MINUTES OF THE LAST MEETING HELD ON 13 FEBRUARY
2009 (pp 1 - 8)**

(Enclosed)

**6. MINUTES OF THE PERSONNEL AND TRAINING COMMITTEE
AT MEETINGS HELD ON**

a) 27 FEBRUARY 2009 (pp 9 - 14)

b) 3 APRIL 2009 (pp 15 - 19)

(Enclosed)

**7. MINUTES OF THE FINANCE AND RESOURCES COMMITTEE
HELD ON 13 MARCH 2009 (pp 20 - 24)**

(Enclosed)

8. MINUTES OF THE STANDARDS COMMITTEE HELD ON 18 MARCH 2009 (pp 25 - 27)

(Enclosed)

9. LOCAL GOVERNMENT ASSOCIATION MINUTES (pp 28 - 44)

a) Safer Communities Board - 12 January 2009
- 16 March 2009

b) Fire Services Forum - 6 February 2009

c) Fire Services Management Committee - 9 March 2009

(Enclosed where available)

10. MINUTES OF THE REGIONAL MANAGEMENT BOARD HELD ON 26 MARCH 2009 (pp 45 - 53)

(Enclosed)

11. MINUTES OF THE AUDIT COMMITTEE HELD ON 27 MARCH 2009 (pp 54 - 57)

(Enclosed)

12. PERFORMANCE MANAGEMENT REPORT

(Enclosed)

13. CHANGE IN MEMBERSHIP (pp 58 - 61)

(Enclosed)

13. COMPREHENSIVE AREA ASSESSMENT (CAA) PROCESS (pp 62 - 69)

(Enclosed)

15. REGIONAL CONTROL CENTRE – HUMAN RESOURCES ISSUES (pp 70 - 73)

(Enclosed)

16. PROGRAMME OF MEETINGS 2009 – 10 (pp 74 - 75)

(Enclosed)

17. TRANSFER OF NEW DIMENSION ASSETS (pp 76 - 112)

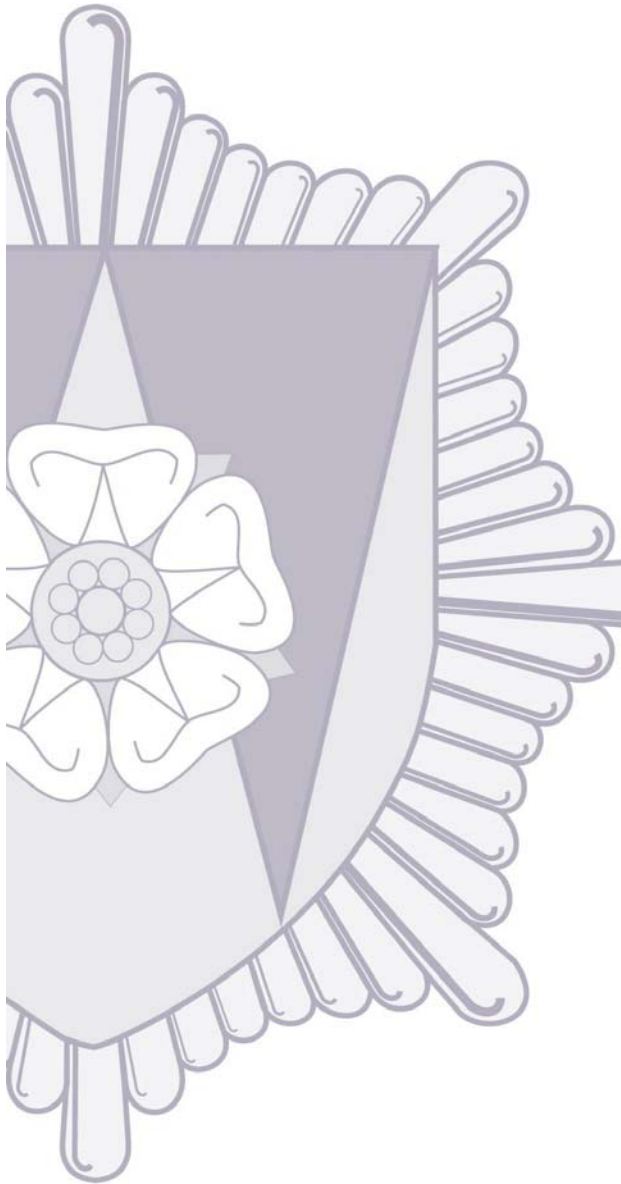
(Enclosed)

18. USAR EXERCISE – PRESENTATION

West Yorkshire Fire & Rescue Service

AGENDA ITEM 12

Performance Management and Activity Report 2008/9



Period Covered: 1 April 2008 –
28 February 2009
Date Issued: 16 April 2009

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1 Introduction/Summary

The purpose of this report is to provide information regarding the performance of West Yorkshire Fire and Rescue Service against selected national and local targets to enable the Authority to measure, monitor and evaluate performance.

The national targets identified in this report are contained within the following performance indicators:

- Best Value Performance Indicators (Corporate Health)
- Best Value Performance Indicators (Service Delivery)
- National Indicators from 1 April 2008

The Best Value indicators inform the ten Comprehensive Performance Assessment (CPA) indicators, which were used by the Audit Commission to determine the performance information element of the service assessment for 2007/8.

CPA service assessment calculations are made by averaging Best Value service delivery indicator performance over a period of one to five years, dependent upon the CPA indicator.

In this report, appropriate and progressive monthly statistics have been utilised to identify trends in performance, with corresponding information regarding the action being taken to address any areas of under-performance. Information regarding a selection of local performance targets has also been provided in this report and comparisons have been made with the previous year's performance.

All data, unless specified, is for the reporting period 1 April – 28 February 2009.







A traffic light system has been employed to provide a straightforward visual indicator of performance against each specific target.

Comparative data, in respect of other Metropolitan Fire Authorities and Local Authorities, will be included periodically in this report, to allow West Yorkshire Fire and Rescue Service to benchmark its performance against those of similar Authorities.

Graphical representation of the performance of West Yorkshire Fire and Rescue Service is available via the Performance Information Management System (PIMS), which is accessed via the Service's intranet/internet site.

2 Target Summary - Overview

Legend

	Purple indicates target not applicable
	Red indicates not achieving target
	Amber indicates satisfactory performance (within 10% of target)
	Green indicates achieving or exceeding target
	Indicator used for CPA reporting process
	Direction of travel, compared to position at this time last year

Targets by Indicator Category

National Corporate Health Indicators	National Service Delivery Indicators	National Indicators from 1 April 2008
BVPI 2(a)	BVPI 142(ii)	NI 33
BVPI 2(b)	BVPI 142(iii)	NI 49
BVPI 3	BVPI 143(i)	
BVPI 8	BVPI 143(ii)	Local Service Indicators
BVPI 11(a)	BVPI 144	Recruitment (Uniform) Ethnic Minorities
BVPI 11(b)	BVPI 146(i)	Recruitment (All) Ethnic Minorities
BVPI 11(c)	BVPI 146(ii)	Recruitment (Uniform) Females
BVPI 12(i)	BVPI 149(i)	Call Handling Times
BVPI 12(ii)	BVPI 149(ii)	Special Service Calls
BVPI 15(i)	BVPI 149(iii)	Incidents – Five Pumps and Above
BVPI 15(ii)	BVPI 206(i)	Home Fire Safety Checks
BVPI 16(a)(i)	BVPI 206(ii)	Compliments/Complaints
BVPI 16(a)(ii)	BVPI 206(iii)	Violence at Work
BVPI 16(b)	BVPI 206(iv)	
BVPI 17(a)	BVPI 207	
BVPI 17(b)	BVPI 208	
BVPI 150	BVPI 209(i)	
BVPI 210	BVPI 209(ii) (a)	
	BVPI 209(ii) (b)	
	BVPI 209(iii)	

3 Corporate Health Indicators

Corporate Health – Performance

BVPI	Description	Cumulative Year to Date Performance												Direction of Travel compared to position at this time last year	Target Full Year	Comment
		To 30 Apr	To 31 May	To 30 Jun	To 31 Jul	To 31 Aug	To 30 Sep	To 31 Oct	To 30 Nov	To 31 Dec	To 31 Jan	To 28 Feb	To 31 Mar			
BVPI 2(a)	The level (if any) of the Equality Standard for Local Government to which the Authority conforms	3	3	3	3	3	3	3	4	4	4	4		↑	4	Changes to the Framework will take effect from April 09. Action plans are in place to achieve the excellence level by 2010
BVPI 2(b)	The duty to promote race equality	95%	95%	95%	95%	95%	100%	100%	100%	100%	100%	100%		↑	95%	Partnership has been formed with Kirklees MC and StopHate UK which will allow us to capture the remaining information.
BVPI 3	<p>The percentage of citizens satisfied with the overall service provided by the Authority.</p> <p>The result for BVPI 3 is obtained from a three-yearly survey carried out in conjunction with West Yorkshire local authorities.</p> <p>The most recent result was obtained in April 2007. In the previous report dated April 2004, the result obtained was 61.2%.</p>										51.0%		↔	N/A	Similar results for other West Yorkshire authorities, but most recent QOS survey showed satisfaction levels of 98% for persons who have actually come into contact with WYFRS.	
BVPI 8	The percentage of invoices for goods and services paid by the Authority within 30 days	96.3%	96.8%	97.4%	97.4%	97.5%	96.8%	97.1%	97.3%	97.5%	97.5%	97.4%		↓	100%	Progressive roll-out of the corporate credit card will increase the proportion of invoices paid within 30 days.

BVPI	Description	Cumulative Year to Date Performance												Direction of Travel compared to position at this time last year	Target Full Year	Comment
		To 30 Apr	To 31 May	To 30 Jun	To 31 Jul	To 31 Aug	To 30 Sep	To 31 Oct	To 30 Nov	To 31 Dec	To 31 Jan	To 28 Feb	To 31 Mar			
BVPI 11(a)	The percentage of the top 5% of earners who are women	4.35%	4.42%	4.35%	4.59%	4.63%	4.85%	4.76%	4.50%	4.55%	4.55%	4.55%	4.55%	↓	3.00%	Shortlisting process is taking place to identified mentors and they will receive training in 2009
BVPI 11(b)	The percentage of the top 5% of earners who are from ethnic minority communities	0.00%	0.00%	0.00%	0.00%	0.00%	0.97%	0.95%	0.90%	0.91%	0.91%	0.91%	0.91%	↑	0.75%	Shortlisting process is taking place to identified mentors and they will receive training in 2009
BVPI 11(c)	The percentage of the top 5% of earners who have a disability	2.61%	2.65%	2.61%	2.75%	1.85%	0.97%	0.95%	0.90%	1.82%	1.82%	1.82%	1.82%	↓	1.60%	Changes to this indicator are due to retirement of personnel.
BVPI 12(i)	The number of working days/shifts per employee lost due to sickness absence – Uniformed Staff	0.63	1.23	1.91	2.51	3.05	3.54	4.11	4.68	5.41	5.96	6.47	6.47	↑	6.50	Revised sickness protocols and robust management continue, including dismissal of some individuals on long term sickness.
BVPI 12(ii)	The number of working days/shifts per employee lost due to sickness absence – All Staff	0.70	1.32	1.99	2.65	3.25	3.83	4.47	5.05	5.84	6.45	6.98	6.98	↑	6.75	Systems development is still under way to provide a more effective breakdown and identify any trends.

BVPI	Description	Cumulative Year to Date Performance												Direction of Travel compared to position at this time last year	Target Full Year	Comment	
		To 30 Apr	To 31 May	To 30 Jun	To 31 Jul	To 31 Aug	To 30 Sep	To 31 Oct	To 30 Nov	To 31 Dec	To 31 Jan	To 28 Feb	To 31 Mar				
BVPI 15(i)	Employees retiring on ill health grounds as a percentage of the total workforce – Firefighters Pension Scheme	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%		↑	0.65%	There is a robust policy framework supporting this performance. Redeployment procedures assist with keeping these figures at a low level.
BVPI 15(ii)	Employees retiring on ill health grounds as a percentage of the total workforce – Local Government Pension Scheme	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.24%	0.24%	0.24%	0.24%	0.24%	0.24%		↓	0.80%	
BVPI 16a(i)	The percentage of whole time and retained duty system employees with a disability	1.91%	1.88%	1.83%	1.85%	1.73%	1.60%	1.60%	1.61%	1.80%	1.78%	1.79%			↓	1.90%	Two employees have been confirmed as being dyslexic and a workplace assessment has resulted in re-deployment.
BVPI 16a(ii)	The percentage of control and non-uniformed employees with a disability	13.32%	13.28%	12.83%	12.80%	13.01%	12.53%	12.80%	12.32%	12.62%	12.41%	12.24%			↓	12.00%	
BVPI 16(b)	The percentage of the economically active population in FRS area with a disability											15.34%		↔	N/A	Figure obtained from census data and provided for information only.	
BVPI 17(a)	Percentage of all staff from all minority ethnic communities	2.3%	3.7%	3.8%	3.9%	3.9%	4.0%	4.0%	4.0%	4.1%	4.1%	4.1%			↑	7.9%	2 BME staff on the trainees course but one has been back squadded due to injury.

BVPI	Description	Cumulative Year to Date Performance												Direction of Travel compared to position at this time last year	Target Full Year	Comment	
		To 30 Apr	To 31 May	To 30 Jun	To 31 Jul	To 31 Aug	To 30 Sep	To 31 Oct	To 30 Nov	To 31 Dec	To 31 Jan	To 28 Feb	To 31 Mar				
BVPI 17(b)	The percentage of the economically active population in FRS area from ethnic minority communities												18.1%		↑	N/A	Figure obtained from census data and provided for information only.
BVPI 150	Expenditure per head of population on the provision of fire and rescue services												£38.79		N/A	£41.21	The figure reported is 2007/8 outturn (target £39.78) which has now been confirmed.
BVPI 210	The percentage of female firefighters	2.45%	2.64%	2.71%	2.75%	2.75%	2.72%	2.91%	2.87%	2.88%	3.20%		3.21%		↑	14.00%	There are 6 women on the January Training Course, 2 RDS and 4 Wholetime.

Corporate Health – Local Indicators

BVPI	Description	Cumulative Year to Date Performance												Target Full Year	Comment
		To 30 Apr	To 31 May	To 30 Jun	To 31 Jul	To 31 Aug	To 30 Sep	To 31 Oct	To 30 Nov	To 31 Dec	To 31 Jan	To 28 Feb	To 31 Mar		
Local	Uniformed recruits from all ethnic minority communities as a percentage of total uniformed recruits	Nil	13.16%	13.95%	13.64%	12.50%	8.86%	7.61%	7.45%	7.29%	7.57%	8.27%		8.0%	There were no BME trainees on the September course.
Local	Percentage of all staff recruited from all ethnic minority communities	-	12.24%	14.93%	13.51%	13.41%	11.38%	10.14%	10.20%	10.83%	9.95%	10.10%		8.0%	Measure introduced in May 2008 to align with the new national Equality and Diversity Strategy - includes staff recruited for both uniformed and non-uniformed posts.
Local	Uniformed female recruits as a percentage of total uniformed recruits	Nil	10.53%	9.30%	9.09%	10.42%	7.69%	9.89%	9.68%	9.47%	11.45%	11.36%		8.0%	Three women trainees on the May and September courses.

4 Service Delivery Indicators

Service Delivery Indicators – Performance

BVPI	Description	Cumulative Year to Date Performance												Direction of Travel compared to position at this time last year	Target Full Year	Comment
		To 30 Apr	To 31 May	To 30 Jun	To 31 Jul	To 31 Aug	To 30 Sep	To 31 Oct	To 30 Nov	To 31 Dec	To 31 Jan	To 28 Feb	To 31 Mar			
BVPI 142(ii)	Number of calls to fires attended: Primary fires per 10,000 population	1.82	4.08	6.02	7.84	9.79	11.86	13.72	15.69	17.42	19.23	20.70		↑	29.6	Consistent performance is being maintained against this indicator.
BVPI 142(iii)	Number of calls to: Accidental Fires in Dwellings per 10,000 dwellings	1.22	2.45	3.33	4.40	5.47	6.79	8.01	9.05	10.52	11.69	12.66		↑	17.6	Consistent performance is being maintained against this indicator.
BVPI 143(i)	Number of deaths arising from accidental fires in dwellings per 100,000 population	0.00	0.05	0.09	0.19	0.19	0.19	0.23	0.28	0.37	0.46	0.46		↓	0.70	The current target of 0.70 is based on a 20% reduction from 1999, but the related limit of 1.25 x national average requires a target of no more than 0.42 (9 deaths) for this indicator.
BVPI 143(ii)	Number of Injuries arising from accidental fires in dwellings per 100,000 population	0.88	1.62	2.08	2.54	3.38	4.12	4.63	4.95	6.33	6.14	6.74		↓	11.71	Consistent performance is being maintained against this indicator.
BVPI 144	The percentage of accidental fires in dwellings confined to room of origin	86.1%	87.6%	88.5%	89.0%	89.7%	89.7%	89.99%	90.52%	89.83%	90.09%	90.49%		↑	94.9%	Performance trend improving – training taking place to ensure consistent reporting.

BVPI	Description	Cumulative Year to Date Performance												Direction of Travel compared to position at this time last year	Target Full Year	Comment
		To 30 Apr	To 31 May	To 30 Jun	To 31 Jul	To 31 Aug	To 30 Sep	To 31 Oct	To 30 Nov	To 31 Dec	To 31 Jan	To 28 Feb	To 31 Mar			
BVPI 146(i)	Number of calls to malicious false alarms per 1000 population – not attended	0.04	0.09	0.13	0.18	0.23	0.27	0.30	0.35	0.37	0.39	0.42		↑	1.3	Figures adjusted since last report following change to align calculation method more closely with the other Mets
BVPI 146(ii)	Number of calls to malicious false alarms per 1000 population – attended	0.05	0.10	0.14	0.19	0.22	0.25	0.30	0.35	0.39	0.44	0.49		↑	0.9	Consistent performance is being maintained against this indicator.
BVPI 149(i)	False alarms caused by automatic fire detection apparatus per 1000 non domestic properties	6.91	13.67	20.29	27.99	35.14	43.29	51.07	57.93	64.14	70.04	75.93		↓	114.6	Consistent performance is being maintained against this indicator.
BVPI 149(ii)	Number of those properties in 149i with more than one attendance	50	127	199	290	369	448	532	607	668	726	793		↓	1,247	Consistent performance is being maintained against this indicator.
BVPI 149(iii)	Percentage of false alarms caused by AFD to a non-domestic property with more than one attendance	23.7%	33.4%	38.9%	42.1%	45.42%	46.7%	48.92%	50.26%	51.01%	52.08%	52.82%		↓	67.8%	Consistent performance is being maintained against this indicator.


BVPI	Description	Cumulative Year to Date Performance												Direction of Travel compared to position at this time last year	Target Full Year	Comment
		To 30 Apr	To 31 May	To 30 Jun	To 31 Jul	To 31 Aug	To 30 Sep	To 31 Oct	To 30 Nov	To 31 Dec	To 31 Jan	To 28 Feb	To 31 Mar			
BVPI 206(i)	Number of deliberate primary fires (excluding vehicles) per 10,000 population	0.27	0.70	1.03	1.28	1.67	2.02	2.37	2.74	2.99	3.29	3.51		↑	8.1	Consistent performance is being maintained against this indicator.
BVPI 206(ii)	Number of deliberate primary fires in vehicles per 10,000 population	0.72	1.60	2.46	3.25	4.03	4.88	5.57	6.45	6.98	7.61	8.15		↑	12.1	Consistent performance is being maintained against this indicator.
BVPI 206(iii)	Number of deliberate secondary fires (excluding vehicles) per 10,000 population	3.56	8.28	11.76	15.00	17.88	21.10	24.94	29.15	31.34	33.65	35.70		↑	56.4	Long term trend is positive.
BVPI 206(iv)	Number of deliberate secondary fires in vehicles per 10,000 population	0.05	0.10	0.17	0.22	0.26	0.31	0.34	0.38	0.41	0.44	0.48		↑	1.7	Consistent performance is being maintained against this indicator.
BVPI 207	Fires in non-domestic premises per 1000 non-domestic premises	0.56	1.33	1.90	2.53	3.28	3.94	4.35	4.94	5.47	6.17	6.78		↑	10.7	Performance against this target varies month to month, however the long term trend indicates consistent activity with previous year.
BVPI 208	The percentage of people in accidental dwelling fires who escape unharmed without FRA assistance	86.9%	85.6%	86.6%	86.2%	85.7%	86.4%	87.37%	87.59%	88.13%	88.19%	88.24%		↓	94.1%	Continued reduction in the number of accidental dwelling fires makes this figure harder to reduce as a percentage

BVPI	Description	Cumulative Year to Date Performance												Direction of Travel compared to position at this time last year	Target Full Year	Comment
		To 30 Apr	To 31 May	To 30 Jun	To 31 Jul	To 31 Aug	To 30 Sep	To 31 Oct	To 30 Nov	To 31 Dec	To 31 Jan	To 28 Feb	To 31 Mar			
BVPI 209(i)	The percentage of fires attended in dwellings where a smoke alarm had activated	55.8%	51.3%	49.9%	49.8%	50.1%	51.4%	50.33%	48.99%	49.54%	49.66%	49.37%		↑	36.1%	Performance against this target has improved significantly and consistently since November 2006.
BVPI 209(ii) a	The percentage of fires attended in dwellings where a smoke alarm, because it was faulty or incorrectly sited, did not activate	10.9%	10.7%	9.8%	10.3%	9.5%	9.3%	9.0%	8.84%	8.79%	8.75%	8.79%		New indicator	9.7%	This indicator has now been split to distinguish between incidents where a smoke alarm did not activate because there was a problem with the alarm or its location, and those where it did not activate for legitimate reasons.
BVPI 209(ii) b	The percentage of fires attended in dwellings where a correctly sited and working smoke alarm did not activate	5.4%	6.1%	6.9%	6.9%	6.9%	6.7%	7.36%	7.40%	7.53%	8.00%	8.51%		New indicator	N/A	
BVPI 209(iii)	The percentage of fires attended in dwellings where no smoke alarm was fitted	27.9%	31.9%	33.4%	33.1%	33.5%	32.6%	33.3%	34.77%	34.14%	33.58%	33.33%		↑	53.6%	Linked to 209(i). Targeted HFSC activity is delivering significant impact.

Service Delivery – National Indicators from 1 April 2008

NI	Description	Cumulative Year to Date Performance												Direction of Travel compared to position at this time last year	Target Full Year	Comment
		To 30 Apr	To 31 May	To 30 Jun	To 31 Jul	To 31 Aug	To 30 Sep	To 31 Oct	To 30 Nov	To 31 Dec	To 31 Jan	To 28 Feb	To 31 Mar			
NI 33	Arson Incidents (All Deliberate Fires) per 10,000 population	4.60	10.68	15.42	19.75	23.84	28.30	33.22	38.71	41.72	45.00	47.84		New indicator	78.3	Measures the same area of performance as the combined elements of BVPI 206
	Arson Incidents (Deliberate Primary Fires) per 10,000 population	0.99	2.30	3.49	4.53	5.70	6.89	7.94	9.19	9.97	10.90	11.65		New indicator	20.2	Measures the same area of performance as BVPI 206 (i) and (ii) combined
	Arson Incidents (Deliberate Secondary Fires) per 10,000 population	3.61	8.38	11.93	15.22	18.14	21.41	25.28	29.53	31.75	34.10	36.18		New indicator	58.1	Measures the same area of performance as BVPI 206 (iii) and (iv) combined
NI 49	Number of Primary Fires per 100,000 population	18.2	40.8	60.2	78.4	97.9	118.64	137.17	156.93	174.17	192.28	206.95		New indicator	296	Measures the same area of performance as BVPI 142(ii)
	Number of Fire Fatalities per 100,000 population	0.00	0.05	0.09	0.19	0.19	0.23	0.41	0.55	0.60	0.69	0.69		New indicator	0.70	Current target relates only to deaths in Accidental Dwelling Fires as BVPI 143(i)
	Number of Fire Casualties (exc. Preliminary Checks) per 100,000 population	1.16	2.04	2.87	3.79	4.58	5.55	6.24	6.97	7.98	8.89	9.58		New indicator	11.71	Current target relates only to deaths in Accidental Dwelling Fires as BVPI 143(ii)

5 MACC Call Handling Times

BVPI	Description	Cumulative Year to Date Performance												Direction of Travel compared to position at this time last year	Target Full Year	Comment
		To 30 Apr	To 31 May	To 30 Jun	To 31 Jul	To 31 Aug	To 30 Sep	To 31 Oct	To 30 Nov	To 31 Dec	To 31 Jan	To 28 Feb	To 31 Mar			
Local	Time taken from accepting a call from the British Telecom operator, to mobilisation of Fire and Rescue Service resources	56.01	57.73	57.40	57.41	57.20	56.74	56.37	56.81	56.62	56.60	56.70			60 seconds	Performance trend improved consistently during the last year.

6 Best Value Performance Indicators – Comparison with other Metropolitan Fire and Rescue Services

The Metropolitan Fire and Rescue Services share information on a quarterly basis in respect of BVPIs. Although formal reporting against BVPIs ended on 31 March 2008, most Metropolitan FRS's are continuing to collect information against most of the indicators. Information for the third quarter of 2008/9 (1 April – 31 December) and positions for the individual BVPIs are shown below. The information is unaudited and therefore may be subject to minor amendments, but it does allow up to date performance comparisons to be made between WYFRS and similar 'family group' FRS's.

BVPI	Description	West Yorkshire	Greater Manchester	London	Merseyside	South Yorkshire	Tyne & Wear	West Midlands
BVPI 2(a)	The level (if any) of the Equality Standard for Local Government to which the Authority conforms	4	3	5	2	2 ***	3	2**
BVPI 2(b)	The duty to promote race equality	100%	100%	Not recorded	100%	74%***	100%	100%**
BVPI 8	The percentage of invoices for goods and services paid by the Authority within 30 days	97.5%	90.0%**	89.7%	99.78%	92.7%***	Data not available	94.4%**
BVPI 11(a)	The percentage of the top 5% of earners who are women	4.55%	10.48%	13.34%	6.49%	6.74%***	15.2%	7.51%**
BVPI 11(b)	The percentage of the top 5% of earners who are from ethnic minority communities	0.91%	0.00%	7.93% (41)	0.00%	3.37%***	2.53%	3.29%**
BVPI 11(c)	The percentage of the top 5% of earners who have a disability	1.82%	Not reported	4.84%	1%	1.12%***	1.27%	1.41%**
BVPI 12(i)	The number of working days/shifts per employee lost due to sickness absence – Uniformed Staff	5.41	4.56	6.92	3.91	3.32***	5.6	Only calculated at end of financial year
BVPI 12(ii)	The number of working days/shifts per employee lost due to sickness absence – All Staff	5.84	5.19	7.56	4.03	3.55***	6.4	
BVPI 15(i)	Employees retiring on ill health grounds as a percentage of the total workforce – Firefighters Pension Scheme	0.00%	0.00%	0.02%	0.00%	Only calculated at end of financial year	0.00%	Only calculated at end of financial year
BVPI 15(ii)	Employees retiring on ill health grounds as a percentage of the total workforce – Local Government Pension Scheme	0.24%	0.00%	0.08%	0.00%		0.3%	
BVPI 16a(i)	The percentage of whole time and retained duty system employees with a disability	1.80%	1.91%	1.75%	2.18%	1.54%***	0.86%	2.16%**
BVPI 16a(ii)	The percentage of control and non-uniformed employees with a disability	12.62%	0.93%**	7.01% (89)	5.15%	4.59%***	3.73%	5.50%**
BVPI 17(a)	The percentage of all staff from all minority ethnic communities	4.11%*	1.85%**	10.76%	4.57%*	2.21%***	1.23%	6.6%**

* From May 2008, West Yorkshire and Merseyside now measure both uniformed and non-uniformed staff in accordance with the new national Equality and Diversity Strategy – others do not calculate this indicator quarterly and are therefore continuing to report their end of year figure for 2007/8, when the indicator was restricted to uniformed staff from minority ethnic communities.

** This is the annual figure as at 31 March 2008, no quarterly figures have been received.








*** Six monthly figure as at 30 September 2008

BVPI	Description	West Yorkshire	Greater Manchester	London	Merseyside	South Yorkshire	Tyne & Wear	West Midlands
BVPI 150	Expenditure per head of population on the provision of fire and rescue services	£38.79	£43.80	£57.92	£49.91	£45.73	£53.12	£46.00
BVPI 210	The percentage of female firefighters	2.88%	1.81%**	2.54%	3.38%	4.19%***	4.6%	Not Available
BVPI 142(ii)	Number of calls to fires attended: Primary fires per 10,000 population	17.42 (3799)	22.65 (5760)	13.43 (10146)	23.71 (2121)	20.85 (2709)	18.1 (1972)	16.81 (4371)
BVPI 142 (iii)	Number of calls to: Accidental Fires in Dwellings per 10,000 dwellings	10.52 (944)	17.12 (1781)	13.17 (4300)	16.14 (958)	10.56 (581)	11.9 (567)	13.12 (1397)
BVPI 143(i)	Number of deaths arising from accidental fires in dwellings per 100,000 population	0.37 (8)	0.16 (4)	0.25 (19)	0.52 (7)	0.38 (5)	0.37 (4)	0.27 (7)
BVPI 143(ii)	Number of Injuries arising from accidental fires in dwellings per 100,000 population	6.33 (138)	1.61 (41)	7.89 (596)	5.84 (80)	4.39 (57)	2.94 (32)	3.62 (94)
BVPI 144	The percentage of accidental fires in dwellings confined to room of origin	89.83% (848)	95%	No longer reported	90.19% (864)	93.3% (539)	92.1%	87.62%
BVPI 146(i)	Number of calls to malicious false alarms per 1000 population – not attended	0.37 (808)	0.61 (1552)	Problems with report, data currently unavailable	0.19 (263)	0.06 (79)	0.01 (127)	0.02 (51)
BVPI 146(ii)	Number of calls to malicious false alarms per 1000 population - attended	0.39 (859)	0.28 (722)	0.26 (1990)	0.24 (324)	0.25 (325)	0.42 (462)	0.56 (1462)
BVPI 149(i)	False alarms caused by automatic fire detection apparatus per 1000 non domestic properties	64.18 (4849)	99.09 (9090)	84.62 (23739)	81.94 (3193)	52.9 (1960)	65.9 (2054)	52.88 (4844)
BVPI 149(ii)	Number of those properties in 149i with more than one attendance	668	Not reported	No longer report	503	297	406	657
BVPI 149 (iii)	Percentage of false alarms caused by AFD to a non-domestic property with more than one attendance	51.01%			35.82%	50.1%	68% (1410)	60% (2907/4844)
BVPI 206(i)	Number of deliberate primary fires (excluding vehicles) per 10,000 population	2.99 (653)	4.59 (1168)	Data not currently available	6.19 (838)	4.32 (562)	4 (436)	3.77 (877)
BVPI 206(ii)	Number of deliberate primary fires in vehicles per 10,000 population	6.98 (1522)	6.37 (1621)		6.02 (815)	7.82 (1016)	5.3 (574)	4.02 (1044)
BVPI 206 (iii)	Number of deliberate secondary fires (excluding vehicles) per 10,000 population	31.34 (6836)	33.45 (8507)		44.63 (6041)	34.52 (4486)	38.6 (4201)	22.38 (5818)
BVPI 206 (iv)	Number of deliberate secondary fires in vehicles per 10,000 population	0.41 (90)	0.23 (58)		0.23 (31)	0.52 (54)	Not recorded	0.34 (89)
BVPI 207	Fires in non-domestic premises per 1000 non-domestic premises	5.47 (413)	9.32 (855)	7.24 (2029)	12.22 (476)	8.18 (303)	9.5 (295)	7.60 (696)
BVPI 208	The percentage of people in accidental dwelling fires who escape unharmed without FRA assistance	88.13% (1218)	Not reported	No longer report	80.74% (1107)	86.3% (672)	95.6% (728)	Not available
BVPI 209(i)	The percentage of fires attended in dwellings where a smoke alarm had activated	49.54% (592)	46%		46.64% (624)	43.1% (323)	44.7% (317)	51.04%
BVPI 209(ii)	The percentage of fires attended in dwellings where a smoke alarm was fitted but did not activate	16.32% (195)	17%		14.13% (189)	12.8% (96)	12.3% (87)	20.6%
BVPI 209 (iii)	The percentage of fires attended in dwellings where no smoke alarm was fitted	34.14% (408)	37%	Data not currently available	39.46% (528)	44.1% (332)	43.% (305)	28.36%

NI	Description	West Yorkshire	Greater Manchester	London	Merseyside	South Yorkshire	Tyne & Wear	West Midlands
NI 33	Arson Incidents (All Deliberate Fires) per 10,000 population	41.72 (9101)	56.19 (14290)	11.18 (8452)	57.26 (7731)	47.10 (6121)	47.9 (5211)	30.3 (7883)
	Arson Incidents (Deliberate Primary Fires) per 10,000 population	9.97 (2175)	13.53 (3441)	Don't report separately	12.23 (1651)	12.15 (1579)	9.29 (1010)	7.4 (1932)
	Arson Incidents (Deliberate Secondary Fires) per 10,000 population	31.75 (6926)	42.66 (10849)		45.03 (6080)	34.95 (4542)	38.6 (4201)	22.9 (5951)
NI 49	Number of Primary Fires per 100,000 population	174.17 (3799)	267.68 (6808)	134.27 (10146)	237.67 (3209)	208.47 (2709)	181.32 (1972)	168.1 (4371)
	Number of Fire Fatalities per 100,000 population	0.60 (13)	0.63 (16)	0.34 (26)	0.96 (13)	0.54 (7)	0.37 (4)	0.7 (17)
	Number of Fire Casualties (exc. Preliminary Checks) per 100,000 population	7.98 (174)	1.61 (41)	11.14 (842)	8.07 (109)	6.85 (89)	6.00 (65)	5.8 (152)

Note 1: Actual numbers shown in brackets.

Key

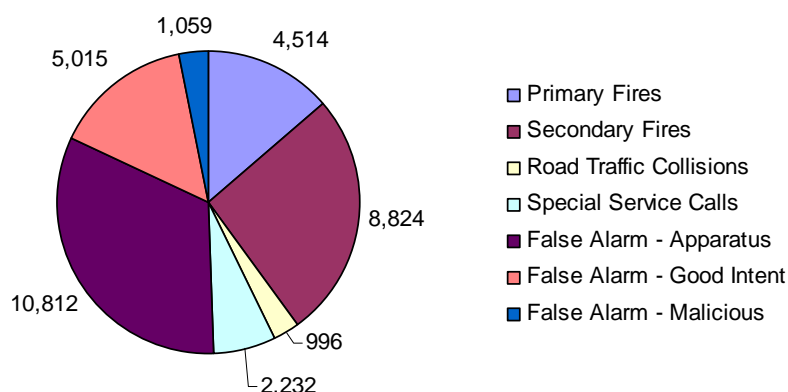
	1st (Best)		3rd		5th		7th (Worst)
	2nd		4th		6th		

Note 2: Where two FRS's have achieved equal placing, both are shown in the same colour.

7 Incidents

The table and chart below show the operational activity of West Yorkshire Fire and Rescue Service for the financial year to date, broken down into category of incident.

Incident Category	Number	Percentage
Primary Fires	4,514	13.5%
Secondary Fires	8,824	26.4%
Road Traffic Collisions	996	3.0%
Special Service Calls	2,232	6.7%
False Alarm - Apparatus	10,812	32.3%
False Alarm - Good Intent	5,015	15.0%
False Alarm - Malicious	1,059	3.2%
Total	33,452	100%



Under the Fire and Rescue Services Act 2004, Fire and Rescue Authorities (FRA's) now have a broader role, which extends their statutory duties beyond fire safety and fire-fighting to include:

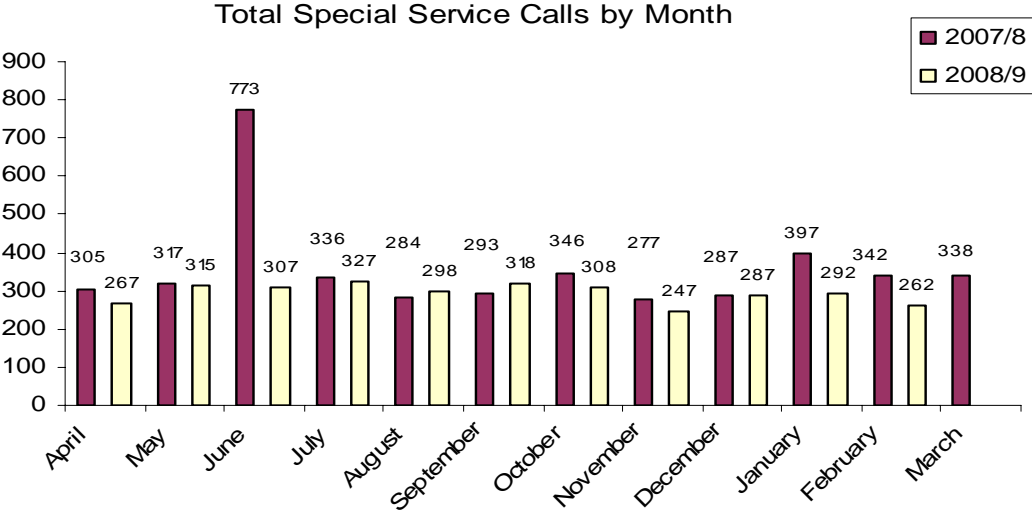
- rescuing people from road traffic accidents
- responding to other specific emergencies, such as major flooding or terrorist attack

In addition, the Act provides FRA's with the authority to carry out other tasks to respond to specific local risks and the particular needs of their communities.

The Act invests the Fire Service with a duty to carry out emergency 'special services'. These include dealing with major transport incidents (road, rail and air); chemical, biological and radioactive exposures and spills; severe weather conditions such as flooding and high winds; collapsed buildings; and the rescue of trapped people, including rescues from lifts.

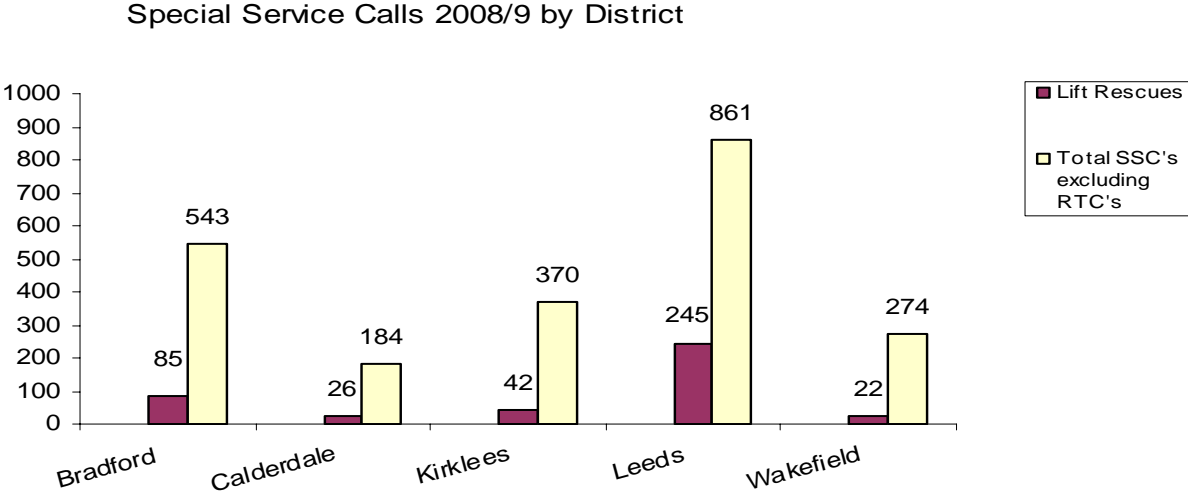
The Act also sets out the categories of service for which charges can be made by FRA's and the persons who can be charged. However, the Act limits the amount charged to the cost of providing the service and prohibits FRA's from charging for fire-fighting or for the provision of emergency medical assistance. The sum recovered so far for 2008/9 is approximately £152,828.35 which is mostly comprised of charges for lift rescues (£118,480.26).

The chart below summarises the number of special service calls (chargeable and non-chargeable) attended by West Yorkshire Fire and Rescue Service for the financial year to date and provides a comparison with the figures for 2007/8. The chart highlights the large number of special service calls in June 2007 which resulted from the extraordinarily heavy rainfall and the subsequent flooding.



Chargeable Special Service Calls – District Performance

The chart below summarises the performance of special services by each respective district for the 2008/9 financial year to date. Specific information relating to lift rescues has been included, as these incidents occur more frequently than other 'special service' categories.



8 'Five Pumps and Above' Incidents (to 16 April 2009)

General Commentary

A number of additional pumping and special appliances are often mobilised to these types of incidents to undertake supporting activities.

Fire-related incidents of this type require the attendance of a fire investigation officer to determine the cause of the fire. The cause is included in the table, but in some circumstances, it may be uncertain, as follows:

- Not known - the evidence that remained after the fire was insufficient to determine the cause
- Doubtful - thought to have been deliberate, but an accidental cause cannot be ruled out
- Not yet recorded / Pending Investigation - as stated

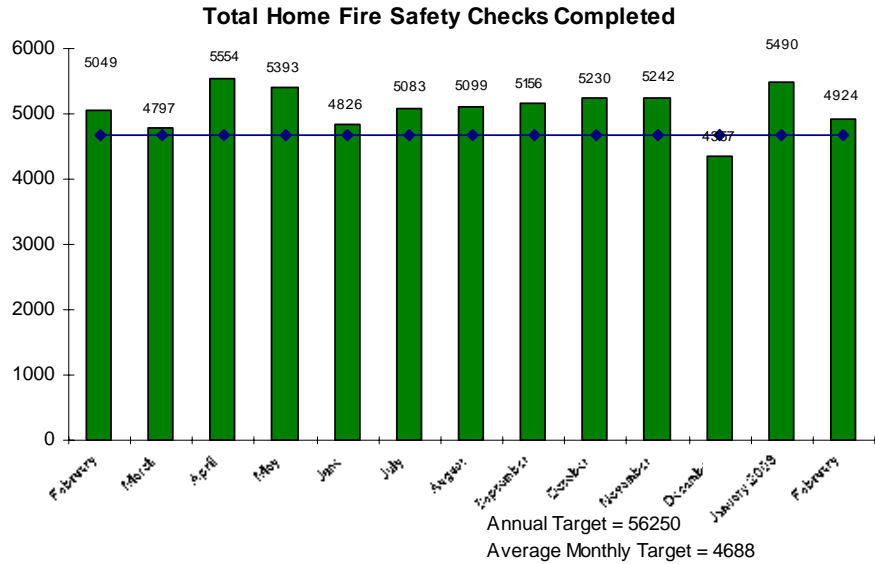
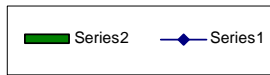
For fires identified as deliberate, we work in accordance with a regionally agreed Memorandum of Understanding with the police, who are responsible for the investigation of all deliberate fires.

Date & Time	Address	Premises Use	Station Area	Cause	Pumps Plus Specials	Number of Personnel
10/04/08 12:33	Woolston House Grattan Road Bradford	Industrial	40 (Bradford)	Accidental (Welding)	16 pumps 7 specials	10 Officers 88 FFs
24/04/08 00:18	Yorkshire Television Sunny Bank Mills Town Street, Farsley	Industrial	31 (Stanningley)	Accidental (Cutting Equipment)	17 pumps 6 specials	9 Officers 90 FFs
07/05/08 18:19	Blake Lee Lane Marsden	Moorland	68 (Marsden)	Deliberate	12 pumps 4 specials	8 Officers 65 FFs
11/05/08 21:47	Meltham Mills Meltham Mills Road Meltham	Industrial	69 (Meltham)	Deliberate	12 pumps 3 specials	9 Officers 63 FFs
15/05/08 23:49	Tyke Rollers Colliers Way Clayton West	Industrial	71 (Skel/thorpe)	Accidental (Static Electricity)	11 pumps 4 specials	7 Officers 60 FFs
24/05/08 14:40	Industrial Estate Forge Lane Armley	Industrial	20 (Leeds)	Accidental (Blowlamps)	11 pumps 3 specials	6 Officers 55 FFs
26/05/08 06:33	Baitings Reservoir Rochdale Road Ripponden	Moorland	64 (Halifax)	Accidental (Smoking Materials)	14 pumps 3 specials	8 Officers 70 FFs
26/05/08 15:44	Marsden Moor New Hey Road Scammonden	Moorland	72 (Slaithwaite)	Deliberate	7 pumps 1 special	4 Officers 34 FFs
30/06/08 22:00	Westgate, Otley	Unoccupied Building	48 (Otley)	Deliberate	10 pumps 4 specials	10 Officers 56 FFs

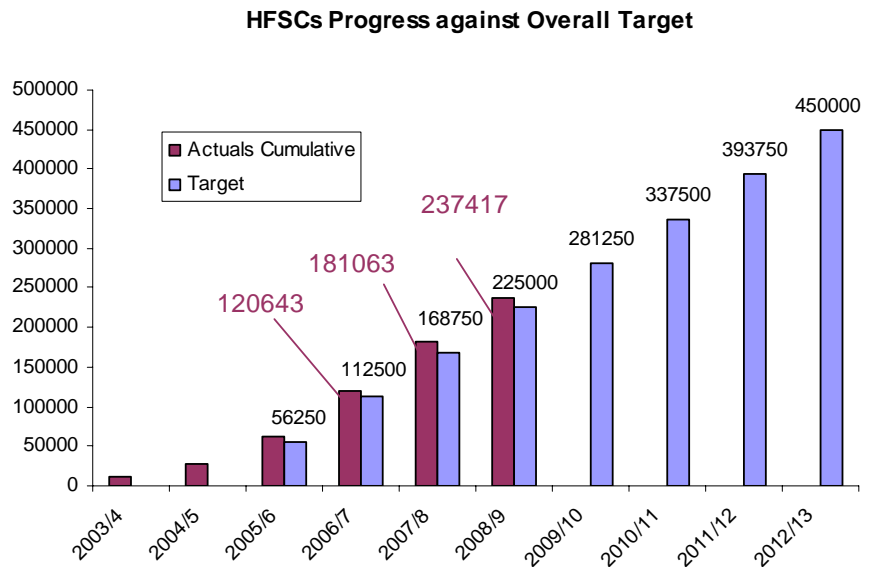
Date & Time	Address	Premises Use	Station Area	Cause	Pumps Plus Specials	Number of Personnel
04/07/08 12:42	Ardar Glass Headlands Lane Knottingley	Industrial	86 (Knottingley)	Accidental (Electrical)	12 pumps 4 specials	10 Officers 65 FFs
05/08/08 18:01	Northgate, Cleckheaton	Derelict Building	62 (Cleckh/ton)	Deliberate	10 pumps 4 specials	9 Officers 54 FFs
25/08/08 19:14	Hemsworth By-Pass Hemsworth Wakefield	Field	85 (Hemsworth)	Deliberate	10 pumps 2 specials	7 Officers 51 FFs
01/10/08 19:45	Jack Walkers Mill, Legrams Lane, Listerhills, Bradford	Industrial	42 (Fairweather Green)	Deliberate	15 pumps 5 specials	11 Officers 81 FFs
18/10/08 03:02	Carleton High School, Green Lane, Pontefract	Educational	90 (Pontefract)	Deliberate	29 pumps 5 specials	11 Officers 143 FFs
25/10/08 06:57	PFF Presentation Products, Dockfield Road, Shipley	Industrial	51 (Shipley)	Deliberate	12 pumps 3 specials	11 Officers 62 FFs
26/10/08 18:10	Delius School, Killinghall Road, Bradford	Educational	40 (Bradford)	Deliberate	11 pumps 5 specials	9 Officers 60 FFs
08/11/08 1:59	Low Moor Business Park, Common Road, Low Moor, Bradford	Industrial	47 (Odsal)	Deliberate	12 pumps 6 specials	9 Officers 68 FFs
15/11/08 1:07	Thornton Lodge Community Centre, Huddersfield	Recreational	60 (Hud/field)	Deliberate	14 pumps 5 specials	9 Officers 77 FFs
30/11/08 16:59	27 Midland Street Hillhouse Huddersfield	Residential	60 (Hud/field)	Deliberate	10 pumps 3 specials	9 Officers 46 FFs
05/12/08 06:25	2 Aspen Close, Peacock, Wakefield	Shed spread to residential	80 (Wakefield)	Radiated Heat	10 pumps 3 specials	9 Officers 52 FFs
09/12/08 07:26	5 Godwin Street, Bradford	Derelict Building	40 (Bradford)	Deliberate	12 pumps 6 specials	9 Officers 68 FFs
20/02/09 22:32	Co-op 38 Duckworth Lane, Heaton, Bradford	Retail premises	42 (Fairweather Green)	Deliberate	14 pumps 5 specials	12 Officers 76 FFs

9 Home Fire Safety Checks

The number of home fire safety checks in February has been recorded on the Performance Information Management System (PIMS) as 4,924, which is 263 more than the average monthly target. In eleven months of 2008/9, WYFRS have exceeded the target by 4,826 providing an excellent platform for the remainder of the year. The chart shows performance against the average monthly target and is formatted as per the traffic light colour scheme.



The Year 2 IRMP specified a target of 450,000 home fire safety checks to be completed by 31 March 2013. Averaged over the eight-year period, this sets an annual target of 56,250. The number of completed home fire safety checks for 2007/8 was recorded on PIMS as 60,420 which is 107% of this target. This total easily exceeds the 2006/7 total of 58,593. From the beginning of 2005/6 to date, a total of 210,000 home fire safety checks have been completed, representing progress of 47% towards the overall 2013 target of 450,000.



Smoke Alarm Ownership

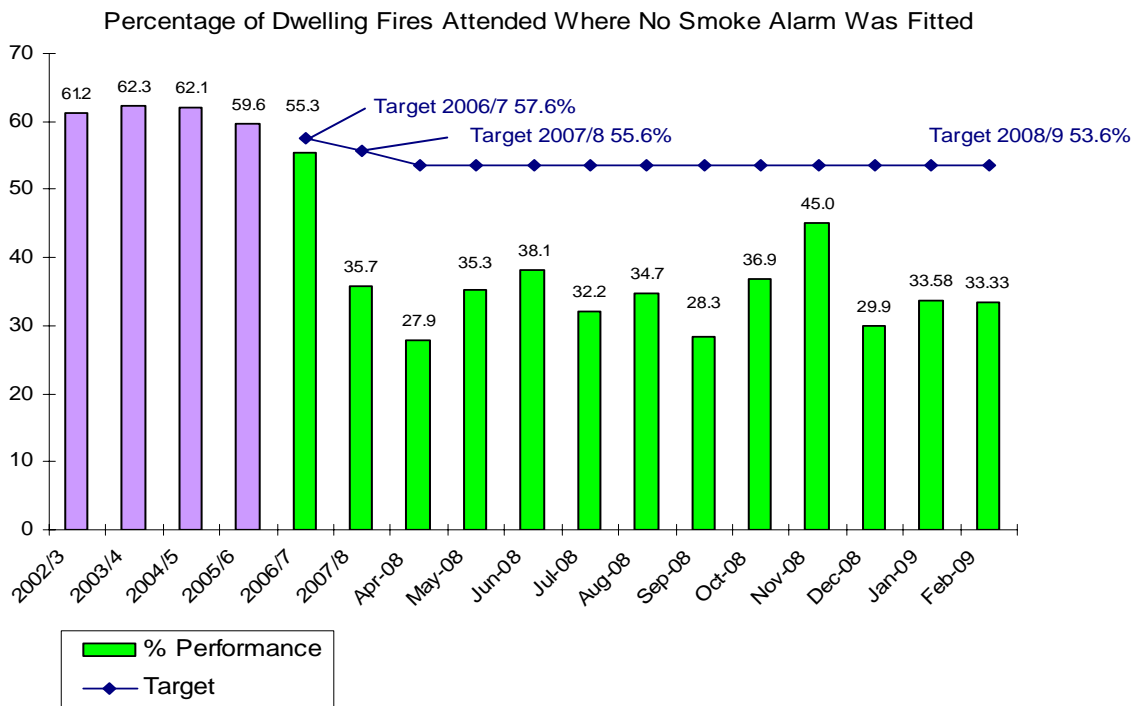
Performance in this area became subject to a BVPI from 2005/6 and subject to a specific CPA indicator from 2007/8.

Better performance is indicated by a lower percentage.

Targets were initially set in March 2006, based on the 2005/6 outturn of 59.6%, aiming for an actual reduction of 2% each year.

Through analysis of high risk areas and groups, with improvements in partner referrals and the targeting of resources, performance improved considerably during 2007/8, leading to a significantly improved outturn figure of 35.7%, far exceeding the target of 55.6%, and this improvement has continued in the eleven months of 2008/9.

The chart below shows month by month performance against target and is formatted as per the traffic light colour scheme.



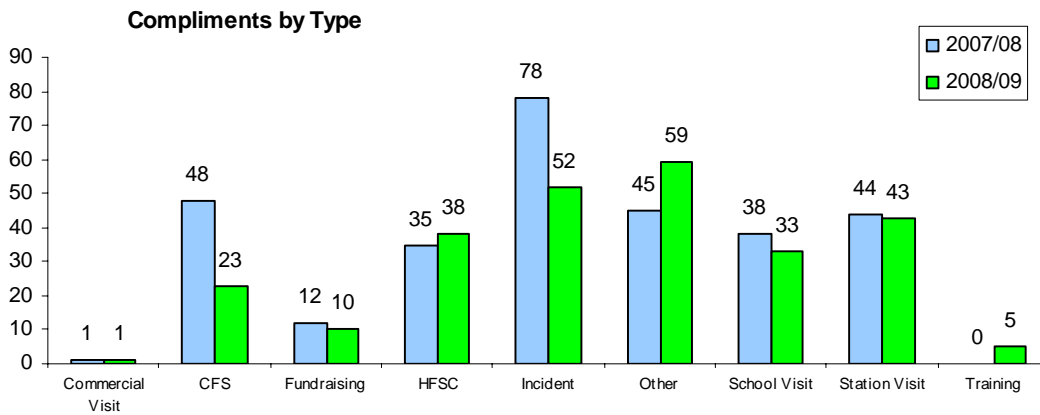
- Purple indicates no target set
- Red indicates target not achieved
- Amber indicates satisfactory performance (within 10% of target)
- Green indicates target achieved or exceeded

10 Compliments and Complaints

Compliments

The charts below show by type the number of compliments and complaints received by West Yorkshire FRS since 1 April 2007, and provide a comparison between the years 2007/8 and 2008/9.

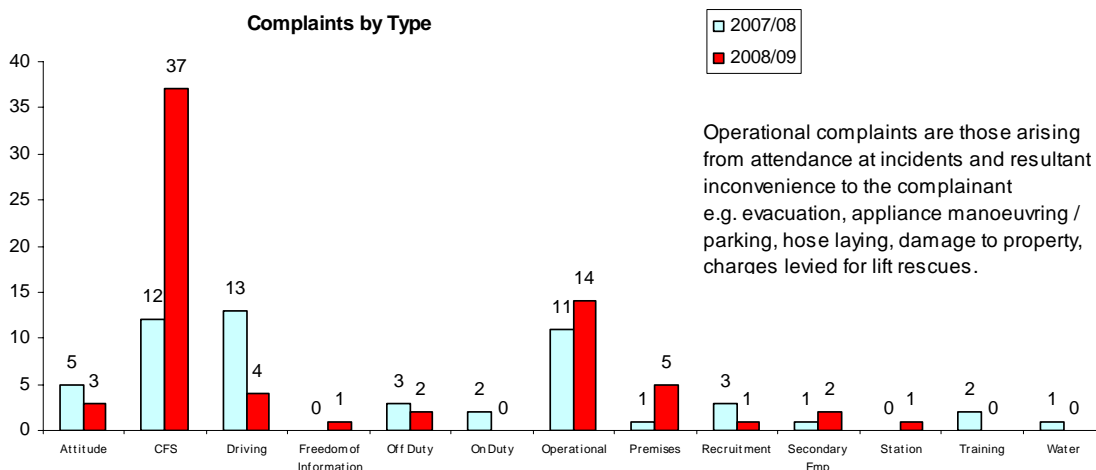
In the eleven months of 2008/9, West Yorkshire FRS has recorded 264 compliments, an average of approximately 24 per month, which is slightly less than the previous year's average of approximately 25 per month (301 in total).



Complaints

After eleven months of the financial year 2008/9, we have received seventy complaints as compared to forty-six in the same period during 2007/8. The increase in complaints was exacerbated by the number received by CFS in relation to a mail shot where a number of envelopes were posted without stamps.

Three complaints are ongoing, two complaints have been withdrawn and all but two of the remainder have been resolved at Stage I of the complaints procedure. Forty-two of the complaints were upheld (this increase again being due to the unstamped envelopes). All complaints are dealt with in a consistent manner, with appropriate remedial action taken where necessary.



11 Violence at Work

Attacks on Personnel as a Percentage of Attendances

Attacks on Firefighters as a Percentage of Incidents Attended

District / Station	No. of Incidents Attended	Physical Attack with Weapon	Weapon Brandished	Physical Assault	Missile Thrown	Firework thrown or projected	Stoning	Aggressive Behaviour	Verbal Abuse	Racist Abuse	Total	Percentage
Bradford District												
Bradford	3981		1		2	1	4	3	7		18	0.45%
Bradford CFS					1				1		2	
Bingley	533										nil	
FWG	2255		1		2	1	1				5	0.22%
Haworth	82										nil	
Idle	1145				1		3		2		6	0.52%
Ilkley	171										nil	
Keighley	1345				1				1		2	0.15%
Odsal	2217				2		2	1	1		6	0.27%
Shipley	987			1							1	0.10%
Silsden	295										nil	
District Total	13011	0	2	1	9	2	10	4	12	0	40	0.31%
Calderdale District												
Birghouse	655								3		3	0.46%
Elland	674							1			1	0.15%
Halifax	1736				1	2	2	1		2	8	0.46%
Ilkley	607				3	1	1	2	3		10	1.65%
Mytholmroyd	135										nil	
Todmorden	222										nil	
District Total	4029	0	0	0	4	3	3	4	6	2	22	0.55%
Kirklees District												
Huddersfield	3025			1	2				3		6	0.20%
Batley	1030				1						1	
Cleckheaton	884							2			2	0.23%
Dewsbury	1433						1				1	
Holmfirth	253										nil	
Kirklees CFS								1	1		2	
Marsden	85										nil	
Meltham	166										nil	
Mirfield	280										nil	
Skelmanthorpe	211										nil	
Slaiithwaite	211							1			1	0.47%
District Total	7578	0	0	1	3	0	1	4	4	0	13	0.17%
Leeds District												
Leeds	3848	1									1	0.03%
Cookridge	740								1		1	0.14%
Garforth	421										nil	
Gipton	3280						2	1	1		4	0.12%
Hunslet	2606			1	3			1			5	0.19%
Moortown	1503				3						3	0.20%
Morley	761										nil	
Otley	261										nil	
Rawdon	694						1				1	0.14%
Rothwell	483										nil	
Stanks	869						3			1	4	
Stanningley	1852						1		1		2	0.11%
Wetherby	269										nil	
District Total	17587	1	0	1	6	0	7	2	3	1	21	0.12%
Wakefield District												
Wakefield	2094				3		1		1		5	0.24%
Castleford	881							1	1		2	0.23%
Featherstone	421							1			1	0.24%
Hemsworth	342										nil	
Knottingley	572				2		4	1			7	1.22%
Normanton	337										nil	
Ossett	727										nil	
Pontefract	1012					1		1			2	0.35%
South Elmsall	568				1				1		2	0.35%
District Total	6954	0	0	0	6	1	5	4	3	0	19	0.27%
OSU Attendances	214											
Totals	49373	1	2	3	28	6	26	18	28	3	115	0.23%

District / CFS	Physical Attack with Weapon	Weapon Brandished	Physical Assault	Missile Thrown	Firework thrown or projected	Stoning	Aggressive Behaviour	Verbal Abuse	Racist Abuse	Total
Bradford District										
Bradford CFS				1				1		2
Calderdale District										0
Calderdale CFS										
Kirklees District										2
Kirklees CFS							1	1		
Leeds District										0
Leeds CFS										
Wakefield District										0
Wakefield CFS										
Totals	0	0	0	1	0	0	1	2	0	4

The table summarises the events reported by firefighters and CFS staff. For clarification, 'stoning' covers any thrown object identified as a stone; 'firework' covers fireworks thrown or launched; and 'missile' covers any other object used as a projectile.

In the eleven months of 2008/9, there have been 115 incidents of violence reported by West Yorkshire FRS staff, which is an average of 10 per month, indicating a reduction of approximately 28.6% on the number of incidents reported for 2007/8 (166 for the full year, at an average of approximately 14 per month).

To put the figures into perspective, the previous table shows the number of incidents in which firefighters were subject to violence as a percentage of attendances, by station and by district. Some smaller stations appear to suffer a relatively high percentage of attacks, but this is largely due to the smaller number of incidents attended from such stations.

However, there is a danger that the frequency and severity of the 115 attacks out of 49,373 attendances may seem insignificant when considering these very small percentages (0.23% overall).

Although the number of attacks on firefighters has reduced considerably, the Chief Fire Officer has re-emphasised that one attack is one too many and that every assistance and encouragement will be given to the police to bring offenders to court. Work is continuing with a variety of agencies from the police and district councils to community groups and youth leaders to address these issues.

District Actions to Address Violence

Districts are taking the following actions:

Bradford – Excellent community engagement has been ongoing within the Bradford District., and strong links have been forged with the Neighbourhood Policing Teams (NPT's). Of particular note has been the recent, multi-agency bonfire initiative within the BD3 area. This led to a significant reduction in both deliberate fires and attacks on firefighters. Fire crews and CFS staff continue to communicate with youths in the local mosques, and also attend community events in the area. Further initiatives have included a BD3 community day held at Bradford Fire Station, organised football tournaments and a recruitment awareness day. All have proved to be a great success and have undoubtedly assisted in the District's attempts to drive down occurrences of violence to staff.

Generally, violence against our staff in the Bradford area continues to fall following the Bonfire BD3 initiative and greater interaction with the community. However, levels are still higher than those found in other Districts and efforts will be redoubled to drive the figures down.

Calderdale – Calderdale -Staff and our Arson Task force team work with police to reduce the number of incidents of fire and possible confrontation; Assistant District Manager for Operations and Training attends a fortnightly meeting chaired by a Superintendent at Halifax Police Station, which is also attended by Inspectors from the four Neighbourhood Policing Teams (NPTs). Any incidents of violence to staff are discussed at this meeting; it is also raised as a standing agenda item at district management meetings; introduced daily electronic recording system which is monitored by district personnel. All watches have also had the procedure (in relation to recording such incidents) confirmed whilst attending watch input days at Halifax Station.

Kirklees - Youth Firefighter Scheme being delivered at Huddersfield. Ongoing engagement with the public through community work and liaison with local faith and community groups working closely at local level with NPTs and Neighbourhood Management Groups. There is a specific agenda item for monthly District Meetings with follow up actions. Awareness training is being delivered to station personnel. There is a partner agency with the Police ASBO Challenge initiative, supporting the police by providing education and awareness.

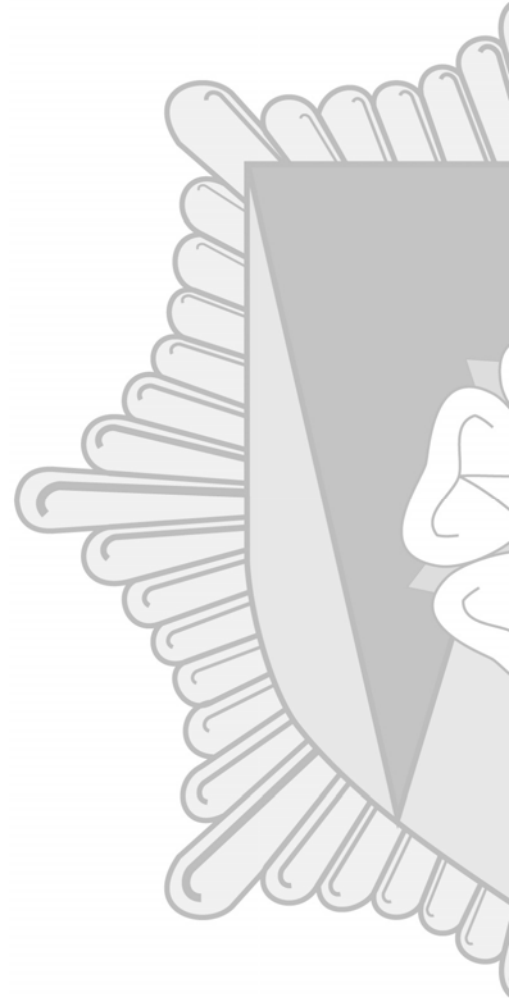
Leeds - Engaging with the public through community work; good links with the police and Youth Offending Teams; Young Firefighter courses at Gipton and Rothwell; encouraging the reporting of incidents and vigilant use of 'silent witness' cameras; now forging closer links with Neighbourhood Policing Teams (NPTs) and looking to provide 'hot desks' for them at Rawdon, Cookridge and Stanningley to improve communication between locally-based staff from both organisations.

Additional links have been made with CCTV operators for the district. When mobilised to incidents certain stations can now contact CCTV operators directly and request the appliances to be monitored in and around known "hot spots". This initiative has been publicised in the local press to warn offenders that they are likely to be caught on camera and subsequently prosecuted.

Wakefield - Reporting directly to the council through the Strategic Intelligence Report and liaising with the police through the weekly tasking meeting and Neighbourhood Policing Teams (NPTs); raised as a standing agenda item at district management meetings with specific action plan to follow-up. A recent increase in the number of attacks in the Knottingley area has been brought to the attention of the local NPT, and a police operation in the area to tackle a number of anti-social behaviour issues is taking place in October. This has had an impact in stopping a run of attacks in the area. Over the bonfire period, following local planning the police had additional resources available to deal with bonfire related incidents and any attacks on fire fighters.

Operation Department - Representatives from the Fire Investigation Team, Arson Task Force and Station Command recently visited Merseyside Fire & Rescue Service to evaluate the policies and procedures they had put in place to reduce violence at work. Merseyside have embedded their violence at work reduction strategy into their Threat Response Team, a team that also deals with anti social fires and the arson reduction strategy. The main focus of their work is education and inclusion with the Fire Service and Police Liaison Officers in the secondary education establishments in the areas of greatest risk. Those Liaison Officers engage with the students, presenting positive role models and educating them on the impact and consequences of deliberate fire setting and attacks on fire fighters. The rationale being, driving down the number of anti social fires will reduce the exposure to fire fighters and reduce the risk of attack. Having given the education and support, the Fire & Rescue Service in partnership with the Police have a zero tolerance to violence at work and will proactively pursue and prosecute offenders. Each of these strategies is being evaluated by the Operations Department in liaison with Community Safety in order to establish best practice for the West Yorkshire Fire & Rescue Service.

PREVENTING PROTECTING RESPONDING



West Yorkshire Fire and Rescue Service
Oakroyd Hall
Birkenshaw
BD11 2DY

www.westyorksfire.gov.uk

www.westyorksfire.gov.uk

WEST YORKSHIRE FIRE AND RESCUE AUTHORITY	AUTHORITY	24 APRIL 2008	ITEM NO
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REPORT OF: THE DIRECTOR OF CORPORATE RESOURCES

PURPOSE OF REPORT:

- (i) TO ADVISE OF A CHANGE IN MEMBERSHIP OF THE AUTHORITY,
- (ii) TO NOTE A CHANGE OF POLITICAL BALANCE OF THE AUTHORITY,
- (iii) TO CONSIDER OPTIONS FOR REVISED COMMITTEE SEAT ALLOCATIONS, AND
- (iv) TO APPOINT COUNCILLOR AKHTAR TO COMMITTEE(S)

RECOMMENDATION: THAT THE REPORT BE NOTED AND THE REVISED COMMITTEE ALLOCATIONS AND APPOINTMENT(S) TO COMMITTEE(S) BE AGREED

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT DETAILS

EXEMPTION CATEGORY: NIL

ACCESS CONTACT OFFICER: NICOLA HOUSEMAN
01274 655740

BACKGROUND PAPERS OPEN TO INSPECTION:

Summary

Formal notification has been received from Kirklees MDC regarding a change in membership of the Fire Authority with effect from 27 March 2009. This report deals with the issues arising including proposed adjustments to committee seat allocations consequent upon the change in the political group balance.

- 1.1 Following recent internal changes, Kirklees MDC has notified the Authority of the replacement of Councillor Iqbal (Conservative Member) on the Fire Authority with effect from midnight on 26 March 2009 as follows.

Councillor Mahmood Akhtar (Labour Member)

- 1.2 The balance of the Authority is now as follows;

Conservative	7 Members
Labour	11 Members
Liberal Democrat	4 Members

2 COMMITTEE APPOINTMENTS

- 2.1 In light of the change in overall political balance of the Authority and in accordance with the requirements of the Local Government Act 1989, it is necessary that an adjustment be made to the committee seat allocations to comply with the statutory requirement. There are two options currently proposed for Members to consider.

Option A (committee structure status quo – 32 seats)

- 2.2 At the Annual General Meeting in June 2008, it was resolved to reduce the total number of ordinary committee seats to 32 with 11 seats on each of the Finance and Resources and the Personnel and Training Committees and 5 seats on each of the Executive and Audit Committees (the Standards Committee is exempt from political balance requirements).
- 2.3 The effect of the adjustment on the current 32-seat model would be to increase the Labour Group share of the total number of seats by 2 (50% of the total) and to reduce the number of Conservative seats by 2. Thereby producing a new overall share of entitlement of;

Labour	16 seats
Conservative	10 seats
Liberal Democrat	6 seats

- 2.4 The “best fit” calculation of entitlement to seats on individual committees would therefore be as follows;

Executive Committee (5)

Labour	2 seats
Conservative	2 seats
Liberal Democrat	1 seat

Audit Committee (5)

Labour	2 seats
Conservative	2 seats
Liberal Democrat	1 seat

Finance and Resources Committee (11)

Labour	6 seats	(would require an additional nomination)
Conservative	3 seats	(would require removal of one seat)
Liberal Democrat	2 seats	

Personnel and Training Committee (11)

Labour	6 seats	(would require an additional nomination)
Conservative	3 seats	(would require removal of one seat)
Liberal Democrat	2 seats	

Option B (increase number of committee seats by 4)

- 2.5 The Conservative Group have proposed an alternative based on a return to the previous 36-seat model with 12 seats each on the Finance and Resources and the Personnel and Training Committees and 6 each on the Executive and Audit Committees.
- 2.6 The seat allocation on this model would then increase Labour Group's share of seats from the current 14 to 18, the Conservative Group reduce from 12 seats to 11 and the Liberal Democrat Group increase from 6 to 7 seats. The overall proportions remain the same eg the Labour Group still receives 50% of the overall number of seats.
- 2.7 The entitlement to seats on individual committees as proposed by the Conservative Group would then be :

Executive Committee (6)

Labour	3 seats	(would require an additional nomination)
Conservative	2 seats	
Liberal Democrat	1 seat	

Audit Committee (6)

Labour	3 seats	(would require an additional nomination)
Conservative	2 seats	
Liberal Democrat	1 seat	

Finance and Resources Committee (12)

Labour	6 seats	(would require an additional nomination)
Conservative	4 seats	

Liberal Democrat 2 seats

Personnel and Training Committee (12)

Labour	6 seats	(would require an additional nomination)
Conservative	3 seats	(would require removal of one seat)
Liberal Democrat	3 seats	(would require an additional nomination)

Option C (apply Section 17 exemption until the Annual General meeting in June)

- 2.8 In view of the fact that the only scheduled meeting of a committee of the Authority is that of the Audit Committee on 12 June, the Authority may wish to consider making no changes until the AGM. This option is permitted under Section 17 of the Local Government and Housing Act 1989 provided no Member of the Authority votes against the proposal.
- 2.9 Unless Option C is adopted, then consideration should also be given to the appointment of Councillor M Akhtar to Committee(s) together with any other required changes to the Committee memberships in accordance with the preferred Option detailed at paragraphs 2.4 and 2.7.

WYFRA	FULL AUTHORITY	24 APRIL 2009	Agenda Item No
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REPORT OF: DIRECTOR OF CORPORATE RESOURCES/DIRECTOR OF OPERATIONS

PURPOSE OF REPORT: TO UPDATE MEMBERS ON THE NEW COMPREHENSIVE AREA ASSESSMENT (CAA) PROCESS WHICH REPLACES THE EXISTING COMPREHENSIVE PERFORMANCE ASSESSMENT (CPA) PROCESS FROM THE 1ST APRIL 2009

RECOMMENDATION: THAT MEMBERS NOTE THE REPORT AND ALSO APPROVE THE OUTCOME FRAMEWORK DETAILED IN THE REPORT

MEMBERS APPROVE THE RECOMMENDATION OF THE CAA STEERING GROUP TO INVITE PEER REVIEW OF WEST YORKSHIRE FIRE AND RESCUE SERVICE IN 2010/11.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT DETAILS

Exemption Category: NONE

Contact Officer: NOEL RODRIGUEZ
SENIOR CORPORATE RESOURCE
MANAGER
noel.rodriquez@westyorkshire.gov.uk

Background Papers: OPERATIONAL ASSESSMENT
COMPREHENSIVE AREA ASSESSMENT
PROCESS 13 FEBRUARY 2009

Summary:

This report summarises the Audit Commission proposals for the new Comprehensive Area Assessment (CAA) which comes into effect on the 1st April 2009 and replaces the existing Comprehensive Performance Assessment (CPA). The new process provides a holistic independent assessment of the prospects for the local area and the quality of life for people living there. It will focus on the needs of those whose circumstances make them vulnerable and places great importance on effective local partnership working in order to secure better outcomes for the people and better value for public money. This report also provides members with an update on the work already being undertaken in preparation of the new process.

1 BACKGROUND

- 1.1 The Comprehensive Area Assessment (CAA) replaces the existing Comprehensive Performance Assessment (CPA) and is effective from the 1st April 2009.

The introduction of the new CAA process follows a number of consultation responses following the draft CAA framework published on 29 July 2008.

- 1.2 The CAA presents a fundamental change for an outcomes based approach by the Audit Commission putting information in the hands of taxpayers, service users and citizens. It will also bring together the work of several inspectorates to provide an overview of how successfully local organisations are working together to improve what matters in each place. With a core principle of ensuring that the needs and aspirations of local people are addressed it is, therefore, hoped that the CAA process will provide:-

- A catalyst for better outcomes, more effective partnership working, more responsive services and better value for money.
- A service of independent assurance for citizens, service users and tax payers.
- An independent evidence base for Central Government on progress against national priorities.
- A means of focusing, rationalising and co-ordinating inspections.

- 1.3 In order to support the above the Audit Commission will gain evidence from a variety of sources including:-

- The Local Area Agreement.
- The Sustainable Community Strategy and Housing Strategy.
- The Local Development Framework.
- Joint Needs Assessment.
- Views of service users, including the place based survey.
- Self evaluation and local performance management information including monitoring of local priorities.
- Inspection, regulation and audit findings.
- Other intelligence, briefings or evidence from other agencies including the Government officers, Strategic Health Authorities and Regional Development Agencies.

- 1.4 The CAA process will consist of two main elements, which will inform each other. These are as follows:-

- **An Area Assessment** that looks at how well local public services are delivering better results for local people in local priorities such as health, economic prospects and community safety and how they are to improve in the future. The area assessment will focus on, amongst other things, partnership contributions to agreed outcomes under Local Area Agreements.
- **Organisational Assessments** of individual public bodies. For Councils and Fire and Rescue Services, these will combine Use of Resources and Managing Performance themes into a combined assessment of organisational effectiveness. For Fire and Rescue Services the Managing Performance theme will be tailored to reflect the specific performance and delivery priorities within the sector, as outlined in the Fire and Rescue Service National Framework document. The National Indicator Set (NIS) will be used as a key evidence service for both the area and organisational assessments, as will the principle of bringing together evidence across different local service sections, as shown below in Fig.1.

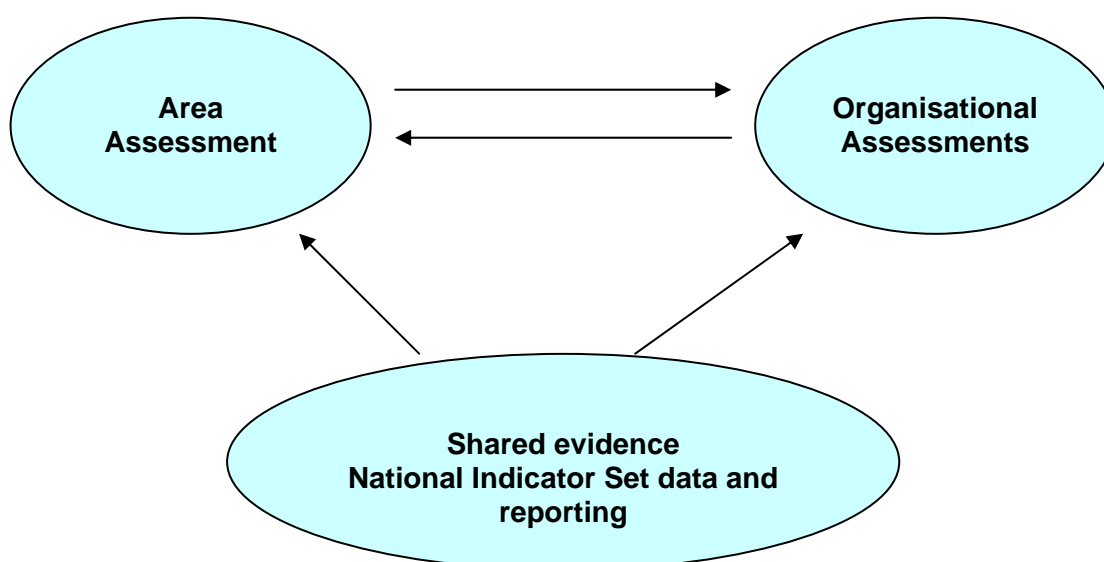


Fig.1

- 1.5 It is hoped that the above process will result in fewer structured on-site inspections and that the Audit Commission will only undertake additional work to fill evidence gaps where necessary.
- 1.6 The area assessment will focus on three main questions:-
- How well do local priorities express community needs and aspirations?
 - How well are the outcomes and improvements needed being delivered?
 - What are the prospects for future improvements?
- 1.7 The Area Assessment will pay particular attention to tackling inequalities within and between communities e.g. those people who are disadvantaged or discriminated against through age, disability, race, gender or transgender, religion or belief, and sexual orientation. It will also focus on those people whose circumstances make them vulnerable because of their dependence on public services.

- 1.8 The Assessment will be scored via a flag system to draw attention to performance issues, with a red flag indicating there are significant concerns regarding outcomes and future prospects for outcomes, which are not being tackled adequately. A red flag will not be raised if the council and partners are effectively tackling the issue. The green flag will indicate where others may learn from innovation or exceptional success in the area.
- 1.9 The organisational assessment will focus on each organisation's effectiveness by looking at how well it delivers value for money through the Use of Resources assessment and how well it manages its performance.

This assessment will comprise of two assessments based on four themes (three make up the Use of Resources assessment and one the Managing Performance assessment). These are as follows:-

- **Managing Finance** - Looking at how effectively the organisation manages its finances to deliver value for money.
 - **Governs the Business** - How well it governs itself and commissions services that provide value for money and deliver better outcomes for local people.
 - **Managing Resources** - How well the organisation manages its resource, physical assets and people to meet current and future needs.
 - **Managing Performance** - How well it is delivering service outcomes and sustainable improvements in its priorities that are important locally. Including where it has the leadership, capacity and capability it needs to deliver future improvements.
- 1.10 The Managing Performance theme replaces the existing Direction of Travel assessment. The Audit Commission will draw on the results of the sector led operational assessment where this has been undertaken. The table below shows the arrangements for Fire and Rescue Authorities.

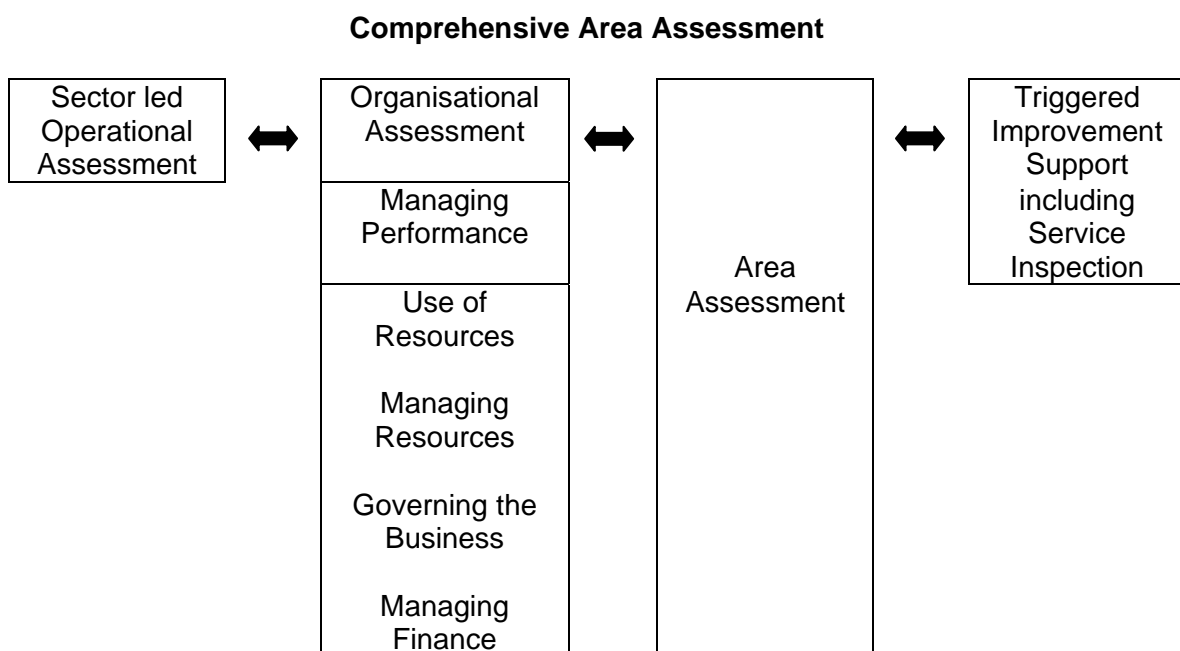


Fig.2

- 1.11 The Operational Assessment (OpA) is a sector developed assessment that focuses on the frontline delivery of services. It looks at how effectively a Fire and Rescue Authority (FRA) is working operationally, and with its partners, to plan and deliver services to local people.
- 1.12 A support tool kit has been provided by the Chief Fire and Rescue Advisory Unit (CFRAU) in liaison with the Audit Commission and the Health and Safety Executive to aid this process.
- 1.13 Good practice would be for a FRA to complete and maintain a self assessment of their operative performance and verify this assessment through a robust peer review process at least once every three years. In consultation with the Audit Commission, the CAA Steering Group is recommending that Peer Review of WYFRA Operational Assessment is undertaken in 2010/11. The reasons for not registering a Peer Review in 2009/10 are:-
- Five fundamental strategic reviews are currently underway as part of the IRMP process and the outcomes of these will inform our Self Assessment.
 - WYFRS scored 4 (highest possible) under the OASD process.
 - The Authority already scores highly in relation to its approach to performance management.
 - The Audit Commission already have a significant amount of information on WYFRS in order to make a judgement.
- 1.14 Members have already approved peer review training for officers and funding for this is also being explored via the Regional Improvement and Efficiency Partnership (RIEP). This training will be undertaken via the Improvement and Development Agency (IDeA).
- 1.15 In addition to the OpA toolkit and guidance, Chief Fire Officers Association (CFOA) have been developing a sector led Assessment and Improvement process, with a single suite of 'best practice' performance indicators to assist FRAs in demonstrating their performance to themselves and to external assessors.
- 1.16 The Audit Commission will produce an area assessment report for each of the 152 LAA areas in using the red and green flags to outline performance. Performance against the full National Indicator Set will be published annually.
- 1.17 The organisational assessment scores for Managing Performance and Value for Money in the Use of Resources will be combined into a single score using the table below. A score of '1' in either the Managing Performance or the Use of Resources theme will lead to an overall organisational assessment score of '1'. Beyond this, where Managing Performance theme score and Use of Resources are different, the Audit Commission will use their professional judgement to decide the overall organisational assessment score between the options in the following table.

Managing Performance

Use of Resources	Scores	1	2	3	4
	1	1	1	1	1
	2	1	2	2/3	2/3
	3	1	2/3	3	3/4
	4	1	2/3	3/4	4

* Overall score in green

The descriptors for the above scores are as follows:-

1	An organisation that does not meet minimum requirements	Performs Poorly
2	An organisation that meets only minimum requirements	Performs Adequately
3	An organisation that exceeds minimum requirements	Performs Well
4	An organisation that significantly exceeds minimum requirements	Performs Excellently

1.18 West Yorkshire Fire and Rescue has already begun to make progress in preparation for the CAA process. A Steering Group chaired by the Deputy Chief Fire Officer has been established to oversee the process. This group has already produced a self assessment for the Use of Resource element of the CAA process by the given deadline of the 10 March 2009. An Outcomes Framework has also been provided to map the new CAA process against our Ambition, Aim and Strategic Priorities in order to overlay the new process against existing policies which gives clear lines of responsibility for this new process. This is shown in Appendix 'A'.

1.19 Future progress on the CAA process will be reported via the Audit Committee as and when updates become available. The timeline below shows some of the main milestones for the new CAA process.

- Use of Resource Self Assessment - Submitted to the Audit Commission on 10 March 2009
- Use of Resources Assessment - To be completed by 31 May 2009
- Operational Assessment (OpA) - To be reported with the Organisational Assessment in November 2009

2 FINANCIAL IMPLICATIONS

In addition the specific managing finance assessment financial systems, governance and performance are fundamental elements of the Use of Resources assessment.

3 EQUALITY & FAIRNESS IMPLICATIONS

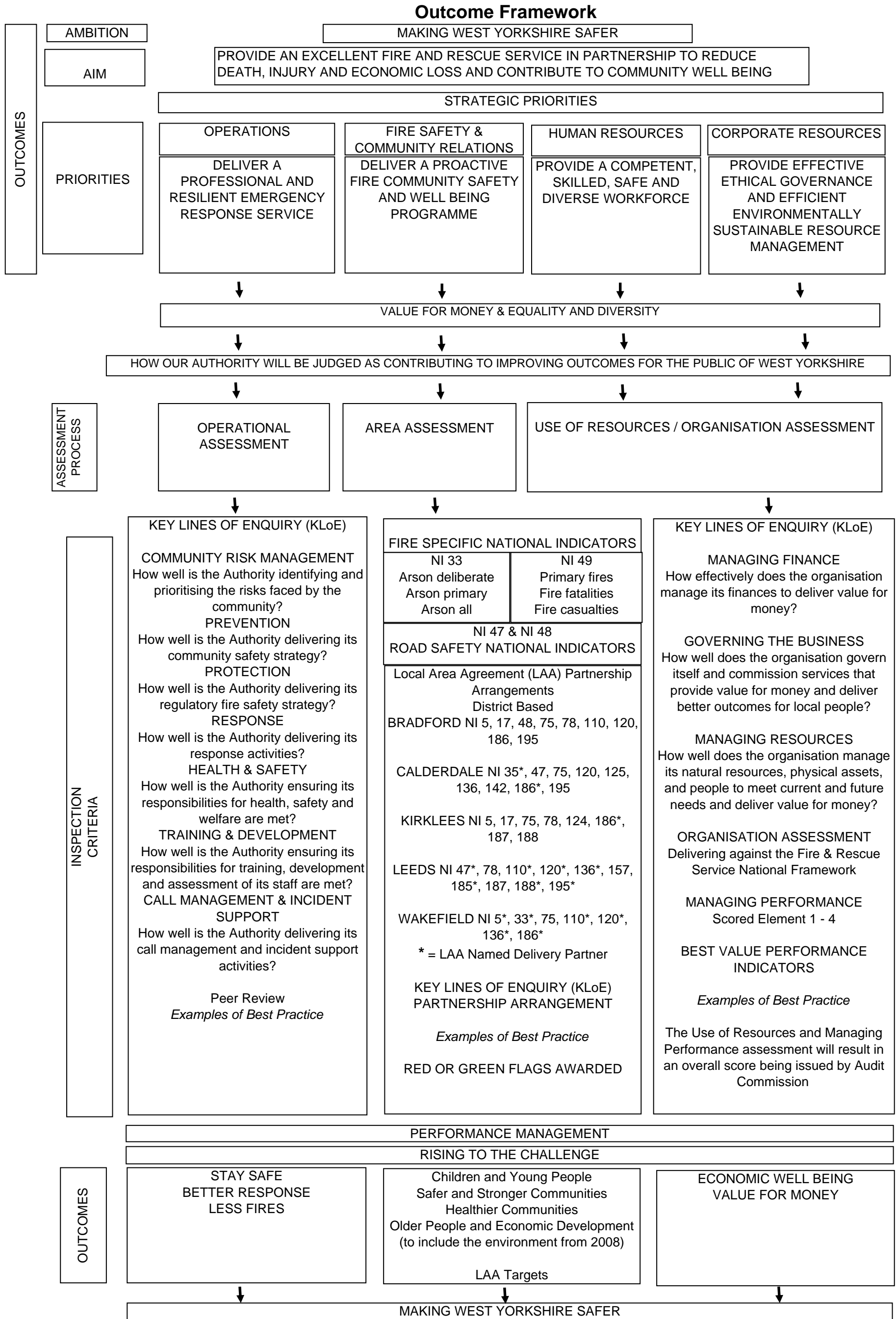
Equality and fairness issues are a main factor across all the elements of the new CAA process.

4 HEALTH & SAFETY IMPLICATIONS

The health and safety implications are covered within the report.

5 CONCLUSIONS

That Members note the report which gives a clear breakdown of the different elements of the new CAA process which comes into effect on the 1 April 2009.



WEST YORKSHIRE FIRE AND RESCUE AUTHORITY	FULL AUTHORITY	24 APRIL 2009	ITEM No
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REPORT OF: DIRECTOR OF HUMAN RESOURCES

PURPOSE OF REPORT: TO INFORM MEMBERS OF THE
CONSULTATION BEING UNDERTAKEN BY
THE REGIONAL CONTROL CENTRE
COMPANY ON HR ISSUES

RECOMMENDATIONS: THAT MEMBERS NOTE THE REPORT AND
MAKE COMMENTS ON THE CONSULTATION
PROPOSALS

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT DETAILS

EXEMPTION CATEGORY: NONE

ACCESS CONTACT OFFICER: HILARY BROWN SENIOR HUMAN
RESOURCES MANAGER

BACKGROUND PAPERS OPEN TO INSPECTION:

SUMMARY

This report provides information on consultation in relation to the situation and progress on Human Resources issues and the establishment of the Regional Control Centre (RCC) at Wakefield

1. BACKGROUND

- 1.1. Currently in England there are 46 Fire and Rescue Service (FRS) control rooms, each of which relies on individual and unique operating technologies and procedures. The FIREcontrol project was initiated to rationalise the 46 control rooms into 9 regional ones, each with identical technology and procedures, which will provide increased resilience for the challenges now faced by the FRS in the 21st century. The project has three main drivers; increasing resilience, enhancing capability and improving efficiency.
- 1.2. The location chosen for the Yorkshire and Humberside RCC is at the Paragon Business Village, Wakefield. The Centre will handle calls previously dealt with by the individual control rooms of West, South and North Yorkshire and Humberside.
- 1.3. Each of the 9 RCCs will be run by a Local Authority Controlled Company (LACC) and not directly by a FRS as before. The Yorkshire and Humberside LACC was established on 26th November 2008 as the Yorkshire and Humberside Regional Control Centre Company.
- 1.4. The amount of work needed to be undertaken by WYFRS and all other FRSs prior to cut over in December 2011 is significant. As Members will be aware West Yorkshire FRS Chief Fire Officer, Simon Pilling is the Project Director for the region and oversees the implementation of the project as a whole.
- 1.5. This report provides Members with the progress in relation to the Human Resources consultation issues.
- 1.6. The Yorkshire and Humberside region is represented at a national HR Director level by ACO Trowsdale from North Yorkshire FRS on the HR Working Group. This group is concerned with strategic HR issues in connection with the roll out of the project. David Willingham from Humberside FRS represents the region on the HR Implementation Group. His role is to coordinate the implementation of the strategic HR decisions taken across the region and to provide regional representatives with appropriate information emanating from the CLG and the Project Board. In addition, Mr Willingham has collated relevant policies and procedures from each Brigade so that all information is available in order that appropriate decisions are made in relation to staffing issues.
- 1.7. HR representatives from each of the regional constituent Brigades meet on a regular basis to ensure that there is a consistent approach to communication with control staff in the region and to agree on the HR implementation strategy.

- 1.8. On 26 February 2009 at a meeting of the Yorkshire and Humberside Regional Control Centre Company the Regional Control Centre Director (RCCD) put forward proposals on Organisational Design, Staffing Numbers and Shift patterns for the new control centre. These proposals, adapted from the national FiReControl Business Case for Regional Controls, are attached as Appendix 1 and 2. Advice on the staffing levels was given to the LACC by the 4 Yorkshire and Humber Chief Fire Officers at the meeting on the 26 February.
- 1.9 The proposals were approved on 26 February by the LACC as a basis for initial consultation with staff and representative bodies under the requirements of Transfer of Undertakings Protection of Employment (TUPE) legislation. Members may wish to comment on these proposals, although ultimately the LACC has responsibility for determining the most appropriate shift patterns and staffing numbers.
- 1.10 Subsequently letters have been sent to staff and representative bodies in all constituent FRSs attaching the proposals in relation to organisational design etc. It is anticipated that consultation with the representative bodies will be carried out on a regional basis in tandem with individual FRSs and the RCCD. Informal meetings with staff on each of the 4 watches in WYFRS have taken place already and staff have been given information about the progress in relation to the regional control centre as and when it has become available.
- 1.11 The TUPE regulations require that the issue of 'reasonableness' should apply i.e. whether it would be reasonable for staff to transfer to the RCC from their current control room. Discussions on this are still ongoing and further information will be available to Members in due course.

2. FINANCIAL IMPLICATIONS

- 2.1 The staffing structure of the control centre will be one of the key drivers for the running cost of the RCC. As the members are already aware the Yorkshire and Humberside Region are one of the regions where the cost of the Regional Control will exceed the current cost of provision. Under the current agreement this Authority will meet approximately 40% of the cost of the centre.
- 2.2 CLG have provided an assurance that they will meet any deficit in costs for the first full three years of operation of the regional control centre in the form of Resilience Grant, and the region has agreed that this will be allocated to ensure no single authority makes a deficit.
- 2.3 As part of the response to the business case the Authority has asked for a guarantee that this funding will continue after the first three years of operation. Clearly if this guarantee is not forthcoming any future deficit will have to be met by the region.

3. EQUALITY AND FAIRNESS IMPLICATIONS

- 3.1. Equality Impact assessments will be carried out on all proposals connected with the transfer.

4. HEALTH AND SAFETY IMPLICATIONS

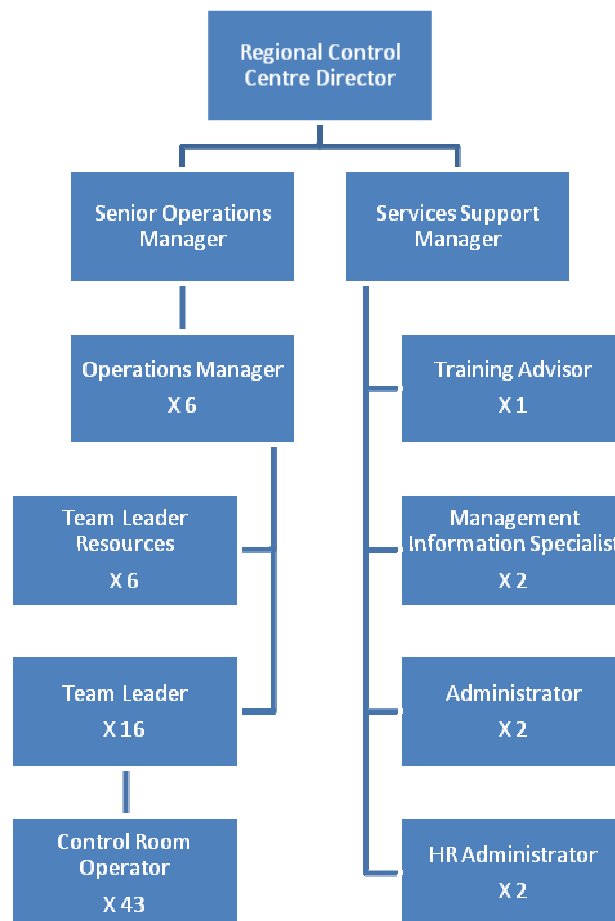
- 4.1. Health and Safety issues will be dealt with by the LACC.

5 RECOMMENDATIONS

- 5.1. That Members note the report and comment on the consultation proposals.

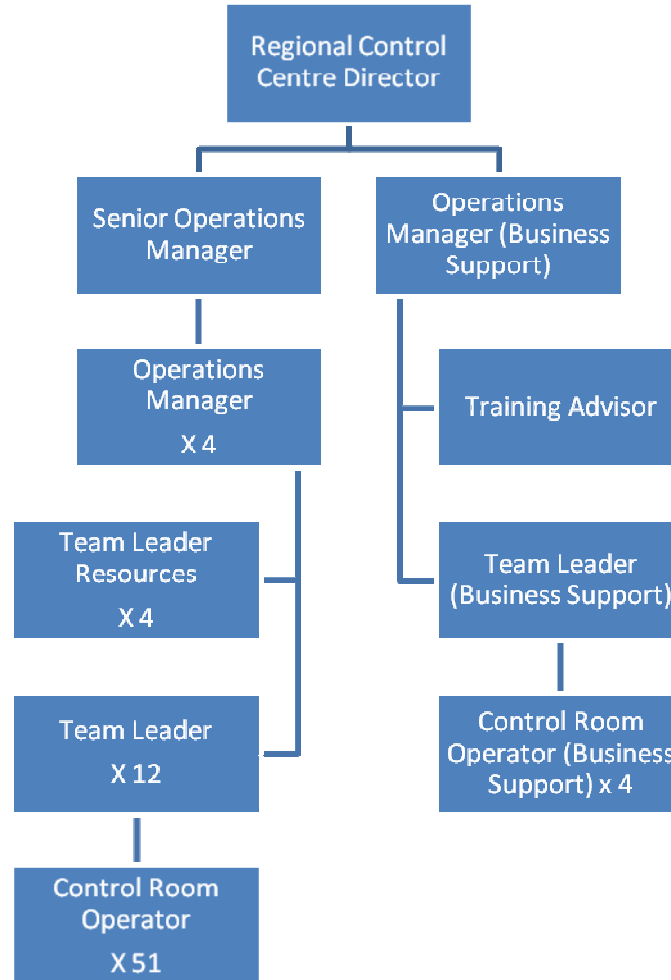
APPENDIX 1 – YORKSHIRE & HUMBERSIDE FRCC LTD ORGANISATION DESIGN & STAFF NUMBERS

1. The board of the Yorkshire & Humberside Fire & Rescue Control Centre Ltd (YHFRCC Ltd) have approved for consultation the organisation design and staff numbers explained in further detail within this document.
2. The Department of Communities & Local Government (DCLG) FiReControl Business Case (Parts 1 and 2) details suggested staffing numbers and organisation design for this region. The status of the DCLG work is advisory, acknowledging that the determination of these matters is entirely at the discretion of the Yorkshire & Humberside Fire & Rescue Control Centre Ltd (YHFRCC).
3. The Company has considered the DCLG advice and associated papers with regard to the organisation design and staffing numbers. It feels that there are changes to the advice given that will offer:
 - Improved operational capability, flexibility and resilience to deliver the service and performance standards required.
 - Reduces the risk of not delivering the performance standards.
 - Offers a greater choice of career paths for future employees, along with more opportunities for existing control staff.
 - An effective and efficient management structure.
4. The organisation design suggested in the business case can be summarised as follows:



In total there are 80 posts and it should be noted that none of the posts on the right hand side would match with existing control posts.

5. The Company intends to change the organisation design as follows:



In total there are 80 posts, however, it is envisaged that the majority of posts on the right hand side could match with existing control posts.

6. The staffing numbers required compared to the business case figures can be seen in the following table:

POST	BUSINESS CASE – STEADY STATE	COMPANY PROPOSAL
RCCD	1	1
Senior Operations Manager (SOM)	1	1
Services Support Manager (SSM)	1	0
Operations Manager (Business Support)	0	1
Operations Manager (OM)	6	4
Team Leader Resources (TLR)	6	4
Team Leader (TL)	16	12
Control Room Operator (CRO)	43	51
Training Advisor	1	1*
Management Information Specialist (MIS)	2	0
Administrator	2	0
HR Administrator	1	0
Team Leader (Business Support)	0	1*
Control Room Operator (Business Support)	0	4*
TOTAL	80	80

It should be noted that the business case envisaged that there would be 71 posts suitable for existing control staff. The proposal above increases this number as shown by the posts marked by an * in the table above.

APPENDIX 2 – YORKSHIRE & HUMBERSIDE FRCC LTD SHIFT PATTERNS

1. The board of the Yorkshire & Humberside Fire & Rescue Control Centre Ltd (YHFRCC Ltd) have approved for consultation the shift patterns explained in further detail within this document.
2. The Company will be responsible for meeting the service level agreements with each individual Fire Authority and the nationally agreed performance standards. The shift patterns adopted need to enable these service levels to be met on a 24/7/365 basis.
3. Current control room shift patterns generally roster a fixed resource 24/7/365. This is delivered using a 4 watch 2, 2, 4 pattern consisting of 9 to 10 hour day shifts and 14 to 15 hour night shifts. Current shifts patterns are not working time compliant, make it difficult to plan training requirements and do not align resource with demand. Nevertheless, they are generally favoured by staff.
4. A demand led approach to shift patterns and staff numbers using the predicted call volumes, patterns and timings gives an outline Control Room Operator (CRO) requirement after “ridership” factors have been applied as shown in the following table:

TIME	00:00 – 07:59	08:00 – 15:29	15:30 – 19:59	20:00 – 23:29	23:30 – 23:59
CRO's Required	8	12	16	12	8

5. The challenge is to identify a shift pattern that will meet the resource requirements identified in the table above.
6. The shift pattern proposed for Team Leaders and CROs is a 4 watch 2, 2, 4 system consisting of a 12 hour day shift, a 12 hour night shift, an 8 hour mid shift and an 8 hour training day.
7. Each watch will have 12 CROs subdivided into 3 teams each managed by a Team Leader. After each 8 week cycle each team will move up one place i.e. Team 2 will start at Team 1's position, Team 3 at Team 2's and Team 1 at Team 3's.

8. It should be noted that over an 8 week cycle Teams 2 and 3 will average 42 hours per week, whereas Team 1 will average 41 hours i.e. they will be 8 hours short of their contractual minimum. It is intended that Team 1 will “bank” these hours to be used at an agreed time over the next 24 week period. This means every team will bank 8 hours over a 24 week period.
9. The shift pattern delivers the resource requirement in the table above. A day shift will commence at 8 am, the mid shift around 3.30 pm and the night shift at 8 pm. The pattern (CROs and Team Leaders) for all 4 watches is shown in the following tables.

		Mon	Tue	Wed	Thu	Fri	Sat	Sun	Hours
Team 1 x4 CRO	Week 1	D	D	M	M				40
	Week 2		D	D	N	N			48
	Week 3			D	D	N	N		48
	Week 4				D	D	M	M	40
	Week 5				T	D	D	N	44
	Week 6	N					D	D	36
	Week 7	N	N					D	36
	Week 8	D	M	M		T			36
									41
Team 2 x 4 CRO	Week 1	D	D	N	N				48
	Week 2		D	D	M	M			40
	Week 3			D	D	N	N		48
	Week 4				D	D	N	N	48
	Week 5				T	D	D	M	40
	Week 6	M					D	D	32
	Week 7	N	N					D	36
	Week 8	D	N	N		T			44
									42
Team 3 x 4 CRO	Week 1	D	D	N	N				48
	Week 2		D	D	N	N			48
	Week 3			D	D	M	M		40
	Week 4				D	D	N	N	48
	Week 5				T	D	D	N	44
	Week 6	N					D	D	36
	Week 7	M	M					D	28
	Week 8	D	N	N		T			44
									42
Team 1 x4 CRO	Week 1			D	D	M	M		40
	Week 2				D	D	N	N	48
	Week 3				T	D	D	N	44
	Week 4	N					D	D	36
	Week 5	M	M					D	28
	Week 6	D	N	N		T			44
	Week 7	D	D	N	N				48
	Week 8		D	D	M	M			40
									41
Team 2 x 4	Week 1			D	D	N	N		48

Team 1 x4 CRO	Week 1					T	D	D	M	40
	Week 2	M						D	D	32
	Week 3	N	N						D	36
	Week 4	D	N	N			T			44
	Week 5	D	D	M	M					40
	Week 6		D	D	N	N				48
	Week 7			D	D	N	N			48
	Week 8				D	D	M	M		40
										41
Team 2 x 4 CRO	Week 1					T	D	D	N	44
	Week 2	N						D	D	36
	Week 3	M	M						D	28
	Week 4	D	N	N			T			44
	Week 5	D	D	N	N					48
	Week 6		D	D	M	M				40
	Week 7			D	D	N	N			48
	Week 8				D	D	N	N		48
										42
Team 3 x 4 CRO	Week 1					T	D	D	N	44
	Week 2	N						D	D	36
	Week 3	N	N						D	36
	Week 4	D	M	M			T			36
	Week 5	D	D	N	N					48
	Week 6		D	D	N	N				48
	Week 7			D	D	M	M			40
	Week 8				D	D	N	N		48
										42
Team 1 x4 CRO	Week 1	M	M						D	28
	Week 2	D	M	M			T			36
	Week 3	D	D	N	N					48
	Week 4		D	D	N	N				48
	Week 5			D	D	M	M			40
	Week 6				D	D	N	N		48
	Week 7				T	D	D	N		44
	Week 8	N					D	D		36
										41
Team 2 x 4 CRO	Week 1	N	N						D	36
	Week 2	D	N	N			T			44
	Week 3	D	D	M	M					40
	Week 4		D	D	N	N				48
	Week 5			D	D	N	N			48
	Week 6				D	D	M	M		40
	Week 7				T	D	D	N		44
	Week 8	N					D	D		36
										42
Team 3 x 4 CRO	Week 1	N	N						D	36
	Week 2	D	N	N			T			44
	Week 3	D	D	N	N					48
	Week 4		D	D	M	M				40
	Week 5			D	D	N	N			48
	Week 6				D	D	N	N		48
	Week 7				T	D	D	M		40
	Week 8	M					D	D		32
										42

10. Operations Managers and Team Leader Resources will again work a 2,2, 4 pattern consisting of 12, hour days, 12 hour nights and a shortened day shift (D2) to release them for the two 8 hour training days in the 8 week cycle. The pattern for all 4 watches is shown in the following table:

Ops Mgr	Week 1	N	N					D	36
	Week 2	D	N	N		T			44
	Week 3	D	D2	N	N				44
	Week 4		D	D2	N	N			44
	Week 5			D	D2	N	N		44
	Week 6				D	D2	N	N	44
	Week 7				T	D	D	N	44
	Week 8	N						D	D
									42
Team Leader Resources	Week 1	N	N					D	36
	Week 2	D	N	N		T			44
	Week 3	D2	D	N	N				44
	Week 4		D2	D	N	N			44
	Week 5			D2	D	N	N		44
	Week 6				D2	D	N	N	44
	Week 7				T	D	D	N	44
	Week 8	N						D	D
									42

11. For each 12 hour shift staff will receive a 1 hour lunch break, together with 2 x 15 minute “tea” breaks. It is envisaged that there will be no extended rest break or stand down time. These breaks will be received pro rata for staff working less than 12 hours subject to the minimum requirements of the working time regulations.

12. After careful consideration of all the factors, it is felt that the shift patterns outlined:

- Flexes the resource requirements in line with demand.
- Is working time compliant.
- Will deliver quality training and develop time.
- Gives a reasonable work life balance.
- Is operationally workable and manageable.

WYFRA	FULL AUTHORITY	24 April 2009	ITEM
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REPORT OF: THE DIRECTOR OF CORPORATE RESOURCES

PURPOSE OF REPORT: TO CONSIDER A PROGRAMME OF AUTHORITY AND COMMITTEE MEETINGS FOR 2009 / 2010.

RECOMMENDATION: THE PROGRAMME OF MEETINGS FOR 2009 / 2010 BE APPROVED.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT DETAILS

EXEMPTION CATEGORY: None

ACCESS CONTACT OFFICER: Nicola Houseman 01274 655740

BACKGROUND PAPERS OPEN TO INSPECTION: None

SUMMARY

A new programme of meetings for the forthcoming municipal year has to be agreed by the full Authority prior to it becoming effective immediately following the Annual General Meeting in June.

1 BACKGROUND

- 1.1 It is necessary to give consideration to the programme of meetings for the next municipal year starting in July 2009 based on a five-cycle year.
- 1.2 The Executive Committee will meet, if required, on the 3rd Friday of the month and Standards Committee will meet on a six monthly basis (October and April)
- 1.3 Accordingly, the following detailed programme is recommended for adoption by the Authority:

FRIDAY PERSONNEL & TRAINING COMMITTEE	FRIDAY FINANCE & RESOURCES COMMITTEE	FRIDAY AUDIT COMMITTEE	FRIDAY AUTHORITY (26 June 2009)
10 July 2009	17 July 2009	18 Sept 2009	4 September 2009
25 Sept 2009	16 October 2009	23 October 2009	18 December 2009
4 December 2009	29 January 2010	22 January 2010	12 February 2010
5 February 2010	5 March 2010	19 March 2010	30 April 2010
26 March 2010	23 April 2010	18 June 2010	25 June 2010 (AGM)

- 1.4 A earlier Committee start time of 10.30am has been trialled since the end of February 2009 and Members are asked to consider whether this should be continued with effect from the AGM 2009.

WYFRA	FULL AUTHORITY	24 APRIL 2009	ITEM NO
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REPORT OF: DIRECTOR OF OPERATIONS

PURPOSE OF REPORT: TO UPDATE MEMBERS ON THE CONSULTATION RESPONSE ON THE TRANSFER OF OWNERSHIP OF NEW DIMENSION ASSETS

RECOMMENDATION: THAT MEMBERS APPROVE THE PRINCIPLE OF SIGNING UP TO THE PROPOSAL FOR THE TRANSFER OF THE ASSETS

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT DETAILS

EXEMPTION CATEGORY: NONE

ACCESS CONTACT OFFICER: T/AM RHODES (01274 655783)

BACKGROUND PAPERS

- FRSC 51/2007 (Transfer of Ownership of New Dimensions Assets)
- FRSC 16/2009 (Transfer of Ownership of New Dimensions Assets) Enclosed
- Consultation Response to FRSC 51/2007 on the New Dimension Transfer of Ownership Agreement, Enclosed
- Transfer Agreement for Fire and Rescue Authorities, Enclosed

OPEN TO INSPECTION:

SUMMARY

This report provides an overview of FRSC 16/2009 including consultation responses and the revised Agreement for the transfer of New Dimensions assets and functions. FRSC 16/2009 also invites FRAs to indicate if they are content in principle to the proposal for the transfer of the assets. Officers recommend that WYFRA approve the proposal for the transfer in principle subject to any minor queries or revisions to the agreement.

1. BACKGROUND

1.1. FRSC 51/2007 invited FRA's to consult on the New Dimensions Transfer of Ownership Agreement. Since this time considerable progress has been made regarding New Dimensions Capability, including:

- The announcement of funding over the full CSR period made in July 2008
- The commencement of the Long-term maintenance contract covering all assets
- The establishment of an assurance framework and body managed through the FRS National Resilience Board

1.2. The National Resilience Assurance Team have undertaken a Strengths, Weaknesses, Opportunities and Threats (SWOT) analysis for the transfer of the assets and these considerations are listed in appendix one.

1.3. CLG have invited FRA's to indicate that they approve the proposal for the transfer in principle subject to any minor queries or revisions to the agreement.

1.4. Following further comments from FRA's, the Transfer Agreement will be finalised and formal sign-up sought by the summer recess with a view to the formal asset transfer on 1 October 2009

1.5. There are a number of benefits that can be derived from the transfer of the assets and the long term strategy for WYFRA and WYFRS.

1.5.1. The ND assets are available to be integrated into WYFRS's response capability. The High Volume Pump (HVP) Detection, Identification and Monitoring (DIM) and the Urban Search and Rescue modules have attended incidents within West Yorkshire.

1.5.2. Transferring the assets will enable WYFRS to plan and integrate the assets to further enhance local response, whilst still maintaining a national capability

1.5.3. The public of West Yorkshire will benefit from having highly trained fire fighters with high standard specialist equipment, who have the capability to respond to local emergencies.

1.6. The Chief Fire Officers Association (CFOA) has recently published a position statement regarding National Resilience Capability – Management and Assurance. Annex 4 provides an overview.

2. LEGAL ASPECTS

2.1. The expectation of CLG is that the Authority will sign up to a Transfer of Ownership of the ND Assets contract. Albeit that the terms have been the subject of discussions between representatives of CLG and FRA at national level and some amendments made, what is now proposed is a non negotiable contract. The essential requirement to be imposed on each FRA is for their respective assumption of ownership and maintenance responsibilities for the New Dimension Assets for a period of 16 years with

the maintenance work being carried out by a third party subject to the terms of a further mandated contract, the content of which has not yet been disclosed.

2.2. In an emergency each FRA must make the Assets available for national resilience response purposes within and outside of their own areas. The current CLG request is for the Authority to communicate by 27th April 2009 its agreement in principle to these arrangements pending the final drafting of the Contract and the related Maintenance Contract with a view to finalising the contractual arrangements prior to the intended transfer date in October 2009.

2.3. From a legal perspective there can be no objection to doing this whilst these outstanding matters are resolved. The Authority may wish to decide to delegate to Officers the determination of whether or not to enter into the final contractual agreements or require further reference back to Committee for Member level approval to the final arrangements.

3. FINANCIAL IMPLICATIONS

3.1 There are still a number of financial issues that remain unclear from the transfer of the assets although these should be clarified before the actual agreement is signed. The major financial issues relate to the long term funding for staffing and maintenance. The Chief Finance Officer is in dialogue with colleagues from other FRA's to ensure a consistent approach.

3.2 It is clear from the circular that although the government intends to continue to provide new dimensions funding they can provide no guarantee beyond the end of the current spending review period which ends 2010/2011. The Authority currently receives over £0.85m in grant which would have a massive impact on the Authority if it were withdrawn at the end of the spending review period and there was an expectation and requirement that the FRA continued to provide this function.

3.3 A further issue relates to the transfer of funding from direct grant (Section 31 Grant) to funding via the revenue support grant which causes two main concerns.

3.3.1 The first of these is in relation to the floors mechanism which would mean that under the current Revenue Support Grant mechanism any Authority currently below the floor would not receive the full amount of funding. This Authority is currently above the floor although there is no guarantee this would continue under a revised formula.

3.3.2 The second relates to transparency, whilst the grant is paid as a direct grant the exact amount received can be identified. Once the grant is incorporated within Revenue Support Grant the actual amount received is forever lost and there is little doubt there will be winners and losers.

3.4 The Government have stated however that the decision to use Revenue Support Grant will be subject to further consideration through the formula review group.

3.4 There have been a number of accounting issues raised with CLG but it is not considered that these will cause any problems.

4. EQUALITIES AND FAIRNESS IMPLICATIONS

4.1. There are no equalities and fairness implications arising from this report.

5. CONCLUSIONS

5.1. The role of the FRS in delivering the capability to respond to large scale disasters is now firmly embedded and CLG policy is to now transfer the assets procured by Central Government into local ownership. Whilst there are some risks associated with this policy for FRA's Officers recommend that WYFRA approve the proposal for the transfer **in principle** subject to any minor queries or revisions to the agreement, and that CLG be informed of this intention.

5.2. WYFRA will also need to consider if they require a further report to Members clarifying the outstanding issues before formally approving the transfer of assets.

NATIONAL ASSURANCE TEAM SWOT ANALYSIS

Strengths/Opportunities

- CLG wish to transfer ND assets for FRSs.
- Independence from CLG through CFOA NR Ltd.
- FRS's will retain ownership of their vehicles and assets.
- Structure for national and regional support (NRAT) in place – also provides assurance support plus operational support and guidance.
- CLG amenable to minor modification to assist local use.
- CFOA chaired Change Control Board in place.
- High standard of support from the prime contractor.
- Commitment from CLG for 5, 10 and 15 year major asset refresh.
- National Resilience Board (chaired by CFOA) in place to provide governance and strategic guidance.
- Processes and procedures for assurance in place (National Resilience Assurance Manual – NRAM).
- Funding for centralised training provided until next CRS.
- Standardised vehicles and inventory provide greater level of mutual (aid) support.
- Procedure for national mobilisation via FRSNCC in place.
- Minor asset refresh programme in place.

Weaknesses/Threats

- Establishment of correct level of funding to support the maintenance of National Resilience.
- Source of funding (revenue or capital support grant) unsure.
- Difficulty of ring-fencing funding although a commitment from LGA to support ring-fencing.
- Levels of control with replacement of missing equipment not sufficiently established - Variable cost funding issue.
- Unfair wear and tear procedure and dispute resolution needs clarifying.
- Requirement of FRS's to provide additional insurance cover.
- Possibility and likelihood of unreported and uncontrolled change locally.
- Refusal by some FRS's to provide (mutual aid) support when needed.
- Fragmented situation without 100% signup resulting in complicated ownership and responsibility.
- Some outsourcing of ownership of fleet.

Circular number	16/2009	Date issued	13 March 2009
This circular is	For consultation	Respond by	27 April 2009
This circular is	Relevant to the National Framework		
Status	This circular provides an update on the transfer of ownership of New Dimension assets along with a further version of the Transfer Agreement for Fire and Rescue Authority comment.		

Transfer of Ownership of New Dimension Assets

Issued by:

Fay Sowerby
New Dimension Policy

Addressed to:

The Chair of the Fire and Rescue Authority
The Chief Executive of the County Council
The Clerk to the Fire and Rescue Authority
The Clerk to the Combined Fire and Rescue Authority
The Commissioner of the London Fire and Emergency Planning Authority
The Chief Fire Officer

Please forward to:

Summary

The consultation on the Transfer of Ownership Agreement for New Dimension assets back in late 2007 has been followed by considerable progress of the New Dimension capabilities including; the announcement of funding over the full CSR period made in July 2008; the commencement of the long-term maintenance contract covering all assets and establishment of an assurance framework and body managed through the FRS National Resilience Board. This Circular provides a Consultation Response document following the initial consultation along with a revised version of the agreement for further comment.

For further information, contact:

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Transfer of Ownership of New Dimension Assets

1.0 Background

1.1 The New Dimension project, as a collaboration between Communities and Local Government (CLG) and the Fire and Rescue Service (FRS), has enhanced the ability of the FRS to respond to major disruptive events involving Chemical, Biological, Radiological and Nuclear (CBRN) materials, collapsed or unstable structures, and to displace large volumes of water.

1.2 Although New Dimension vehicles and equipment are currently owned by CLG, there is no option for the Department to continue to own them for the medium term. There are a number of alternatives for the future ownership of the New Dimension assets but the one which makes the most sense for the FRS is that ownership of these new resilience assets would be transferred to those FRSs which host them.

2.0 Consultation Response to 51/2007

2.1 Through Fire Service Circular 51/2007 (November 2007), CLG consulted Fire and Rescue Authorities (FRAs) on a draft Transfer of Ownership Agreement for the New Dimension assets. A total of 22 FRA responses were received along with comments from CFOA, LGA, the Fire Lawyers Network and other stakeholder bodies. This Fire Service Circular provides a Consultation Response following FRA replies to FSC 51/2007, along with a revised Transfer of Ownership Agreement for further comment by FRAs and an update on the timetable for the transfer of the assets.

2.2 It is worth re-iterating the benefits deriving from both the transfer and the long-term strategy for the New Dimension project overall for both FRSs and FRAs:

- It will ensure that New Dimension capability can be fully integrated into FRS core business and from an FRA perspective will unite ownership with use of the capability, providing FRAs with control over the assets they host.
- Provision of a maintained and fully operational fleet of vehicles and equipment through CLG's procurement of a £100m long-term maintenance contract with Vosper Thornycroft Critical Services (VTCS). This maintenance contract commenced in October 2008 and we understand that feedback so far has been strongly positive.
- Access to free, comprehensive future assurance for the New Dimension capabilities. The Department appreciates that New Dimension provides national capabilities and hence will require future overarching governance once the assets have transferred to individual FRAs. On this basis, CLG has funded a long-term Assurance Body (the FRS National Resilience Board) led by CFOA, which will ensure that the capabilities are fit for purpose, do not degrade over time, continue to be interoperable between FRAs whilst also providing specialist guidance and advice, access to a national training programme and a fully managed minor asset refresh programme.

Transfer of Ownership of New Dimension Assets

- 2.3 Responses to the original consultation on asset transfer mainly concerned FRAs' queries about future funding, in advance of an assurance from the Department. Among other issues raised were the proposed transfer of funding into the Revenue Support Grant (RSG) and the accounting treatment.
- 2.4 In regard to future funding, FSC 36/2008 (July 2008) provided confirmation of the funding allocation for the New Dimension project for the CSR07 period. In line with the new burdens principle, CLG recognised that FRAs need continued funding to support the New Dimension capabilities. On this basis, in summer 2008 Ministers announced continuation funding of £80 million between 2008/09 and 2010/11. As part of this package, in December 2008, CLG provided funding to FRAs of £19.4m and a further grant containing the remaining funding for this financial year is expected in the next few weeks.
- 2.5 On the question of mainstreaming New Dimension grants into the Revenue Support Grant, CLG has previously indicated that it is looking to do this in line with agreed CLG/LGA policy, but when there is a clear history of actual costs to take account of. As outlined in FSC 32/2007 (July 2007), for the current CSR period we intend to continue funding through specific Section 31 Grants. Further consideration of this will be through the formula grant review in the normal way, when FRAs and LGA will have full opportunity to raise any remaining concerns.
- 2.6 With regard to the accounting treatment for the transfer of assets, FRA accounts should reflect the net book values of the assets being transferred as calculated by CLG in column four of Schedule 1 of the Agreement. The net book values of the assets are based upon modified historic cost adjusted for depreciation in accordance with CLG's accounting policy. CLG calculates depreciation on a straight-line method in accordance with Financial Reporting Standard (FRS) 15. On this basis we have therefore amended the Transfer Agreement to take account of this advice accordingly. Furthermore, given that the transfer of assets is a transfer of function, the Department has removed the reference to monetary consideration within the Transfer Agreement which would wrongly imply it was a sale of assets and hence undermine the basis for it being a transfer of function. Again, this has been amended in the Agreement.
- 2.7 A comprehensive list of all the comments and questions raised by FRAs in response to the original consultation on the Transfer of Ownership Agreement are provided in the Consultation Response document accompanying this Circular, along with the responses to each query from CLG.

3.0 Revised Transfer Agreement & Timetable for Transfer

- 3.1 Following the comments already received by FRAs on the draft Transfer of Ownership Agreement we have amended the document, though its content remains generally similar to the previous version.
- 3.2 We therefore invite FRAs to review the revised agreement again (reading in conjunction with this the Consultation Response document) and indicate whether they are content in principle to sign up to the proposal for the transfer of the assets by **27 April 2009**. This, of course, is subject to any remaining minor queries or revisions to the agreement.

- 3.3** Following any further FRA comments, we then aim to finalise the Agreement and seek formal sign-up from FRAs by the summer recess, with a view to setting a date for formal asset transfer of 1 October 2009. We understand that this will allow time for FRAs to take the issue through their Committee structures.

Fay Sowerby
New Dimension Policy

Consultation Response to Fire Service Circular 51/2007 on the New Dimension Transfer of Ownership Agreement

Subject	FRA issues raised from the Consultation	CLG Response
Specific Drafting Issues	1. Clause 1 (Definitions) contains no definitions.	Amended to read 'Interpretations'
Specific Drafting Issues	<p>2. Clause 2 (Transfer) the Department should include:</p> <p>i) Whether any assets dependent upon programmes & systems in respect of intellectual property rights not in ownership of CLG, or cannot be transferred to the FRS.</p> <p>ii) It has full legal and equitable title to the assets prior to transfer.</p> <p>iii) That no person has commenced, threatened to commence any action that would be materially inconsistent with this warranty e.g. a third party may sue if he claims to have legal interests in the assets.</p> <p>iv) That there are no encumbrances (e.g. mortgage, charge, third party interests etc) over the assets and no agreement by the Department to create any.</p> <p>v) Whether the assets are the subject of no other</p>	<p>i) The Department confirms that it will retain ownership of all intellectual property rights it holds in association with New Dimension equipment as detailed in Clause 2.1.1 of the Transfer Agreement.</p> <p>ii) – iv) Agreed, a new clause 2.2 has been inserted to cover these points.</p> <p>v) Currently New Dimension equipment is subject to other contracts although these will have ended by the proposed transfer date (1 Oct 09) and hence a clause covering this will be added. This however will exclude the Terms of Access under the LTCM Maintenance Contract which FRAs will be obligated to sign up to in line with the provisions of clause 7.1.</p> <p>vi) As mentioned above the Transfer Agreement has a condition that in signing up to the transfer, each FRA will themselves enter into a Terms of Access agreement whereby they will access the services provided by the maintenance contractor (VTCS) in conjunction with the preferred commercial Terms and Conditions of the contract. It is a contractual obligation under this contract that</p>

Subject	FRA issues raised from the Consultation	CLG Response
	<p>contracts.</p> <p>vi) That the assets are fit for purpose and in full working order (this was also requested under Schedule 3)</p>	<p>equipment and vehicles are maintained so they are fit for purpose. As such, there is no need to include this clause within the Transfer Agreement.</p>
Specific Drafting Issues	<p>3. Clause 2.1.1 – CLG would need to inform FRS's in advance of the extent to which insurance policy rights would transfer to it.</p>	<p>Agreed. Information on rights or claims against third parties on the equipment in reference to insurance policies will be provided to relevant FRAs prior to transfer.</p>
Specific Drafting Issues	<p>4. Clause 3.1 (Consideration) the term 'Assets' should be changed to read either the 'New Dimension Assets' or, more accurately, the 'Equipment'.</p>	<p>It is the Departments view that the term 'Assets' is appropriate.</p>
Specific Drafting Issues	<p>5. Clause 5 – Liabilities:</p> <p>i) Request to include an indemnity on all claims, demands, actions or costs arising before but made after the Time of Transfer</p> <p>ii) Furthermore, some FRAs have suggested changing drafting of Clause 5 to read:</p> <p>'Nothing in the agreement shall pass to the FRA, or shall be construed as acceptance by the FRA of, any liability, debt or other obligation of the Department (whether accrued, absolute,</p>	<p>i) & ii) The Department agrees that it would be unreasonable for FRAs to pick up liabilities, obligations etc. arising prior to the transfer date. However, we believe that the existing wording in the Transfer Agreement is sufficient to deal with this matter. Through general Departmental policy, we are unable to provide an indemnity as described.</p> <p>Where there is any liability arising out of this agreement, CLG undertakes, acting in good faith, to consider how that liability should be met and to act in a manner consistent with a reasonable public authority.</p>

Subject	FRA issues raised from the Consultation	CLG Response
	<p>contingent, known or unknown) for anything done or omitted to be done before the Time of Transfer in the course of or in connection with the Equipment and the Department shall:</p> <p>a) indemnify and hold the FRA harmless against any and all obligations, liabilities and any action, award or other legal recourse, complaint, cost, debt, demand expense, fine, liability, loss, outgoing or proceeding arising there from; and</p> <p>b) perform any obligation falling due for performance or which should have been performed before the Time of Transfer.”</p>	
Specific Drafting Issues	<p>6. Clause 6 (Further Assurance) concerning request for documentation. Replace ‘the department considers necessary’ with ‘the Department or the FRA reasonably considers necessary’. This should not be limited to those considered by CLG also reasonably considered by the FRA.</p>	<p>FRAs will wish to be aware that CLG has already provided the vast majority of necessary documentation associated with New Dimension project to the CFOA-led Assurance Body (the FRS National Resilience Board) and has, and will continue to, respond to any further requests from them for further documentation or action on outstanding issues. Where FRAs require documentation associated with New Dimension they are able to request this from the Assurance Body. Given this, the Department considers the current wording of clause 6 is sufficient as it is.</p>
Specific Drafting Issues	<p>7. Clause 7 (Obligations) section 7.5 refers to ‘Interoperability’ – this is a key term but it is not defined in the Agreement.</p>	<p>Agreed. The Transfer Agreement has been amended accordingly. (This is now clause 7.4)</p>

Subject	FRA issues raised from the Consultation	CLG Response
		[Nb: Clause 7 has also been updated following commencement of the New Dimension maintenance contract. We have therefore deleted the previous clause 7.4 which referred to interim maintenance arrangements].
Specific Drafting Issues	<p>8. Schedule 3 (Obligations of the FRA):</p> <p>i) Section 1 to make clear that the approval should not be unreasonably withheld. In addition a time period of responses by CLG should be included.</p> <p>ii) Section 1.1 is too restrictive. FRS requires some flexibility to be allowed to meet local needs.</p> <p>iii) Section 4 has a new obligation to notify the FRS Coordination Centre within one hour.</p> <p>iv) Section 3 amend “best endeavours” to “reasonable endeavours.”</p> <p>v) Section 5 – Reference to ‘maintenance’ is confused & illogical.</p>	<p>i) Agreed and amended accordingly, however the time necessary to respond would be dependent on the issue raised. Therefore the wording now refers to approval not being unreasonably withheld by the Department and that the Department will respond to any request as soon as reasonably possible.</p> <p>ii) The FRS, need assurance that the equipment remains interoperable at all times hence this reason for this clause. The process for managing change to specifications, procedures etc. will be managed by the Assurance Body, on behalf of the FRS, and decisions on such issues will be made collectively by them or referred to CLG where necessary.</p> <p>iii) This is not a new obligation and is set out already in Circular 30/2006 (June 06).</p> <p>iv) CLG’s view is that the FRS should use best endeavours, as it is currently doing, to ensure it maintains the necessary level of trained and competent staff to operate the New Dimension equipment both currently and once the transfer agreement is enacted.</p>

Subject	FRA issues raised from the Consultation	CLG Response
		v) Agreed. The word 'maintenance' under section 5 has been deleted (but for clarity it remains in 5.1 and 5.2).
Specific Drafting Issues	9. Request from several FRSs to add a clause on force majeure.	<p>The Department is unsure in what context FRAs have requested a clause on force majeure. However from CLG's perspective, there is a hazard in putting in such a clause given that New Dimension capability has been provided to respond to major national emergencies often caused by force majeure incidents. Inserting such a clause would detract from the FRAs responding to this type of incident.</p> <p>Nevertheless, we have put in arrangements through the Assurance Body for dealing with write-off of equipment (which may have been caused as a result of force majeure) under the circumstances where it cannot be replaced in the short-term. Those arrangements are that the Assurance Body work with FRSs to live round losses, if necessary moving equipment or finding other solutions to keep the capability fit for purpose in the most reasonable manner.</p>
Specific Drafting Issue	10. Need a clause setting the circumstances in which the parties can terminate and what the consequences of termination are (e.g. return of the equipment? Or can FRA's opt to pay to keep the Equipment?)	The agreement is a transfer of function and is not intended to be some temporary arrangement. On signing up to the Transfer Agreement, FRSs will accept ownership of the assets and the responsibilities as set out within the Agreement.
Transfer of function	11. FRAs have requested a further explanation on why the transfer of assets is considered a	As noted in Circular 51/2007 (Nov 07), transfer of function is the correct terminology; alternatives such as simply

Subject	FRA issues raised from the Consultation	CLG Response
	transfer of function; what exactly is being transferred under the Agreement and if there is an issue relating to VAT, for this to be explained further.	transfer of assets would suggest that FRSs were carrying out a service on behalf of CLG, which is clearly not the case. Information on transfer of functions can be found in the HM Treasury document: "Supply Estimates: A Guidance Manual 2007" para 2.43-2.49. Weblink below. http://www.hm-treasury.gov.uk/d/estimates_manual011007.pdf
Insurance	12. Provision of 3rd party insurance – who insures the assets against what risks and over what periods? If policies overlap, this could risk invalidating both policies and equally, would want to avoid a gap in insurance cover. What are the funding implications if FRS want appropriate cover above minimum level.	<p>Until the transfer is agreed CLG will continue to provide 3rd party insurance for the ND vehicles. After the transfer, CLG intend to fund this directly to FRAs. We will make clear at what point CLG insurance will cease (presumably the date of transfer) in sufficient advance that FRAs can make their own arrangements to insure.</p> <p>The stakeholder view was that some FRAs self-insure and would not wish to be obligated to provide comprehensive insurance. On this basis we are providing funding to cover the minimum statutory legal requirement of 3rd party insurance only for the vehicles (not the equipment where there is no legal requirement). Any coverage above this will be at the discretion of each individual FRA.</p>
Warranties	13. Request for confirmation over whether there is a clear legal ability to transfer the existing warranties.	There are very few warranties for New Dimension assets still in operation but where they are still active, they are managed via the maintenance contractor (VTCS) on the Departments, and hence the FRAs, behalf. It would not be feasible to transfer these warranty rights over to 46

Subject	FRA issues raised from the Consultation	CLG Response
		<p>individual FRSs.</p> <p>In terms of long-term manufacturing defects, CLG takes the view that, as the procurement agent for the New Dimension assets, it should retain responsibility for managing the defects. In the first instance, where an FRA believes there may be a fundamental concern on a vehicle or equipment type they should inform the Assurance Body accordingly. Taking in to account advice from the Assurance Body and our own Departmental advice, CLG will then take the issue forward as necessary.</p>
Liabilities	14. Clarity on liabilities – would not accept a transfer of liabilities in excess of the period for which funding is guaranteed.	<p>This transfer of function is in line with all transfer of functions from central government to local authorities. Central government funding to local authorities is decided by spending reviews and annual settlements on which authorities are consulted.</p>
Liabilities	15. FRAs have asked what liabilities are associated with CLG for a failure beyond the FRS/FRA control i.e. manufacturing defect or commonly adopted procedural defect that causes accident or injury.	<p>Long term manufacturing defects would be covered via warranty. (see 13 above).</p> <p>Procedures surrounding use of the New Dimension equipment have been developed by the Department, with full involvement of FRS practitioners. In future it is intended that where procedures are revised or updated (via the Assurance Body) resulting guidance, where applicable, would be issued through CLG's national operational guidance process.</p>

Subject	FRA issues raised from the Consultation	CLG Response
Maintenance Contract and Terms of Access	16. Details of these contracts are not available to FRAs.	A copy of the Terms of Access will be provided to FRAs via the Fire Lawyers Network in the next few weeks.
Maintenance Contract and Terms of Access	17. The contract length (16years) is too long. Is there a break clause?	Yes there are break clauses within the LTCM maintenance contract. These can be exercised by Firebuy – termination for cause (i.e. breach of contract) and termination without cause which can be enacted after three years of the contract being in operation with expiry not less than 12 months after notification. Where an FRS has an issue with the performance of the maintenance contractor this should be raised with Firebuy, as the contract managers.
Maintenance Contract and Terms of Access	18. What is the contractor's responsibility for training, crewing, consumables and routine asset refresh?	The maintenance contractor has no responsibility for training or crewing. In terms of consumables, whilst CLG owns the New Dimension assets all consumables, (in line with those outlined in Circular 52/2008, Oct 08) should be requested by FRSs via the maintenance contractor, which CLG will pay for directly. Once the transfer is enacted, CLG will provide funding to FRSs for consumables and it will be for FRSs themselves to decide whether it wishes to continue to buy the consumables from the maintenance contractor or make their own arrangements. For asset refresh it will be for the Assurance Body to decide how and where to purchase any new/additional equipment.
Maintenance Contract and Terms of Access	19. Question over whether it is possible for those Brigades with PFI contracts to have their New Dimension equipment asset managed/owned	No. The Transfer Agreement has a condition that in signing up to the transfer, each FRA will themselves enter into a Terms of Access agreement whereby they are obligated to

Subject	FRA issues raised from the Consultation	CLG Response
	by their contractor.	access the services provided by the maintenance contractor (VTCS) in conjunction with the preferred commercial Terms and Conditions of the contract. However, working arrangements have been put in place to ensure that where a PFI contract exists within an FRA, that VTCS, the FRA and PFI Contractor are agreed on the protocol of responsibilities at the defect reporting stage to ensure that no gaps exist in KPI performance for either party. There is also a clause in Schedule 3 of the Transfer Agreement that prevents FRAs from selling or divesting interest of the New Dimension equipment to any third-party.
Maintenance Contract and Terms of Access	20. Can FRAs still opt to maintain the Equipment in-house?	No. (as 19 above) On transfer, FRAs will be obligated to use the VTCS contract for maintenance and repair of the assets. However we have encouraged VTCS to use the facilities of the FRS where feasible to do so and they have already successfully employed the services of some FRS workshops. Expressions of interest are currently being invited from FRSs who may wish to have their workshop facilities considered for use by VTCS. Visits to workshop locations will commence this month.
Maintenance Contract and Terms of Access	21. Will CLG fund the cost deriving from the maintenance contract in full?	Through Circular 52/2008 (Oct 08) CLG has committed to paying the fixed costs of the maintenance contract relating to routine maintenance and servicing to ensure that the equipment and vehicles are ready to respond to a major (level four) incident. Whilst CLG have encouraged FRSs to also use this equipment in response to their own day to day

Subject	FRA issues raised from the Consultation	CLG Response
		<p>business, it is not for CLG to fund the repair or replacement of equipment used or damaged in local incidents where FRSs choose to use it. Consistent with maintenance and repair arrangements for FRAs' own vehicles and equipment more widely, it will be expected that where damage to New Dimension assets occurs during a local incident or as a result of an act or omission by an employee of an FRA or some person or body acting on the FRA's behalf, that the costs of remedy or repair should be borne by that FRA. Based on the experience of New Dimension to date and given the generally good governance of the FRS, it is unlikely that charges of this nature will be frequent or of a substantial amount per FRA.</p> <p>On an exceptional basis, CLG has agreed to cover the cost of unfair wear and tear up to 1 April 2009, although we have reserved the right to recharge an FRA where the case involves substantial or disproportionate costs, or where costs are of an unnecessarily repetitive nature. CLG is developing a policy of recharging FRAs for the costs associated with unfair wear and tear which will come into force this year.</p>
Maintenance Contract and Terms of Access	22. What constitutes unfair wear and tear?	This is covered in detail in Circular 52/2008 (Oct 08).
Maintenance Contract and	23. Are Firebuy costs for contract managing the maintenance contract covered by CLG?	Yes. CLG are paying contract management costs directly to Firebuy.

Subject	FRA issues raised from the Consultation	CLG Response
Terms of Access		
Maintenance Contract and Terms of Access	24. How will the contracts be monitored? Will there be periodic benchmarking?	<p>Firebuy, as the contract manager, monitors and measures VTCS's performance of the services required under the contract, using a robust suite of KPIs. Comprehensive Management Information is provided to Firebuy on a monthly basis and is disseminated in various forms from the Assurance Body on down to the regional forums.</p> <p>In contractual terms, benchmarking will take place every four years throughout the life of the contract. However, Firebuy reserves the right to carry out a benchmarking exercise outside that regime.</p>
Asset Refresh	<p>25. Questions on asset refresh including confirmation of who decides when there will be a 'routine asset refresh' or a 'major refresh' and request that operating & replacement costs of New Dimension vehicles & equipment be fully funded by CLG.</p> <p>26. What are the interim arrangements to replace assets when they come to the end of their life?</p>	<p>In terms of routine asset refreshment such as small items of equipment which require frequent refresh (i.e. IT/communications), CLG are providing funding to the Assurance Body to manage this (around £1.5m pa once the New Dimension capabilities have been fully transitioned over). It will be for the Assurance Body to take the view on what refresh is required each year.</p> <p>For major asset refresh, (where the equipment/vehicles become unfit for purpose over time, are no longer operationally viable or more technologically advanced equipment becomes available on the market), we expect the Department to consider advice from the Assurance Body about every five years over the 16 year period, in the context of the relevant Spending Reviews. However, no</p>

Subject	FRA issues raised from the Consultation	CLG Response
		<p>commitment can be made to decisions beyond this spending review at this time. In the meantime, the Assurance Body will arrange for interim arrangements between FRSs to cover any equipment losses until the next major refresh.</p>
Funding	<p>27. Queries over the level of 'New Burdens' funding support to be provided to FRAs to enable continuing provision of New Dimension capability in the long-term, whether the proposed funding will meet the costs incurred and whether in future the funding will fall away.</p>	<p>In July 2008, Ministers announced funding of £80m over the next three years relating to New Dimension. Circular 36/2008 (July 08) detailed the New Dimension Section 31 grants that are planned to continue for the current CSR period:</p> <ul style="list-style-type: none"> o 2008/09 - £23.9m o 2009/10 - £27.8m o 2010/11 - £28.3m <p>In December 2008 Govt provided funding to FRAs of £19.4m out of the £23.9m proposed. A separate grant containing the remaining funding for this financial year is expected shortly.</p> <p>Government remains committed to the new burdens principle and that where a new burden is imposed on FRAs, this will be funded accordingly.</p>
Funding	<p>28. If Section 31 grants are subject to Ministerial and Treasury approval – an FRA risks signing the agreement before such approval is given and potentially having to perform it unfunded?</p>	<p>Section 31 Grants are merely a mechanism to pay money to FRAs. Ministers have announced the funding allocation for the full CSR period, in response to FRAs' concerns and in line with wider Government policy to provide 3-year settlements.</p>

Subject	FRA issues raised from the Consultation	CLG Response
Funding	29. In transitioning long-term funding from Section 31 grants to the Revenue Support Grant (RSG), how will this affect FRAs?	<p>CLG has previously indicated that it is looking to put New Dimension funding in the RSG formula in due course in line with agreed CLG/LGA policy, and when there is a clear history of actual costs to take account of.</p> <p>It remains our intention to consider this again in the next formula grant review, when FRAs and LGA will have full opportunity to raise any remaining concerns.</p> <p>Whilst we endeavour to pay larger S31 grants about mid-financial year so authorities neither benefit nor lose out from their timing, clearly any future move to RSG would remove this issue as well as giving authorities further assurance over long-term funding.</p>
Funding	30. Who funds road fund licence renewals – are they within the new burden scope?	The Department presumes this refers to the tax disks? If so, there is no cost associated with taxing this type of emergency vehicle.
Accounting Treatment	31. FRAs would like guidance over accounting treatment of assets, in sufficient time to allow the accounts to be completed correctly?	With regard to the accounting treatment for the transfer of assets, FRA accounts should reflect the net book values of the assets being transferred as calculated by CLG in column four of Schedule 1 of the Agreement. The net book values of the assets are based upon modified historic cost adjusted for depreciation in accordance with CLG's accounting policy. CLG calculates depreciation on a straight-line method in accordance with Financial Reporting Standard (FRS) 15. We have therefore amended the

Subject	FRA issues raised from the Consultation	CLG Response
		<p>Transfer Agreement to take account of this advice accordingly.</p> <p>Furthermore, given that the transfer of assets is a transfer of function, the Department has removed the reference to monetary consideration within the Transfer Agreement which would wrongly imply it was a sale of assets and hence undermine the basis for it being a transfer of function. Again, this has been amended in the Agreement.</p>
Accounting Treatment	32. Request for a current valuation of the assets with a certificate including the assessment of residual life and value.	CLG has already calculated the current net book value of all the New Dimension assets, however the actual value provided to the FRAs will be dependent on the actual time of transfer. This, and any other accounting information required, will be provided to FRAs in sufficient time prior to transfer being enacted.
Governance	33. Several FRAs requested further information on the role of the Assurance Body; how this group will interact and influence participating services and whether they have the necessary authority to undertake the roles envisaged for them.	<p>As part of the FRS taking on responsibility for New Dimension, CLG is providing new burdens funding to ensure the New Dimension capability remains fit for purpose and interoperable. Previously CLG had undertaken this role but, in line with our long term strategy, we are transitioning this over to the FRS directly.</p> <p>However the Department recognises that this function cannot be undertaken by individual FRS in silo and that there needs to be a collective oversight on a national basis. Given this, CLG has facilitated a mechanism whereby this</p>

Subject	FRA issues raised from the Consultation	CLG Response
		<p>function can be managed strategically by the CFOA-led Assurance Body.</p> <p>The aim of the Assurance Body is to provide operational assurance that the New Dimension capabilities remain fit for purpose and can be deployed consistently across national and regional boundaries, including managing and monitoring operational practices, procedures and technical advice on HVP, CBRN, USAR and Command & Control capabilities, and the associated operational IT, communications and training, asset refresh and any required siting or re-siting of assets. The Assurance function is supported by the National Resilience Advisory Team (N-RAT), and an Assurance Body representative also attends meetings between Firebuy and the maintenance contractor (VTCS) to support effective management of that contract through representing the collective customer interest.</p> <p>So far the body, in its interim state as the Transition Board, has worked well from our perspective and, we understand, from the FRS's, providing a positive and pragmatic approach to issues. The FRSs hosting each New Dimension capability sit on an operational management group, and the Chairs of each of these groups sits on the Assurance Body as the capability lead, so the body is well-placed to understand and represent FRS operational needs and broader FRA concerns. Should FRSs or FRAs, become concerned about the operation of the Assurance</p>

Subject	FRA issues raised from the Consultation	CLG Response
		<p>Body they are able to raise their issues at the relevant operational management group, and where concerns cannot be resolved there, they can be taken forward to the parent Assurance Body itself. The Assurance Body is by nature consensual with the FRS and although it currently broadly follows the structure used for the New Dimension project it will of course be for the FRAs collectively to decide whether this remains appropriate in the longer-term.</p>
Governance	<p>34. FRS concern over the reduction of Regional and Assistant Co-Ordinator posts and the need to retain some form of regional co-ordination, otherwise this could undermine interoperability.</p>	<p>This issue has been overtaken by establishment of the CFOA-led Assurance Body, whereby Government is providing funding of £2.24m pa to maintain regional staffing and a central secretariat to ensure that New Dimension capabilities are at all times kept interoperable and fit for purpose between the FRAs.</p>
Generic	<p>35. At the end of the Transfer of Ownership Agreement is it for each fire and rescue authority to determine what it does with the equipment at that point of time?</p>	<p>Discussion will be undertaken with FRAs near the time of expiry of the transfer agreement.</p>
Generic	<p>36. Concerns regarding acceptance of financial liability at a local level for assets whose nature and use is directed at national level</p>	<p>Once the ownership of New Dimension vehicles and equipment has been transferred to FRAs the use of these assets at regional or national level will be on the same basis as any locally procured FRA asset. Deployment of FRA assets to other FRAs as a result of a serious incident is covered by the National Mutual Aid Protocol as signed by every FRA and outlined in Fire Service Circular 75/2006</p>

Subject	FRA issues raised from the Consultation	CLG Response
		(Dec 06).
Generic	37. Would one FRA be liable for changes made in other authorities?	Changes to the specification/procedures for New Dimension assets or alterations to the equipment itself can only be undertaken after strategic consideration. This will be undertaken by the Assurance Body on behalf of the FRAs, and, at a strategic level, CLG. It is expected that any changes approved by the Assurance Body on New Dimension capability be implemented in all FRAs, subject to usual financial/operational considerations.
Generic	38. Further clarification of the staff numbers required to enable the equipment to be deployed.	CLG has provided all New Dimension capabilities with a model for the number of crew required to operate the equipment (i.e. USAR Team has an initial deployment of 10 crew). It is however, for FRs to consider whether they are able to safely and effectively crew the equipment under a different model but are still able to provide the necessary outputs.
Generic	39. A clearer understanding of support available from the centre to maintain the national capability will be needed with regard to training and exercising, technical refreshers, co-ordination of SOPS and resolution of safety events.	All these issues are being dealt with by the work of the Assurance Body – see Q33 above.

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AGREEMENT

BETWEEN:

**(1) THE SECRETARY OF STATE FOR COMMUNITIES
AND LOCAL GOVERNMENT**

-and-

(2) [FRA]

An agreement for the transfer of
the New Dimension assets and functions

Contract number:

MEPB
DCLG Legal Directorate
Eland House
Bressenden Place
London
SW1E

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THIS AGREEMENT is made on

BETWEEN

- (1) The Secretary of State for Communities and Local Government acting through the Department for Communities and Local Government of Eland House, Bressenden Place, London SW1E 5DU (“**the Department**”); and
- (2) [FRA] of (“**the FRA**”).

BACKGROUND

- (1) The Department has for some time maintained and kept available for use assets for the purposes of the New Dimension Programme in England (“the New Dimension Assets”).
- (2) In accordance with Government policy, the Department wishes to transfer the ownership of the New Dimension Assets to the English Fire and Rescue Authorities. The specific equipment (being part of the New Dimension Assets) to be transferred to the FRA is listed in the Schedule 1 (“the Equipment”).
- (3) The FRA has agreed with the Department with effect from 00.01 hours on [...] (“ the Time of Transfer”) to accept the transfer of the Equipment in consideration of the assumption of the obligations ('the Obligations') set out in this Agreement in each case on the terms and conditions set out.
- (4) The transfer of the Equipment from the Department to the FRA shall be treated as a “transfer of function”.

NOW IT IS AGREED as follows:

1. Interpretation
 - 1.1 Unless the context requires otherwise, the singular shall include the plural and vice versa, and words expressed in any gender shall include any other gender.
 - 1.2 The headings are inserted for convenience only and shall not affect the interpretation of this Agreement.
 - 1.3 Save where express provision is made to the contrary, any reference to a statute, statutory provision or subordinate legislation shall be construed as a reference to that legislation, as amended and in force from time to time, including any re-enactment, consolidation or replacement (with or

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without modification). In the case of a statute or statutory provision, the reference shall also be construed as a reference to all subordinate legislation made under such statute or statutory provision.

1.4 Any reference to a Schedule is a reference to a Schedule to this Agreement.

2 Transfer

2.1 The Department agrees to transfer ownership and the FRA agrees to accept that transfer with effect from the Time of Transfer the Equipment including without limitation all rights and claims of the Department against third parties with respect to the Equipment (including without limitation all rights in connection with insurance policies held by the Department subject to the consent of the relevant insurance companies) so far as the Department can assign the same BUT (for the avoidance of doubt):

2.1.1 excluding all intellectual property rights owned or used by the Department in relation to the Equipment; and

2.1.2 excluding the equipment of the Department set out in Schedule 2 ('the Retained Equipment') including all property assets rights and liabilities relating to the Retained Equipment whether or not such Retained Equipment is incorporated in to or attached to the Equipment).

2.2 The Department warrants that:

2.2.1 it has legal and equitable title to the Equipment prior to the Time of Transfer;

2.2.2 no person has commenced or to its knowledge, threatened to commence, any legal proceedings in relation to the Equipment which would be materially inconsistent with the transfer of ownership of the Equipment under clause 2.1; and

2.2.3 there are no encumbrances in respect of the Equipment or agreement by the Department to create such an encumbrance.

3 Consideration

3.1 The consideration for the [Assets] shall be the assumption by the FRA of the obligations set out in this Agreement.

3.2 The accounts of the FRA shall reflect that the value of an item of the Equipment listed in the first and second columns of Schedule 1 is the amount specified in relation to that item in the fourth column of Schedule 1.

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DRAFT**4 Completion**

4.1 Completion of the transfer shall take place at the Time of Transfer by which time the Department shall have delivered the Equipment to the FRA.

4.2 Risk and property in and title to the Equipment shall pass to the FRA at the Time of Transfer.

4.3 The Department shall at or as soon as practicable after the Time of Transfer deliver to the FRA all transfers assignments and novations (if necessary) in connection with the Equipment together with the relevant documents of title (as detailed in schedule 4) necessary to give effect to this Agreement.

5 Liabilities

The FRA agrees to accept the transfer of the Equipment on the terms of this Agreement but the Department shall retain and discharge all debts owing by the Department in respect of the Equipment and all other liabilities of the Equipment subsisting as at the Time of Transfer.

6 Further Assurance

The Department agrees and declares that it will after and notwithstanding completion of the transfer under this agreement execute and deliver any other documents and take any other steps that the Department considers necessary from time to time to vest in the FRA (or as it may direct) the Equipment.

7 Obligations

7.1 Firebuy Limited (Company number 5568715) ("Firebuy") (or any successor body thereof) has appointed a Prime Contractor under a prime contract for maintenance and management services in respect of the Equipment. The FRA shall contract for the maintenance and management services in respect of the Equipment from the Prime Contractor by entering into the relevant "Terms of Access" pursuant to the Access Agreement between the FRA and Firebuy. The FRA shall comply in all material respects with its obligations under the Terms of Access. The FRA agrees with the Department that, in the event of a breach of this term, specific performance would be appropriate remedy to be granted by the court.

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7.2 Subject to the Department complying with its obligations contained in this Agreement the FRA shall during the period of 16 years commencing at the Time of Transfer (“the Term”), comply with the obligations on its part set out in this Agreement and in Schedule 3.

7.3 The FRA shall be liable for all costs relating to the maintenance and management of Equipment under the Terms of Access.

7.4 The FRA agrees to maintain national interoperability of the Equipment by ensuring that the Equipment remains capable of being used or operated in the same way as other New Dimension Assets owned by other FRAs.

8 Costs

Each party shall bear its own costs of and incidental to the preparation and completion of this Agreement and the formation and registration of the transfer of the Equipment to the FRA.

9 Governing law

This Agreement shall be construed in accordance with and governed by the laws of England.

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Schedule 1: The Equipment

[a breakdown of all New Dimension equipment by each FRA has been set out in Fire Service Circular 37/2007, which has subsequently been agreed or amended accordingly by FRSs. This data will be incorporated in to the table below for each FRA in due course]

Asset	Quantity	Vehicle Number	Net Book Value (Modified Historic Cost valuation) ¹
Prime Mover			
Incident Response Unit			
Fork Lift Truck			
Fork Lift Training Rigs			
Detection, Identification, & Monitoring Unit			
Re-robe module			
Dis-robe module			
Urban Search & Rescue Module 1			
Urban Search & Rescue Module 2			
Urban Search & Rescue Module 3			
Urban Search & Rescue Module 4			
Urban Search & Rescue Module 5			
High Volume Pump: Hydrosub			
High Volume Pump: Hose Box			
Enhanced Command Support Vehicles			

Detailed descriptions of each asset can be found in the agreed annexes entitled [xxxxxxx] bearing reference number [xxxxxxxxxxx]

¹ The net book values of the assets are based upon modified historic cost adjusted for depreciation in accordance with CLG's accounting policy. CLG calculates depreciation on a straight-line method in accordance with Financial Reporting Standard (FRS) 15. Asset lives used by CLG were as follows:

- motor vehicles - in the range of 5 to 20 years;
- plant & machinery – in the range of 3 to 10 years

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Schedule 2: The Retained Equipment

[Currently the Firelink related equipment, detailed description of such to be added]

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Schedule 3

Obligations of the FRA

1. The FRA shall not without the prior written approval of the Department (the Department agrees that any approval by the Department is not to be unreasonably withheld and any request is to be responded to by the Department as soon as reasonably practicable):
 - 1.1 change the specifications (amounts, technology etc.), stowage arrangements, their training or operating procedures, or relocate the Equipment;
 - 1.2 carry-out repairs and/or maintenance to the Equipment or engage or contract with any other person to undertake the same save in accordance with Clause 7.1, or save where Firebuy and the Prime Contractor appointed by Firebuy in accordance with Clause 7.1 have agreed that the FRA can undertake such repairs and/or maintenance;
 - 1.3 sell or otherwise divest any interest in the Equipment to any third-party; and/or
 - 1.4 deploy the Equipment overseas without first decommissioning the Retained Equipment.
[Further Firelink related conditions to be added].

- 2 The FRA shall maintain the Equipment so that at all times it is fit for purpose including meeting the needs of a wider than local emergency for which it may be deployed under the [National Mutual Aid Protocol] or the [Emergencies Order], and so that in all material respects it meets the technical design specification at the Time of Transfer (as amended in accordance with paragraph 1.1 above)

- 3 The FRA shall use best endeavours to retain a level of competent staff such that the Equipment may be deployed in accordance with paragraph 2 above.

- 4 The FRA shall maintain the status of the Equipment on the [RCC network] when operational in like manner to any other asset owned by the FRA. Until the [RCC network] is operational, the FRA shall report the status of the Equipment to the [Fire and Rescue Service National Coordination Centre (FRSNCC)]. The FRA shall notify the [FRSNCC] promptly:
 - 4.1 whenever the Equipment becomes operationally unavailable and is expected to remain so for more than four hours, within an hour of the defect occurring;
 - 4.2 on changes in location of and contact numbers for the Equipment;
 - 4.3 when the Equipment is deployed to an incident. The FRA also should notify the [FRSNCC] as soon as the Equipment becomes operationally available again within one hour;

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and is required to complete and forward to the [FRSNCC] at the end of each month a Monthly Validation Form.

- 5 For the avoidance of doubt, the obligations of the FRA under this Agreement in relation to the availability and deployment of an item of Equipment shall not have effect for so long as: -
 - 5.1 that item of Equipment is in the course of regular maintenance; or
 - 5.2 that item of Equipment is awaiting or in the course of unplanned maintenance, repair or re-equipping.

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Schedule 4

List of Relevant Documents of Title

AS WITNESS etc

(signatures of (or on behalf of) the parties)

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Annex 4

Chief Fire Officers Association – Position Statement

National Resilience Capability – Management and Assurance

CFOA is supportive of a sector led approach to managing and maintaining New Dimension (ND) assets that support national resilience. We believe this will ensure that ND capability can be fully integrated into FRS core business, and from an FRA perspective, will ensure that ownership and control lies with those bodies charged with protecting their communities.

CFOA is adamant that the responsibility for future provision of national resilience capability continues to lie with central government and that its funding should be both adequately and transparent to both the public and FRA's.

Given the above CFOA will:

- Work in partnership with the LGA on the National Resilience Board to deliver a sector led approach to sustaining New Dimension capabilities into the future through establishment of an assurance framework and body managed by CFOA through the FRS National Resilience Board.
- Manage the technical arrangements for ND capabilities including scrutiny of the management of the maintenance of the operational fleet of vehicles and equipment.
- Deliver assurance on upkeep of assets and operational capability to CLG through a separate entity known as CFOA (National Resilience) Ltd (CNR). CFOA will deliver its responsibilities through the activities of its capability leads and the National Resilience Assurance Team.
- Ensure, through CNR that ND capabilities are fit for purpose, do not degrade over time; continue to be interoperable between FRAs whilst also providing specialist guidance and advice, access to a national training programme and a fully managed minor asset refresh programme.
- Closely monitor financial and governance arrangements (up to and beyond 2010-2011) where responsibility for provision of this ND national resilience capability still rests with government to ensure there is no additional financial burden to FRA's. We will strongly advocate that future funding should not be subsumed into the RSG where transparency around quantum and allocation will be lost.
- In terms of transfer of ownership of ND assets to FRA's we encourage each fire and rescue authority to seek its own advice to satisfy themselves that any associated risk can be managed adequately before consenting to the transfer.
- CFOA recognise there are liabilities and governance issues that need to be reconciled before transfer but believe such a transfer forms part of a process which will see the sector take control of an important component of national resilience.
- Signing of the proposal for transfer of assets by fire authorities is planned for 27 April 2009 with transfer of assets expected to take place 1 Oct 2009.

WEST YORKSHIRE FIRE AND RESCUE AUTHORITY

MINUTES OF A MEETING HELD AT FIRE SERVICE HEADQUARTERS, BIRKENSHAW, ON FRIDAY 24 APRIL 2009

Present: Councillors P Booth (in the Chair); M Akhtar, S Armitage (with the exception of agenda item 18 Min no. 93 refers), V Binney (with the exception of agenda item 18 Min no. 93 refers), A Castle, M Coulson, D Ginley, J Godward (with the exception of agenda item 18 Min no. 93 refers), D Gray, P M Harrand (with the exception of agenda item 18 Min no. 93 refers), D Hollingsworth, N Ikram (with the exception of agenda item no. 18 Min no. 93 refers), M Jamil, M Khan, G Kirkland, R Light (for agenda item nos. 1 – 13 only Min nos. 77 – 88 refer), A McKenna (with the exception of agenda item 18 Min no. 93 refers), D Ridgway, B Smith and T Wallis

Apologies : Councillors T Hardwick and M Rafique

77 CHAIR'S ANNOUNCEMENTS

Councillor Mahmood Akhtar

Members extended a welcome to Councillor Mahmood Akhtar who had been appointed by Kirklees MC to replace Councillor Khizar Iqbal as member of the Fire Authority.

Death in-service of two West Yorkshire Fire Service Employees

Members stood in silent tribute to the memories of Station Manager Tony Wilson, latterly one of the recruits course trainers, who tragically died at the end of March and of Mrs Jackie Pashley, Station Clerk at Idle Fire Station, who lost her fight against cancer in April 2009.

Councillor John Godward

The Chair advised Members that, following his appointment as Lord Mayor of Bradford in 2009 / 2010, this would be the last meeting of the full Authority for Councillor John Godward. The Chief Fire Officer, Chair and members paid tribute to his service and support of the Authority over the previous 5 years. Councillor Godward was presented with a certificate to mark his service.

Councillors Ikram and Wallis

Councillors Ikram and Wallis were similarly congratulated on their appointments as Deputy Lord Mayor of Bradford and Lord Mayor of Wakefield respectively for 2009 / 2010.

78 ADMISSION OF THE PUBLIC

The meeting determined that there were no items which necessitated the exclusion of the public.

79 URGENT ITEM – CALENDAR OF MEETINGS 2008 – 2009

It had become apparent that there had been some confusion over the date of the Audit Committee meeting in June.

It was proposed and seconded that the calendar for 2008 – 2009 be amended as follows;

Audit Committee	Wednesday 17 June 2009	10.30am
Authority (AGM)	Friday 19 June 2009	11.00am

RESOLVED

That the approved calendar of meetings for 2008 – 2009 be amended as follows;

Audit Committee	Delete 19 June and insert Wed 17 June 2009	10.30am
Authority (AGM)	Delete 26 June and insert Friday 19 June 2009	11.00am

[This item was considered urgent on the basis that some confusion had become apparent after the despatch of papers for this meeting and the calendar required clarification (and Member approval) at the earliest opportunity].

80 DECLARATIONS OF INTEREST

There were no declarations of interest made in any matter under consideration at the meeting.

81 MINUTES OF THE LAST MEETING

RESOLVED

That the Minutes of the last meeting held on 13 February 2009 be signed as a correct record.

82 MINUTES OF THE PERSONNEL AND TRAINING COMMITTEE

RESOLVED

- (i) That the Minutes of Personnel and Training Committee at meetings held on 27 February 2009 and 3 April 2009 be received; and
- (ii) That Officers be thanked on behalf of the Personnel and Training Committee chair, Councillor Ridgway, for their support during his time as chair of the committee immediately following his appointment to the Authority.

83 MINUTES OF THE FINANCE AND RESOURCES COMMITTEE

RESOLVED

- (i) That the Minutes of Finance and Resources Committee at a meeting held on 13 March 2009 be received;
- (ii) That it be noted that, with reference to Min. no. 60 (Flood Update), a response had been received on 23 April from the Fire Minister, Sadiq Khan MP; and
- (iii) That the response at (ii) above be circulated to all Members of the Authority.

84 MINUTES OF THE STANDARDS COMMITTEE

RESOLVED

That the Minutes of the Standards Committee at a meeting held on 18 March 2009 be received.

85 LOCAL GOVERNMENT ASSOCIATION – MINUTES

RESOLVED

- (i) That the Minutes of the Safer Communities Board at meetings held on 12 January 2009 and 16 March 2009, the Minutes of the Fire Services Forum at a meeting held on 6 February 2009 and the Minutes of the Fire Services Management Committee at a meeting held on 9 March 2009 be received; and
- (ii) That a detailed report be submitted to a future meeting of the Authority in respect of the financial consequences for the West Yorkshire Fire Authority with regard to the full cost implications of the implementation of the Regional Control Centre.

86 MINUTES OF THE YORKSHIRE AND HUMBERSIDE FIRE AUTHORITIES' REGIONAL MANAGEMENT BOARD

RESOLVED

That the Minutes of a meeting held on 26 March 2009 be received.

87 PERFORMANCE MANAGEMENT REPORT

The Chief Fire Officer / Chief Executive submitted a report which outlined the activities of the Brigade in the areas of Operations and technical matters for the period 1 April 2008 – 28 February 2009.

Members raised concern and commented specifically on the following issues;

- Sickness levels
- Unwanted Fire Signals (UWFS) and Automated Fire Alarms – opportunity cost and carbon impact

RESOLVED

- (i) That the report be noted; and
- (ii) That a report be submitted to a future meeting of the Audit Committee setting out proposals to reduce sickness levels across the Authority.

88 MEMBERSHIP OF THE AUTHORITY AND COMMITTEE APPOINTMENTS

Consideration was given to a report of the Director of Corporate Resources which advised of a change in membership of the Authority as notified by Kirklees Metropolitan Council.

As a result of the change in political balance of the Authority, Members also considered options for revised committee seat allocations.

RESOLVED

- (i) That the appointment of Councillor Mahmood Akhtar (Labour) to replace Councillor Khizar Iqbal (Conservative) be noted; and
- (ii) That Option C (application of Section 17 exemption) be unanimously approved until the date of the Annual General meeting in June 2009 and that no changes be made to Committee membership.

89 COMPREHENSIVE AREA ASSESSMENT PROCESS

The Director of Corporate Resources and the Deputy Chief Fire Officer / Director of Operations submitted a joint report which updated members on the new Comprehensive Area Assessment (CAA) process which had replaced the Comprehensive Performance Assessment (CPA) process with effect from 1 April 2009.

It was reported that the CAA process would consist of two main elements (an area assessment and organisational assessments) which it was anticipated would result in fewer structured on-site inspections by the Audit Commission. Members were advised that the reduction in on-site inspections would come directly as a result of the application of good practice whereby an Authority would maintain a self-assessment of their operative performance which would be subsequently verified through a robust peer review process at least once every three years.

Members were also provided with a presentation about the impact on the West Yorkshire Fire and Rescue Service of the Audit Commission's report "Rising to the Challenge"

RESOLVED

- (i) That the report be noted;
- (ii) That approval be given to the outcome framework as detailed in the report now submitted; and
- (iii) That approval be given to the recommendation of the CAA Steering Group to invite peer review of West Yorkshire Fire and Rescue Service in 2010 / 2011.

90 REGIONAL CONTROL CENTRE – HUMAN RESOURCES ISSUES

Consideration was given to a report of the Director of Human Resources which advised Members of the consultation being undertaken and progress made by the Regional Control Centre Company in respect of human resources issues.

The proposals, as approved for consultation by the Yorkshire and Humberside Regional Control Centre Local Authority Controlled Company, had been circulated under separate cover to Members and covered the following issues;

- Organisational design
- Staffing numbers
- Shift patterns

RESOLVED

That the report be noted.

91 PROGRAMME OF MEETINGS 2009 / 2010

Consideration was given to a report of the Director of Corporate Resources which sought approval for a programme of Authority and Committee meetings for 2009 / 2010.

RESOLVED

That the Programme of meetings for 2009 / 2010 be approved as follows;

FRIDAY PERSONNEL & TRAINING COMMITTEE	FRIDAY FINANCE & RESOURCES COMMITTEE	FRIDAY AUDIT COMMITTEE	FRIDAY AUTHORITY (19 June 2009)
10 July 2009	17 July 2009	18 Sept 2009	4 September 2009
25 Sept 2009	16 October 2009	23 October 2009	18 December 2009
4 Dec 2009	29 January 2010	22 January 2010	12 February 2010
5 February 2010	5 March 2010	19 March 2010	30 April 2010
26 March 2010	23 April 2010	11 June 2010 *	18 June 2010 * (AGM)

* To be reviewed as appropriate in the light of the date of elections in 2010.

92 TRANSFER OF NEW DIMENSION ASSETS

The Deputy Chief Fire Officer / Director of Operations submitted a report which advised Members of the consultation response on the transfer of ownership of New Dimension assets. Confirmation was also sought by Communities and Local Government (CLG) as to whether the Fire Authority was content in principle to the proposal for the transfer of the assets

RESOLVED

That approval be given in principle to signing the proposal for the transfer of ownership of New Dimension assets from CLG to the West Yorkshire Fire and Rescue Authority as detailed in the report now submitted and that, if necessary, the Chief Fire Officer/Chief Executive be given delegated powers to authorise the transfer in consultation with the Chair of the Authority.

93 USAR EXERCISE – PRESENTATION

Members received a brief presentation on the outcome of the recent Urban Search and Rescue (USAR) exercise held at West Yorkshire Fire and Rescue Service headquarters. Equipment used in USAR incidents was on display for Members to view.

Chair