

GREATER LONDON AUTHORITY

REQUEST FOR MAYORAL DECISION – MD2961

Title: Fire and Rescue National Framework for England documents

Executive summary:

The London Fire Commissioner (LFC) is required to prepare annually a Statement of Assurance, Efficiency Plan, a Medium-Term Financial Plan and a Reserves Strategy, in accordance with the Fire and Rescue National Framework for England.

The Greater London Authority Act 1999 requires these documents to be reviewed by the Fire, Resilience and Emergency Planning (FREP) Committee of the London Assembly, and subsequently approved by the Mayor of London, before being published.

The London Fire Commissioner Governance Direction 2018 requires the LFC to consult the Deputy Mayor for Fire and Resilience on any document that: is prepared and published by the LFC in accordance with the Fire and Rescue National Framework for England; and is to be approved by the Mayor. In the absence of the Deputy Mayor, the Mayor's Chief of Staff was consulted under delegated authority on the LFC's Statement of Assurance 2020-21, Efficiency Plan, the Medium-Term Financial Plan (covering the period 2022-23 to 2024-25) and the Reserves Strategy in November 2021.

These documents were considered by the FREP Committee on 3 February 2022. The Committee noted them and recommended referral to the Mayor. The Mayor's approval is now requested.

Decision:

In accordance with the requirements of the Greater London Authority Act 1999, the National Framework for the Fire and Rescue Service in England, and the London Fire Commissioner Governance Direction 2018, the Mayor of London approves the London Fire Commissioner's (LFC) Statement of Assurance for 2020-21, Efficiency Plan, Reserves Strategy and Medium-Term Financial Plan (covering the period 2022-23 to 2024-25), noting that this will constitute notification to the LFC that these documents may be published.

Mayor of London

I confirm that I do not have any disclosable pecuniary interests in the proposed decision and take the decision in compliance with the Code of Conduct for elected Members of the Authority.

The above request has my approval.

Signature:



Date:

16/3/22

PART I – NON-CONFIDENTIAL FACTS AND ADVICE TO THE MAYOR

Decision required – supporting report

1. Introduction and background

- 1.1. In accordance with the governance requirements of the Greater London Authority Act 1999 (GLA Act), the National Framework for the Fire and Rescue Service in England (the Framework),¹ and the Mayor's London Fire Commissioner Governance Direction 2018 (Mayoral Decision 2260),² the London Fire Commissioner (LFC) has prepared a Statement of Assurance for 2020-21, a Reserves Strategy and a Medium-Term Financial Plan covering the period 2022-23 to 2024-25.
- 1.2. Section 327G of the GLA Act states that any document prepared in accordance with the above Framework, and which sets out the LFC's priorities and objectives or contains a statement of the way in which the LFC has had regard to the Framework, must be sent in draft to the Mayor and Assembly prior to it being published.
- 1.3. The Statement of Assurance, Efficiency Plan, Reserves Strategy and Medium-Term Financial Plan documents fall within the definition of a document prepared in accordance with the Framework; and must therefore be reviewed by the Assembly's Fire, Resilience and Emergency Planning (FREP) Committee and subsequently approved by the Mayor of London.
- 1.4. The LFC Governance Direction of 2018, which sets out the matters that require the prior approval of the Mayor or the Deputy Mayor for Fire and Resilience, requires the latter to be consulted as far as practicable before a decision on matters that require the consent of the Mayor under that direction. The LFC presented drafts of these documents for consultation with the Deputy Mayor in November 2021. At this time, the Deputy Mayor was unavailable to review them. The documents were shared with the Mayor's Chief of Staff for consultation, in accordance with the Chief of Staff's delegated authority. The Deputy Mayor has subsequently reviewed the documents and recommends that the Mayor approve them.
- 1.5. In accordance with the LFC Governance Direction 2018, the Mayor gave consent to the LFC on 4 January 2022 to provide the documents to the FREP Committee. The FREP Committee considered the LFC's Statement of Assurance for 2020-21, Efficiency Plan, Reserves Strategy and Medium-Term Financial Plan covering the period 2022-23 to 2024-25 on 3 February 2022, writing to the Mayor following the meeting (Appendix 1).
- 1.6. The Mayor is therefore requested to approve the documents so that they may be published by the LFC.

2. Objectives and expected outcomes

- 2.1. The objective of the proposed decision is to allow for the LFC to publish required documents under the Fire and Rescue National Framework. This will enable the LFC to maintain compliance with the Framework and demonstrate how the LFC is meeting its objectives.
- 2.2. The LFC's budget submission to the Mayor's 2022-23 budget comprises the LFC's Efficiency Plan, to which was appended the Reserves Strategy and the Medium-Term Financial Plan (all documents can be found at Appendix 2). These were prepared in accordance with Chartered Institute of Public

¹ The Fire and Rescue National Framework is available at: <https://www.gov.uk/government/publications/fire-and-rescue-national-framework-for-england--2>

² The LFC Governance Direction is available at: <https://www.london.gov.uk/decisions/md2260-london-fire-commissioner-governance-direction-2018>

Finance and Accountancy (CIPFA) guidance, to assist in decision-making and the ultimate approval of the 2022-23 Budget for the LFC.³ The Statement of Assurance is prepared separately.

Statement of Assurance

- 2.3. The purpose of the Statement of Assurance is to provide assurance on financial, governance and operational matters, and show how the London Fire Brigade (LFB) has had regard to the expectations in its integrated risk management plan and the requirements included in the Fire and Rescue National Framework for England. A specific section relating to the Grenfell Tower fire has been included. In addition, detailed performance data has also been included in the report. The Statement of Assurance for 2020-21 is at Appendix 2.

Medium-Term Financial Plan

- 2.4. The Medium-Term Financial Plan represents a key part of the LFC's decision-making process in financial planning for the future. This plan brings together all the known factors affecting the organisation's financial position and its financial sustainability into one place. The plan covers the financial years 2022-23 to 2024-25, which is appended to the LFC's budget submission, at Appendix 3.

Reserves Strategy

- 2.5. In setting the LFC's budget for the 2022-23 financial year, due consideration was given to both the robustness of the estimates used in preparing that budget and also the adequacy of the LFC's reserve levels. This was set out in a Reserves Strategy, which is appended to the LFC's budget submission, at Appendix 3.
- 2.6. To meet the requirement of the Local Government Act 2003 in respect of the adequacy of reserves and to demonstrate compliance with the guidance on local authority reserves and balances issued by CIPFA, but mindful of the requirements in the Mayor's Budget Guidance, the Greater London Authority (GLA) and its functional bodies, including the LFC, must provide the following:
- A statement of policy on reserves and contingencies. Reserves held by the GLA and its functional bodies should only be used for the purpose they have been established for. Proposed allowances for contingencies should be separately identified and justified.
 - Details of all reserves and general balances. General reserves should be distinguished from those held for service specific purposes. Budget submissions must be explicit about plans for the use of reserves.
 - An analysis and explanation of the expected movements in reserves between the start and end of each year from 1 April 2021 to 31 March 2025.
 - In the case of earmarked reserves held for purposes beyond 31 March 2023, an indication must be given as to when they are to be applied.
 - Although it may not be definitive when reserves will be committed, best estimates should be made of the likely level of commitment so that reserves are not inadvertently over-stated.
 - In accordance with CIPFA's Financial Management Code, functional bodies are to consider setting out an explanation of why their reserves need to not only be adequate but why they are necessary.

³ The budget submission is available at: <https://www.london-fire.gov.uk/media/6178/20211209-final-november-budget-submission-draft-budget-submission.pdf>

Efficiency Plan

- 2.7. The LFC's 2022-23 budget submission, as a whole, comprises the Efficiency Plan, and can be found at Appendix 3. Particular reference may be made to the savings proposal included in the submission. A total of £7.5m in efficiency savings were included in the submission, including £4.3m in 2022-23. These are subject to ongoing review. The LFC's performance in delivering planned efficiencies will be considered throughout 2022-23, including in quarterly financial position reports. These are discussed at the Deputy Mayor's Fire and Resilience Board, and the London Assembly's Budget and Performance Committee.

3. Equality comments

- 3.1 The Mayor, LFC and the Deputy Mayor for Fire and Resilience are required to have due regard to the Public Sector Equality Duty (section 149 of the Equality Act 2010) when taking decisions.
- 3.2 It is important to note that consideration of the Public Sector Equality Duty is not a one-off task. The duty must be fulfilled before taking a decision, at the time of taking a decision, and after the decision has been taken.
- 3.3 The protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership (but only in respect of the requirements to have due regard to the need to eliminate discrimination), race (ethnic or national origins, colour or nationality), religion or belief (including lack of belief), sex, and sexual orientation.
- 3.4 The Public Sector Equality Duty requires the Mayor, in the exercise of all his functions, to have due regard to the need to:
- eliminate discrimination, harassment and victimisation and other prohibited conduct
 - advance equality of opportunity between people who share a relevant protected characteristic and persons who do not share it
 - foster good relations between people who share a relevant protected characteristic and persons who do not share it.
- 3.5 Equalities implications were considered as part of the consultation with the Deputy Mayor for Fire and Resilience in November 2021, which was led by the Mayor's Chief of Staff as discussed in paragraph 1.4. Specific comments on each are made below.
- 3.6 The LFC has provided assurances that when the approved documents are published on the web, accessible formats will be available as required.

Statement of Assurance

- 3.7 The Statement of Assurance is a reflection of the elements that make up LFB's governance framework. Equality and diversity formed part of the assurance-gathering processes that supported the production of the statement. The statement describes LFB's systems of internal control and specifically refers to this encompassing 'providing adherence to the Authority's values and ethical standards through the application of the leadership model and equality framework'. Significant elements of the framework that have the potential to impact on those with protected characteristics, and enable LFB to foster good relations in the community, are subject to an equality analysis, to ensure that any impacts as a result of LFB proposals are identified, assessed and mitigated where possible, in line with LFB policy, which seeks to embed consideration of equality and diversity at all levels within the service.
- 3.8 In particular, the Statement of Assurance is closely aligned to the current London Safety Plan (LSP), which was subject to a full equality impact analysis to comply with the Public Sector Equality Duty as

set out in section 149 of the Equality Act 2010. This analysis was reported to the former London Fire and Emergency Planning Authority when it considered the LSP in March 2017. The analysis considered the anticipated impact of specific proposals on people who shared protected characteristics with supporting evidence, details of consultation and proposed actions to mitigate any negative impact. Fire authority decisions on changes to LFB policy and practice arising from the commitments in the LSP have been subject to further equality impact assessments. In addition, specific commitments on equality, inclusion and diversity measures in the LSP are subject to quarterly reporting and review.⁴

Efficiency Plan, Medium-Term Financial Plan and Reserves Strategy

- 3.9 The LFC's 2022-23 budget proposals, of which the Efficiency Plan, the Medium-Term Financial Plan and the Reserves Strategy were part, were subject to an initial equality impact assessment, which was appended to LFC's budget submission (see Appendix 3). The impact assessment identified a number of savings proposals with potential equality impacts, with the LFC committing to further assessments being undertaken in relation to the individual proposals concerned, before their implementation. These impacts do not arise as a result of the content of the Medium-Term Financial Plan and the Reserves Strategy, except insofar as these documents reflect and are consistent with the LFC's overall budget.

4. Other considerations

Risk management

- 4.1. There are no risks specifically arising from this decision. The Statement of Assurance sets out how LFB takes a risk-based approach to support the priorities in the LSP. The substantive risks and opportunities relating to the LFC's financial position are set out in detail in its budget; detailed analysis of financial risks and opportunities for the LFC were set out in the LFC's budget submission to the Mayor.

Sustainability

- 4.2. Sustainability forms part of the assurance-gathering processes that support the production of the Statement of Assurance.
- 4.3. The Mayor's budget guidance for the GLA Group sets out the requirement that budget proposals, of which the Efficiency Plan, the Medium-Term Plan and the Reserves Strategy are part, ensure sufficient resourcing and budget necessary for the efficient and effective delivery of the London Environment Strategy (LES). This includes implementing responsible procurement, reducing waste, reducing CO2 emissions, adapting to climate change, improving air quality, and increasing London's green cover.
- 4.4. A sustainability analysis was included with the LFC's budget submission to the Mayor, detailing budget allocations and growth budget proposals that will support the LFC's commitments under the LES. The Medium-Term Financial Plan and the Reserves Strategy reflect, and are consistent with, these commitments.

Link to Mayoral strategies and priorities

- 4.5. The approval process for these documents contributes towards the democratic oversight the Mayor and Assembly have over the way the LFC exercises its functions.

⁴ LFB performance reporting is available at: <https://data.london.gov.uk/dataset/--lfb-financial-and-performance-reporting-2021-22>

Conflicts of interest

- 4.6 There are no known conflicts of interest to declare for those involved in the drafting or clearance of this Mayoral Decision.

5. Financial comments

- 5.1. The LFC's 2022-23 budget submission, which addresses the requirements for an Efficiency Plan, a Reserves Strategy and a Medium-Term Financial Plan, is prepared by the LFC's Assistant Director for Finance, with financial implications considered throughout. There are no financial implications arising from the Statement of Assurance. These documents do not commit the Mayor to provide additional funding to the LFC; and, as a result, there are no new direct financial implications for the GLA.

6. Legal comments

- 6.1. Section 1 of the Fire and Rescue Services Act 2004 (the 2004 Act) states that the LFC is the fire and rescue authority for Greater London. When carrying out its functions, the LFC, as the fire and rescue authority for Greater London, is required to 'have regard to the Fire and Rescue National Framework (the Framework) prepared by the Secretary of State' (s21 of the 2004 Act).
- 6.2. The Fire and Rescue National Framework sets out the documents each fire and rescue service is required to produce, which include an integrated risk management plan (currently known as the LSP); an annual statement of assurance (see Appendix 2); and its financial plans, including an efficiency plan, a medium-term financial strategy and a reserves strategy (see Appendix 3).
- 6.3. Section 327G of the GLA Act provides that before publishing these documents, the LFC must send a copy to the Mayor and Assembly. The LFC may not publish them unless the Assembly has reviewed them and the Mayor has approved them.
- 6.4. Under section 327D of the GLA Act, the Mayor may issue to the LFC specific or general directions as to the manner in which the holder of that office is to exercise their functions. The London Fire Commissioner Governance Direction 2018, dated 21 March 2018, sets out those matters, for which the LFC would require the prior approval of either the Mayor or the Deputy Mayor for Fire and Resilience.
- 6.5. Paragraph 1.1 (b) of the London Fire Commissioner Governance Direction 2018 requires the LFC to seek the prior approval of the Mayor before *"approval of the final proposed text of the draft London Safety Plan (or any revision of it) for the purposes of sending it to the Assembly under section 327G (2) of the GLA Act 1999."* Paragraph 6.1 (b) further states:
- "'London Safety Plan' refers to any document which is prepared and published by the Commissioner in accordance with the Fire and Rescue National Framework and which contains the matters described in section 327G(1)(a) and/or (b) of the GLA Act 1999."*
- 6.6. Paragraph 3.1 of the London Fire Commissioner Governance Direction 2018 further requires the LFC to consult the Deputy Mayor:
- "as far as practicable in the circumstances before a decision on any of the following is taken:*
- a. Anything that requires the consent of the Mayor under Part 1 of this Direction;*
- b. Anything that requires the consent of the Mayor under any enactment."*
- 6.7. Once the Mayor has provided approval, the LFC will be able to publish the documents.

Appendices and supporting papers:

Appendix 1: Letter from Chair of Fire, Resilience and Emergency Planning Committee

Appendix 2: LFC Statement of Assurance 2020-21

Appendix 3: LFC Budget Submission 2022-23

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FoIA) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note:** This form (Part 1) will either be published within one working day after it has been approved or on the defer date.

Part 1 – Deferral

Is the publication of Part 1 of this approval to be deferred? NO

Part 2 – Sensitive information

Only the facts or advice that would be exempt from disclosure under the FoIA should be included in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form – NO

ORIGINATING OFFICER DECLARATION:

Drafting officer to
confirm the
following (✓)

Drafting officer:

Richard Berry has drafted this report in accordance with GLA procedures and confirms the following:

✓

Sponsoring Director:

Niran Mothada has reviewed the request and is satisfied it is correct and consistent with the Mayor's plans and priorities.

✓

Mayoral Adviser:

Fiona Twycross has been consulted about the proposal and agrees the recommendations.

✓

Advice:

The Finance and Legal teams have commented on this proposal.

✓

Corporate Investment Board

This decision was agreed by the Corporate Investment Board on 14 March 2022

EXECUTIVE DIRECTOR, RESOURCES: Enver Enver on behalf of David Gallie

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature



Date

15 March 2022

CHIEF OF STAFF:

I am satisfied that this is an appropriate request to be submitted to the Mayor.

Signature



Date

14 March 2022