

# MDA No.: 1575

## Title: Letter to National Fire Chiefs Council – National Barred List

### 1. Executive Summary

- 1.1 At the Fire, Resilience and Emergency Planning (FREP) Committee meeting on 5 December 2023, the Committee held a meeting to investigate progress made by London Fire Brigade (LFB) one year on from the publication of the Independent Culture Review of LFB and resolved that:

*Authority be delegated to the Chair, in consultation with the party Group Lead Members, to agree any output arising from the discussion.*

- 1.2 Following consultation with party Group Lead Members, the Chair is asked to agree the Committee's letter to the National Fire Chiefs Council (NFCC) regarding a national barred list for staff dismissed for gross misconduct, as attached at **Appendix 1**.

### 2. Decision


- 2.1 **That the Fire, Resilience and Emergency Planning Committee's letter to the NFCC regarding a national barred list be agreed.**

#### Assembly Member

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:



Printed Name: **Anne Clarke AM, Chair of the Fire, Resilience and Emergency Planning Committee**

Date: **17 January 2024**

### 3. Decision by an Assembly Member under Delegated Authority

#### Background and proposed next steps:

- 3.1 The exercise of delegated authority agreeing the Committee's letter will be formally noted at the Committee's next appropriate meeting.
- 3.2 The terms of reference for this investigation were agreed by the Chair, in consultation with relevant party Group Lead Members, on 22 November 2023 under the standing authority granted to Chairs of Committees and Sub-Committees. Officers confirm that the response falls within these terms of reference.

#### Confirmation that appropriate delegated authority exists for this decision:

Signature (Committee Services): 

Printed Name: Diane Richards, Committee Officer

Date: 17 January 2024

E-mail: [diane.richards@london.gov.uk](mailto:diane.richards@london.gov.uk)

#### Financial Implications: NOT REQUIRED

Note: Finance comments and signature are required only where there are financial implications arising or the potential for financial implications.

Signature (Finance): Not Required


Printed Name: N/A

Date: N/A

Telephone Number: N/A

#### Legal Implications:

The Chair of the Fire, Resilience and Emergency Planning Committee has the power to make the decision set out in this report.

Signature (Legal): 

Printed Name: Rory Mckenna, Monitoring Officer

Date: 17 January 2024

Email: [rory.mckenna@london.gov.uk](mailto:rory.mckenna@london.gov.uk)

#### Supporting Detail / List of Consultees:

- Susan Hall AM (Deputy Chairman)
- Hina Bokhari AM
- Zack Polanski AM

#### **4. Public Access to Information**

- 4.1 Information in this form (Part 1) is subject to the FoIA, or the EIR and will be made available on the GLA Website, usually within one working day of approval.
- 4.2 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.
- 4.3 **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

If yes, until what date:

##### **Part 2 – Sensitive Information:**

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

Is there a part 2 form? NO

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#### **Lead Officer / Author**

Signature: P. Goffe

Printed Name: Philippa Goffe

Job Title: Senior Policy Adviser

Date: 17 January 2024

Email: [Philippa.goffe@london.gov.uk](mailto:Philippa.goffe@london.gov.uk)

#### **Countersigned by Executive Director:**

Signature:



Printed Name: Helen Ewen, Executive Director of Assembly Secretariat

Date: 17 January 24

Email: [helen.ewen@london.gov.uk](mailto:helen.ewen@london.gov.uk)

# LONDON ASSEMBLY



**Anne Clarke AM**

**Chair of the Fire, Resilience and Emergency Planning Committee**

Mark Hardingham

Chair

National Fire Chiefs Council

(Sent by email)

17 January 2024

Dear Mark

I am writing to you on behalf of the London Assembly's Fire, Resilience and Emergency Planning (FREP) Committee (the Committee) following our recent meeting on 5 December 2023 to investigate progress made by London Fire Brigade (LFB) one year on from the publication of the Independent Culture Review of LFB.<sup>1</sup>

During the meeting on 5 December 2023, the Committee heard from Andy Roe, London Fire Commissioner (LFC), about action taken under LFB's complaints and misconduct procedure (CMP) to deal with staff reported for unacceptable behaviour. He told the Committee that 13 people had been exited from LFB under the CMP and he went on to say:

*"If we get a legislative change, which I hope we do, and it becomes a regulated profession, I hope those people end up on a barred list. I would hope all 13 end up on a barred list if Government can support us for another step in legislation around the regulation of the profession."<sup>2</sup>*

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<sup>1</sup> [Independent Culture Review](#), November 2022, page 78

<sup>2</sup> FREP Committee draft transcript 5 December 2023, page 8

The LFC's call for a national barred list was also supported by Baroness Twycross, Deputy Mayor for Fire and Resilience (DMFR), who told the Committee:

*"The issue for the LFB and the FRS [fire and rescue service] generally in relation to not having that capacity to have a barred list is a real one, because rightly people want to know that people who should not be in the service are being fired or are leaving and are not going to get jobs in the future."*<sup>3</sup>

We are aware that His Majesty's Inspectorate of Constabulary, Fire and Rescue Services (HMICFRS) has called for a national barred list. Recommendation 16 of HMICFRS' 2023 Culture and Values Spotlight report for the Government calls on the NFCC to establish "a national barred list that holds details of staff who have been dismissed for gross misconduct" by 1 October 2023.<sup>4</sup>

The Committee notes that legislation will be required to deliver this recommendation but asks that you respond to this letter setting out the current position regarding the delivery of this recommendation, and the expected timeline for a national barred list to be established for FRS.

We were advised that no-one was available from NFCC to attend the Committee meeting on 5 December, so the Committee has some other questions for you that it had intended to ask your representative at the meeting. These are as follows:

- What is your view of the progress made by LFB to date in responding to the Independent Culture Review ?
- How do you view your role on the LFB's Advisory Panel on the Independent Culture Review?
- Are there lessons to be drawn for other FRS nationally from LFB's review of its People Services?
- The Government proposed a College of Fire and Rescue in its White Paper on Fire Service Reform,<sup>5</sup> and HMICFRS said it should be in place by January 2025.<sup>6</sup> Are you able to update us on progress with this?

I would be grateful if you could please respond to the Committee by 14 February 2024. Your response should be copied to Philippa Goffe, the Committee's Senior Policy Adviser ([philippa.goffe@london.gov.uk](mailto:philippa.goffe@london.gov.uk)).

Yours,



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<sup>3</sup> FREP Committee draft transcript 5 December 2023, page 8

<sup>4</sup> HMICFRS, [Values and culture in fire and rescue services](#), 30 March 2023, p12

<sup>5</sup> Gov.uk, [Reforming our fire and rescue service](#), May 2022

<sup>6</sup> HMICFRS, [Values and culture in fire and rescue services](#), 30 March 2023, Recommendation 25

Anne Clarke AM

**Chair of the Fire, Resilience and Emergency Planning Committee**