

**PUBLIC PROTECTION AND COMMUNITIES
 SCRUTINY COMMITTEE
 12 DECEMBER 2023**

PRESENT: COUNCILLOR N H PEPPER (CHAIRMAN)

Councillors P A Skinner (Vice-Chairman), Mrs J Brockway, M R Clarke, A Dani, A M Key, K E Lee and E J Sneath.

Councillors L Cawrey, (Executive Councillor Fire & Rescue and Cultural Services), R Butroid (Executive Councillor People Management, Legal and Corporate Property) and S Roe (Executive Support Councillor Children's Services, Community Safety, Procurement and Migration) were also in attendance, and S Woolley (Executive Councillor NHS Liaison, Integrated Care System, Registration and Coroners) observed the meeting remotely.

Officers in attendance:-

Steven Batchelor (Lincolnshire Road Safety Partnership Senior Manager), Mark Baxter (Chief Fire Officer), Thea Croxall (Principal Commissioning Officer (Learning)), Emma Golds (Senior Commercial and Procurement Officer), Tracy Johnson (Senior Scrutiny Officer), Marianne Marshall (Communications) (Strategic Communications Lead), Will Mason (Head of Culture), Christopher O'Rourke (Communications) (Strategic Communications Lead), Martyn Parker (Assistant Director Public Protection), Ryan Stacey (Assistant Chief Fire Officer) and David Stocking (Coroner's Services Manager), Kimberly Vickers (Lincoln Castle General Manager), and Jess Wosser-Yates (Democratic Services Officer).

44 APOLOGIES FOR ABSENCE/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors Mrs. N Clarke and A Austin.

It was noted that Will Mason, Head of Culture, was in attendance on behalf of Nicole Hilton, Assistant Director – Communities.

45 DECLARATIONS OF MEMBERS' INTERESTS

No interests were declared at this point in proceedings.

46 MINUTES OF THE PUBLIC PROTECTION AND COMMUNITIES SCRUTINY COMMITTEE
 MEETING HELD ON 31 OCTOBER 2023

RESOLVED:

PUBLIC PROTECTION AND COMMUNITIES SCRUTINY COMMITTEE
12 DECEMBER 2023

That the minutes of the previous meeting held on 31 October 2023 be approved as a correct record and signed by the Chairman.

47 ANNOUNCEMENTS BY THE CHAIRMAN, EXECUTIVE COUNCILLORS AND CHIEF OFFICERS

The Chairman welcomed Martin Samuels, the new Executive Director of Adult Care and Community Wellbeing, and Martyn Parker, who was now the substantive Assistant Director for Public Protection.

Additionally, on 2 November 2023, the Chairman announced that he and Vice-Chairman attended the Lincolnshire Fire and Rescue Long Service and Good Conduct Ceremony at the Showroom in Lincoln.

No Executive Councillor or Chief Officer announcements were received.

48 LCC CORONIAL TOXICOLOGY SERVICES

Consideration was given to a report from David Stocking, Coroner's Services Manager, and Emma Golds, Senior Commercial and Procurement Officer, on the re-procurement of LCC Coronial Toxicology Services prior to a decision taken by the Executive Councillor for NHS Liaison, Integrated Care System, Registration, and Coroners between 15 and 22 December 2023. Stuart Partridge, Coroner's Office Supervisor was also in attendance for this item.

The Coroner's Services Manager noted that the Council was legally obliged to certify and register deaths, and provide toxicology analysis under The Coroners and Justice Act 2009 which enabled the Coroner to fulfil their statutory role to provide coroners services in Lincolnshire.

The Senior Commercial and Procurement Officer informed the Committee that the Council currently held one toxicology contract operating with University Hospitals of Leicester NHS Trust, which was currently valued at £140,000 per annum. The new contract was expected to run for a period of three years commencing on 1 August 2024 and ending on 31 July 2027. There would also be an option for the Council to extend by an additional period of two years.

Officers wished to reprocure the Toxicology contract by way of an Open tender to award a single supplier.

During its discussion, the following matters were highlighted:

- The Committee recommended that, if not already done so, specific defined timescales for each type of test should be built into the contract.

Toxicology Tests

- Concerns were raised about the timescales for toxicology test results and the impact on families waiting for these results. It was highlighted that it was clear from pre-market engagement that the timescales in the current contract were not realistic, which would explain why they had not been met and had created a backlog. As a result, realistic timescales for all types of cases had now been identified and these would be reflected in the new tender documentation. Although the timescales would be extended, this would make the caseload more manageable and lead to a quicker turnaround. It was confirmed that there would be different timescales for different types of tests.
- In relation to the types of toxicology tests that could be undertaken, the pathologist would decide what toxicology samples they would need in order to determine the cause of death and the coroner would consent to that. This made it difficult to quantify the minimum amount of tests that could be requested, which was why there would be a flat fee for each case in the new contract.

Re-procurement of Contract

- With regard to the proposed length of the contract of three years with an option to extend for two years, it was confirmed that a longer-term contract could have been achieved for this contract as well. However, the market had changed quite a bit since the last tender process, and this was the first time using the open tender procedure. The aim was to have a stable contract that was fit for purpose but with flexibility should the market change again, or the Council's requirements alter slightly. Procuring on a three-year plus two-year basis would provide flexibility to stop the contract at three years or continue for the additional two years, which would give time to reprocure again as the market kept evolving.
- From the pre-market engagement, there were three responses received which were very good responses to the Council's proposal. This gave confidence that responses would be received to the open tender, even though this was a narrow market. The current contract with University Hospitals of Leicester NHS Trust worked really well and it was anticipated that they would bid again.

Cost of Contract

- Under the current contract, the Council paid on a per test basis. However, it was hard to predict demand for each type of test that would occur during the year as demand fluctuated. Pre-market engagement had indicated that pricing should be on a per case basis so that a flat fee was charged regardless of what was required. This should allow for better control of the budget as the overall volume of toxicology tests would be easier to predict.
- In relation to whether the supplier would be paid a minimum amount for the year even if no tests were carried out, it was confirmed that there would be no minimum payment, so in any year the supplier may not receive a payment and every year the payment would differ slightly.
- The transportation of specimens was included in the contract price and would usually be sent by secure mail. Some hospitals also had transportation that would take the samples to the toxicology labs.

PUBLIC PROTECTION AND COMMUNITIES SCRUTINY COMMITTEE
12 DECEMBER 2023

- With regard to whether the contract could include a percentage increase in anticipation of increasing costs and demand, it was confirmed that the aim was to ensure the contract contained enough flexibility as each year would vary which the supplier would be made aware of, and also for the potential merger with North and North East Lincolnshire coronial area.
- In regard to what contingencies had been identified if the tender price came in higher than the £210,000 maximum budget, consisting of the £140,000 existing budget combined with a maximum £70,000 from wider public protection budgets, officers confirmed that they would look into this and provide a response.

RESOLVED

1. That the Committee supports the recommendations to the Executive Councillor for NHS Liaison Integrated Care System, Registration, and Coroners as set out in the report; and
2. That the additional comments made be passed on to the Executive Councillor in relation to this item.

49 **MULTIPLY - NUMERACY PROGRAMME UPDATE**

Consideration was given to a report from Thea Croxall, Adult Learning & Skills Manager and Rebecca Clark, Senior Project Officer (Multiply) which updated the Committee on the Multiply numeracy programme.

The Committee was informed that Multiply was a three-year programme funded by the Department for Education (DfE) and delivered interventions to upskill the mathematic skills of residents. Members were directed to Appendix A of the report, which detailed the organisations that the Council effectively worked with across Lincolnshire to deliver provision. Additionally, the offer was now extending into employment settings via the Multiply Champions.

It was acknowledged that the impact of funding could be further maximised, with organisations highlighting that availability of residents was the main challenge to accessibility although it was suggested that the work of the Multiply Champions would help expand provision.

During consideration of the report, the following matters were highlighted:

- It was questioned whether Multiply was only delivered during work hours as this could prevent many adults from accessing the programme. The Adult Learning & Skills Manager assured a wide range of delivery options were available; community-based provision was delivered during weekdays, evenings, and weekends. Additionally, free online independent provision was also available and could be accessed at any time.

- It was acknowledged that smaller employers may face more constraints in delivering the Multiply programme in-house as it would be more difficult for them to release staff; consequently, Members welcomed additional provision outside of work hours to increase engagement.
- It was accepted that some service users had experienced inconsistencies and confusion in the types of learning delivered; consequently the Adult Learning & Skills Manager agreed to investigate this issue.
- The Adult Learning & Skills Manager agreed to examine why participation in West Lindsey was lower than other districts, although it was suspected that demand was lower.
- Members were informed that Multiply was advertised through an array of promotional methods such as social media posts, posters and a resident survey that could be accessed via the County Council website.
- The report highlighted a range of employers that had benefitted from delivered Multiply and Members and Officers agreed these cases could be utilised to promote the service further.
- The Head of Culture agreed to work with the Adult Learning & Skills Manager to look at expanding programme delivery via Community Hubs.
- English for Speakers of Other Languages (ESOL) classes were delivered as part of the adult education programme, and those students were invited to attend Multiply classes.
- It was agreed that there were challenges around digital accessibility although the Adult Learning & Skills Manager informed that residents could access online learning materials in libraries, and those enrolled at local colleges could borrow computers and laptops.

RESOLVED

1. That the Committee acknowledges the work taking place to deliver the Year 2 Multiply Programme.
2. That the comments and suggestions made by the Committee are taken into consideration by relevant officers and portfolio holders.

50 HIS MAJESTY'S INSPECTORATE OF CONSTABULARY AND FIRE AND RESCUE SERVICES (HMICFRS) INSPECTION OF LINCOLNSHIRE FIRE AND RESCUE 2023

Consideration was given to a report from Mark Baxter, Chief Fire Officer, which provided a summary of the outcomes from the recent inspection of Lincolnshire Fire and Rescue (LFR) by His Majesty's Inspectorate for Constabulary and Fire and Rescue Services (HMICFRS).

Between May and June 2023, the HMICFRS inspected LFR and had reached a mostly positive conclusion; despite some areas requiring improvement, the inspectorate recognised a 'good level' of response to emergency events and multi-agency large-scale incidents.

Additionally, two areas of positive practice were identified by His Majesty's Inspectorate (HMI); co-responding and assured level of risk model – both of which were embedded within the organisation and were proved to have provided a tangible evaluation of positive impact.

It was noted that HMI identified limitations of current IT systems used by the service which were inefficient. Additionally, following the inspection, LFR was updating its human resources (HR) policy to empower staff to raise and manage concerns. Additionally, the inspection team had signed off on two of the five recommendations from the 2021 cause of concern relating to equality, diversity and inclusion (EDI).

LFR was also subject to a national thematic inspection by HMI which assessed misconduct and how it was managed; the outcome would form part of an anonymised report which would be published in June/July 2024.

Members were subsequently guided through the report, and the Chief Fire Officer assured that LFR would embed the 14 identified areas which required improvement into the overall improvement plan, and Members were informed that an updated report would be considered by the Committee on this delivery in 2024.

During consideration of the report, the following matters were highlighted:

- The Executive Councillor for Fire & Rescue and Cultural Services thanked the Chief Fire Officer and LFR on the inspection; she assured that resources had been allocated to areas that required improvement and expressed confidence that the service would make the required improvements.
- Multiple Members expressed concern regarding HMI's findings that staff did not *'have confidence in the service's approach to dealing with bullying, harassment and discrimination'*. The Chief Fire Officer echoed Members' sentiments and asserted these findings were unacceptable and assured that these views were not widespread. The briefings from the national thematic inspection on misconduct noted occasions where staff used inappropriate language which was not initially or sufficiently addressed, however staff now better understood expected behaviours.
- Concern was also raised regarding the description of the senior leadership team as 'a boys' club'; the Chief Fire Officer assured that addressing this comment was a focus of LFR and had resultantly sought to improve engagement and transparency to instill confidence. LFR was also working to recruit more female fire fighters through positive action campaigning which sought to address stereotypes that the service was overly male-orientated. The results of staff exit surveys had indicated no trend of women leaving LFR due to bullying or harassment.
- It was noted that shift patterns could be more accessible and family friendly to recruit more women.
- The staff survey was available for all to complete and was promoted internally; the Chief Fire Office accepted that the anonymous survey was limited as results did not illustrate the extent of issues. It was assured that the problems that were identified

through the survey needed widely addressing regardless of whether incidents were isolated or widespread.

- The report stated that the effectiveness of ‘protecting the public through fire regulation’ required improvement. Members were informed that LFR maintained a statutory duty to ensure business premises were safe, and the inspection had found there was a limited appetite to enforce regulations with some properties, although LFR held the ability to prosecute when appropriate.
- Members considered whether the inefficient IT software used by LFR was due to a lack of funding and were subsequently informed that often the bespoke software for fire and rescue services were often clunky to accommodate the specific requirements; LFR was recently became part of the Council’s IT programme and was benefitting from the Microsoft 365 Suite.
- It was questioned whether bureaucracy affected the performance of the service and the Chief Fire Officer accepted that a balance was required, insofar that bureaucracy enabled good scrutiny and ensured effective delivery, but in some areas it ought to be challenged or streamlined.
- Horncastle Fire Service was praised for their delivery of equality and diversity training, and it was noted these sessions had increased understanding on acceptable behaviours in the workplace.
- The Chief Fire Officer informed the Committee that it was difficult to comment on how LFR benchmarked against other services due to the broad scope of the inspection, although it was noted that other places had not received as positive of an outcome as LFR.

RESOLVED

1. That the Committee considers the findings from the inspection report.
2. That the Committee commends Lincolnshire Fire and Rescue on the outcome of the inspection.
3. That the Committee requests an update on progress against the areas for improvement and the action plan in six months’ time

51 COMMUNITY RISK MANAGEMENT PLAN 2024-2028 - CONSULTATION

Consideration was given to a report from Ryan Stacey, Assistant Chief Fire Officer, which provided the Committee with an overview of the public consultation on the Lincolnshire Fire and Rescue (LFR) – Draft Community Risk Management Plan (CRMP) for 2024-2028.

The Assistant Chief Fire Officer informed the Committee that the CRMP was a requirement of all Fire Services to identify and assess any potential risks within Lincolnshire. The current Integrated Risk Management Plan would conclude in April 2024.

PUBLIC PROTECTION AND COMMUNITIES SCRUTINY COMMITTEE
12 DECEMBER 2023

The Assistant Chief Fire Officer provided an overview the public consultation process and it was highlighted that LFR had increased public engagement; approximately 800 responses were received which had increased significantly since 2019 which saw only 172 responses.

During consideration of the report, the following matters were noted:

- Members questioned the differences between the risks identified in the Draft CRMP for 2024-28 and the Integrated Risk Management Plan 2020-24 and were informed that the community risks derived from strategic national risk registers. Risks were wide ranging and it was noted risks differentiated depending on location; Members were informed that in Lincolnshire traffic accidents were a higher priority than in other localities.
- The contents of the Draft CRMP acknowledged the outcomes of the HMI Inspection on the Fire Service.
- Officers and Members agreed it would be germane to work alongside Parish and District Councils to increase awareness of local emergency plans; additionally, the Assistant Chief Fire Officer informed the Committee that LFR worked closely as a Category 1 responder with the Local Resilience Forum which facilitated partnership working with District colleagues. The Assistant Director for Public Protection subsequently added that the Council's Business Continuity Officers also performed their role within District Councils across Lincolnshire.
- Members were informed that LFR operated with strategic assumptions on when staff members were likely to retire, take sickness absence, or resign and made succession plans where possible.
- It was accepted that advertising careers in LFR required strategic targeting and emphasised flexibility, particularly to recruit women and younger staff.
- Members considered whether LFR maintained sufficient capacity to manage the risk of flooding in a timely matter; the Assistant Chief Fire Officer noted that the priority of the Fire Service was to save lives, and therefore prioritised responding to the most vulnerable in flooding events. Members agreed that public expectations of the Fire Service were often wrong and too high.

RESOLVED

1. That the Committee has reviewed and supports the information contained within the Community Risk Management Plan 2024-28 public consultation.
2. That the steps taken during stage one and two of the public consultations be noted.

52 SERVICE LEVEL PERFORMANCE REPORTING AGAINST THE SUCCESS FRAMEWORK
2023-2024 - QUARTER 2

Consideration was given to a report from Martyn Parker, Assistant Director for Public Protection, Mark Baxter, Chief Fire Officer, Will Mason, Head of Culture, Steven Batchelor, Lincolnshire Road Safety Partnership (LRSP) Senior Manager and Lee Sirdifield, Assistant

Director – Corporate, which summarised the Service Level Performance against the Success Framework 2023-2024 for Quarter 2.

Kimberly Vickers, Lincoln Castle General Manager, was also in attendance for this item.

During consideration of this item, some of the following comments were raised:

Community Safety

- The Assistant Director for Public Protection, agreed to circulate the number of death registrations in Lincolnshire, and informed that a reduction in these figures was observed.

Trading Standards

- Members noted that 17 orders were issued to seize tobacco products, including three premises that were ordered to close for the third time. The Assistant Director for Public Protection highlighted that it was the responsibility of the Landlord to ensure their business tenants were legally compliant; he further agreed to assess the legal tactics available to the Council to punish Landlords who repeatedly offend and to inform the Committee of available powers once realised.
- The Committee was informed that Landlords of businesses found to be violating Trading Standards were typically issued a fine.
- It was assured that the Council raised awareness on the harm of tobacco and vapes, although it was accepted that more could be done to campaign against alcohol misuse.

Fire Safety

- It was considered whether measures had been implemented to improve Home Fire Safety visits as it had been suggested by the Committee and HMI to use on-call staff. The Assistant Chief Fire Officer agreed that on-call staff could conduct the visits although there was an increased cost in doing so, and informed that Community Safety Advocates often conducted these visits. It was further assured that on-call staff conducted home fire safety visits at the scene of a fire. In addition, the Chief Fire Officer highlighted that they would likely face reluctance if requesting to release on-call firefighters to deliver non-statutory obligations such as these visits and would also create an additional burden for local businesses.
- Members questioned whether there were incidents where the Fire Service was hindered by bad parking; the Assistant Chief Fire Officer acknowledged this occurrence and highlighted that crews were proactive and reminded residents to park considerably. The team also worked closely with Highways colleagues where necessary.

Libraries and Heritage

- The Head of Culture thanked Members for their positive feedback on the use of libraries in communities across Lincolnshire.
- It was noted that the Council had enhanced the Castle Illuminated offer in absence of the Christmas Market; it was reported that the event had already exceeded admission targets and the Lincoln Castle General Manager had received many positive comments from the public. Conversely, some Members suggested certain elements of the event were expensive; the Head of Culture assured prices were constantly reviewed, and agreed to continue to work with relevant third party operators to ensure the event remained commercially viable.
- The Head of Culture agreed to generate data specifically on the use of mobile libraries for future reports.
- Members expressed disappointment that a number of successful events across Lincolnshire not run by Lincolnshire County Council has ceased due to lack of resources.

Road Safety

- Members were reminded to report any highways issues to the Fix My Street website.
- A Member recalled witnessing an upturned lorry which had already been reported to authorities however there was no signage to indicate that police were aware; they requested that accident markings were installed quickly. Consequently, the LRSP Senior Manager acknowledged this was insufficient and agreed to pass the matter on to relevant colleagues.

Note: Councillor A Dani left the meeting.

Volunteering:

- The Assistant Director – Corporate assured that the Council continued to work with Boston College and Department for Work and Pensions (DWP) colleagues to encourage residents to volunteer.
- Connections with voluntary organisations were being utilised through a consultation activity; the Engagement Team continued to try and galvanise young people and those with special educational needs and disabilities (SEND) to ensure views were representative.
- The Committee had previously sent a congratulatory letter to the volunteers for their hard work. Upon Members' requests, the Assistant Director – Corporate agreed to circulate the Committees thanks to the volunteer organisations who would cascade the message through its newsletters.

RESOLVED

That the Committee records its satisfaction with the Public Protection and Communities Service Level Performance for Quarter 2 of 2023-24.

53 PUBLIC PROTECTION AND COMMUNITIES SCRUTINY COMMITTEE WORK PROGRAMME

Consideration was given to a report from Tracy Johnson, Senior Scrutiny Officer, which invited the Committee to review the work programme and to highlight any additional scrutiny activity which could be included for consideration in the work programme.

It was reported that the following items were scheduled for consideration and specifically pertained to the Committee sitting as the Crime and Disorder Scrutiny Committee:

- The Committee would not sit as the Crime and Disorder Scrutiny Committee at the 30 January meeting as no reports would be provided.
- Reports on the Domestic Abuse Strategy and Serious Violence in Lincolnshire – A Partnership Response, would be considered at the 19 March meeting.
- At the 14 May meeting, the Committee would consider the Prevent Annual Report.
- The Safer Lincolnshire Annual Report, and the Lincolnshire Women and Girl's Strategy (Reducing Reoffending) would be considered at the 25 June meeting.
- The Antisocial Behaviour Core Priority Group (including Community Trigger) and the Drug and alcohol Core Priority Group Report would be considered at the 30 July meeting.
- The Safer Lincolnshire Partnership – Fraud Update Report and the Stay Safe Partnership Annual Update would be considered at the 24 September meeting.
- The Lincolnshire County Council (LCC) and Lincolnshire Police Safer Together Partnership Agreement and LCC Community Safety – Evidence Based Practice would be considered at the 12 November meeting.

In addition, the Senior Scrutiny Officer confirmed that a progress report against the action plan and areas for improvement arising from the HMICFRS inspection of LFR would be considered at the 14 May meeting and that she would liaise with relevant officers regarding a report on the powers available to Trading Standards in relation to repeat offenders selling illicit alcohol and tobacco products.

RESOLVED

That the work programme be approved.

The meeting closed at 1.05 pm