

Report title

## Improving the Recording of Decisions

Report to

Commissioner's Board  
Deputy Mayor's Fire and Resilience Board  
London Fire Commissioner

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Report by

Assistant Commissioner, Operational Policy and Assurance

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I agree the recommended decision below.



**Andy Roe**  
London Fire Commissioner

This decision was  
remotely signed on  
Date 11 May 2021

### Executive Summary

Following organisational learning from the Grenfell Tower fire and recent terrorist incidents the Brigade has responded to, the decision logging procedures of the Brigade have been reviewed. This review has led to revised policy and procedure that will comply with National Operational Guidance and provide a clearer, tiered system of decision logging, with a robust storage and control procedure. This will deliver improvements including a loggist role that can be appointed to create a contemporaneous record of decisions at the incident ground or in support of the Strategic Response Arrangement structures. There have been 6 loggist training courses run over the past 18 months, providing sufficient officers to deploy the capability from March 2021. To embed this capability for the longer-term, it is proposed to train specific staff groups – Station Commanders, Staff Officers and Operational Resilience Support Officers (ORSOs) to perform the loggist role.

Alongside the implementation of loggists, it is proposed to use body-worn video equipment to record the decisions and rationale of commanders at Major Incidents, or those that present significant organisational, reputational or political implications for the Brigade. This will provide a more accurate representation of the pressures and context that commanders operate within. It will be used to support staff in their reflective learning, in identifying potential organisational learning, and to provide comprehensive and accurate evidence for any future investigation or inquiry.

## Recommended decisions

### For the London Fire Commissioner

That the London Fire Commissioner approves:

- The provision of loggist training to all Station Commanders, Staff Officers and Operational Resilience Support Officers (ORSOs)

That the London Fire Commissioner notes:

- The use of body-worn video (BWV) equipment to record the decisions of incident commanders at Major Incidents, or those that present a significant organisational, reputational or political implication for the Brigade

## Introduction and Background

1. Incident commanders and decision makers across the Brigade are accountable for the decisions that they make and should be able to provide reasons for what they did and why. Decision logs serve as a key means of achieving this, providing a formal record of the decisions taken and the supporting rationale.
2. The review of the response to the Grenfell Tower fire has shown that a decision log was not commenced for a considerable time following the start of the incident, and the officer that was subsequently appointed as a loggist had received no formal training. This learning is currently captured in two operational improvement issues:

*"If Decisions and Rationale are not recorded and time stamped there is potential for the clarity and accuracy of information to be diluted. Post incident there will be challenges recalling rationale under scrutiny and legal challenges."*

*"Nominating a dedicated loggist is normal practice for these types of incidents, but there is a limited number of officers trained to undertake this role."*

3. In addition to this identified learning, National Operational Guidance requires fire and rescue services to:

*"Have appropriate systems in place that enable incident commanders to record the reasons and rationale that support their decision-making, in particular when applying operational discretion."*

4. It also requires incident commanders to keep appropriate decision logs, and to contemporaneously record the rationale for the decisions made at complex, major or multi-agency incidents, or when applying operational discretion.
5. For the majority of incidents the Brigade attends, involving the use of defined safe systems of work to resolve the situation, informative messages and the declaration of tactical modes provide sufficient detail to record the decisions made. At all incidents however, there is the potential for a 'key' decision to be made, which should be recorded. For example, the application of operational discretion, or a decision that may have a significant impact on members of the public, other emergency services or organisations.
6. Further to this, there are certain incidents that are more likely to involve a number of key decisions being made, or more likely to be involved to subsequent investigation and scrutiny. For

example, Major Incidents, either declared by the Brigade or by a partner agency. Additionally, these may include incidents that present significant organisational, political or reputational implications for the Brigade. Incident commanders at these incidents should arrange for a contemporaneous log of their decisions and the supporting rationale to be made.

7. As part of the ongoing National Operational Guidance implementation process, policy 0828 – Recording decisions at incidents has been reviewed and incorporated within the Command Skills policy and procedure suite of documentation which is currently undergoing Heads of Service, BJCHSW and IR consultation. This revised documentation will provide a tiered approach to decision logging, outlined in the chart contained as Appendix 1.

### **Key decision logs**

8. These forms, currently stored on all pumping appliances and command units, will be retained. They will provide a means for commanders to log a single or limited number of key decisions at an incident that would otherwise only require the use of informative messages and tactical modes. For example, an incident commander deciding to apply operational discretion to conduct a rescue at the start of an incident before reverting back to standard operating procedures. If a Command Unit is in attendance, this can be completed electronically on CSS. All incident commanders will be trained to complete these forms, by including them in the revised Level 1 incident command courses currently in pilot.

### **Loggists**

9. Following the learning identified above, there is a need to ensure a formal record of decisions is created for Major Incidents, or incidents that may have significant organisational, political or reputational impacts for the Brigade. To assist incident commanders in completing this, there is a requirement for certain staff to be trained as loggists to create a contemporaneous decision log. This was initially identified in the Organisational Learning Log following the Grenfell Tower Fire. Additionally, Strategy and Risk presented a paper to the Corporate Services Board in November 2019 recommending the use of loggists within the Strategic Response Arrangements (SRA).
10. To support these organisational requirements, six pilot loggist courses have been obtained from the same external provider that delivers the Skills for Justice (SfJ) accredited loggist course at the Fire Service College at a cost of £7,200, which has been financed within the existing Training contract budget. The last of these courses is due to complete on the 24<sup>th</sup> March 2021 and will result in 76 staff being trained to perform the loggist role. These staff are in three main staff groups – Station Commanders, Staff Officers and Operational Resilience Support Officers (ORSOs).
11. These staff groups were selected to provide loggist support to incidents and also the key SRA structures – the Commissioner's Continuity Group and Brigade Co-ordination Centre as these groups are directly involved in their establishment.
12. The completion of this pilot training in March 2021 will provide sufficient trained loggists across all Station Commander rota groups to allow the capability to be launched on Friday 26<sup>th</sup> March 2021. However, to ensure ongoing resilience of the loggist function and avoid the excessive administration requirements of designating a loggist 'tag' for senior officers, it is recommended to expand the training provision to cover all staff in these groups. As well as for resilience purposes, it is good professional practice for officers to be competent at rationalising and recording their decisions. In order to train all remaining Station Commanders, ORSOs and Staff Officers, a further 9 courses will be required. This will require further funding of approximately

£12,600 which has been allocated by Training & Professional Development from the External Training (1661) budget.

13. To maintain the loggist cadre in the future, there will be an ongoing training requirement to ensure staff that join these groups can perform the loggist role. This will vary depending on staff turnover and promotion rates, but is estimated to require 2 courses per year, at a cost of £2,400. One additional training requirement for the loggist role is for a maintenance of competence CBT package, and a CBT package to make all staff aware of the improvements in decision recording capabilities, both of which will be developed with Babcock through the TCAP process, funded through the training contract budget.
14. To further improve the loggist capability, OP&A will explore potential electronic decision logging methods. Presently, loggists will complete a paper-based decision log, which will then be securely stored by the Incident Command Policy team. This presents a challenge in relation to those staff with learning support needs who may find it challenging to generate written records in pressurised circumstances. At present, the reasonable adjustment is for a substitute loggist to be made available should an individual feel unable to maintain the log due to situational pressures.
15. Audio transcription solutions are being explored to reduce the requirement to produce a written decision log. Specifically, it may be possible to deploy an app onto Brigade mobile phones that allow accurate dictation of a decision log that can then be securely emailed for storage and control. Consultation is in progress with Information Management and Learning Support to identify a suitable solution, which will be incorporated into loggist training once identified. Should it require additional expenditure or resourcing, a further report will be submitted.

### **Body-worn Video**

16. While loggists will be available to support SRA, or in the event an incident rises to the threshold outlined that requires a formal decision log, there is still a potential gap from the point at which the need for a log is identified, and the time taken for a loggist to arrive. To bridge this gap, the provision of body-worn video (BWV) equipment on all Command Units is recommended to record the decisions taken by an incident commander, while on the Command Unit or while assessing the incident ground.
17. There is also a requirement from Operational Resilience to improve the recording of decisions taken by commanders from the NILO cadre. These officers are responsible for key multi-agency decisions at the Forward Command Point (FCP) of a Marauding Terrorist Attack (MTA) type incident. Due to the specialist ballistic PPE required at this location, it is not feasible to deploy loggists to this location. As such, BWV would provide a solution to improve the learning that can be gained from these incidents without exposing unprotected personnel to additional risk.
18. BWV was previously piloted in the Brigade from 2016 until in early 2017. The pilot was a success in demonstrating the capability of the equipment, but it also raised challenges in meeting data protection requirements, which were subject to change with the introduction of the Data Protection Act (2018). Officers from Operational Policy & Assurance have consulted with colleagues in Information Management to overcome these challenges. Controls on the usage of BWV will be included in the relevant policy to make clear the legal purpose for which recording is intended and adequate steps to ensure anyone present is aware that recording is taking place.
19. As recordings will contain personal data, they must be kept for no longer than necessary and handled in a secure manner. As such, recordings will be automatically deleted after 28 days

unless it is confirmed that they are required for individual or organisational learning or as evidence for an investigation. Additionally, the secure and encrypted storage system currently used for the Drone capability will be used to store recordings in an appropriate manner. All requests for information or access will be dealt with in line with existing Information Access processes.

20. The BWV equipment purchased for the previous pilot remain fit for use and will allow the capability to be implemented (primarily for the recording of decisions) without incurring additional expenditure. One camera will be provided to each command unit, with the remaining cameras being held by the Incident Command Policy team in case of a defective camera, or to use as a replacement while incident footage is downloaded and processed. Any cameras required for the NILO cadre will be purchased by Operational Resilience subject to identification of a suitable funding source.
21. One outstanding action from the Grenfell Improvement Plan is for the implementation of BWV to increase situational awareness. This was in relation to the recommendation from the Inquiry report that:

*"The LFB develop a communication system to enable direct communication between the control room and the incident commander and improve the means of communication between the incident commander and the bridgehead."*

22. Since this action was identified, there have been numerous improvements made to communication between the control room, incident commander and bridgehead as part of the revised FSG procedures, with revisions to fireground radio channel plans and airwave radio talk group usage. The Drone Pilot has also provided a livestreaming capability to provide situational awareness to incident commanders and Brigade Control. As part of the Command Unit replacement project, livestreaming cameras will be provided on each vehicle which can be deployed around the incident. These cameras will integrate with the replacement incident command operating system, allowing live viewing at the command point, at Brigade Control or by officers remote from scene through the internet. This will provide significantly increased shared situational awareness for future incidents.
23. Using BWV cameras to provide real-time situational awareness would require supporting infrastructure that could accommodate a live-streaming capability which is not the case with the current equipment. As such, this would require the procurement of alternative cameras and either ongoing subscription costs for a cloud-based storage system or the implementation of a suitable internal secure storage system. This would require estimated initial expenditure of £15,780, with a significant additional software subscription cost, with substantial further expenditure and resource costs to implement a suitable internal storage solution for recordings that can comply with data protection requirements.
24. BWV for use by operational staff other than incident commanders provides limited benefits particularly when measured against the cost of procurement and provision. BWV attached to an individual, captures a much more limited and restricted view of an incident. Market research has not identified any intrinsically safe options, which would preclude their deployment into potentially explosive atmospheres. Additionally, the visibility issues caused by the presence of smoke may limit the benefits of BWV in those circumstances. If BWV were to be attached to a sector commander or other operational officer operating outside a hazard zone, the deployable camera that will be provided on the replacement Command Units could be used in its place and positioned strategically to provide the most beneficial view of a particular aspect.

25. Given the limited cost/benefit identified above, as well as the current successful Drone livestreaming capability, it is not recommended to implement a wider livestreaming BWV solution at this time. However, this recommendation will be reviewed at the completion of the CU replacement project to ensure that the Drone and livestreaming cameras provide sufficient situational awareness between Brigade Control and the incident ground.

### **Alternative Options Considered and Consultation**

26. When selecting target staff groups for loggist training, consideration has been given to training all operational staff to perform the role of loggist. However, as outlined above, the tiered approach proposed for decision logging means that the number of occasions where a full contemporaneous decision log is required would be less than 10 incidents per year. The cost to provide the loggist course to all operational officers would be in the region of £500,000. As such, this was discounted due to the cost involved.

27. Paragraphs 22-25 provide an outline of the alternative options that have been considered for BWV and livestreaming capabilities.

28. The revisions to policy and procedure to support these improvements are currently undergoing Heads of Service consultation and with representative bodies through Health and Safety and Industrial Relations consultation processes. Further details of the potential workforce impacts are outlined below.

29. Operational Resilience & Control have been consulted on the requirement to deploy BWV as part of the Brigade's specialist response capabilities.

30. Information Management have been consulted on the introduction of BWV and have outlined the following policies that would govern its use:

- Policy Number 215 - Gathering, recording and presenting information for legal.
- Policy number 420 - 'Freedom of Information'.
- Policy number 485 - 'ICT acceptable use policy'.
- Policy number 420 - 'Freedom of Information'.
- Policy number 778 - 'CCTV monitoring and the Data Protection Act'.

### **Objectives and Expected Outcomes**

31. This report is intended to outline the work that has been completed to date to improve the organisational capability to record decisions taken. It identifies a set of recommendations to embed these improvements in the Brigade.

32. The expected outcome of this report is for the London Fire Commissioner to approve the planned training approach for loggists and the use of BWV as outlined to record decision making, subject to the successful completion of the consultation processes currently ongoing.

33. It will also serve to complete the outstanding action from the Grenfell Tower action plan relating to the implementation of BWV for situational awareness.

### **Impacts**

#### **Equality Impact**

34. As outlined in paragraphs 15 & 16, the equalities impact assessment has identified a potential adverse impact on individuals with dyslexia or similar learning support needs who perform the loggist role. This is caused by the requirement to produce written records of information in a potentially pressurised environment.
35. At present the reasonable adjustment identified is to have a substitute available should any individual feel unable to maintain a log, which given the number of Station Commanders available is deemed feasible. However, to further reduce the possibility of this occurring, as outlined in paragraph 16, alternative technological solutions are being explored and will be implemented if possible.

### **Procurement and Sustainability**

36. The initial loggist training was delivered following a procurement process to identify the current supplier. Funding has been identified by Training & Professional development from the External Training (1661) budget for the training courses identified in this report, but this will be subject to appropriate procurement procedures due to the level of expenditure involved. Longer-term training provision will be sourced through the TCAP process, and funding has been identified in the training contract budget for this.
37. Sufficient BWV equipment is already owned by the Brigade following previous pilots to enable their deployment to command units. Should further equipment be required, for example by the NILO group, their procurement will be undertaken in line with Brigade procedures and subject to identification of a suitable funding source.
38. The recommendations outlined in this report should help improve the effectiveness of command across the Brigade. This should increase performance in resolving operational objectives, including environmental protection.

### **Strategic Drivers**

39. The improved decision recording capabilities proposed in this report are linked to a number of strategic pillars from the Transformation Delivery Plan:
40. *Delivering excellence* – the implementation of loggists and body-worn video equipment will increase the ability to identify learning and improve the operational response of the Brigade, either at an individual or organisational level. This will help to drive continuous improvement of service delivery and will also resolve a number of outstanding actions of the Grenfell Improvement Plan.
41. *Seizing the future* – the improvements to decision logging will ensure compliance with National Operational Guidance in this area.
42. *Outward facing* – having a true and transparent record of the decisions commanders make and the circumstances in which they are made should serve to increase trust and confidence with all stakeholder groups during future investigations or inquiries that arise.

### **Workforce Impact**

43. The revised decision logging processes should provide a positive impact for the workforce, assisting decision makers to feel supported by having access to a clear record of their decisions and the circumstances in which they were made. This would be of particular benefit in preparation for any future external scrutiny that may be applied to their decisions.

44. However, there is likely to be some concern from representative bodies about the introduction of body-worn video, particularly around the usage of footage for discipline or other proceedings. This capability has been piloted previously, which saw a memorandum of understanding agreed between the representative bodies and the Brigade to allay these concerns. To ensure that these concerns have been identified and resolved, the revised policy and procedure will be subject to consultation submitted for at the various industrial relations joint committees.
45. Additionally, regular consultation has taken place through the drafting of this and other revised incident command policies with health and safety representatives from the representative bodies. Consultation is currently taking place through the Brigade Joint Committee for Health and Safety at Work.

### **Finance comments**

46. This report recommends that loggist training is provided to certain staff. The report notes that six courses have been provided so far at a cost of £7,200 and financed from the Training Contract Budget. The report then goes on to state that a further 9 courses are required at a total cost of £12,600 in 2021/22, with an ongoing cost of £2,400 from 2022/23. These costs will all be contained within the Training Contract Budget.
47. The report also recommends the use of BWV equipment to record decisions. The BWV equipment purchased for the pilot is sufficient to implement the capacity, including spares held for any defective cameras. The report also considers wider use of BWV equipment, and the potential cost implications of this, including for the NILO cadre, and funding requirements would be part of the decision making on any broader deployment.

### **Legal comments**

48. Under section 9 of the Policing and Crime Act 2017, the London Fire Commissioner (the "Commissioner") is established as a corporation sole with the Mayor appointing the occupant of that office. Under section 327D of the GLA Act 1999, as amended by the Policing and Crime Act 2017, the Mayor may issue to the Commissioner specific or general directions as to the manner in which the holder of that office is to exercise his or her functions.
49. Section 1 of the Fire and Rescue Services Act 2004 states that the Commissioner is the fire and rescue authority for Greater London.
50. The statutory basis for the actions proposed in this report is provided by section 7 of the Fire and Rescue Services Act 2004, under which the Commissioner must secure the provision of personnel, services and equipment necessary to efficiently meet all normal requirements for firefighting and must secure the provision of training for personnel.

### **List of Appendices**

<b>Appendix</b>	<b>Title</b>	<b>Protective Marking</b>
1.	Decision Logging Flowchart	



# Appendix 1- Decision Logging Flowchart

