



LONDON FIRE BRIGADE

Report title

Appointment of the LFB Chair of the Independent External Review of Culture

Report to

London Fire Commissioner

Date

18 November 2021

Report classification:

For Decision

The subject matter of this report deals with the following LFB strategic priorities;

The best people and the best place to work

Seizing the future

Outward facing

Delivering excellence

The appointment of the LFB Chair of the Independent External Review of LFB's culture is a major milestone in that project. The Search Committee have made the recommendation which is contained within the paper.

Report number – [LFC-0000] – COMPLETED BY GOVERNANCE TEAM

For Publication

PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE DECISION-MAKER

I agree the recommended decision below.

Andy Roe
London Fire Commissioner

This decision was signed
remotely on the 18 November
Date 2021

Executive Summary

Following the approval of LFC-0526, entitled "Reviewing our Culture", the process outlined in the paper has been followed. A Search Committee was established and has ended its deliberations, making the recommendation to the London Fire Commissioner that Nazir Afzal OBE is appointed as the LFB Chair of the Independent External Review of Culture.

Proposed Decision

For the London Fire Commissioner

That the London Fire Commissioner delegates authority to the Assistant Director People Services to enter into a legal agreement, in line with the decisions taken on report LFC-0526 with Nazir Afzal to be the LFB Chair of the Independent External Review of London Fire Brigade's culture.

1. Introduction and background

- 1.1 The proposal to establish an external review of LFB culture within the London Fire Brigade (LFB) was triggered by the sad death of Fire Fighter (FFD) Jaden Matthew Francois-Esprit who passed away on August 26, 2020, also referred to wider reasons for an organisation-wide review of culture, including feedback from employees, data from People Services and information contained in our last inspection report from Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services.
- 1.2 The London Fire Commissioner approved a Search Committee be established to procure an agency to find a Chair and panel members for the review. The Search Committee comprised of:
 - Andy Roe, The London Fire Commissioner
 - Marta Phillips, The Chair of the Search Committee (and Chair of LFB's Audit Committee)
 - Dr Debbie Weekes-Bernard, Deputy Mayor for Communities and Social Justice (GLA) (in place of Dr Fiona Twycross, The Deputy Mayor for Fire and Resilience who was unable to attend).
- 1.3 GatenbySanderson were appointed as the recruitment agency. GatenbySanderson devised a search strategy that included both sources and candidate targets for this appointment - sources from within the LFB such as the Equality Support Groups, Trade Union Representatives and members of Jaden Matthew Francois-Esprit's training course. GatenbySanderson spoke to external stakeholders i.e. members of the Grenfell Next of Kin and family members of Jaden Matthew Francois-Esprit's to ask for recommendations and names that were seen as credible, sufficiently independent and capable of holding such a Chair role. GatenbySanderson ensured that their sources were diverse, to further cement an inclusive search strategy.

- 1.4 GatenbySanderson identified candidates spread across a multitude of sectors with representation from both public and private sectors including not-for-profit, local government, central government, membership bodies, other emergency services, FTSE100 organisations, politics and law. GatenbySanderson also researched individuals who had been involved in other culture or organisational reviews.
- 1.5 GatenbySanderson approached over 130 individuals and received a positive and engaging response to the opportunity. The targets included Chairs, Chief Executives, Diversity & Inclusion Specialists, Race Advisors, Academics, Former Chief Constables and Chief Fire Officers, QCs and House of Lords Peers.
- 1.6 22 applications in total were received with 16 (72%) being from a minority ethnic background and seven (31%) were women.
- 1.7 Shortlisting commenced in September with six candidates being selected, of which five were from a minority ethnic background and two were women.
- 1.8 Interviews were held on the 25th and 26th October.
- 1.9 Following the interviews the Search Committee have identified Nazir Afzal OBE as the preferred candidate.
- 1.10 The Search Committee noted his illustrious career, including as Chief Crown Prosecutor for North West England and Director in London. More recently Nazir was Chief Executive of the Association of Police and Crime Commissioners and was appointed the first ever independent Chair of the Catholic Church's Safeguarding Agency. Nazir also sits on the National Police Ethics Committee and is a member of the Independent Press Standards Organisation (IPSO) Complaints Committee.

2. Objectives and expected outcomes

- 2.1 The objective of this decision is to determine who will lead the independent and external review of LFB's culture. A robust and engaging appointment process was set-up and this recommendation is the outcome of that process.
- 2.2 The expected outcome of this decision is that a Chair is appointed and begins the review. This review is expected to be the catalyst for further transformational change for the Brigade.

3. Equality comments

- 3.1 The London Fire Commissioner and decision-takers are required to have due regard to the Public Sector Equality Duty (s149 of the Equality Act 2010) when exercising his functions and 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 LFC, in the exercise of all his functions (i.e. everything he does), to have due regard to the need to:
- (a) Eliminate discrimination, harassment and victimisation and other prohibited conduct.
 - (b) Advance equality of opportunity between people who share a relevant protected characteristic and persons who do not share it.
 - (c) Foster good relations between people who share a relevant protected characteristic and persons who do not share it.
- 3.5 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic where those disadvantages are connected to that characteristic;
 - (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 3.6 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
- 3.7 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
- (a) tackle prejudice, and
 - (b) promote understanding.
- 3.8 An Equality Impact Assessment was carried out on the decision to appoint a Search Committee in order to have a diverse panel of appointees. The process for the appointment of the Chair was also subject to a robust governance process and numerous discussions around equality, diversity and inclusion to ensure that the process was fair, open, transparent and inclusive. The outcome of that process was a diverse shortlist of high-profile candidates, each able to lead the review of culture in their own right.

4. Other Considerations

Workforce comments

- 4.1 All representative bodies and Equality Support Groups (ESGs) have been involved in the process to determine the chair of the Culture Review, with some accepting the offer of speaking with the recruitment agency prior to the advert going live. The views of

representative bodies and ESGs were taken into account when creating the advert for the chair and in the deliberations on whom to appoint.

Procurement comments

- 4.2 A competitive tender was undertaken to appoint the agency who searched for the Chair. The process for appointing the Chair was also competitive.

5. Financial comments

- 5.1 The funding for the Chair was agreed as part of a budget envelope outlined in paper LFC-0526. The individual payment for the Chair will be negotiated by GatenbySanderson within the envelope agreed through the formal governance process.

6. Legal comments

- 6.1 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.
- 6.2 Section 1 of the Fire and Rescue Services Act (FRSA) 2004 states that the Commissioner is the fire and rescue authority for Greater London.
- 6.3 The work to be undertaken is consistent with the London Fire Commissioner's ('LFC') statutory function under section 6 of the Fire and Rescue Services Act 2004 ('the Act') which requires the LFC to make provision for the purpose of promoting fire safety, and in doing so may make arrangements for the provision of information, provide publicity and encouragement in respect to the steps needed to be taken to prevent fires and death or injury by fire.
- 6.4 Under section 7 of the Fire and Rescue Services Act 2004 the Commissioner has the power to secure the provision of personnel, services and equipment necessary to efficiently meet all normal requirements for those functions. Furthermore, in accordance with Section 5A Fire and Rescue Services Act 2004 (FRSA 2004), the Commissioner, being a 'relevant authority,' may do 'anything it considers appropriate for the purposes of the carrying- out of any of its functions...'. This includes putting in place the Independent External Review of Culture and appointing the LFB Chair as recommended in this report.

List of Appendices

Appendix	Title	Open or confidential
1.	None	N/A

Part 2 Confidentiality: Only the facts or advice considered to be exempt from disclosure under the FOI Act should be 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

Lewis Coakley has drafted this report and confirms the following:

Assistant Director/Head of Service

Kate Bonham has reviewed the documentation and is satisfied for it to be approved.

Advice

The Finance and Legal teams have commented on this proposal;

Thomas Davies, Solicitor Corporate and Commercial Law on behalf of General Counsel

Simon Whittle, Payroll Manager, on behalf of the Chief Finance Officer