**SOUTH WALES FIRE & RESCUE AUTHORITY**

**MINUTES OF THE FIRE & RESCUE AUTHORITY MEETING**

**HELD ON MONDAY, 13 JULY 2020 AT 1030 HOURS**

**VIA STARLEAF**

**13.** **PRESENT:**

**Councillor Arrived Left Authority**

D T Davies (Chair) Caerphilly

S Bradwick Rhondda Cynon Taf

D Ali Cardiff

L Brown Monmouthshire

M Colbran 10.38 Merthyr Tydfil

P Drake Vale of Glamorgan

S Evans Torfaen

A Hussey Caerphilly

H Jarvie 12:05 Vale of Glamorgan

A Jones Torfaen

D Naughton Cardiff

A Roberts 11:55 Rhondda Cynon Taf

V Smith Monmouthshire

M Spencer Newport

H Thomas Newport

S Ebrahim Cardiff

A Lister Cardiff

D White 10.56 Bridgend

R Shaw 12:00 Bridgend

W Hodgins 12:00 Blaenau Gwent

**APOLOGIES:**

J Williams Cardiff

J Harries Rhondda Cynon Taf

S Pickering Rhondda Cynon Taf

C Elsbury Caerphilly

**OFFICERS PRESENT:** CFO H Jakeway; DCO S Chapman – Monitoring Officer; Mr C Barton – Treasurer; ACO A Reed – Director of People Services; ACFO R Prendergast – Director Technical Services; ACFO Dewi Rose – Director Service Delivery, G Thomas, Head of Finance & Procurement; Sarah Watkins – Head of Corporate Support

**14. DECLARATION OF INTEREST**

Each Member declared a personal non-prejudicial interest in each agenda item which affected their Authority.

On behalf of Senior Officers, the Deputy Chief Officer declared an interest in Agenda Item 6.iv: SWFRA Vehicle Lease Scheme, advising that with the exception of the Treasurer and the minute taker (who do not have the option to be part of the Scheme), officers will be required to leave the virtual meeting for this item.

It was agreed that this agenda item be moved to the end of the agenda.

**15. CHAIR’S ANNOUNCEMENTS**

**Passing of firefighter Ian Groves**

It is with sadness that the Chair announced the passing of Firefighter Ian Groves of Usk Fire Station on Saturday 4th July following a short illness. Our thoughts are with his family, friends and colleagues at this time. The crew at Usk are providing support to Ian’s family at this sad and difficult time. He advised that condolences from the Fire & Rescue Authority will be sent to his family. A minute’s silence was held.

**Meeting with Deputy Minister**

The Chair advised that he and the Chief fire Officer met with the Deputy Minister on the 25th June. They discussed how the Service is responding to the national health emergency of Covid19, the role of the firefighter and the Deputy Minister’s ambition for firefighters in Wales to undertake medical calls with the ambulance Service, which she made very clear at the start of the year, and building safety and changes to the Fire Safety Order following the tragedy of Grenfell Towers.

The Chief Fire Officer advised that Welsh Government have issued a Position Statement in relation to Building Safety, advising of their intention to bring forward a White Paper for consultation by the end of this Assembly Term, the analysis of this consultation will be available to inform any new Government bringing forward primary legislation in this important area. He advised that although a lot of work has taken place over the three years since Grenfell, there still nine premises within South Wales that still have cladding that does not comply.

**Meeting with NJC Regards Grey Book Pay**

The date for the national pay award for grey book personnel is the 1st July, however, no pay claim has been made by the FBU or pay offer from the National Employers, although the FBU have stated that firefighters’ pay over the period of austerity has fallen behind by over £4,000. The Chief Fire Officer virtually attended an engagement event with the national employers to gauge budget impacts on fire & rescue authorities. The report will be circulated to Members when made available.

**The Service and Covid19**

The Chair advised of a message that will be circulated to staff, as follows: As we know the world today looks different from what it did some 4 months ago. On behalf of the Authority I would like to thank each and every person in our Service for their outstanding professionalism and dedication. We have seen low absence rates across our Service and long may this continue, we have been able to maintain our excellent operational response in very difficult and demanding environment. The team work we have is second to none, thank you from all us.

**16. MINUTES OF PREVIOUS MEETINGS**

The minutes of the Fire & Rescue Authority held on 10 February 2020 were received and accepted as a true record, with the slight amendment of Monmouth to Monmouthshire.

The minutes of the Fire & Rescue Authority Annual General Meeting held on 8 June 2020 were received and accepted as a true record.

The minutes of the Audit & Performance Management Committee held on 25 November 2019 were received and accepted as a true record.

The minutes of the HR and Equalities Committee held 11 November 2019 were received and accepted as a true record.

The minutes of the Local Pension Board Committee held on 20 January 2020 were received and accepted as a true record.

The minutes of the Audit & Performance Management Committee held 2 March 2020 were received and accepted as a true record.

**17. UPDATE ON ACTIONS**

The Deputy Chief Officer advised that all outstanding actions had been completed, but noted that although the Strategic Performance Indicator Targets 2020/21 were published in accordance with the timeline, they will require reviewing in light of COVID.

**18. REPORTS FOR DECISION**

**18.1 RATIFICATION OF EMERGENCY DECISIONS**

The Deputy Chief Officer advised that, as Members will recall, the lockdown arising from COVID-19 resulted in the Fire & Rescue Authority being unable to meet for a period of time until requisite regulations and a virtual meeting infrastructure was in place to facilitate virtual Member meetings. As a consequence, a number of key decisions had to be taken and these were done under the emergency powers delegated to the Chief and Deputy Chief Officer following Member authorisation obtained by email.

Formal Ratification is required for five key decisions taken by Members since the outbreak of COVID-19.

**RESOLVED THAT**

Members resolved to ratify the following decisions:

18.1.1 Authorisation of emergency delegated powers to the Chief and Deputy Chief Officer as detailed in Appendix 1

18.1.2 Approval of the Authority’s Strategic Equality Plan as detailed in Appendix 2.

18.1.3 Approval of the Authority’s Pay Policy as detailed in Appendix 3.

18.1.4 Approval of the firefighter pension discretions as detailed in Appendix 4.

18.1.5 Approval of the report of those charged with governance as detailed in Appendix 5.

**18.2 TREASURY MANAGEMENT STRATEGY 2020/21**

The Treasurer presented the Treasury Management Strategy 2020/21.

He drew Members attention to the increase from £42m to £50m in the Authority’s forward projections for borrowing, this reflects the approved capital programme. Also the ratio of financing costs of revenue streams equates to 6%-7% over the period, which is broadly in line with other public sector organisations.

Councillor V Smith queried the amount of years left to pay for the PFI on the Training Centre. The Treasurer confirmed that the Scheme was payable over a 25 year period, of which 11 years remain. Once payment ends, the Authority will retain ownership, although it was noted that there will then be associated costs, such as day to day running.

Councillor V Smith also queried the new Government bonds. The Treasurer confirmed this is just a number of avenues the Government use, funds are still being received from the same source.

Councillor D White wished to abstain from the vote, as he missed the first half of the Agenda Item.

**RESOLVED THAT**

Members approved:

* The Treasury Management Strategy Statement (TMSS)
* Capital prudential indicators and Minimum Revenue Provision (MRP) policy
* Borrowing policy and treasury indicators/limits
* Annual Investment Strategy
* The Treasurer to update strategies and policies as necessary throughout the year

**18.3 CARBON REDUCTION PLAN 2020-2023**

The Head of Finance and Procurement advised that the Environment Act (Wales) 2016, places a duty on the Welsh Government to ensure net Welsh emissions are 80% lower than the baseline by 2050. The Welsh Government has announced the ambition for the Welsh Public Sector to be carbon neutral by 2030.

The Head of Finance and Procurement gave a brief presentation to Members, and advised of ways the organisation plans to reduce carbon emissions by 25% by 2023, including significantly decreasing the use of plastics, looking at the property portfolio, decrease of travel, greater use of technology, looking at waste streams and working with staff to change behaviours.

In relation to plastics for Community Safety items such as fire alarms, he noted that suppliers will be worked with to look at alternatives; this will form part of the longer term plan.

He confirmed a reduction in the use of gas and electricity has already been seen, especially at FSHQ due to the installation of LED lighting and building management system.

He confirmed that due to COVID, the majority of staff members now have the facility to work from home, although this needs to be in line with the support functions for Operational staff.

The Deputy Chief Fire Officer advised that as Members now have fire service email addresses, the possibility of Members receiving their payslips electronically will be progressed with Payroll.

Councillor S Bradwick abstained from the vote, due to technical problems with his Starleaf connection and having missed elements of the debate on this item.

**RESOLVED THAT**

Members resoled to approve and adopt the Carbon Reduction Plan 2020-2023 attached at Appendix 1 to the report.

**18.4 REPORT ON DRAFT PROPOSED STRATEGIC THEMES AND OBJECTIVES 2021/2022**

The Deputy Chief Officer advised of the draft proposed strategic themes and objectives for 2021/2022 and requested views from Members.

Councillor L Brown suggested changes to ‘Responding to your Emergency: respond effectively when you need us’ to reflect COVID.

The Deputy Chief Officer will note for consultation feedback.

**RESOLVED THAT**

Members resolved to:

18.4.1 approve the proposed draft Strategic Themes and objectives for engagement events and publication in the “consultation document” – Stage 2 of the Annual Improvement Plan on the SWFRS internet site by 31 October 2020; and

18.4.2 Approve delegation to the Deputy Chief Officer and Head of Corporate Support to review and refine the draft Strategic Themes and Objectives as necessary for the public consultation.

**19. REPORTS FOR INFORMATION**

**19.1 FINAL DETERMINATION FROM THE PENSIONS OMBUDSMAN IN RELATION TO THE PROTECTED PENSION AGE (PPA): FIRE AUTHORITY LIABILITY**

The Director of People Services updated Members on the final determination made by the Pensions Ombudsman in relation to the Protected Pension Age (PPA) for three individuals who were previously employed by the Service noting that the compensation payment of £2,000 has been made.

Councillor W Hodgins queried whether an individual who was employed as both a Wholetime firefighter and On-Call firefighter would need to retire from both.

The Deputy Chief Officer confirmed that in this instance, the individuals were employed on two different contracts, and only chose to retire from one contract, whilst maintaining the other.

The Director of Human Resources confirmed that approximately 30% of operational staff have dual contracts. In relation to an employee retaining the benefit of PPA if they have a break in employment of at least one month and the re-employment being materially different, she confirmed that this falls under HMRC regulations.

Councillor R Shaw queried what resources are in place to ensure the Authority does not find themselves in this position in the future.

The Director of People Services advised that in house measures have been put in place and the Local Pension Board has been created, also the training strategy is being refreshed to ensure this does not happen again.

The Chair confirmed that whilst sympathy was always with the individuals, legal, financial and audit advice at the time indicated it would not be appropriate to make the payments and that Members had no option from a legal standpoint.

**RESOLVED THAT**

Members noted the final determination from the Pensions Ombudsman and arrangements being made to pay the tax liability for the three individuals.

**19.2 STRATEGIC RISK REGISTER REPORT QUARTER 4 2019/20**

The Deputy Chief Officer presented the Strategic Risk Register Report, Quarter 4, for 2019/20**.**

**RESOLVED THAT**

Members noted the contents of the report

**19.3 END OF YEAR HEALTH CHECK ON PERFORMANCE AND STRATEGIC OBJECTIVES 2019/20**

The Deputy Chief Officer presented the report which gives assurances to the Members of the Fire & Rescue Authority and senior management within South Wales Fire and Rescue Service on progress towards achievement of the Strategic Objectives and performance of the Strategic Performance Indicators for the period 01 April 2019 – 31 March 2020.

The report included an overall summary of the themes and actions, as well individual summaries for each Member Authority.

Members were advised that they will receive individual pictograms for their own authorities for circulation.

**RESOLVED THAT**

Members reviewed the performance details and statistical data for the period 01 April 2019 – 31 March 2020 contained within the report.

**19.4 WELSH LANGUAGE STANDARDS UPDATE – JUNE 2020**

The Director of People Services provided members with an overview of the current position with regards to meeting the legal requirements contained within the Welsh Language Standards Compliance Notice issued to the Fire and Rescue Authority by the Welsh Language Commissioner on 20 September 2016.

Attention was drawn to the one standard within the Red category, in relation to the use of social media and not treating the Welsh language less favourably than the English language. She assured Members that the Service strives to publish all social media bilingually, but there are times when, in the event of urgent items, this is not possible due to timelines. The Deputy Chief Officer noted that the issue mainly lies with the social media accounts for stations as they are dynamic with their social media presence within their communities. She advised that an exemption was sought for station accounts with the Welsh Language Commissioner but this was refused.

A bespoke monitoring framework has been introduced to ensure the Authority has a robust mechanism to evaluate its compliance with the Welsh Language Standards.

**RESOLVED THAT**

Members noted the information contained within the report.

**19.4** **FORWARD WORK PROGRAMME FOR FIRE & RESCUE AUTHORITY 2020/21**

The Deputy Chief Officer presented the Forward Work Programme for 2020/21.

**20. TO CONSIDER ANY ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT (PART 1 OR 2)**

There were no items of business deemed urgent by the Chair.

South Wales Fire and Rescue Service officers left the meeting, as they had expressed an interest in the next agenda item.

**21. SWFRS VEHICLE LEASE SCHEME**

The Treasurer presented the report which advised of the recent significant changes in the taxation regulations regarding the provision of Emergency Response Vehicles, and the necessary changes required to the South Wales Fire and Rescue Authority Vehicle Lease Scheme to ensure its continued tax compliance and sustainability.

The report identified the necessary changes to ensure the continued fairness, transparency and sustainability of the scheme, but also to address concerns raised by Representative Bodies.

The Treasurer gave the background to the Scheme which has been in place for 20 years and outlined in detail the changes that were required to ensure the Scheme is sustainable and cost effective.

Taking into account all the recommended changes, the total increase in costs would be in the region of £86k offset by savings of £24k making a net cost of £62k. The actual impact on the Service’s budget will be slightly less as there are a number of seconded officers whose costs are met by other agencies currently.

Councillor R Shaw queried whether individuals will be encouraged to choose lower emission vehicles to aid with carbon reduction. The Treasurer confirmed that incentives are already in place, but due to the requirement of individuals to respond to emergency incidents, there is limited scope to use electric vehicles currently. Going forward, research will be undertaken to consider how this can be included within future provisions.

**RESOLVED THAT**

Members agreed that:

21.1 From the 1st September 2020, the minimum individual scheme member contribution criteria of £804 per annum be removed.

21.2. From the 1st September 2020, existing freedom of movement and on call business commute payments for responding officers of Station Manager and Group Manager roles be removed. This will be compensated for by increasing the Employer contribution by £380 p.a. for the group of employees affected.

21.3. From the 1st September 2020, individual employee lease contributions will be assessed by reference to the specific vehicle’s annual lease cost to the Service.

21.4. From 1st September 2020, the Employer’s contribution for each individual on the Lease Scheme be increased by £500 p.a. for all lease vehicle holders other than for Area Managers, Directors and Brigade Managers.

21.5. From April 2021, Employer contribution rates across the whole lease scheme are uplifted in line with NJC grey book salary increases to avoid the need for future one off increases in Employer contribution levels. The Employer contribution rate which is in force at the date a lease agreement is signed will remain unchanged for the full term of that lease unless the individual’s terms and conditions change.