

Due to the current heightened security level at all our premises, Members are reminded to wear their identity badges whilst attending meetings. Any visitors must produce photographic identification at Reception.

## FIRE & RESCUE AUTHORITY SUMMONS

### SOUTH WALES FIRE & RESCUE AUTHORITY

You are required to attend a meeting of the South Wales Fire & Rescue Authority to be held at **South Wales Fire & Rescue Service Headquarters, Forest View Business Park, Llantrisant, CF72 8LX** on **Monday, 9 July 2018 at 1030 hours.**

### A G E N D A

1. Apologies for Absence
2. Declarations of Interest

Members of the Fire & Rescue Authority are reminded of their personal responsibility to declare both orally and in writing any personal and/or prejudicial interest in respect of matters contained in this agenda in accordance with the provisions of the Local Government Act 2000, the Fire & Rescue Authority's Standing Orders and the Members Code of Conduct.

3. Chairman's Announcements

4. To receive the minutes of;

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Signature of Proper Officer:



## MEMBERSHIP

### Councillors:

D	Ali	Cardiff	D	De'Ath	Cardiff
S	Bradwick	Rhondda Cynon Taff	S	Evans	Torfaen
K	Critchley	Newport	A	Roberts	Rhondda Cynon Taff
H	Thomas	Newport	S	Ebrahim	Cardiff
D T	Davies	Caerphilly	J	Harries	Rhondda Cynon Taff
R	Crowley	Vale of Glamorgan	G	Thomas	Blaenau Gwent
C	Elsbury	Caerphilly	J	Williams	Cardiff
L	Davies	Merthyr Tydfil	S	Pickering	Rhondda Cynon Taff
K	McCaffer	Vale of Glamorgan	L	Brown	Monmouthshire
A	Hussey	Caerphilly	A	Slade	Torfaen
D	Naughton	Cardiff	R	Shaw	Bridgend
D	White	Bridgend	V	Smith	Monmouthshire

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**SOUTH WALES FIRE & RESCUE AUTHORITY**

**MINUTES OF THE LOCAL PENSION BOARD MEETING  
HELD ON MONDAY 26 FEBRUARY 2018 AT  
SOUTH WALES FIRE & RESCUE SERVICE HEADQUARTERS**

**43. PRESENT:**

<b>Councillor</b>	<b>Left</b>
S Bradwick (Chair)	Rhondda Cynon Taff
V Smith (Deputy Chair)	Monmouthshire
D Ali	Cardiff
J Harries	Rhondda Cynon Taff
K McCaffer	Vale of Glamorgan
D King	Retained Firefighters Union
R Prendergast	Association of Principal Fire Officers

**APOLOGIES:**

H Joyce	Cardiff
A Psaila	Fire Brigades Union

**ABSENT:**

M Phillips	Cardiff
L Jones	Fire Brigades Union

**OFFICERS PRESENT:-** A/ACO M Malson – Director of People Services, DCO S Chapman – Monitoring Officer, Mr C Barton – Treasurer, Mr M Prior – Chair of Firefighters Pension Scheme Wales Scheme Advisory Board

**44. DECLARATIONS OF INTEREST**

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

## **45. CHAIR'S ANNOUNCEMENTS**

- **WELCOME ADDRESS**

The Chair extended a warm welcome to Mr Michael Prior, Chair of the Firefighters Pension Scheme Wales Advisory Board, and to newly appointed Member Councillor Harries.

- **ESSENTIAL TRAINING REQUIREMENTS**

The Chair stressed the importance of Local Pension Board Members completing the required training which was a statutory requirement to ensure that they had the requisite knowledge, skills and understanding to fulfil their obligations associated with their role on the Board.

However, the Chair was disappointed to learn that there were three Members who had still not completed the required training even though Officers had arranged a dedicated training day which Members did not attend.

Members were informed that the training session would be rescheduled to take place before the next Local Pension Board meeting, and that they should make every effort to attend otherwise it would be necessary to consider whether those Members had the capacity to undertake their role on the Board.

Following a proposal by the Chair, Officers agreed to send a formal letter to Members reminding them of the importance of attending Local Pension Board training sessions.

## **46. MINUTES OF PREVIOUS MEETING**

The minutes of the previous Local Pension Board Committee meeting held on 16 October, 2017, were received and accepted as a true record of proceedings.

## **47. BRIEF OVERVIEW OF THE WORK AND ROLE OF THE WALES SCHEME ADVISORY BOARD**

The Chair of the Firefighters Pension Scheme Wales Scheme Advisory Board provided Members with a verbal overview of the work and role of the Wales Scheme Advisory Board.

**RESOLVED THAT**

Members agreed to note the verbal overview report on the work and role of the Wales Scheme Advisory Board.

The Chair thanked the Chair of the Firefighters Pension Scheme Wales Scheme Advisory Board for addressing the Members and for providing an informative overview on the work of the Wales Scheme Advisory Board.

**48. ALL WALES SCHEME ADVISORY BOARD - UPDATE**

The Acting ACO People Services informed Members that the Scheme Advisory was a body established by Welsh Government to oversee the various Firefighters' Pension Schemes in Wales. The purpose of the report was to appraise the Local Pension Board of the most recent Scheme Advisory Board's discussions which could impact on the Fire & Rescue Authority's role as Pension Scheme Managers.

**RESOLVED THAT**

Following a question and answer session on data security issues and an arrangement fee of £3 per Firefighter member paid to the Local Government Association, Members agreed to accept the report and the information contained therein.

**49. SCHEME ADVISORY BOARD – RESPONSE TO WELSH MINISTERS ON THE GOVERNMENT ACTUARY'S DEPARTMENT (GAD) 2016 VALUATION ASSUMPTIONS**

The Acting ACO People Services presented a report which provided Members of the Local Pension Board with an update on the Scheme Advisory Board's formal response to Welsh Ministers to all of the Government Actuary Department's 2016 Valuation Assumptions.

**RESOLVED THAT**

Members agreed to note the content of the Scheme Advisory Board's response to Welsh Ministers.

## **50. WELSH GOVERNMENT'S CONSULTATION ON AMENDMENTS TO FIREFIGHTERS' PENSION SCHEMES IN WALES – DECEMBER 2017**

The Acting ACO People Services presented a report which updated Members on the Welsh Government's Consultation on Amendments to the Firefighters' Pension Schemes in Wales, which would allow surviving spouses or civil partners of qualifying Firefighters to retain their entitlement to a survivor's pension should they remarry or enter into a new civil partnership.

The consultation also covered proposed minor amendments to the 1992, 2007, and 2015 Schemes.

### **RESOLVED THAT**

50.1 Members agreed to note the content of the consultation document, and the formal response made on behalf of the Fire & Rescue Authority.

50.2 Members agreed to receive a further report on the outcomes of the consultation process, and amendments to the Firefighters' Pension Schemes once they were finalised.

## **51. PENSIONS TAX AWARENESS SEMINAR**

The Acting ACO People Services presented a report which updated Members on the Local Government Association Pension Tax Awareness Seminar in respect of the tax implications for Firefighters' Pension Scheme members of Annual Allowances (AA) and Lifetime Allowance (LTA), and Fixed and Individual Protections.

### **RESOLVED THAT**

Following lengthy discussion on the importance of providing employees with awareness rather than advice on tax issues relating to individuals' pensions, Members agreed to accept the report and the information contained therein.

## **52. SUMMARY OF THE LOCAL PENSION BOARD WORK PROGRAMME**

The Acting ACO People Services informed Members of the work that the South Wales Fire & Rescue Authority Local Pension Board had undertaken during the Municipal Year 2017/2018.

### **RESOLVED THAT**

52.1 Members agreed to note the work of the South Wales Fire & Rescue Authority Local Pension Board for 2017/2018.

52.2 Officers agreed to send the Chair a copy of the Forward Work Programme for the new Municipal Year 2018/2019.

## **53. FORWARD WORK PROGRAMME**

The Acting ACO People Services presented the Forward Work Programme for 2017/2018.

### **RESOLVED THAT**

Members accepted the Forward Work Programme for 2017/2018.

## **54. TO CONSIDER ANY ITEMS OF BUSINESS THAT THE CHAIRMAN DEEMS URGENT (PART 1 OR 2)**

There were no items of urgent business for Members to consider.

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## SOUTH WALES FIRE & RESCUE AUTHORITY

### MINUTES OF THE FIRE & RESCUE AUTHORITY MEETING HELD ON MONDAY, 26 MARCH 2018 AT SOUTH WALES FIRE & RESCUE SERVICE HQ

#### 50. PRESENT:

<b>Councillor</b>	<b>Left</b>	<b>Authority</b>
D T Davies (Chair)		Caerphilly
S Bradwick (Deputy Chair)		Rhondda Cynon Taf
D Ali		Cardiff
L Brown		Monmouthshire
K Critchley		Newport
C Elsbury		Caerphilly
S Evans		Torfaen
K Gibbs		Merthyr Tydfil
J Harries		Rhondda Cynon Taf
A Hussey		Caerphilly
D Naughton		Cardiff
S Pickering		Rhondda Cynon Taf
A Roberts		Rhondda Cynon Taf
A Slade		Torfaen
C Smith		Bridgend
V Smith		Monmouthshire
H Thomas		Newport
D White		Bridgend
P Wong		Cardiff

#### APOLOGIES:

G Thomas	Blaenau Gwent
R Crowley	Vale of Glamorgan
K McCaffer	Vale of Glamorgan

#### OFFICERS PRESENT:

CFO H Jakeway; DCO Chapman - Monitoring Officer; Mr C Powell – Deputy Monitoring Officer; ACFO A Thomas – Director of Service Delivery; ACFO R Prendergast – Director of Technical Services; A/ACO M Malson – Director of People Services; Mrs S Watkins – Head of Service Performance & Communications; Rebecca Meredith, Media Relations and Communications Manager

#### 51. DECLARATIONS OF INTEREST

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

## **52. CHAIR'S ANNOUNCEMENTS**

### **MR IAN WILLIAMS**

The Chair announced with sadness the passing of South Wales Fire & Rescue Service's Head of Fleet and Engineering, Mr Ian Williams, and expressed the condolences of Authority Members to Mr Williams' family.

### **RESIGNATION OF TWO FIRE AUTHORITY MEMBERS**

The Chair advised that two Fire & Rescue Authority Members have recently resigned from their Authority positions.

### **RETIREMENT OF MR CALVIN POWELL – HEAD OF BUSINESS SUPPORT**

The Chair expressed his thanks to Mr Calvin Powell, Head of Business Support, who will retire this week after 41 years of service. The Chair shared good wishes for a healthy and happy retirement to Mr Powell on behalf of Fire & Rescue Authority Members.

### **HACKITT REVIEW**

The Chair advised that following the interim report and findings from the Hackitt Review (instigated after the Grenfell tragedy), the Service is reviewing the interim findings and continues to work with our partners in this area. It was also noted that six local buildings have failed to meet the second, more stringent round of building assessments. The Chairman confirmed that SWFRS is working closely with Cardiff City Council and affected tenants to provide the necessary safety guidance and information to assist in ensuring our communities are safe.

### **PAY NEGOTIATIONS**

A national pay increase is likely to be agreed for Green Book staff shortly, and the Service is already making the necessary adjustments to ensure all staff are paid at the new national living wage rates from 1 April 2018

### **STANDARDS COMMITTEE**

Over the last year, three Independent Members of the Standards Committee have resigned for varying reasons. Following an appointment process the three posts have been filled and the Fire & Rescue Authority approved the appointments in the meeting.

### **THIRD PARTY FORMS**

The Chair requested that members complete and return the forms recently emailed to them.



### **53. MINUTES OF PREVIOUS MEETINGS**

The following minutes were received and accepted as a true record of proceedings:

- Local Pension Board meeting held on 16 October 2017
- Fire and Rescue Authority meeting held on 12 February 2018

### **54. UPDATE ON ACTIONS**

#### **Joint Control Visit (Minutes 17/18 – 47.1.3)**

The Deputy Chief Officer confirmed that a Fire & Rescue Authority visit to the Joint Control will take place on 18 April 2018. Members were asked to advise ACO Service Delivery of their intention to attend. At the request of the Deputy Chair, ACO Service Delivery to check if previous members have received invitations.

#### **Annual Pay Policy and Gender Gap Review (Minutes 17/18 – 47.3 & 47.4)**

It was confirmed that both documents were published this month.

### **55. REPORTS FOR DECISION**

#### **55.1 TREASURY MANAGEMENT STRATEGY 2018/19**

The Treasurer advised that the Fire & Rescue Authority is required to approve in advance of each financial year its treasury management governance arrangements for the coming year. It is noted that following revisions by CIPFA there is now a requirement to also produce a Capital Strategy. Due to the timing of the guidance being issued it was accepted that this element would not be available within this financial year but work will be undertaken to achieve this during the next financial Year (2018/19) to ensure compliance with the 2019/20 deadline. There are no major changes in relation to strategies or policy within the report.

#### **RESOLVED THAT:**

- 55.1.1 Members resolved to approve the treasury management strategy statement, capital prudential indicators and MRP policy, borrowing policy and treasury indicators/limits, annual investment strategy; and
- 55.1.2 The Treasurer was given authority to update strategies and policies as necessary throughout the year.

## **55.2 REPORT ON THE PROGRESS OF CARDIFF, CAERPHILLY, CWM TAF, VALE OF GLAMORGAN, BRIDGEND, BLAENAU GWENT, MONMOUTHSHIRE, NEWPORT AND TORFAEN PUBLIC SERVICE BOARDS (PSB) WELLBEING PLANS**

From 1 April 2016, the Well-Being of Future Generations (Wales) Act 2015 introduced statutory Public Service Boards (PSB's) across each local authority area in Wales. PSB's will work together to improve the social, economic, cultural and environmental well-being of the board's area. As a statutory partner to the PSB's the Fire & Rescue Authority is required to approve each of the plans.

Chief Fire Officer Huw Jakeway confirmed that the nine PSB Well-Being Plans were considered and scrutinised by the Finance, Audit & Performance Management Committee and a precis of each was attached to the report. There are similarities in the intention of the nine PSB well-being plans including giving people the best start in early years, health, aging well and a safe environment.

### **RESOLVED THAT:**

Members noted the report and resolved to approve the recommendations of each plan.

## **55.3 THE FIREFIGHTERS' PENSION (WALES) SCHEME (AMENDMENT) ORDER 2014**

There had been an amendment to the FPS 1992, Rule B5C (additional pension benefit: continual professional development) that was replaced with Rule B5C – Additional Pension Benefit (APB). This new Rule B5C – Additional Pension Benefit introduced new powers for the Fire & Rescue Authority to make certain temporary allowances and emoluments which satisfy the prescribed requirements, pensionable under APB arrangements, and was effective from 1 July, 2013.

The interim Director of People Services advised that at the Scheme Advisory Board (Wales) meeting held on 27 November 2017, it came to light that the three Fire & Rescue Authorities in Wales have not adopted the change in this Rule.

In reviewing the change to Rule B5C – Additional Pension Benefit, account has been taken of the need to implement the change, and the necessity for a fair and ethical outcome for FPS 1992 Scheme members. Implementing the change could potentially have an impact on the financial position of both active and retired Firefighters, and for the Fire & Rescue Authority

The interim Director of People Services gave a full and detailed account of the four main groups of Firefighters that will be affected by the change to Rule B5C – Additional Pension Benefit.

The Deputy Chair thanked the Interim Director of People Services for an excellent report.

## RESOLVED THAT

55.3.1 That temporary promotion is pensionable and that pension benefits are earned through an Additional Pension Benefit.

55.3.2 To implement the change to Rule B5C – Additional Pension Benefit with effect from 1 April 2018, and not to apply the change retrospectively because it is through no fault of the Firefighters themselves that the change was not implemented. The expectations of the Firefighters affected should be honoured by leaving existing and future pension benefits in the position they are currently or were expected to be in at the point of retirement.

55.3.3 That the following is applied to each of the identified groups as set out below:-

- **Group 1 – Active Firefighters who are temporary promoted at 1 April, 2018**

With effect from 1 April 2018, this group of Firefighters will receive pension benefit calculated as additional pension benefit, thus implementing Rule B5C.

- **Group 2 – Active Firefighters who were temporary promoted after 1 July, 2013, but before the determined implementation date, and their retirement date is more than 3 years since the temporary promotion.**

With effect from 1 April, 2018, this group of Firefighters, whose retirement date is later than 3 years after 1 April, 2018, have their periods of temporary promotion since 1 July, 2013, recalculated and applied based on an APB basis in line with the new regulations.

- **Group 3 – Active Firefighters who have been temporary promoted prior to 1 April, 2018, and could retire within 3 years of this implementation date.**

To treat temporary promotion for Firefighters who chose to retire within 3 years of the implementation date, 1 April, 2018, under the old regulation (best of the last 3 years), hence leaving existing and future pension benefits in the position they are currently in at the point of retirement, and with no impact on the Firefighters in this group.

For those Firefighters who chose not to retire within 3 years of the implementation date, 1 April, 2018, then their pension calculations will be based on the new regulations, and have any previous temporary promotions recalculated and applied on an APB basis, as Per Group 2 above.

- **Group 4 – Retired Firefighters who have benefited from a higher final salary based pension since the change in the regulations in July 2013**

To treat temporary promotion for these retired Firefighters under the old regulations (the best of the last 3 years), hence leaving existing and future pension benefits in the same position they are currently, and with no impact on the retired Firefighters

#### **55.4 LAND ADJOINING LLANTWIT MAJOR STATION**

The Deputy Chief Officer advised that a small area of land near to Llantwit Major Fire Station (0.09 acres) was identified as being of no operational use and currently utilised by a Horticultural Society who have expressed an interest in purchasing.

#### **RESOLVED THAT**

55.4.1 The subject land identified within the report be declared surplus to requirements; and

55.4.2 The disposal strategy outlined in the report was approved.

#### **55.5 LAND AT LANELAY HALL DISPOSAL STRATEGY**

The Deputy Chief Officer advised of an area of land which has no operational use and has not been included as part of the current housing development site. To date it has been leased by the onsite construction company for storage of equipment but this period of use is coming to an end. Expressions of interest

have been received by several local people with a view to using for storage or car parking.

## **RESOLVED THAT**

- 55.5.1 The subject land identified in the report be declared surplus to requirements; and
- 55.5.2 The disposal strategy outlined in the report was approved.

## **55.6 COMPARTMENT FIRE BEHAVIOUR TRAINING FACILITY**

The Deputy Chief Officer gave an update on works to date on the new build project at Cardiff Gate to provide a Compartment Fire Behaviour Training facility to enhance the current training provisions. As the next Fire & Rescue Authority meeting is not scheduled until June, members were asked to delegate authority to the Deputy Chief Officer to sign the Build Contract to avoid any delay that would likely arise should the decision await the next Fire & Rescue Authority meeting.

## **RESOLVED THAT:**

Members gave approval for the Deputy Chief Officer to sign the Build Contract on the basis the cost is within the overall budget figure provided within the capital programme.

## **56 REPORTS FOR INFORMATION**

### **56.1 ANNUAL REPORT ON THE WORK OF THE FINANCE, AUDIT AND PERFORMANCE MANAGEMENT COMMITTEE AND ITS WORKING GROUP DURING 2017/18**

Members noted the annual report on the work of the Finance, Audit & Performance Management Committee and its Working Group for the municipal year 2017/18.

The Chair thanked members and officers for the vital work undertaken and the commitment of members and officers during the municipal year.

The Chair suggested that due to the scrutiny undertaken, that the Working Group be changed to reflect this, and suggested it become a scrutiny committee for the new financial year.

**RESOLVED THAT**

- 56.1.1 Members noted the work undertaken during the Municipal Year; and
- 56.1.2 Agreed to change the Working Group to a Scrutiny Committee for the new financial year.

**56.2 ANNUAL SUMMARY OF HR AND EQUALITIES COMMITTEE**

Members noted the work that the HR and Equalities Committee have undertaken during the Municipal Year 2017/18.

The Chair thanked Members of the Committee for their commitment and Officers for the incredible amount of work undertaken.

**RESOLVED THAT**

Members noted the work of the HR & Equalities Committee.

**56.3 SUMMARY OF THE LOCAL PENSION BOARD WORK PROGRAMME**

Members noted the work the Local Pension Board have undertaken during the Municipal Year 2017/18.

The Fire & Rescue Authority thanked the Board and Officers for their commitment and the amount of work undertaken.

**RESOLVED THAT**

Members noted the work of the South Wales Fire & Rescue Authority Local Pension Board

**56.4 WELSH LANGUAGE STANDARDS UPDATE – JANUARY 2018**

The interim Director of People Services presented the report which gives an overview of the current position with regard to meeting the legal requirements contained within the Welsh Language Standards Compliance Notice issued to the Authority by the Welsh Language Commissioner on 30 September 2016.

**RESOLVED THAT**

Members noted the information contained within the report.

## **56.5 FORWARD WORK PROGRAMME**

The DCO presented the Forward Work Programme for 2017/18.

### **RESOLVED THAT**

Members noted the content of the Forward work Programme for 2017/18.

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

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

## **58. THANKS**

The Chair thanked members for their valued contribution to the Authority over the last year, and also thanked the officers for their support.

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## SOUTH WALES FIRE & RESCUE AUTHORITY

### MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON MONDAY 6 MARCH 2017 AT SOUTH WALES FIRE & RESCUE SERVICE HEADQUARTERS

#### 54. PRESENT:

Mr G Hughes (Chair)	Independent Lay Member
Ms B Heller	Independent Lay Member
Ms A Jones	Independent Lay Member
Dr M Kerbey	Independent Lay Member
Councillor J Morgan	South Wales Fire & Rescue Authority
Councillor V Smith	South Wales Fire & Rescue Authority

#### APOLOGIES:

Mr A Clemes	Independent Member
Councillor B Morgan	South Wales Fire & Rescue Authority

#### ABSENT:

**OFFICERS PRESENT:** - Ms S Chapman – Monitoring Officer, Mr C Powell – Deputy Monitoring Officer

#### 55. DECLARATIONS OF INTEREST

No declarations of interest were made.

#### 56. MINUTES OF PREVIOUS MEETING

The minutes of the Standards Committee meeting held on 7 March 2016, were received and accepted as a true record of proceedings, subject to the following slight amendment:-

- ‘Dr’ M Kerbey was in attendance, not ‘Mr’ M Kerbey as recorded.

With reference to Item 52.4 in the minutes, the Monitoring Officer confirmed that a new calendar of Fire Authority meetings for the Municipal Year 2017/2018 would be circulated to Members in due course.

Following discussion on Item 53.1 in the minutes, regarding holding Standard Committee meetings every 6 months, the Monitoring Officer assured the group that Independent Members would be invited to attend a joint training session with new Fire Authority Members following the Annual General Meeting on 12 June 2017.

Following a query raised by Members on Minute Number 51.1, regarding a progress update on carrying out a review and scrutiny of the Bribery Act, the Monitoring Officer informed Members that the Service was currently in the process of carrying out a review of all organisational procedures. Members would be updated on any changes at the next meeting.

## **57. QUORUM**

The Deputy Monitoring Officer advised Members of the legal requirement for a quorum to be present at Standard Committee meetings.

### **RESOLVED THAT**

Following determination, Members formally agreed that a quorum should be present for all future meetings.

## **58. MONITORING OFFICER PROTOCOL**

The Monitoring Officer presented a report which explained to Members the protocol of the Monitoring Officer.

### **RESOLVED THAT**

58.1 Members agreed to note the content of the report.

58.2 Following a question and answer session and lengthy discussion on a number of points within the report, Officers agreed to make slight tweaks and amendments to the draft document.

58.3 With reference to Item 3.7.3 within the report, following a request by the Chair, Officers agreed to include the wording 'Members of the Standards Committee would be informed of any investigation'.

## **59. MEMBER INDUCTION TRAINING**

The Monitoring Officer informed Members of the programme of Induction Training for Members following the Local Government Elections on 4 May 2017.

### **RESOLVED THAT**

- 59.1 Members agreed to note the programme of Induction Training taking place.
- 59.2 Following lengthy discussion on mandatory training for Fire Authority Members, and tracking and monitoring training requirements, Officers agreed that mandatory training for handling complaints would be provided to Members of the Standards Committee.
- 59.3 Members noted that Induction Training for Fire Authority Members would take place on 26 June, 2017, at Cardiff Gate Training & Development Centre.

## **60. RETIREMENT**

As it was Councillor J Morgan's last Standards Committee meeting, on behalf of Members the Chair took the opportunity to wish Councillor Morgan best wishes and good luck in her retirement.

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**SOUTH WALES FIRE & RESCUE AUTHORITY**  
**MINUTES OF THE FINANCE, AUDIT & PERFORMANCE**  
**MANAGEMENT COMMITTEE MEETING**  
**HELD ON MONDAY, 29 JANUARY 2018 AT**  
**SOUTH WALES FIRE & RESCUE SERVICE HEADQUARTERS**

**30. PRESENT:**

**Councillor**

G Thomas  
L Brown  
K Critchley  
K Gibbs

**Left**

Blaenau Gwent  
Monmouthshire  
Newport  
Merthyr Tydfil

**APOLOGIES:**

A Roberts (Deputy Chair)  
R Crowley  
S Evans  
A Hussey  
D White  
H Joyce  
V Smith  
L Brown

Rhondda Cynon Taff  
Vale of Glamorgan  
Torfaen  
Caerphilly  
Bridgend  
Cardiff  
Monmouthshire  
Monmouthshire

**OFFICERS PRESENT:** CFO Jakeway; Mr C Barton – Treasurer; Mr C Powell – Deputy Monitoring Officer; Mr G Thomas – Head of Finance & Procurement; AM A Kibblewhite – Head of Risk Reduction; Sarah Watkins – Head of Service Performance and Communications; GM V Jenkins; GM G Scrivens; GM N Williams; Mr Steen Gourlay – TIAA; a n other, a n other.

**31. DECLARATIONS OF INTEREST**

All Members declared a personal non-prejudicial interest in each agenda item that affected their Authority.

**32. CHAIR'S ANNOUNCEMENTS**

The Chair advised of a change to the order of the agenda, we will hear item 10 prior to item 4.

### **33. REPORT ON PROGRESS OF BRIDGEND, CWM TAFF, BLAENAU GWENT, MONMOUTHSHIRE, NEWPORT AND TORFAEN PUBLIC SERVICE BOARD WELL-BEING PLANS**

The Chief Fire Officer informed Members that South Wales Fire and Rescue Service was a Statutory Partner on the nine Public Service Boards, and delivered an electronic presentation on the latest progress of five of the Public Service Boards Well-being Plans and the potential impact on the Service.

The Unitary Authority Group Managers for Newport, Monmouthshire, Bridgend and Cwm Taff each provided a brief overview of some of the schemes currently running within their Unitary Authority areas.

The Chair thanked the officers for the presentation and the work being done.

### **34. MINUTES OF PREVIOUS MEETINGS**

The following minutes were received and accepted as a true record of proceedings:-

- Finance, Audit & Performance Management Committee held on Monday, 4 December 2017
- Finance, Asset & Performance Management Working Group held on Monday, 9 October 2017

### **35. INTERNAL AUDIT REPORT**

The TIAA Auditor provided Members with an update on the progress being made against the Internal Audit Plan 2017/18. The Head of Finance and Procurement responded to questions and gave a background to the report.

#### **RESOLVED THAT**

Members agreed to note the internal audit recommendations and the work completed to date on the Internal Audit Annual Plan.

### **36. REVENUE MONITORING REPORT 2017/18**

The Head of Finance and Procurement presented the Revenue Monitoring Report 2017/18 which provided details of the annual revenue budget and associated information for the year ending 31 March 2018.

#### **RESOLVED THAT**

Members resolved to agree the content of the report.

### **37. CAPITAL MONITORING REPORT 2017/18**

The Head of Finance and Procurement presented the report which gave an overview of the capital budget for the year, capital transactions to date and a forecast position as at 31 March 2018.

#### **RESOLVED THAT**

Members resolved to note the budget progress of capital schemes, approve alterations identified in Appendix 1 and note the associated funding streams.

### **38. REPORT ON HEALTH CHECK OF PERFORMANCE AND STRATEGIC OBJECTIVES FOR QUARTER 3 (1 APRIL TO 31 DECEMBER) 2017/18**

The Head of Service Performance and Communications presented the Quarter 3 Review Report in relation to the health check of performance and strategic objectives 2017/18 and the management of these risks and answered questions from members.

#### **RESOLVED THAT**

Members reviewed the performance details and statistical data for the first three quarters of 2017/18.

### **39. DRAFT ANNUAL REPORT ON THE WORK OF THE FINANCE, AUDIT AND PERFORMANCE MANAGEMENT COMMITTEE AND ITS WORKING GROUP DURING 2017/18**

The Deputy Monitoring Officer presented Members with the draft annual report on the work of the Finance, Audit and Performance Management Committee and its Working Group for the municipal year 2017/18.

#### **RESOLVED THAT**

Members considered the report and agreed that no amendments to the contents are required prior to reporting to the Fire and Rescue Authority as a summary of the workload carried out by the Committee and Working Group during the municipal year.

### **40. UPDATE ON ALL WALES OPERATIONAL ASSURANCE**

The Head of Risk Reduction provided an overview of the All Wales Operational Assurance Process and a summary of South Wales Fire & Rescue Service' Self-Assessment.

#### **RESOLVED THAT**

Members resolved to note the contents of the report.

#### **41. FORWARD WORK PROGRAMME**

The Deputy Monitoring Officer presented the Forward Work Programme, the Head of Finance and Procurement requested that the Treasury Management Strategy report be removed at this report will be presented at the Fire Authority meeting scheduled for March 2018.

#### **RESOLVED THAT**

- 41.1 Members accepted the Forward Work Programme for 2017/18
- 41.2 Agreed to the removal of the Treasury Management Strategy report.

#### **42. TO CONSIDER ANY ITEMS OF BUSINESS THAT THE CHAIRMAN DEEMS URGENT (PART 1 OR 2)**

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

The Chair formally closed the last meeting and thanked all for their attendance.



**SOUTH WALES FIRE & RESCUE AUTHORITY**

**MINUTES OF THE FIRE & RESCUE AUTHORITY**  
**ANNUAL GENERAL MEETING HELD ON**  
**MONDAY 11 JUNE 2018 AT**  
**SOUTH WALES FIRE & RESCUE SERVICE HEADQUARTERS**

**1. PRESENT:**

<b>Councillor</b>	<b>Authority</b>
D Ali	Cardiff
S Bradwick	Rhondda Cynon Taff
L Brown	Monmouth
K Critchley	Newport
R Crowley	Vale of Glamorgan
D T Davies	Caerphilly
L Davies	Merthyr Tydfil
S Ebrahim	Cardiff
C Elsbury	Caerphilly
J Harris	Rhondda Cynon Taff
A Hussey	Caerphilly
K McCaffer	Vale of Glamorgan
D Naughton	Cardiff
S Pickering	Rhondda Cynon Taff
A Roberts	Rhondda Cynon Taff
R Shaw	Bridgend
A Slade	Rhondda Cynon Taff
V Smith	Monmouth
G Thomas	Blaenau Gwent
H Thomas	Newport
D White	Bridgend
J Williams	Cardiff

**APOLOGIES:**

D De'Ath	Cardiff
S Evans	Torfaen

**ABSENT:**

**OFFICERS PRESENT:** CFO H Jakeway, DCO S Chapman – Monitoring Officer, ACFO A Thomas - Director of Service Delivery, ACFO R Prendergast – Director of Technical Services, ACO M Malson – Acting Director of People Services, Mr C Barton – Treasurer, Ms S Watkins – Deputy Monitoring Officer, Mr G Thomas – Head of Finance & Procurement

## **2. CHAIR’S WELCOME ADDRESS**

The Chair welcomed new and past Members to the Fire & Rescue Authority’s Annual General Meeting for the Municipal Year 2018-2019. For the benefit of new Members each attendee provided a formal introduction.

## **3. CHAIR’S ANNOUNCEMENTS**

### **CONGRATULATIONS**

On behalf of Members and Officers, the Chair congratulated the Chief Fire Officer on being awarded the Queen’s Fire Service Medal for Distinguished Service in this year’s Queen’s Birthday Honours.

### **MEMBERS INDUCTION COURSE**

The Chair assured new Members that they would receive a firm date to attend a Members Induction Course as soon as possible.

## **4. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

## **5. ELECTION OF CHAIRPERSON OF THE FIRE & RESCUE AUTHORITY FOR MUNICIPAL YEAR 2018/2019**

The Monitoring Officer requested nominations for Chairperson of the Fire & Rescue Authority. Councillor Tudor Davies was nominated and seconded. There were no other nominations.

## **RESOLVED THAT**

Councillor Tudor Davies was duly elected Chair of the Fire & Rescue Authority for the Municipal Year 2018/2019.

The newly appointed Chair responded by thanking Members for their unanimous vote of confidence. He highlighted that there would be a challenging year ahead, and good attendance was expected from Members for all Fire & Rescue Authority Committee meetings

### **5. ELECTION OF DEPUTY CHAIRPERSON OF THE FIRE & RESCUE AUTHORITY FOR MUNICIPAL YEAR 2018/2019**

The Chair called for nominations for Deputy Chairperson. Councillor Bradwick was nominated and seconded. There were no other nominations.

## **RESOLVED THAT**

Councillor Bradwick was duly elected Deputy Chair of the Fire & Rescue Authority for the Municipal Year 2018/2019.

### **6. TO AGREE THE COMMITTEE MEMBERSHIP FOR THE MUNICIPAL YEAR 2018/2019**

The Monitoring Officer provided Members with details of the number of Members required for each Fire and Rescue Authority Committee.

## **RESOLVED THAT**

6.1 Members unanimously agreed that the Finance Audit & Performance Management Committee should not be politically balanced but comprise of one representative from each constituent Unitary Authority.

6.2 Members also resolved that the Local Pension Board Committee would be reduced to 4 Members.

6.3 The Chair called for nominations for the following membership of Committees for 2018/2019:-

Councillor J Williams and Councillor Ebrahim were both nominated to represent Cardiff on the Finance, Audit & Performance Management Committee. Following a vote by Members of 11 votes to 5, Councillor Ebrahim was duly elected to represent Cardiff.

### **Finance Audit & Performance Management Committee**

Cllr G Thomas	Blaenau Gwent
Cllr D White	Bridgend
Cllr A Hussey	Caerphilly
Cllr S Ebrahim	Cardiff
Cllr L Brown	Monmouthshire
Cllr K Critchley	Newport
Cllr A Roberts	Rhondda Cynon Taff
Cllr S Evans	Torfaen
Cllr R Crowley	Vale of Glamorgan
Cllr L Davies	Merthyr

### **Local Pension Board**

Cllr S Bradwick	Rhondda Cynon Taff	Labour
Cllr J Harries	Rhondda Cynon Taff	Labour
Cllr V Smith	Monmouthshire	Independent
Cllr K McCaffer	Vale of Glamorgan	Conservative

### **HR & Equalities**

Cllr S Bradwick	Rhondda Cynon Taff	Labour
Cllr D De'ath	Cardiff	Labour
Cllr D Ali	Cardiff	Labour
Cllr S Pickering	Rhondda Cynon Taff	Labour
Cllr H Thomas	Newport	Labour
Cllr A Slade	Torfaen	Labour
Cllr A Hussey	Caerphilly	Labour
Cllr S Evans	Torfaen	Labour
Cllr R Shaw	Bridgend	Labour
Cllr C Elsbury	Caerphilly	Plaid Cymru
Cllr D Naughton	Cardiff	Liberal Democrat
Cllr K McCaffer	Vale of Glamorgan	Conservative
Cllr R Crowley	Vale of Glamorgan	Conservative
Cllr G Thomas	Blaenau Gwent	Independent
Cllr L Davies	Merthyr Tydfil	Independent

### **Standards Committee**

Cllr J Harries	Rhondda Cynon Taff
Cllr J Williams	Cardiff
Cllr A Roberts	Rhondda Cynon Taff

Mr R J Alexander	Remain as non-elected Independent Member
Mr S J Barnes	Remain as non-elected Independent Member
Mr G Hughes	Remain as non-elected Independent Member
Mr David Fussell	Remain as non-elected Independent Member
Dr M Kerbey	Remain as non-elected Independent Member

### **7. ELECTION OF CHAIRPERSON OF THE FINANCE, AUDIT & PERFORMANCE MANAGEMENT COMMITTEE FROM ITS COMMITTEE MEMBERS FOR MUNICIPAL YEAR 2018/2019**

The Chair called for nominations for Chairperson of the Finance, Audit & Performance Management Committee from among its Members. Councillor Critchley was nominated and seconded. There were no other nominations.

#### **RESOLVED THAT**

Councillor Critchley was duly elected as Chair of the Finance, Audit & Performance Management Committee.

### **8. ELECTION OF DEPUTY CHAIRPERSON OF THE FINANCE, AUDIT & PERFORMANCE MANAGEMENT COMMITTEE FROM IT'S COMMITTEE MEMBERS FOR MUNICIPAL YEAR 2018/2019**

The Chair called for nominations for Deputy Chairperson of the Finance, Audit & Performance Management Committee from among its Members. Councillor S Evans and Councillor Crowley were both nominated for the role.

#### **RESOLVED THAT**

Following a vote by Members of 5 votes to 4, Councillor S Evans was duly elected as Deputy Chairperson of the Finance, Audit & Performance Management Committee.

**9. ELECTION OF CHAIRPERSON OF HR & EQUALITIES COMMITTEE FROM IT'S COMMITTEE MEMBERS FOR MUNICIPAL YEAR 2018/2019**

The Chair called for nominations for Chairperson of the HR & Equalities Committee from among the Members of that Committee. Councillor Pickering was nominated and seconded. There were no other nominations.

**RESOLVED THAT**

Councillor Pickering was duly elected as Chair of the HR & Equalities Committee for 2018/2019.

**10. ELECTION OF DEPUTY CHAIRPERSON OF HR & EQUALITIES COMMITTEE FROM IT'S COMMITTEE MEMBERS FOR MUNICIPAL YEAR 2018/2019**

The Chair called for nominations for Deputy Chairperson of the HR & Equalities Committee from among its Members. Councillor Ali and Councillor Naughton were both nominated for the role.

**RESOLVED THAT**

Following a vote by Members of 8 votes to 5, Councillor Ali was duly elected as Deputy Chair of the HR & Equalities Committee for 2018/2019.

**11. TO AGREE THE APPOINTMENT OF REPRESENTATIVES TO OTHER GROUPS AND OUTSIDE BODIES FOR MUNICIPAL YEAR 2018/2019**

The Monitoring Officer provided Members with a report detailing the nominations required to represent the Fire & Rescue Authority at Working Groups and outside bodies.

**RESOLVED THAT**

Members agreed the following representations to the Working Groups and outside organisations detailed in Appendix 1 attached to the report:-

**Representative to WLGA**

Chairperson – Councillor Tudor Davies

**Representative on LGA Fire Committee**

Chairperson – Councillor Tudor Davies

**Community Safety Partnership Representatives**

Cllr G Thomas	Blaenau Gwent
Cllr D White	Bridgend
Cllr C Elsbury	Caerphilly
Cllr D Ali	Cardiff
Cllr R Crowley	Vale of Glamorgan
Cllr L Brown	Monmouthshire
Cllr H Thomas	Newport
Cllr J Harries	Rhondda Cynon Taff
Cllr S Evans	Torfaen

**Representatives on Innovations & Awards Panel**

Cllr S Bradwick	Rhondda Cynon Taff
Cllr V Smith	Monmouthshire
Cllr J Williams	Cardiff

**Representatives on Finance, Asset & Performance Management Scrutiny Group**

Cllr S Evans	Torfaen
Cllr A Slade	Torfaen
Cllr D Naughton	Cardiff
Cllr L Brown	Monmouthshire
Cllr V Smith	Monmouthshire
Cllr J Harries	Rhondda Cynon Taff
Cllr S Bradwick	Rhondda Cynon Taff
Cllr K Critchley	Newport
Cllr A Roberts	Rhondda Cynon Taff
Cllr L Davies	Merthyr Tydfil
Cllr A Hussey	Caerphilly
Cllr H Thomas	Newport
Cllr J Williams	Cardiff
Cllr K McCaffer	Vale of Glamorgan
Cllr R Crowley	Vale of Glamorgan
Cllr D Naughton	Cardiff
Cllr R Shaw	Bridgend

Following a query raised by Councillor Smith on whether there was a conflict of interest with the Chair of the Finance, Audit & Performance Management Committee also being the Chair of the Scrutiny Group, the Monitoring Officer explained that Fire Authority Members had agreed to change the name of the Working Group, but not the Terms of Reference.

She also explained that the political balance rules did not apply to the Scrutiny Group as it was not a formal committee of the Fire Authority, but a working group of the Finance, Audit & Performance Management Committee, and that it had been custom and practice for the Chair of the Finance, Audit & Performance Management Committee to chair the group.

The Monitoring Officer also explained the legislation Local Authorities had to adhere to, as an executive scrutiny split did not apply to Fire Authorities.

#### **Representatives on National Pensions Committee for Wales**

Cllr S Pickering                      Rhondda Cynon Taff

#### **Representatives on ICT Steering Group**

Cllr C Elsbury                      Caerphilly  
Cllr A Roberts                      Rhondda Cynon Taff

### **12. TO AGREE THE CYCLE OF MEETINGS FOR THE MUNICIPAL YEAR 2018/2019**

The Chair provided Members with details of the proposed cycle of Committee and Working Group meetings for the Municipal Year 2018/2019.

#### **RESOLVED THAT**

- 12.1 Members approved the cycle of Committee and Working Group meetings for the Municipal Year 2018/2019 detailed in Appendix 1 attached to the report.
- 12.2 Members agreed to note that a Presentation Evening would be held on 5 July, 2018, and on 8 November, 2018, and the Emergency Services Carol Service would take place on 13 December, 2018, at Llandaff Cathedral, Cardiff. The Chair urged Members attendance at all these events.



## AGENDA ITEM NO 5

## UPDATE ON OUTSTANDING ISSUES ARISING FROM PREVIOUS FIRE & RESCUE AUTHORITY MEETINGS

Sally Chapman – DCO  
Huw Jakeway – CFO  
Andy Thomas – ACFO SD

Chris Barton – Treasurer  
Mark Malson – Acting ACO PS  
Richie Prendergast – ACFO TS

Minute No	Item	Action	Leading Officer	Current Status:
13/14 – 86.6.2	NIC Fire Control Feasibility Study Update	Review the internal funding mechanism to fund the upfront element of the loan	Treasurer	Cost sharing arrangements between SWFRS and MWWFRS have been agreed. Within SWFRS, revenue costs have been absorbed and funded from the budget underspend. Capital costs have been accrued to date as the new Joint Control was not operational at the year end. Treatment of these costs will be agreed with the external auditors once the project agreements are finalised and the project is completed.
17/18 – 47.1.3	Performance Indicator Targets 2018/19	Arrange for Members to visit the JPSC within the next month, where a demonstration of Fire Control's handling of malicious false alarm calls will take place.	ACFO SD	Members' visit to the JPSC took place on 18 April 2018. <b>Completed</b>
17/18 – 47.2.3	Responses to the Consultation of the	Clarify for Members' information whether or not community councils were included in the recent	DCO	The consultation document was circulated to the Service's

Minute No	Item	Action	Leading Officer	Current Status:
	Draft Rolling Strategic Plan and Priority Actions 2018/19	consultation process.		stakeholders which included town and community councils. However, this list is being checked to ensure that all town and community councils are included.
47.3	Annual Pay Policy Statement 2018/19	Publish the Authority's Pay Policy Statement 2018/19 by 31 March 2018.	A/ACO PS	The Pay Policy Statement was published by 31 March 2018 <b>Completed</b>
47.4	Gender Pay Gap Statement – 30 March 2018	Publish the Authority's Gender Pay Gap Statement by 30 March 2018.	A/ACO PS	The Gender Pay Gap Statement was published by 30 March 2018. <b>Completed</b>
55.4	Land Adjoining Llantwit Major Fire Station	Dispose of the land at Llantwit Major Fire Station identified as surplus to requirements.	DCO	Currently in discussions regarding this area of land.
55.5	Land at Lanelay Hall	Dispose of the land at Lanelay Hall identified as surplus to requirements.	DCO	This piece of land will be auctioned in July.
56.1	Annual Report of the FAPM Committee and its Working Group 2017/18	The name of the FA & PM Working Group to be changed to Scrutiny Group to reflect the work undertaken.	DCO	<b>Completed</b>

AGENDA ITEM NO 6

**Reports for Decision**

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**SOUTH WALES FIRE & RESCUE AUTHORITY**AGENDA ITEM NO 6.i  
9 JULY 2018

## REPORT OF THE DEPUTY CHIEF OFFICER

**CORPORATE RISK REGISTER 2017/18 – QUARTER 4 REVIEW****SUMMARY**

To consider the strategic risks within the Corporate Risk Register and the management of these risks.

**RECOMMENDATIONS**

That Members view the strategic risks contained within the Corporate Risk Register and agree their validity.

**1. BACKGROUND**

- 1.1 The Fire & Rescue Service National Framework for Wales and the Wales Programme for Improvement Framework requires Fire & Rescue Services to consider risk management whilst discharging its statutory duties, and take into account the risks facing the organisation when making strategic decisions.
- 1.2 Corporate risk is an event that has the potential to help or hinder the achievement of a strategic objective or the delivery of core business. All risks are rated as manageable (low), material (medium) or significant (high).
- 1.3 Directors, Department Heads and Team Leaders are responsible for identifying risks during the business planning process and taking the appropriate actions to manage or mitigate risk within their areas. Only risks that impact upon the achievement of a strategic objective or delivery of core business are monitored via the Corporate Risk Register.
- 1.4 The Senior Management Team formally reviews the Corporate Risk Register on a regular basis and endorses the inclusion of any new or emerging risks identified.

**2. ISSUE**

- 2.1 The register is split into strategic and operational risks to enable greater focus. This report provides information on the strategic risks but Members are asked to note that the Service is implementing a Business Management Information System that will record and report both strategic and operational risks.

- 2.2 This new system also enables reporting of risks at control task level rather than by one update against the risk as at present. This progress of each control task will be rated using a standard RAG (Red, Amber, and Green) status.
- 2.3 There are currently seven risks on the Strategic Risk Register; of these five are rated significant (high), one is material (medium) and one is manageable (low).
- 2.4 Attached at Appendix A is a diagram showing the overall risk profile of all the live strategic risks according to residual risk score.
- 2.5 Appendix B shows progress updates recorded during Quarter 4 for all strategic risks categorised according to significant, material and manageable.
- 2.6 Appendix C includes a screenshot of the risk module in the Business Management Information System referred to above.

### **3. EQUALITY RISK ASSESSMENT**

- 3.1 It is the responsibility of each risk owner to ensure that appropriate assessment of risk in relation to equality and diversity has been carried out across all relevant supporting activity levels.

### **4. RECOMMENDATION**

- 4.1 That Members view the strategic risks contained within the Corporate Risk Register and agree their validity.

<b>Contact Officer:</b>	<b>Background Papers:</b>
Howard Thomas Engagement, Transformation & Performance Officer	<ul style="list-style-type: none"> <li>• Appendix A – Risk Matrix of Strategic Risks by Residual Score</li> <li>• Appendix B – Strategic Risks Updates</li> <li>• Appendix C – Sample screenshot of the Risk module in the Business Management Information System</li> </ul>

Risk Matrix of Strategic Risks by Residual Score

<b>IMPACT</b>	<b>16</b>	<b>32</b>	<b>48</b>	<b>64</b>	<b>80</b>
	<b>8</b>	<div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; border-radius: 50%; padding: 2px; display: inline-block;">101</div> <div style="border: 1px solid black; border-radius: 50%; padding: 2px; display: inline-block;">190</div> </div> <b>16</b>	<div style="border: 1px solid black; border-radius: 50%; padding: 2px; display: inline-block;">19b</div> <b>24</b>	<b>32</b>	<div style="border: 1px solid black; border-radius: 50%; padding: 2px; display: inline-block;">110</div> <b>40</b>
	<b>4</b>	<div style="border: 1px solid black; border-radius: 50%; padding: 2px; display: inline-block;">191</div> <b>8</b>	<b>12</b>	<b>16</b>	<div style="border: 1px solid black; border-radius: 50%; padding: 2px; display: inline-block;">009</div> <b>20</b>
	<b>2</b>	<b>4</b>	<b>6</b>	<b>8</b>	<b>10</b>
	<div style="border: 1px solid black; border-radius: 50%; padding: 2px; display: inline-block;">120</div> <b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
	<b>LIKELIHOOD</b>				

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## Appendix B

## Significant Strategic Risks (High)

Risk Owner	Ref no	Risk Description	Score	Progress updates
S Chapman	110	If Provision is not put in place to address the new EU Data regulations then we will be in breach of the regulations	40	Q4 2017/18 - work continues in all areas to implement GDPR. Specific attention is being focused upon ensuring we have all the correct, up to date procedures in place and targets for this to be achieved by the end of April 18 have been set. The data hub review now has a good understanding of the data issues in the area being considered initially and progress is being made in identifying owners, processors etc. and how this will work in practice
H Jakeway	19b	If we suffered the loss of life/life changing injuries of a member of staff or a member of the public through the commission of our duties then potential corporate or criminal liability could ensue. Other consequences that could arise are negative media attention, negative public perception, a loss of trust and confidence of the Management team by staff.	24	Q4 2017/18 – work regarding building failures continue with Cardiff City Council and Newport City Homes. The Kerslake Manchester Arena report is on the SMT Business Agenda for 09/04/2018.
H Jakeway	009	If Strategic Transformation issues, redundancies or national pay negotiations are seen as adverse then there is a risk of industrial action by staff and / or potential loss of experienced staff	20	Q4 2017/18 – discussions are ongoing at NJC for grey book staff and the diversification of the firefighters role. NJC Chairs met with Cabinet Secretary and provided AMs with a briefing. Green book Unions have now agreed pay award for 2017/18.
R Prendergast	101	If The Emergency Services Network does not deliver a replacement for Airwave in a suitable timeframe then the service may be compromised in its ability to deliver a secure, efficient, resilient and cost effective communications network	16	Q4 2017/18 – Full business case being delivered to WG. Programme still has technical difficulties and delivery dates remain fluid at this time.

Risk Owner	Ref no	Risk Description	Score	Progress updates
R Prendergast	190	If the Service is not adequately prepared to respond to a Terrorist-related incident then risks are presented in terms of the Services ability to ensure effective Firefighter safety, public confidence, public protection and consequential loss of life.	16	Q4 2017/18 – Business Case to WG for funding bid to support National Resilience in Wales has been approved for 18/19. All training for this provision is up to date and service remains ready to respond to terrorist related incidents.

### Material Strategic Risks (Medium)

Risk Owner	Ref no	Risk Description	Score	Progress updates
A Thomas	191	If our assets are not secure then there is a risk of theft with the potential for the equipment to fall in the hands of terrorists	8	Q4 2017/18 – All sites across the service, particularly stations are reminded of the need to remain vigilant and to ensure robust security is adhered to at all times.

**Manageable Strategic Risks (Low)**

Risk Owner	Ref no	Risk Description	Score	Progress updates
M Malson	120	If Legislation relating to pension contributions, employment law and taxation have a negative effect on the composition of our workforce then we will face service delivery and financial consequences	1	Q4 2017/18 – Tax compliance advice secured via tendering process with PwC. Training Plan for new members of the LpB will need to be undertaken once new Members of the Board are known. SAB and LPB meetings will receive reports as per forward work plan.

Appendix C

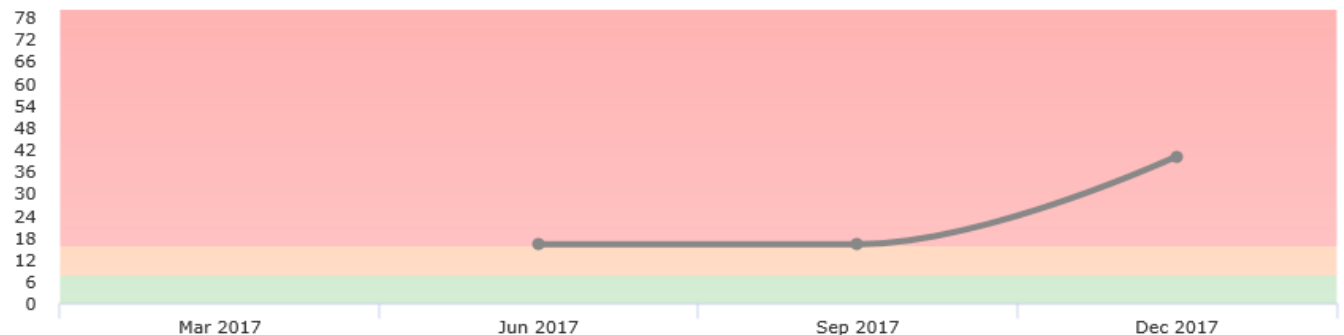
Sample screenshot of the Risk module in the Business Management Information System



Risk ID	110 GDPR
IF	Provision is not put in place to address the new EU Data regulations
THEN	we will be in breach of the regulations
Owner	Chapman, Sally
Risk Directorate	Corporate Services
Risk Type	Strategic
Status	Live
Risk Update	Work continues to implement the requirements of GDPR. ICO website being continually monitored for the issue of new guidance documents on various aspects of the implementation requirements. Work to develop standard data processing agreement underway for joint control that can then be used as a template across other areas of the service. Guidance on privacy impact assessments prepared and about to be published on intranet and consideration to be given to incorporating these into existing EIA's for simplicity. Retention schedule published and data hub review progressing with more detailed analysis of organisations requirements for data retention of corporate data to enhance schedule. Draft guidance on security mark up of documents prepared and end to end email encryption solution agreed and now implemented through Opportunistic Transport Layered Security System and use of portal where TLS identified as not secure.

	Dec 2017					
	Inherent Risk Impact	Inherent Risk Likelihood	Inherent Risk Score	Residual Risk Impact	Residual Risk Likelihood	Residual Risk Score
Actual	8	5	40	8	5	40
Performance	●	▲	▲	●	▲	▲

	Mar 2017	Jun 2017	Sep 2017	Dec 2017
Actual		16	16	40
Performance	?	▲	▲	▲
Direction of travel	?	?	→	↗



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## REPORT OF THE CHIEF FIRE OFFICER

**PRINCIPAL OFFICER VACANCIES – APPOINTMENT AUTHORISATION OF ASSISTANT CHIEF FIRE OFFICER SERVICE DELIVERY & ASSISTANT CHIEF OFFICER PEOPLE SERVICES****SUMMARY**

Fire Authority Standing Orders determine that a request to fill a post at Assistant Chief Fire officer (ACFO) and Assistant Chief Officer (ACO) level on a permanent basis has to be brought before the Fire & Rescue Authority for approval.

The Director of Service Delivery, ACFO Andrew Thomas, has indicated his intention to retire on 30 September, 2018. Following the retirement of the previous substantive Director of People Services, ACO Philip Haynes, there is a vacancy for an ACO People Services. Since his retirement the post has been filled on a temporary basis.

The Executive Leadership Team's terms of reference, duties, and responsibilities, have been reviewed, and it is recognised that in order to maintain high performance, business continuity, effectiveness, and consistency across the Service area, the ACFO Service Delivery and ACO People Services posts' need to be filled on a permanent basis.

Subject to Fire Authority approval it is proposed to commence the recruitment process at the earliest opportunity with the aim of making permanent appointments as soon as possible.

**RECOMMENDATIONS**

1. That Members approve the filling of the posts of ACFO Service Delivery and ACO People Services on a permanent basis as soon as possible.
2. That Members approve the recruitment and selection process and timetable as laid out in the report.
3. That Members approve that the Acting ACO People Services will facilitate the recruitment and selection process, and provide direct support to the Executive Leadership Team, and Fire Authority – Appointment Panels throughout the process.
4. That Members approve the rationalisation of the salary for the post of ACO People Services to a single point set at 82.5% of an ACFO's salary at £80,485 per annum (pay award pending), and that the post be

advertised at this level of remuneration, a saving of £12,196 p.a.

5. That Members approve an amendment to the Authority's Pay Policy to reflect this change in salary structure for Assistant Chief Officers' posts.

## **1. BACKGROUND**

- 1.1 Fire Authority Standing Orders determine that a request to fill a post at Assistant Chief Fire Officer (ACFO) and Assistant Chief Officer (ACO) level on a permanent basis has to be brought before the Fire & Rescue Authority for approval.
- 1.2 Subject to Fire Authority approval it is proposed to commence the recruitment process at the earliest opportunity with the aim of making appointments as soon as possible.

## **2. ISSUES**

- 2.1 The South Wales Fire & Rescue Service Executive Leadership Team comprises of five Director posts, namely the Chief Fire Officer (CFO and Head of Paid Services), Deputy Chief Officer (DCO), Assistant Chief Fire Officer (ACFO) – Service Delivery, Assistant Chief Fire Officer (ACFO) – Technical Services, and Assistant Chief Officer (ACO) – People Services.
- 2.2 The responsibilities of each Director are determined by the Chief Fire Officer, and are reviewed periodically to ensure that both operational and strategic functions are discharged effectively.
- 2.3 The ACFO Service Delivery, Andrew Thomas, has indicated his intention to retire on 30 September, 2018. Following the retirement of the previous substantive ACO People Services, Philip Haynes, there is a vacancy for an ACO People Services. Since his retirement the post has been filled on a temporary basis. The Executive Leadership Team's terms of reference, duties and responsibilities have been reviewed, and it is recognised that in order to maintain high performance, business continuity, effectiveness, and consistency across the Service area, the ACFO Service Delivery and ACO People Services posts' need to be filled on a permanent basis.
- 2.4 Executive Leadership Team level vacancies have previously been advertised nationally on appropriate terms and conditions in order to attract the best possible field of applicants. Furthermore, this practice is supported through the Authority's Pay Policy which established the salary link of the Chief Fire Officer and the Executive Leadership Team.



2.5 The proposed timetable for each appointment process following approval of this report is as follows:-

#### 2.5.1 ACFO Service Delivery

- To advertise the posts in July with a closing date of 8 August, 2018
- The Chief Fire Officer and Acting ACO People Services to shortlist applicants 13-17 August, 2018
- The Executive Leadership Team and the Fire Authority's Treasurer to hold professional interviews 27 – 31 August, 2018, to nominate candidates to go forward to a Fire Authority Appointment Panel.
- Fire Authority Appointment Panel to be held on 10 September, 2018

#### 2.5.2 ACO People Services

- To advertise the posts in July and August 2018.
- The Chief Fire Officer and Acting ACO People Services to shortlist applicants early September 2018
- To run a Strategic Assessment & Development Centre (ADC) mid-September 2018.
- The Executive Leadership Team and the Fire Authority's Treasurer to hold professional interviews late September 2018, and nominate candidates to go forward to a Fire Authority Appointment Panel.
- Fire Authority – Appointment Panel held in October 2018 (date to be advised)

2.6 It is proposed that the Fire Authority Appointment Panel comprises of the Chair and Deputy Chair of the Fire Authority, along with the Chair of the Finance, Audit & Performance Management Committee, with the Chair of the Fire Authority to be the Chairperson of the Appointment Panel. It is also proposed that the Chief Fire Officer will provide Principal Officer advice to the Panel.

2.7 The Acting ACO People Services has indicated that he will be retiring from the Service following the permanent appointment and commencement in post of the appointed person to the ACO People Services role. Therefore, it is proposed with the approval of the Authority that the Acting ACO People Services will facilitate the recruitment and selection process, and provide direct support to the Executive Leadership Team and Fire Authority Shortlisting and Appointment Panels throughout the process of appointment for both posts.

### **3. FINANCIAL IMPLICATIONS**

- 3.1 Funding for the ACFO Service Delivery post is contained within the salary revenue budget as an established post. The salary for the post is a single point salary of £97,558 p.a. (pay award pending).
- 3.2 Funding for the ACO People Services post is contained within the salary revenue budget as an established post based on a three point salary scale. The salary points are based on a percentage of an ACFO salary (that is set at 75% of the CFO). Salary Point 1 (70%) - £68,291 p.a., Salary Point 2 (82.5%) - £80,485 p.a. and Salary Point 3 (95%) - £92,681 p.a. (pay award pending).
- 3.3 In order to rationalise the complexity of the salary scale of the ACO People Services with the other Executive Leadership Team posts that are all single point salaries, it is proposed that the ACO People Services salary be set at 82.5% of an ACFO salary at £80,485 per annum (pay award pending) a saving of £12,196 p.a.
- 3.4 If the Authority agrees with this proposal then there will need to be an amendment to the Authority's Pay Policy to reflect this change.

### **4. EQUALITY RISK ASSESSMENT**

- 4.1 An Equality Risk Assessment has been undertaken to assess the potential impact of this report. The Service's Equal Opportunities and Fairness protocols will form a central part of the recruitment process to ensure that the process is transparent, open and fair for all applicants.

### **5. RECOMMENDATIONS**

- 5.1 That Members approve the filling of the posts of ACFO Service Delivery and ACO People Services on a permanent basis.
- 5.2 That Members approve the recruitment and selection process and timetable as laid out in the report.
- 5.3 That members approve that the Acting ACO People Services will facilitate the recruitment and selection process and provide direct support to the Executive Leadership Team and Fire Authority Shortlisting and Appointment Panels throughout the process.
- 5.4 That Members approve the rationalisation of the salary for the post of ACO People Services to a single salary point set at 82.5% of an ACFO salary at £80,485 per annum (pay award pending), and that the post be advertised at this level of remuneration, a saving of £12,196 p.a.

- 5.5 That Members approve an amendment to the Authority's Pay Policy to reflect this change in salary structure for Assistant Chief Officers' posts.

<b>Contact Officer:</b>	<b>Background Papers:</b>
CFO Huw Jakeway	None

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**SOUTH WALES FIRE & RESCUE AUTHORITY**

AGENDA ITEM NO 6.iii

9 JULY 2018

**REPORT OF THE ASSISTANT CHIEF FIRE OFFICER - TECHNICAL SERVICES****HEALTH, SAFETY AND WELLBEING ANNUAL REPORT 2017/2018****SUMMARY**

The Health, Safety and Wellbeing report for 2017/18 provides a summary of the key activities undertaken and the performance of South Wales Fire and Rescue Service in the area of Health and Safety.

**RECOMMENDATIONS**

Members accept the report on the performance of South Wales Fire & Rescue Service in the area of Health, Safety and Wellbeing.

Members note the overall success achieved during 2017/18 in the delivery of an environment that is supportive of the Health, Safety and Welfare of staff.

Members endorse and support the range of initiatives underway to proactively and reactively support the Health, Safety and Wellbeing of staff employed by South Wales Fire & Rescue Authority.

**1. BACKGROUND**

- 1.1 The annual report offers a common format to review performance of the South Wales Fire and Rescue Service over a five year period. It also provides data to assist with the development of safety policies and procedures.
- 1.2 The Health and Safety performance of the Service is monitored by the enforcing authority, the Health and Safety Executive (HSE) and other external agencies. The report provides information for these bodies against agreed standards.
- 1.3 Although the accident statistics provide a reactive measure, the data enables Service Managers to identify trends, establish additional control measures and identify opportunities for improvement.

**2. ISSUE**

- 2.1 The Health and Safety report covers the period from 1 April 2017 to 31 March 2018. The report indicates statistical returns on accidents and injuries during this period. Additionally, the report indicates initiatives undertaken to ensure legal compliance and the creation as far as

reasonably practicable of a safe working environment for the Service's personnel.

- 2.2 There were 14 reports of Injuries Diseases and Dangerous Occurrences (RIDDOR 2013) during the year, an increase of 3.
- 2.3 The total number of reported accidents for 2017/2018 has decreased on the previous year by 15 from 72 to 57.
- 2.4 The number of injuries which have resulted in an individual being off work for between 1 and 7 days in 2017/2018 remains the same as last year at 9 with a total of 36 days being lost as a consequence.
- 2.5 The number of injuries which have resulted in an individual being off work for over 7 days in 2017/2018 has increased from 10 to 12 with a total of 1031 days being lost as a consequence. The majority of these days lost against 4 individual incidents.
- 2.6 There were 2 major injuries reported for the period of 2017/2018 with a total of 86 days lost as a consequence. This remains a notable performance for an Emergency Service that responded to almost 17,242 emergency incidents during the year.
- 2.7 There was a significant increase in the total number of days lost in 2017/2018 to 1153 an increase of 506 days although the majority of these can be attributed to just 4 on duty injuries.
- 2.8 The number of instances of near miss reports has decreased to 23 in 2017/2018 from 30 in 2016/2017.
- 2.9 The National Issues Committee work stream on Health and Safety has enabled us to benchmark performance across the Fire Sector in Wales and for the first time the report shows benchmarking against a total of 19 other UK Fire and Rescue Services.
- 2.10 All workplace inspections for 2017/2018 were conducted in accordance with Service Policy.
- 2.11 South Wales Fire and Rescue Service are proactive in supporting a variety of Health and Wellbeing initiatives targeted towards addressing mental health challenges in the workplace. MIND Blue Light Mental Health Champions have been trained throughout the Service in 2017/2018.
- 2.12 Positive Representative Body consultation and engagement are undertaken via the Health and Safety Committee which meets quarterly.

Alongside a quarterly meeting of the Operations Health and Safety Reps Meeting.

- 2.13 Progress against the key plans and projects for Health and Safety are identified for 2017/2018 along with a set of new plans for 2018/2019.

### **3. FINANCIAL IMPLICATIONS**

- 3.1 There are no direct financial implications as a result of this report.

### **4. HEALTH AND SAFETY IMPLICATIONS**

- 4.1 As identified within the report to help ensure legislation is complied with and a positive Health and Safety culture is maintained.

### **5. EQUALITY RISK ASSESSMENT**

- 5.1 The report contains no adverse issues that would impact on equality.

### **6. REPRESENTATIVE BODY CONSULTATION**

- 6.1 There are no Representative Body consultations required as a result of this report however contents and performance will be discussed at the next Health and Safety Committee.

### **7. RECOMMENDATIONS**

- 7.1 Members accept the report on the performance of South Wales Fire & Rescue Service in the area of Health, Safety and Wellbeing.
- 7.2 Members note the overall success achieved during 2017/18 in the delivery of an environment that is supportive of the Health, Safety and Welfare of staff.
- 7.3 Members endorse and support the range of initiatives underway to proactively and reactively support the Health, Safety and Wellbeing of staff employed by South Wales Fire & Rescue Authority.

<b>Contact Officer:</b>	<b>Background Papers:</b>
ACFO Richard Prendergast Director of Technical Services	Annual Report 2017-2018

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Gwasanaeth Tân ac Achub  
**De Cymru**



**South Wales**  
Fire and Rescue Service

## APPENDIX 1

# Annual Health, Safety and Wellbeing Report 2017/18



## Summary Statement from Director for Health and Safety

### Assistant Chief Fire Officer Richard Prendergast

South Wales Fire and Rescue Service is a diverse and dynamic Emergency Service. We recognise that our people are our most valuable asset and they are at the heart of everything we do and deliver. The very nature of an Emergency Service means that at times staff are expected to work in dangerous and unpredictable environments. Our firefighters often operate in pressurised, unpredictable situations when attempting to save life and mitigate emergencies. Our responsibilities to our staff extend far further than operational incidents and include all of our support functions, such as Administration, Fleet, Training and Community Engagement.

It is the duty of all staff to ensure that our safe systems of work and personal protective equipment are used and furthermore that we work together to ensure the Health and Safety of each other, visitors to our sites and the public in general. I firmly believe that an embedded Health and Safety culture is not only good for our people, but also good for the Service and this can only be achieved when all stakeholders work together with a common purpose.

I would like to thank all of you for your support in continuing to make South Wales Fire and Rescue Service a safer place to work and in particular those of you who have engaged in our Health and Safety Committee and acted as Representative Body Safety Representatives.



Richard Prendergast  
ACFO Technical Services



## Introduction

South Wales Fire and Rescue Service Health and Safety Team, submit to the Fire Authority the Health and Safety report for the year 2017/18. The report is a summary of Health and Safety activities and performance from across the Service covering the period from April 1<sup>st</sup> 2017 – March 31<sup>st</sup> 2018.

In addition to the provision of statistical information, the report contains reference to other work carried out within the Health and Safety field. This incorporates work undertaken as part of the National Issues Committee (NIC) involving the three Fire and Rescue Services in Wales. It also includes work completed in collaboration with the Representative Bodies, and other departments throughout the Service.

## Your Health and Safety Team



Martin Hole  
Health and Safety Manager



Joanna Wilcox  
Health and Safety Officer



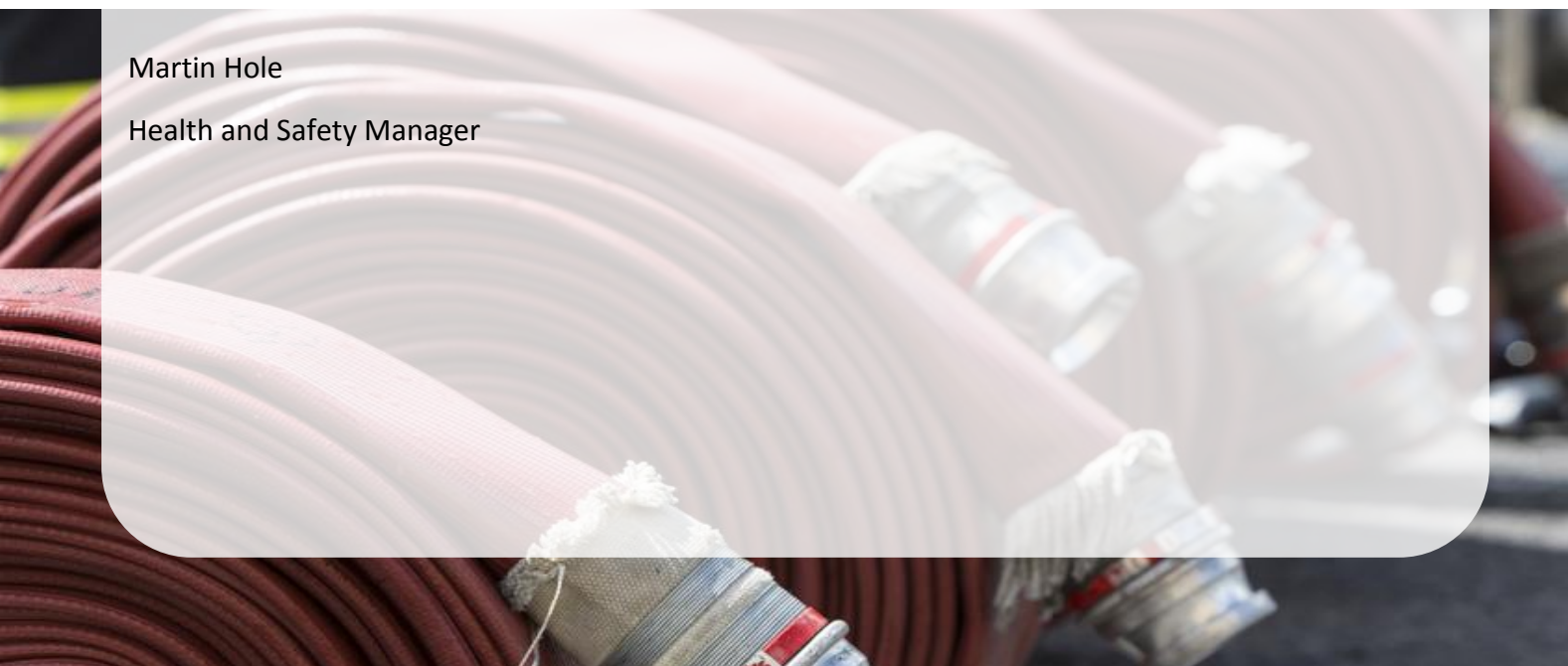
Clare Lyons-Jones  
Health and Safety Officer



Holly Quarmby  
Health and Safety Administration

*South Wales Fire and Rescue Service is committed to excellence, quality and organisational effectiveness and places great importance on the health and safety of its employees and others who may be affected by its operations. The Health and Safety Team aims to do our best to help prevent and protect all employees and visitors from accident, injury and ill health. Providing a support mechanism to assist individuals with any health and safety queries or problems.*

Martin Hole  
Health and Safety Manager





## Executive Summary

The Health and Safety performance of South Wales Fire and Rescue Service continues to be of a high standard and the number of accidents and incidents remains at a low level.

This report indicates that there was a decrease in reported incidents down 20 to a total of 80 for 2017/18 compared to 100 in 2016/17 (all accidents including non-fire service and Not AOD's). There was also a decrease in the number of injuries to our personnel - 57 down from 72 the previous year.

There were 14 reported injuries which fall within the Reporting of Injuries Diseases and Dangerous Occurrences Regulations (RIDDOR) this is an increase of 3 more than last year.

There were 2 Major Injuries reported in 2017/18:

- *On station whilst re-stowing a ladder onto the appliance, jammed hand.*
- *At Cardiff dock side, dismounting the ALP, injured ankle.*

The Service's commitment to improving the Health and Safety culture within the organisation continues with several ongoing initiatives over the last year.

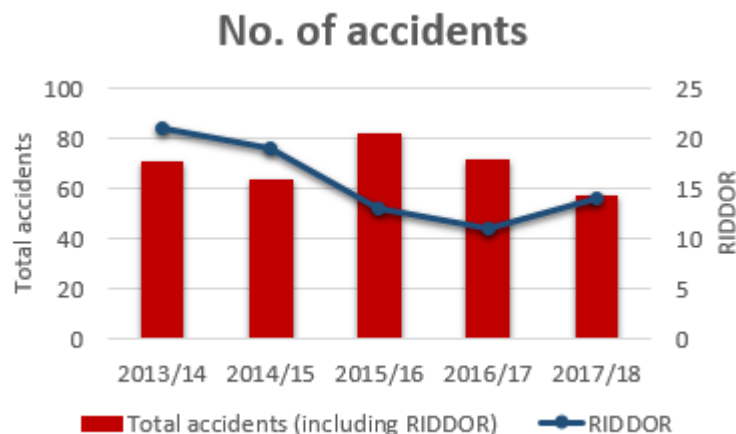
All reported accidents, injuries and near misses to date have been fully investigated with relevant recommendations actioned against them.



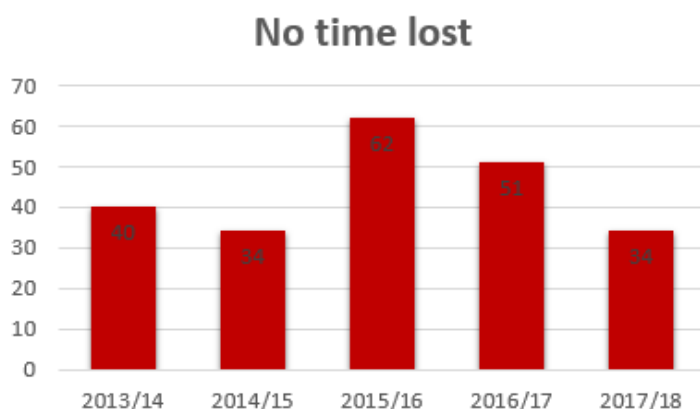
## Total Accidents and Days Lost to Injuries – 5 year graphical comparison

Accident and incident data is collected over several areas including no time lost, 1-7 days lost, over 7 days lost and major. This is in accordance with the regulatory bodies (Health and Safety Executive) requirements.

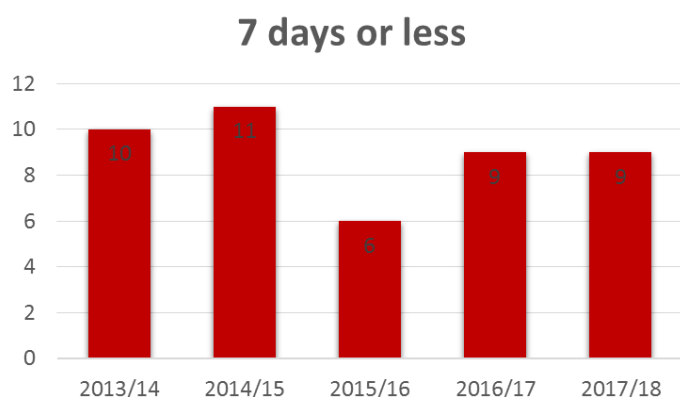
### Total Accidents



Total accidents for the year of 2017/18 was 57, all these were investigated and resulted in a range of recommendations put in place, such as Safety Flash Reports, Procedural Alerts, reviewed risk assessments and local control measures. RIDDOR reports increased slightly from 11 to 14.



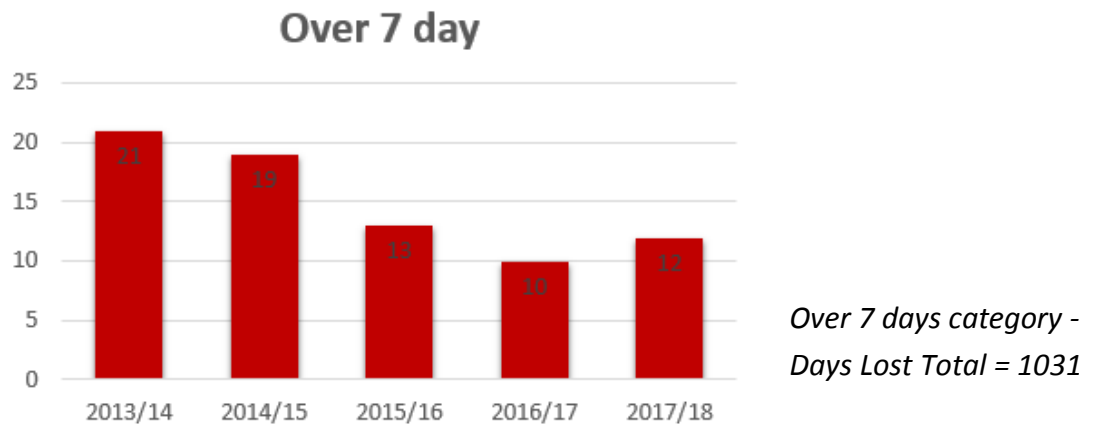
We had 34 accidents where no days were lost, which suggests these accidents were of a less serious nature.



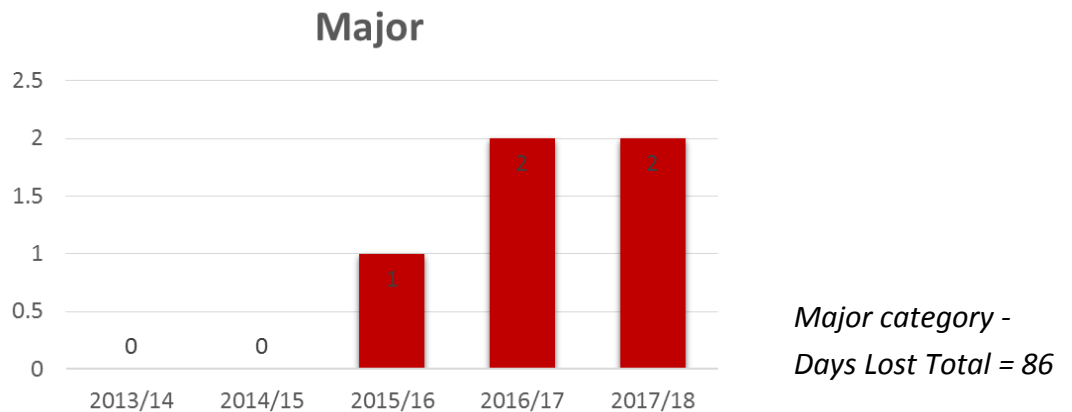
*7 days or less category  
- Days Lost Total = 36*

A total of 9 injuries reported in the 7 days or less category with the most common body part injured being the back (4 instances). The most common injury type for this category were aches, pain and jarring injuries (5). 3 of the accidents occurred whilst undertaking training, 3 were sustained whilst carrying out routine duties, 2 were sustained whilst carrying out other activities and 1 occurred whilst carrying out firefighting.

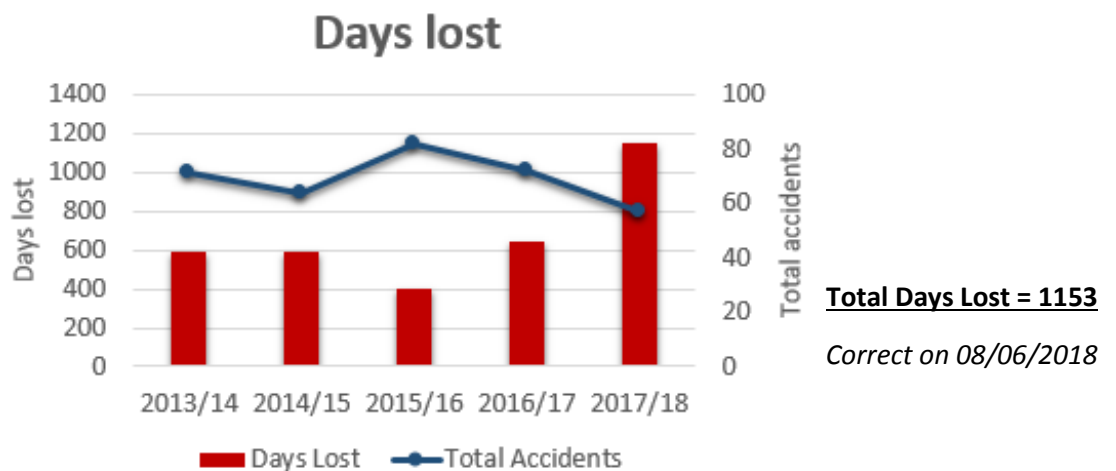
## Accidents and Injuries Days Lost to Sickness



The over 7 day category saw a total of 12 injuries. Five were aches and pains (193/74/95/159/13 days respectively). Three accidents resulted in cuts and abrasions (8/10/69). One fracture injury (292). Three sprains and strains (10/52/56). The majority of the days lost can be attributed to only a couple of accidents.

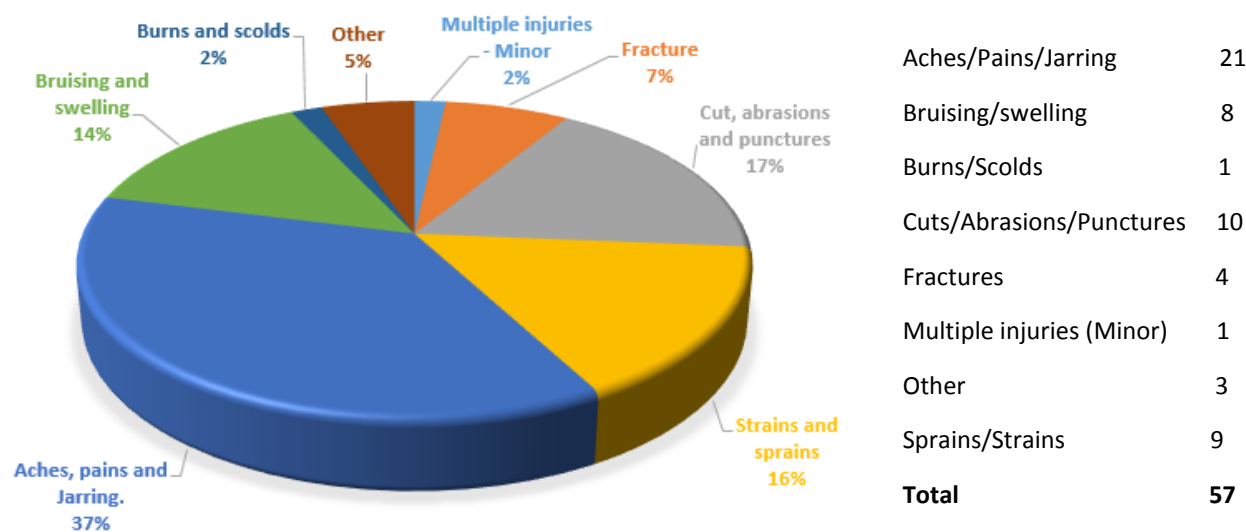


Two injuries reported in the major category, both fractures. One to the hand as a result of an individual jamming their hand in the roller system of an appliance whilst attempting to re-stow a ladder (38 days lost). The other fracture occurred when stepping down from the cage of an ALP (48 days lost).



Total days lost for the year of 2017/18 were 1153, the majority of these days lost came from a small number of accidents and injuries on duty. Although there has been an increase in the number of days lost the total number of accident has fallen considerably.

## Injury Type Breakdown



The above chart shows a breakdown of injury types for the year 2017/18. As identified the highest injury type was aches, pains, jarring - no visible injury, followed by cuts, abrasions and punctures.

### Five year comparison by Unitary Authority:

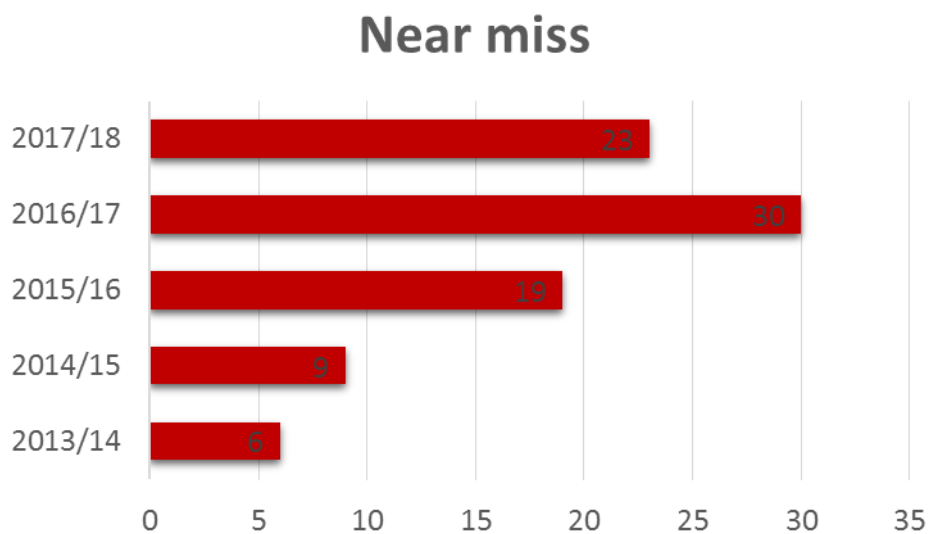
Unitary authority	2013/14	2014/15	2015/16	2016/17	2017/18
Bridgend	7	7	9	16	6
Vale of Glamorgan	4	5	2	3	2
Torfaen	7	1	4	0	1
Blaenau Gwent	4	1	2	4	1
RCT	12	8	10	5	7
Merthyr	3	1	1	3	1
Monmouthshire	3	1	1	1	1
Newport	6	6	11	5	8
Caerphilly	5	12	5	4	4
Cardiff	11	11	17	9	7
<b>Station total</b>	<b>62</b>	<b>53</b>	<b>62</b>	<b>50</b>	<b>38</b>
CGTC	1	3	12	11	10
FRSHQ	2	5	6	8	7
Fleet	1	0	0	1	0
Control	1	1	0	1	2
Other	1	1	0	1	0
<b>Total</b>	<b>68</b>	<b>63</b>	<b>80</b>	<b>72</b>	<b>57</b>

The above table is based on the station location that the injured party is based, not necessarily where the injury took place.

## Near Miss

Defined by the HSE as “an unplanned event which does not cause injury and/or damage, but could have done so”.

There were twenty three near misses reported during the year, all of which were fully investigated with satisfactory remedial action being taken for each occurrence where there was an identified need.



SWFRS health and safety team and Safety Committee Group recognise that the number of near misses being reported is low. So over the last year we have been consulting with Rep Bodies and other UK FRS's to look at ways in which we can increase the number of near misses reported.

As a result a new initiative was introduced on 1<sup>st</sup> April 2018 in the form of a Near Miss Report Card. We are hoping this will assist with increasing the number of reports being received during the year 2018/19 and onwards.

If we embrace the quote ***“a near miss reported today, is the accident that doesn't happen tomorrow”*** then we've potentially prevented 23 additional accidents this reporting year.



## All Wales Statistics

2017/18 was the second year we have obtained information from Mid and West Wales and North Wales FRS's to allow benchmarking. The below table contains initial data collected. All three Services have agreed to look at ways of producing more meaningful data going forward as part of the NIC program.

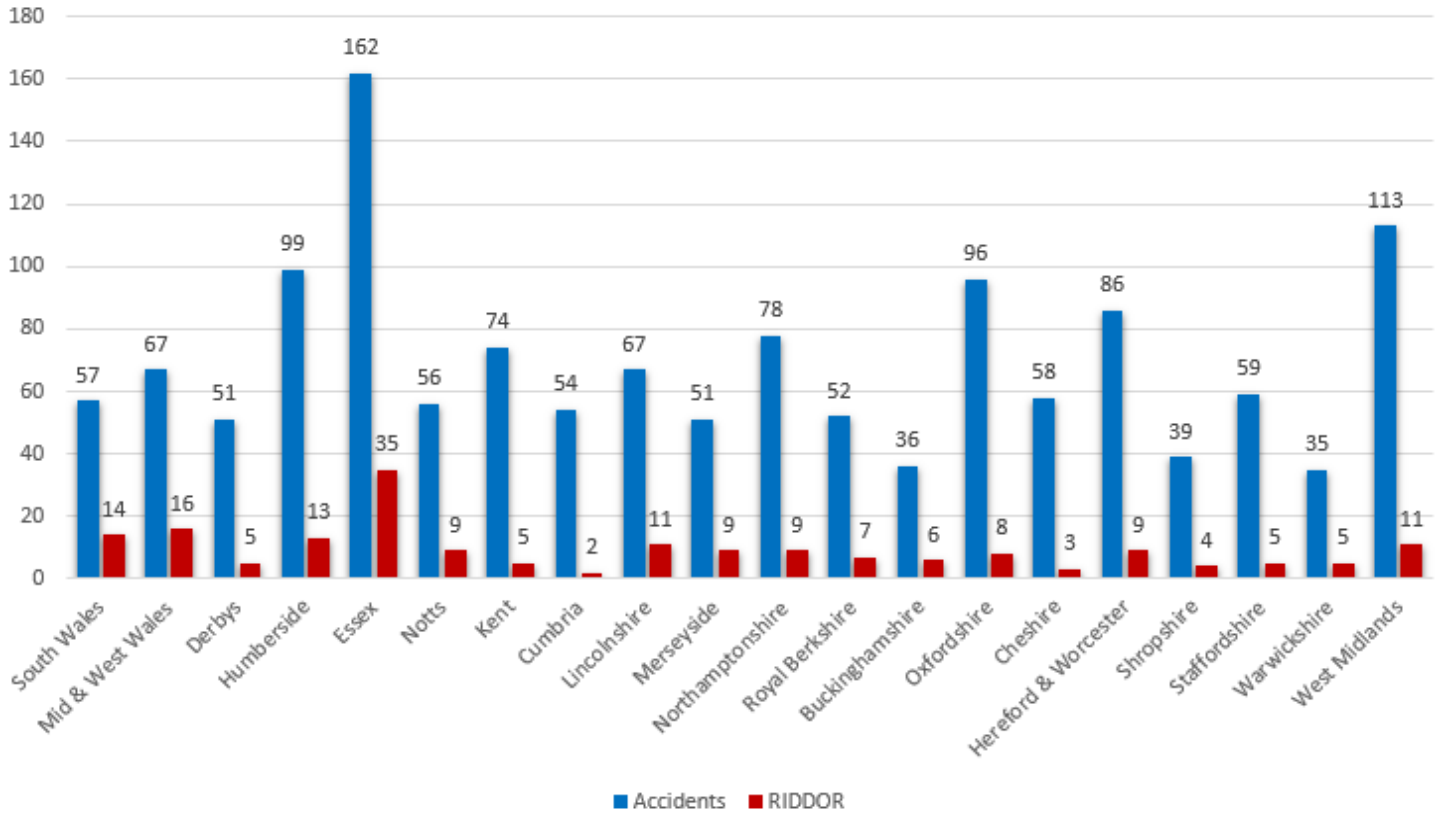
2017/18 Total reported number of accidents - All Wales			
	SWFRS	MWWFRS	NWFRS
Total number of staff:	1734	1351	898
WT	30	23	13
Day Crew	0	7	7
On Call	10	19	17
Support	9	12	9
Recruit/Trainee	8	0	0
<b>Employee total:</b>	<b>57</b>	<b>61</b>	<b>46</b>
YFF	1	1	0
Non Fire & Rescue Service	4	5	3
<b>Total:</b>	<b>62</b>	<b>67</b>	<b>49</b>
<b>Accidents per 1000 Employees:</b>	<b>33</b>	<b>50</b>	<b>51</b>
Total number of Near Misses	23	41	125
Total number of RIDDOR	14	16	5



## 70 Health and Safety Stats across the country

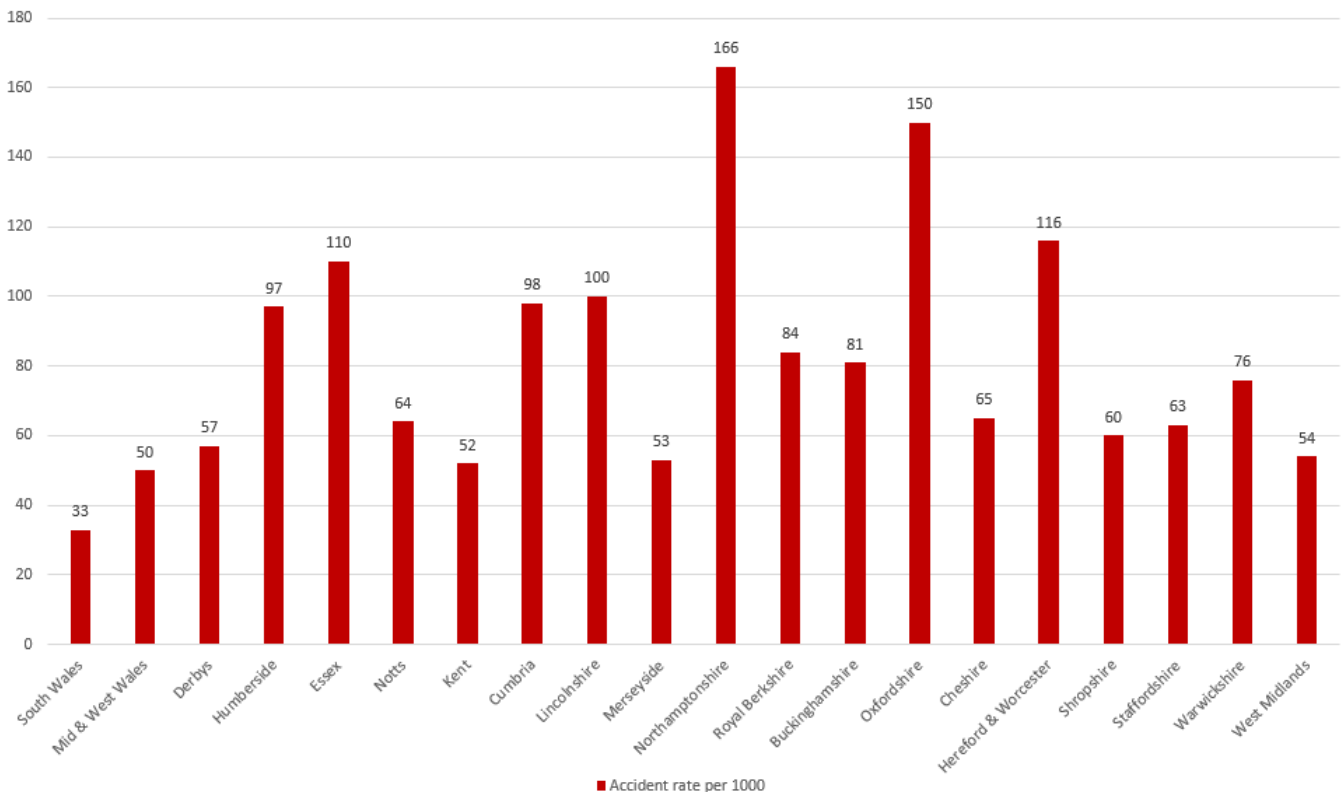
2017/18 has been the first year that we have collated statistics from Fire and Rescue Services from across the country.

The graph below shows the total number of accidents (blue) and the number of those which were RIDDOR reportable (red) accidents from 19 other brigades across the country in relation to our own service.



The graph below shows South Wales Injury incident rate per 1,000 employees compared to the other 19 services that volunteered data.

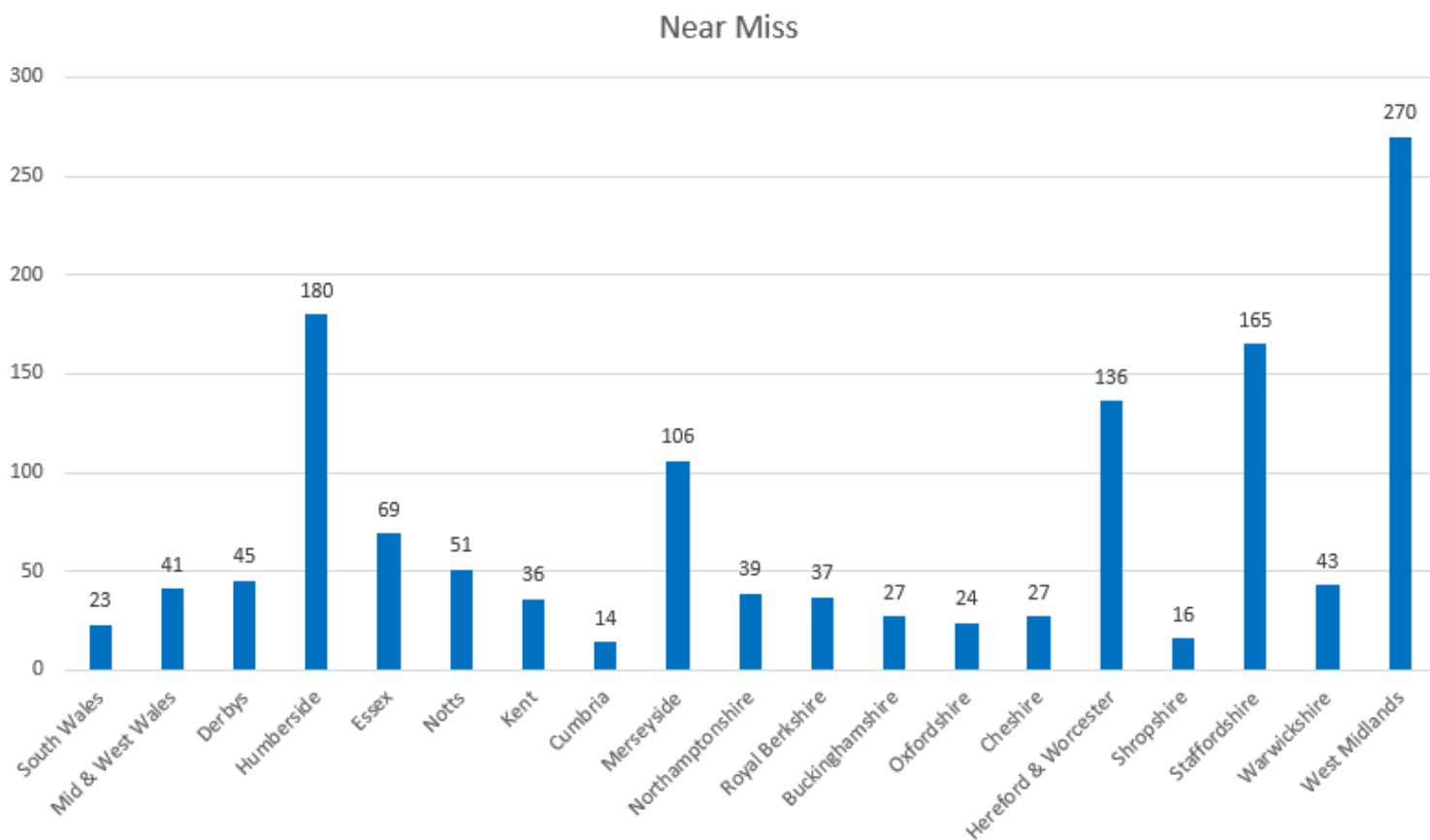
South Wales has one of the lower accident injury rates compared to the size of our organisation.



## Health and Safety Stats across the country

### Near miss

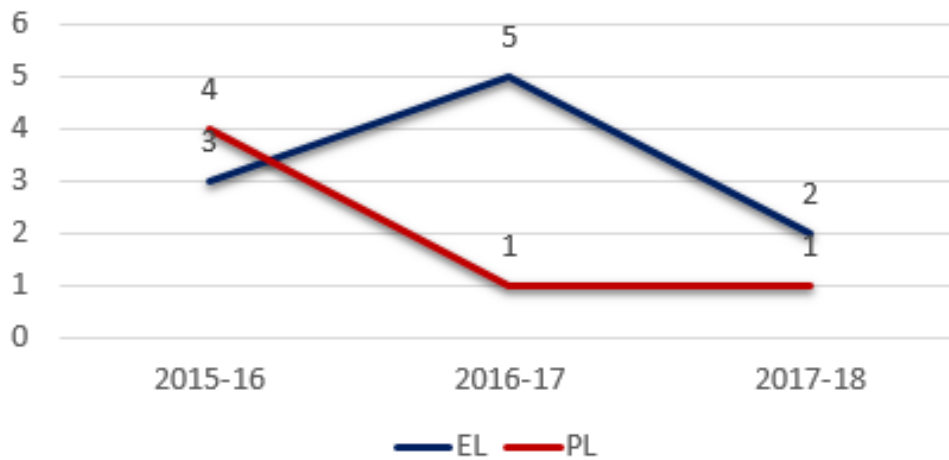
The graph below shows the number of Near Miss Reports received in South Wales in 2017/18 compared to the other services that participated.



Claims made against the service.

Employer Liability and Public Liability Claims

Total number of liability claims



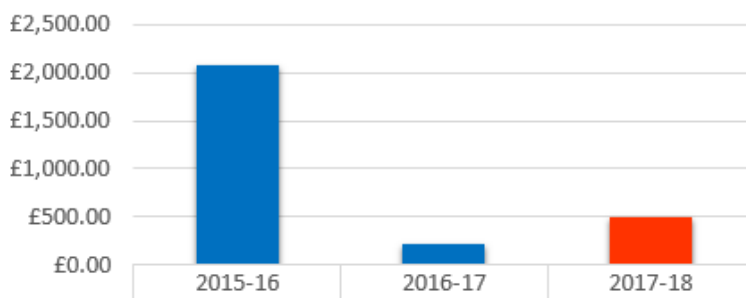
For the graphical illustrations above the cost associated to each year represents the year in which the accident happened and not the year the claim was/will be settled.

The Service has a 'Ground Up' policy which means all costs are picked up by our insurer Zurich and there is no policy excess which applies.

*Outlay* – direct cost which has been paid out by Zurich

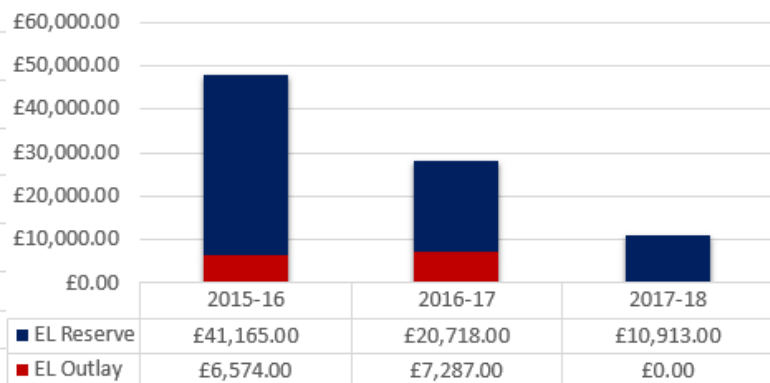
*Reserve* – predicted additional costs of settling the claim for anything still open and outstanding

Public Liability Claims



■ PL Outlay ■ PL Reserve

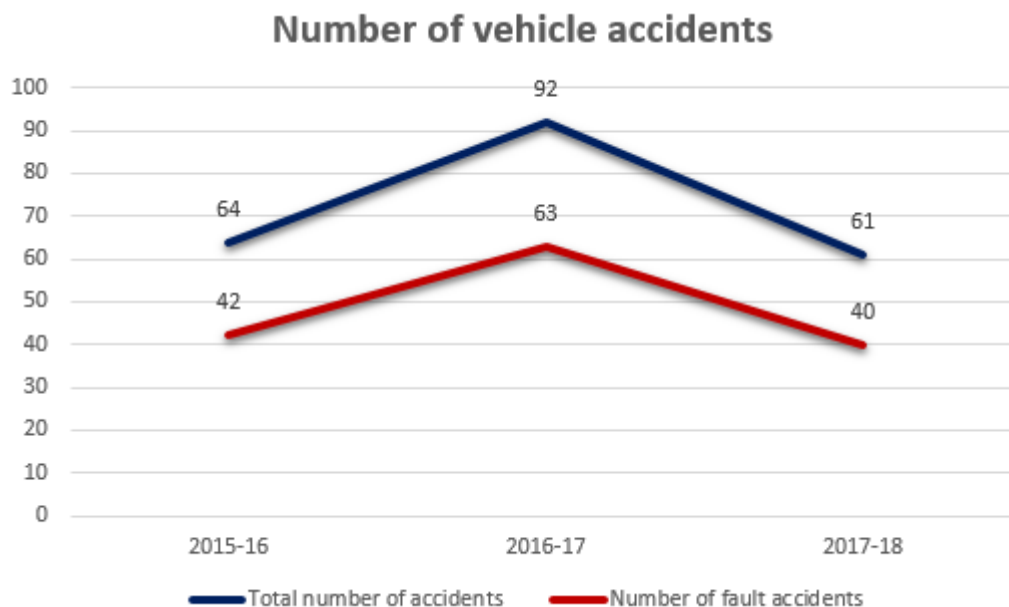
Employer Liability Claims



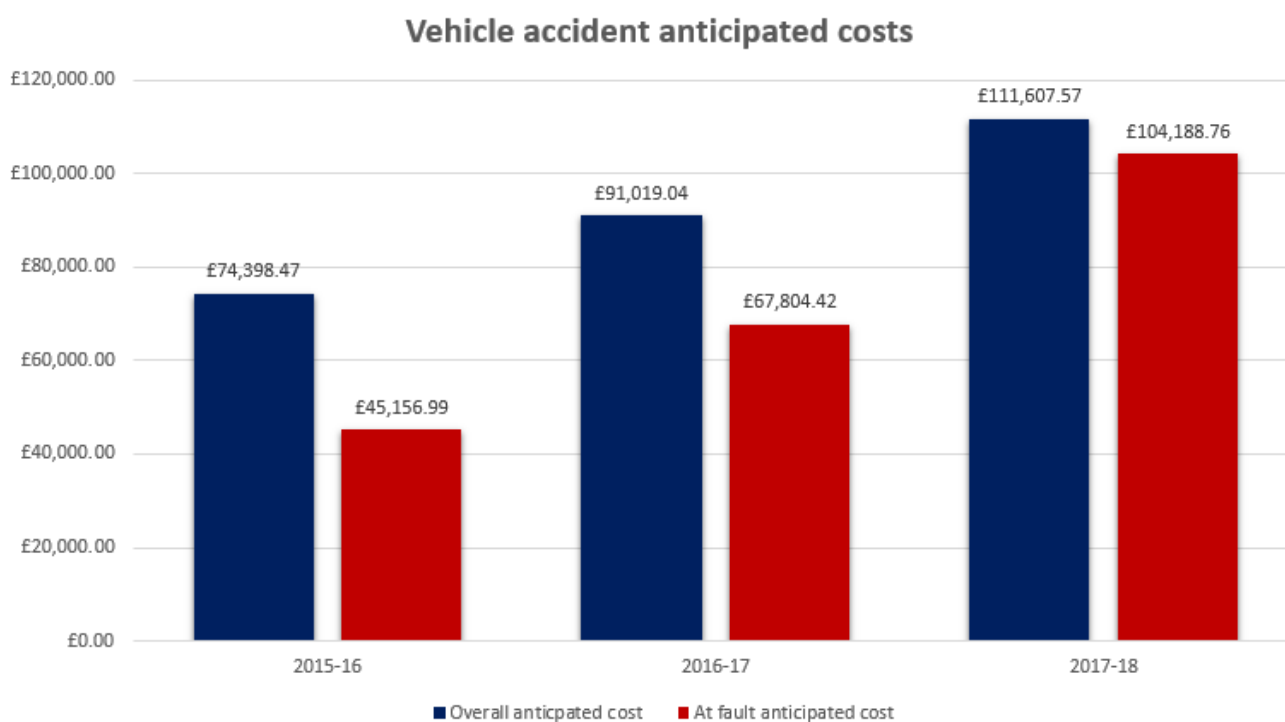
■ EL Outlay ■ EL Reserve

## Vehicle accidents.

There were 61 reported vehicle accidents in 2017/18 down from 92 in 2016/17. 40 of these were attributed to the Service being at fault.



2017/18 total cost = £111,607.57 of which £104,188.76 can be attributed to Service fault accidents. Although the number of accidents have dropped the associated cost has risen by over £20,000 since 2016/17.



## Workplace Inspections

In order to manage Health, Safety and Wellbeing effectively, the Service relies on proactive and reactive systems to monitor levels of performance.

Inspections of the workplace provide a proactive measure of safety attitudes and possible sources of hazards from which a structured approach to workplace health and safety management can be developed.

Pro-active inspections can help identify if policy, organisation and systems are actually achieving the right results and helps inform how reliable and effective our systems are.

A total of 73 inspections were required in the year 2017/18 all of which were completed with exception to those premises undergoing new builds and refurbishments, whom were exempt from the programmed inspection for the year. However, these new and refurbished premises underwent inspection by Property Services as part of the Contractors sign off procedure.

A new process for undertaking station based audits have been rolled from April 1<sup>st</sup> 2018. Workplace inspections will be carried out in conjunction with Business Fire Safety and Property Services, alongside the Station Commander and the station based Safety representative. In addition a further inspection can be carried out by the Station Commander and Rep Bodies at any time requested, it is suggested this be done at least once a year. This new process for carrying out inspections will result in a joined up approach to the management of risks on our stations.

## Air Monitoring

Following on from the air monitoring at Penarth Station in 2016/17 we undertook air monitoring at a further four stations in 2017/18 these were chose in consultation with the Rep Bodies and based on location. Central, Cwmbran, Aberbargoed and Fleet and Engineering Workshops FSHQ. All results were positive for the Service and are available on the intranet.

## Noise Monitoring

In 2017/18 the health and safety team was approached by Cardiff Met University regarding the work placement of one of their degree students. This was agreed and after a week working with the team Molly Jackson requested to undertake her research document looking at noise exposure by station personnel. This work was supported by the ACFO Technical Services and the Health and Safety Manager and Molly was provided with support from the Health and Safety Officers. In total more than 150 pieces of equipment were assessed as part of the works and preliminary results show a low level of exposure. The full research document will be completed shortly and Molly will present this to the Safety Committee and SMT.



## Training Provision

### Inductions:

A total of 78 members of staff completed an induction course in 2017/18.

2 Support staff inductions were carried out. Sep 2017, May 2018 - inducting 32 corporate staff members into the service providing information on Health and Safety, Equality and Diversity, Employee relations, Manual Handling and Fitness, Sickness Absence, Occupational Health Services and Pensions.

### IOSH Training:

The Service has once again achieved its IOSH accredited status for delivery of in house training provision. 4 IOSH Managing Safely courses were undertaken in 2017/18 with a total of 48 employees from across the Service attending.

### First Aid:

Trauma Care is divided into 4 courses in 2017/18 these were the figures:

Initial = 5 courses and 41 attendees

Part 1 = 13 courses and 124 attendees

Part 2= 13 courses and 124 attendees

Requalification = 19 courses and 195 attendees

### Food Hygiene and Kitchen safety:

There was one food hygiene and kitchen safety course run in 2017/18 with all 8 remaining station based cooks attending. This will now become an annual refresher course.

### Critical Incident Team Training:

A fire evacuation drill took place in headquarters in 2017/18 as part of critical training exercise.

A suspect package training session took place involving evacuation and management of staff based at Fire Service HQ.

## Health and Wellbeing

### Occupational Health Unit

The following information has been provided by the Service Occupational Health Unit (OHU), regarding the use of OHU services.

In the year 2017:

- 2534 OH appointments were attended by SWFRS employees
- 1035 fitness assessments were carried out
- 467 routine / pre-employment / auxiliary medicals performed on operational staff, all of which would have had a pre-employment hearing test.
- 222 Management referrals, all of which would have generated an appointment with 438 review appointments generated from those with an additional 99 telephone appointments carried out.

*These figures run from January 2017 – December 2017. From this year on we will be collating the information to run for the financial year April – March.*

In addition the Occupational Health Unit has been working with the health and safety team on the HSE Helping Great Britain Work Well Campaign. Some of the initiatives carried out include:

- A Dementia Friends Course
- Promotion of World Bipolar Day
- Heart Awareness Visits across stations





## Health and Wellbeing Initiatives

### MIND Blue Light Mental Health Training

Four courses have been run for volunteers to become MIND Blue Light Mental Health Champions which resulted in 57 members of staff being trained. In addition the Attendance Management Team will be running Managers Awareness Sessions which will take place in 2018/19, designed to give managers more confidence to deal with mental ill health problems and the stigma which often comes with it, allowing individuals to open up and discuss issues effecting them.



### Heat Stress Management

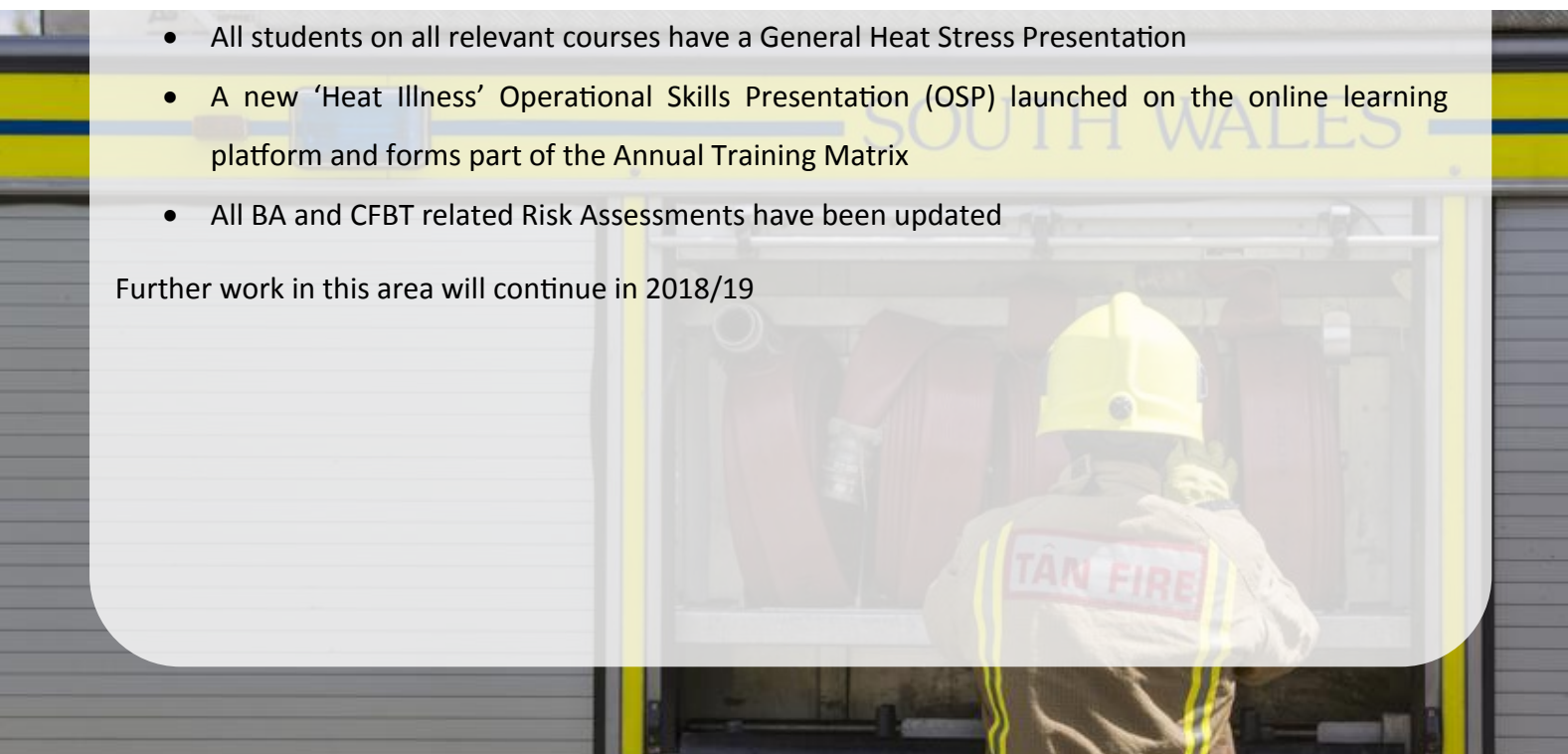
In response to a critical incident in East Sussex FRS, ORM and ODART Managers undertook a Heat Stress Management review to identify where SWFRS were against East Sussex. As a result a range of pro-active initiatives took place including the development of Operational Bulletin 2017-27 - Heat Stress, which was sent out to crews highlighting indicators which should be considered in identifying the signs and symptoms relating to heat stress (Hyperthermia) and the four areas associated with heat illness. Heat Syncope, Heat Cramps, Heat Exhaustion and Heat Stroke. Along with the redistribution of Service document The Management and Prevention of Heat Illness and the production of an infographic poster and Newsletter. The documents inform operational crews what they need to do should they have concerns or identify symptoms in themselves or colleagues.

Additionally to assist with post exposure radial cooling, two 'Kore Kooler' chairs have been purchased by the training department for use when undertaking CFBT.

Other initiatives carried out include:

- All students on all relevant courses have a General Heat Stress Presentation
- A new 'Heat Illness' Operational Skills Presentation (OSP) launched on the online learning platform and forms part of the Annual Training Matrix
- All BA and CFBT related Risk Assessments have been updated

Further work in this area will continue in 2018/19



## Cross Contamination

In 2017/18 the NFCC along with the Centre for Applied Science and Technology (CAST) undertook a literature review regarding the potential long-term health effects associated with smoke contamination on firefighter PPE, and the relative risk of occurrence of cancer. In late March 2018 a statement was released by the NFCC stating: *“Based on CAST’s initial review of the information and the complex nature of risk assignment, it is not possible to prove or disprove a link specifically between contamination on firefighter PPE and a potential increase in relative risk of occurrence of cancer, without more work being conducted in this priority area.”* A range of recommendations from the NFCC were put in place to allow further studies to be carried out over the next few years.

As a result of Safety Committee consultation and anticipation of the initial study by NFCC and CAST, a Cross Contaminants Working Group was set up in conjunction with SWFRS Safety Representatives in February 2018, and have met on 3 occasions since inception.

The aim of the group is to bring together a range of people with a diverse knowledge and expertise to discuss issues relating to contaminant concerns and queries.

Areas being considered currently:

- *Wipes* – universal wet wipes were discussed and are being researched and procured to keep on all appliances that can be used to wipe skin and kit to clean residue.
- *TAC Officers cars* – provision of bags distributed to TAC officers to carry any contaminated kit before cleaning.
- *Information sharing* – An FBU contamination poster designed to raise awareness has been distributed to all stations and locations in the service. A South Wales Fire and Rescue Service poster has been created to be distributed and displayed and a Newsletter article will be published in the April edition informing and advising members of the service.

*This initiative will roll into the 2018/19 health and safety projects and plans.*



## Consultation and Engagement

### Safety Committee

The Safety Committee was very active throughout the year meeting quarterly as planned. During this period numerous Health and Safety issues were discussed with practical suggestions/solutions being forthcoming. Directorate safety groups deal with 'local' safety issues and can refer any unresolved issues to the main safety committee. The quarterly Health and Safety Committee Meetings were held in:

- May 2017,
- July 2017,
- October 2017 and
- January 2018.

All minutes are available on the Service intranet.

### FBU Operations Health and Safety Committee

In addition the Service continued its engagement with the Representative Bodies by committing resources to engage with the station based Safety Representatives. The quarterly FBU Operations Health and Safety Meeting were held in:

- April 2017,
- September 2017,
- December 2017 and
- March 2018.

### All Wales Safety Group Meetings

SWFRS continued to engage with our Wales counterparts allowing us to share best practice as well as safety critical information. The three Services meet as part of the NIC Health and Safety Working Group and the Health and Safety Practitioners Group:

- May 2017 (Practitioners),
- June 2017 (NIC),
- September 2017 (NIC),





## Progress against Health and Safety Projects, Plans and Objectives in 2017/18

### How did we do?

The Health and Safety Team set some initiatives for 2017/18 to look at a range of risk prevention methods, below is some of the work which has taken place against the planned objectives.

- *Continue with the collaborative Work Planning with MWWFRS and NWWFRS in order to adopt and share best practice and provide a more efficient all Wales Health and Safety service.*

NIC work streams continued to be covered with a total of three meetings taking place during the year. Conrad Hancock NIC Lead have attended meetings to ensure targets are achievable.

The three Wales Services health and safety managers met on four occasions as part of the practitioners meetings, looking at topical issues and assisting each other with the day to day management of health and safety.

- *Devise and implement an H&S Training Plan for relevant groups of staff (new entrants, Supervisory Manager, Middle Manager, and Strategic Manager) and specialisms e.g. Accident investigation and Health and Safety Officers.*

Plan has been written and taken to the Safety Committee, it was distributed to the members and the Heads of Service as part of a consultation process. This has now been handed to Training for their input.

- *Review the delivery of proactive toolbox talks and audits to stations and departments in order to ensure that maximum effectiveness is achieved.*

The role of the Health and Safety Officers have changed significantly in recent months resulting in a more station based proactive management of risk. This includes an allocated point of contact for all station personnel. In addition a new process for undertaking station based audits have been rolled out in conjunction with Business Fire Safety and Property Services, this will hopefully lead to a joined up approach to the management of risks on our stations. This initiative will be ongoing.

- *Review and refresh the full suite of risk assessments.*

This area is a significant piece of work and will continue for the next couple of years, looking at the best way to store and review risk assessments as well as the provision of an appropriate risk assessment template.

*Other projects carried out in conjunction with the health and safety team include:*

- Respirator roll out: all personnel have now been issued with personal respirators, this involved the face fit testing of all operational personnel
- Completion of the lightweight kit roll out programme
- Heat stress/ Heat Illness awareness session which involved posters and newsletters to inform personnel of the dangers of heat illness
- Near Miss reporting card development – looking at ways of improving the numbers of reports received

## Key plans and projects for 2018/19

The SWFRS Health and Safety Team business plans have been set for the year 2018/19 and include the following new initiatives:

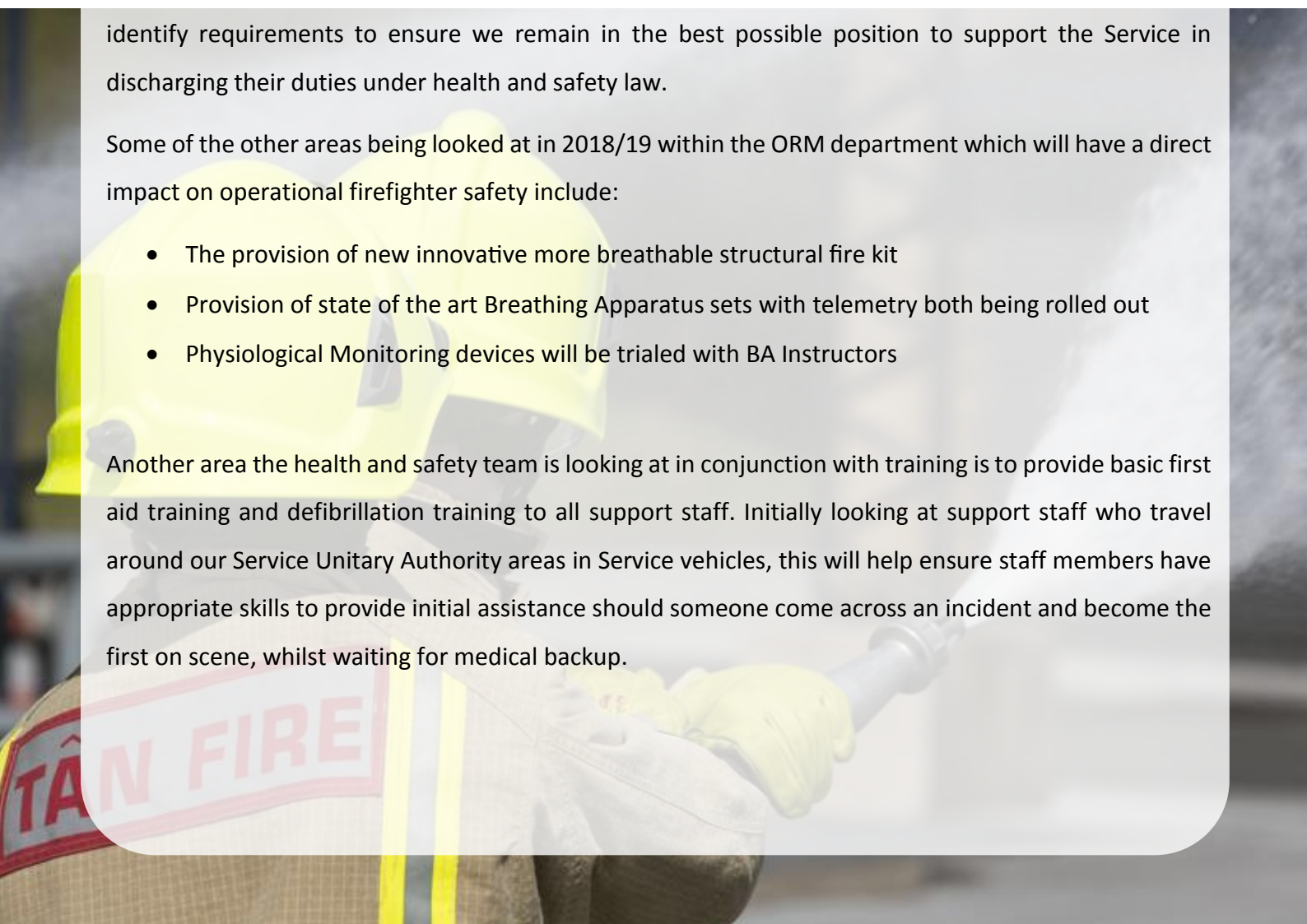
- Explore opportunities where we can make the best use of social media to improve our health and safety communications
- Explore opportunities where technology will enhance our health and safety processes
- Explore opportunities to automate our health and safety processes and systems
- Implement review and maintain and health and safety training strategy, to ensure we have the right people, at the right level with the appropriate skills, knowledge and information to effectively manage the health and safety function
- Review health and safety team structure and skill set requirements in order to provide the most efficient health and safety program to the Service
- Explore the opportunity to benchmark health and safety with other organisations
- Develop key performance indicators which will allow the health and safety team to identify opportunities to learn and improve

Slightly different than in recent years this plan is looking inwards to the health and safety team itself to identify requirements to ensure we remain in the best possible position to support the Service in discharging their duties under health and safety law.

Some of the other areas being looked at in 2018/19 within the ORM department which will have a direct impact on operational firefighter safety include:

- The provision of new innovative more breathable structural fire kit
- Provision of state of the art Breathing Apparatus sets with telemetry both being rolled out
- Physiological Monitoring devices will be trialed with BA Instructors

Another area the health and safety team is looking at in conjunction with training is to provide basic first aid training and defibrillation training to all support staff. Initially looking at support staff who travel around our Service Unitary Authority areas in Service vehicles, this will help ensure staff members have appropriate skills to provide initial assistance should someone come across an incident and become the first on scene, whilst waiting for medical backup.





## Further information

For any further information please contact Martin Hole:

Martin Hole MSc, CMIOSH, MIIRSM

Health and Safety Manager

[m-hole@southwales-fire.gov.uk](mailto:m-hole@southwales-fire.gov.uk)

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Gwasanaeth Tân ac Achub  
**De Cymru**



**South Wales**  
Fire and Rescue Service



**REPORT ON PROPOSED PRIORITY ACTIONS 2019/20****SUMMARY**

To approve the proposed Priority Actions for 2019/20 for publication in the Service's Annual Improvement Plan Stage 2.

**RECOMMENDATION**

That Members note the contents of the report and agree the proposed Priority Actions for 2019/20.

That Members approve these proposed Priority Actions for publication in the "Consultation Document" - Stage 2 of the Annual Improvement Plan on South Wales Fire & Rescue Service's website by 31 October 2018.

**1. BACKGROUND**

- 1.1 The purpose of this report is to propose our Priority Actions for the forthcoming financial year 2019/20.
- 1.2 Members will be aware of the requirement to publish the second stage of the Annual Improvement Plan by the statutory deadline of 31 October in accordance with the requirements of the Local Government (Wales) Measure 2009.
- 1.3 While reporting on performance for the preceding financial year 2017/18 and identifying how we intend to satisfy the Priority Actions for 2018/19, the Annual Improvement Plan is also a consultation vehicle for the Priority Actions for the upcoming financial year 2019/20. The document will outline how these objectives support the achievement of Well-being Goals as part of the Well-being of Future Generations (Wales) Act 2015.

**2. ISSUE**

- 2.1 Stage 2 of the Annual Improvement Plan is a statutory document, required in accordance with Local Government (Wales) Measure 2009 – Part 1 Guidance to Fire and Rescue Authorities, September 2015. The final document will take the same style and format as previous years.
- 2.2 This report proposes Priority Actions for the forthcoming financial year, based on an internal analysis conducted at Executive and Senior Management Team level with support from the Service Performance and Communications Department.

2.3 For clarification, within this document, Strategic Themes are our top level and have been considered in accordance with our contribution toward the Well-being of Future Generations (Wales) Act 2015. These are supported by the delivery of Priority Actions (which were previously known as Improvement Objectives). These Priority Actions meet our statutory obligations as per the Local Government (Wales) Measure 2009 and provide greater clarity and focus.

2.4 For clarity, the proposed Strategic Themes and Priority Actions for consultation are as follows:

**2.4.1 Reduce Risk**

- (a) Ensuring we provide an efficient, effective and relevant response to our communities
- (b) Working with others to provide education to our communities to prevent harm and protect against the risk of harm

**2.4.2 Engage & Communicate**

- (a) Developing efficient and effective ways of engaging and communicating with our communities to involve them in how we deliver our services

**2.4.3 Nurture Sustainable Resources**

- (a) Ensuring we attract, develop and retain a workforce that reflects our communities and is capable of delivering effective services today and in the future
- (b) Reducing our Service's impact on the environment to ensure future sustainability

**2.4.4 Embrace Technology**

- (a) Ensuring we use technology to enable efficient and improved service delivery

**2.4.5 Strengthen Partnerships**

- (a) Working with our Public Service Boards and partners to support our communities.

**3. FINANCIAL IMPLICATIONS**

3.1 Delivery of these strategic themes are primarily already addressed within the commitments of the Medium Term Financial Strategy or will be met as part of the financial planning for next year.

#### 4. EQUALITY IMPACT ASSESSMENT

- 4.1 Equalities outcomes were considered in the development of these objectives and are, where possible, included within the consultation document.

#### 5. RECOMMENDATION

- 5.1 That Members note the contents of the report and agree the proposed Priority Actions for 2019/20.
- 5.2 That Members approve these proposed Priority Actions for publication in the “Consultation Document” – Stage 2 of the Annual Improvement Plan on South Wales Fire & Rescue Service’s website by 31 October 2018.

<b>Contact Officer:</b>	<b>Background Papers:</b>
Jon Carter Planning, Performance & Risk Manager	None

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## **REVIEW OF PROTECTED PENSION AGE (PPA): FIRE AUTHORITY LIABILITY**

### **SUMMARY**

This report summarises the legal and financial liability of the Fire & Rescue Authority in relation to HMRC tax rules in respect of protected pension ages for three individuals previously employed as Wholetime Firefighters in the Service.

The report outlines the background to the issue and the decisions already taken by Members in respect of the individual's tax liabilities.

Since the Fire & Rescue Authority reached its decision that the individuals be required to pay their own tax charge the matter has proceeded to the Pensions Ombudsman, who in light of new information and arguments requests the Fire & Rescue Authority to consider if it wishes to reconsider the question of whether the individuals' tax liabilities should be met by the Authority.

The detail of this new information and arguments is contained within the report.

### **RECOMMENDATION**

That Members consider the points raised by the Pensions Ombudsman in paragraphs 2.5 to 2.8 of this report, and determine if there is scope for the Fire & Rescue Authority to reconsider the question of whether the individuals' tax liabilities should be met by the Authority, and if so would the Authority be prepared to formally offer this approach to the individuals in an attempt to resolve the matter.

## **1. BACKGROUND**

- 1.1 On 8 November, 2013, the South Wales Fire & Rescue Service's Finance Department received a letter from Her Majesty's Revenue & Customs (HMRC), Customer Liaison, relating to Protected Pension Age (PPA) case returns.
- 1.2 The letter identified that a regular Firefighter who retired from Wholetime Duty (WDS), then took their pension and lump sum (1992 Scheme), and continued in employment as a Retained Duty System (RDS Firefighter), would have breached the PPA rules.

- 1.3 Communication between South Wales Fire & Rescue Service, and our Pensions Administrator, RCT Pensions, identified that there were three individuals affected by a breach of the PPA rules. All three individuals were formerly employed by South Wales Fire & Rescue Service. All three held concurrent primary posts as Wholetime Duty Firefighters, and secondary posts of Retained Duty Firefighters. All three retired from their primary posts and continued without a break in service to work as Retained Duty Firefighters.
- 1.4 The HMRC's view is that where an employee has more than one employment with either the same or different employers under the same registered pensions scheme from which benefits are being taken, those employments must cease to qualify for the protected pension age.
- 1.5 In effect, all three individuals retired as Wholetime Firefighters, then took their pension and lump sum (under the 1992 Scheme), and continued in employment as a Retained Firefighter. The HMRC confirmed the position that the three individuals' could not rely on their protected pension age, and that the payments were unauthorised and subject to unauthorised payment charges and scheme sanction charges.
- 1.6 A report in respect of this matter was taken to the Fire & Rescue Authority's Finance, Audit & Performance Management Committee on 11 May, 2015. A copy of the full report is attached at Appendix 1. The report basically asked Members to choose whether they wished to pay the individual's tax charges and the scheme sanction charges totalling £188,791 or to only pay the higher scheme sanction charge of £21,100, and for the three individuals to pay their own tax charge.
- 1.7 At the meeting of the Committee, Members took into account information from Price Waterhouse Cooper, Queens Counsel, Service Managers and Statutory Officers. The Committee resolved to pay the scheme sanction charge and that the three individuals should pay their own tax charge. The Committees determinations were minuted, and are attached at Appendix 2.
- 1.8 The Finance, Audit & Performance Management Committee minutes and determinations were formally confirmed by the whole of the Fire & Rescue Authority on 13 July, 2015. A copy of the minutes are attached at Appendix 3.
- 1.9 HMRC were notified of the decision and payment of the Authority's liabilities in relation to the scheme sanction charges was made on 19 June, 2015.

- 1.10 On 8 June, 2016, the Fire Brigades Union (FBU) wrote to the Chief Fire Officer asking that the Fire & Rescue Authority's decision be revisited in light of the Pension Ombudsman's ruling in respect of *Cherry v South Wales Police* (PO-7096). A copy of this letter is attached at Appendix 4.

The matter was referred to the Fire & Rescue Authority, and a Sub-Group was established to review the request. The Sub-Group determined that there were key differences between the Firefighters' cases and *Cherry*, and recommended to uphold the decision previously made by the Fire Authority Members on 11 May, 2015. A copy of the determination dated 15 July, 2016, is attached at Appendix 5.

- 1.11 The determinations of the Sub-Group were reported to the Fire & Rescue Authority meeting held on 26 September, 2016. Members resolved to unanimously agree and accept the conclusions and recommendations of the Sub-Group. A copy of the minutes are attached at Appendix 6.
- 1.12 A letter was sent to the Fire Brigades Union confirming the decision of the Fire & Rescue Authority on 1 November, 2016. A copy of the letter is attached at Appendix 7.

## **2. ISSUES**

- 2.1 Subsequently to the Fire & Rescue Authority's decision in these three cases, each individual has taken their case to the Pensions Ombudsman. On 13 April, 2017, the ACO People Services submitted the Fire & Rescue Authority's response and documents bundle for each of the individual cases, confirming that the Authority does not agree with the claims presented by each individual.
- 2.2 Each of the claims are still being reviewed by the Pensions Ombudsman and recent correspondence dated 24 April, 2018, apologises for the length of time that these cases are taking to progress. It has been explained that these cases are being held up by similar cases that the Pension Ombudsman is in the process of considering, and until a determination on those cases is made then the Firefighters cases are unlikely to be resolved.
- 2.3 However, the Pensions Ombudsman has asked that given new information and arguments that have come to light as detailed below, would there be scope for the Fire & Rescue Authority to reconsider the question of whether the individuals' tax liabilities should be met by the Authority, and if so, would the Authority be prepared to formally offer this approach to the individuals in an attempt to resolve the matter.

- 2.4 The new information and arguments presented by the Pensions Ombudsman are as follows (the wording in italics reflects exactly the wording of the Pensions Ombudsman):
- 2.5 *The letter addressed to the Authority from HMRC dated 15 January, 2013 (A copy is attached at Appendix 8):- The Pensions Ombudsman states that this clearly contradicts the information provided to the Finance, Audit & Performance Management Committee, the minutes of which state 'Neither the Service nor the Pension Administrator had been aware of the change in HMRC tax rules around protected pension age prior to HMRC making initial contact' (Appendix 2, Page 122).*
- 2.6 *Your letter of 13 April, 2017 (copy attached at Appendix 9) states 'It would be administratively and financially impractical for the Fire & Rescue Authority, and the Fire & Rescue Service, to introduce a further 'failsafe' mechanism in anticipation of failures of the above'. However, I understand such a failsafe has been introduced to protect other members from these circumstances, and so it cannot be administratively or financially impractical. And notwithstanding other members, such a further failsafe would be necessary to protect the Authority from new Scheme Sanction Charges, which would surely be more financially impractical? If it is appropriate for this new failsafe to be in place now, surely it would have been appropriate for it to have been in place following HMRC's letter of 15 January, 2013, if for no other reason than to protect the Authority from the Scheme Sanction Charge?'*
- 2.7 *The point was made in the Committee meeting that 'Officers could not give advice to employees on their retirement' (Appendix 2, Page 122), however it appears information is now being given by way of this new 'failsafe' and it would not take advice to, more likely than not, have dissuaded an individual from the inevitable loss of 55% of their lump sum and pension (until they reached age 55). These basic facts do not need to be communicated as advice'.*
- 2.8 *You have argued that the FBU circular (copy attached at Appendix 10), issued three years prior to these members' retirement, should have made them aware of the issue. However, I consider that it is unrealistic to have expected these members to have been made aware via that mechanism. A circular about PPA is, in my view, a niche topic. I would not have thought members who were not actively considering retirement in or around March 2010, would have read that notice, and when they did come to consider retirement in 2013, I think it is unrealistic to think they would review historical notices on such a niche topic where they had no reason to think this might be a risk.*



### 3. FINANCIAL IMPLICATIONS

- 3.1 The Pensions Ombudsman is asking the Fire & Rescue Authority to reconsider the question of whether the individuals' tax liabilities should be met by the Authority. At the time that the individuals' tax liabilities were incurred their accumulative tax charge for the 2013/2014 tax year was £120,594.

### 4. EQUALITY RISK ASSESSMENT

- 4.1 An Equality Risk Assessment has been undertaken to assess the potential impact of this report. The assessment concluded that this issue relates to the implementation of the Finance Act 2004, which came into effect in April 2010, and HMRC regulations. Therefore, there are no impacts on any particular group of staff as the regulations apply to all staff equally.

### 5. RECOMMENDATIONS

- 5.1 That Members consider the points raised by the Pensions Ombudsman in paragraphs 2.5 to 2.8 above, and determine if there is scope for the Fire & Rescue Authority to reconsider the question of whether the individuals' tax liabilities should be met by the Authority, and if so would the Authority be prepared to formally offer this approach to the individuals' in an attempt to resolve the matter.

<b>Contact Officer:</b>	<b>Background Papers:</b>
<p>ACO Mark Malson Acting Director of People Services</p>	<ul style="list-style-type: none"> <li>• Appendix 1 – 11 May 2015 – FAPM report – Protected Pension Age: Fire Authority Liability</li> <li>• Appendix 2 – 11 May 2015 – Minutes of the FAPM meeting.</li> <li>• Appendix 3 – 13 July 2015 – Minutes of Fire &amp; Rescue Authority meeting held on 13 July, 2015</li> <li>• Appendix 4 – 8 June 2016 – Letter from FBU, Welsh Region – Protected Pension Age – Employer Duty to Provide Information</li> <li>• Appendix 5 – Fire Authority</li> </ul>

	<p>Sub-Group – 15 July 2016 – Fire &amp; Rescue Authority response to the above letter.</p> <ul style="list-style-type: none"><li>• Appendix 6 – 26 September 2016 – Minutes of Fire &amp; Rescue Authority meeting held on 26 September, 2016, confirming above response.</li><li>• Appendix 7 – 1 November 2016 – Letter from Chair of the Fire &amp; Rescue Authority, in response to the FBU’s letter dated 8 June 2016</li><li>• Appendix 8 – Letter from HMRC to the South Wales Fire &amp; Rescue Authority dated 15 January, 2013.</li><li>• Appendix 9 – Letter from ACO People Services to the Pensions Ombudsman dated 13 April 2017</li><li>• Appendix 10 – FBU Circular 2010 – Implications for Re- employment of FPS pensioners from April 2010</li></ul>
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**Reason for Urgency: To reduce the financial impact on the Fire and Rescue Authority and avoid financial penalties being imposed on the Authority by HMRC**

**SOUTH WALES FIRE & RESCUE AUTHORITY**

AGENDA ITEM NO

FINANCE, AUDIT & PERFORMANCE  
MANAGEMENT COMMITTEE

11 MAY 2015

REPORT OF THE DIRECTOR PEOPLE SERVICES

**PROTECTED PENSION AGE: FIRE AUTHORITY LIABILITY**

**SUMMARY**

The report summarises the legal and financial liability of the Authority in relation to HMRC tax rules in respect of protected pension ages for three individuals previously employed as wholetime staff within the Service

**RECOMMENDATION**

Members decision on which option detailed in paragraph 2.4 of the report that they wish to pursue.

**1. BACKGROUND**

- 1.1 Fire & Service became aware of an emerging issue in December 2013. The issue resulted from the introduction of specific clauses within the Finance Act 2004, which came into effect in April 2010. The matter was reported to the HR & Equality Committee and regular updates have been provided during the whole time period.
- 1.2 The particular clause in the Finance Act dealt with the minimum age at which police pension scheme members can retire, other than on ill health grounds. The retirement age rose from 50 to 55. Within the legislation certain protections were put in place to ensure that the rights of current members of the Firefighters' Pension Scheme before that age in certain circumstances were protected. This meant that there would be a group of members whose rights to retire before they reached 55 were protected and they could retire at 50.
- 1.3 However, this protection could be 'lost' under certain circumstances. If the protection was lost, then the pension payments being made would be considered as being "unauthorised" under the tax legislation and would be subject to significant penalty payments. Once the protection has been lost it cannot be regained.
- 1.4 In effect, where a regular firefighter retired from Wholetime, then took their pension and lump sum (1992 Scheme) and continued in employment as a Retained firefighter HMRC have determined that they

will have breached the PPA rules and this generates up to three tax charges.

- The unauthorised payments charge - An income tax charge at a rate of 40%, based on the total value of the unauthorised payment, their lump sum and their annual pension.
- The unauthorised payments surcharge - Where unauthorised payments go above a set amount in a set period an additional income tax charge at a rate of 15% will be due, based on the value of the unauthorised payment
- The scheme sanction charge - An income tax charge on the scheme administrator in respect of certain unauthorised payments in addition to the other two tax charges. The tax is due at a rate of 40%, based on the value of the payment. However, the rate may be reduced to as low as 15% where the unauthorised payments charge has been paid.

1.5 The punitive charges would apply for every year of employment until the person reached 55. Furthermore, if a retiree's 'lump sum' payment was paid during this four week period, it would also be subject to the penalty charges. Initially the Service had 4 personnel who had been captured by these changes. Over the past 15 month this figure has been reduced as HMRC firstly accepted a case presented by the Service which reduced the number of people affected to three.

1.6 There were complexities about the notification of information relating to the rules around the new legislation. A number of Fire & Rescue have been affected by this issue, no Service appeared to have been made aware of these significant changes until HMRC began to write to them in November 2013.

1.7 A significant amount of work took place to seek clarity over responsibility for the issue and agree nationally and locally the most appropriate course of action. Financial / tax advice was secured from Price Waterhouse Cooper and this was supplemented through the engagement of Queen's Counsel. The aim of the review was to assess the liability of the Fire Authority in this matter. Clarity was sought on:

- The specific definition of 'employment' and how this relates to the legal status of a police officer
- The term 'sponsoring employer' and whether this should have been the Fire Authority
- Legal clarification and interpretation of the new regulations and their consequences
- Scope of the issue
- The potential liability of individuals and the organisation

- The ‘vires’ (or legal ability) to compromise a potential claim of an individual caught by this issue, without adverse tax consequences
  - The status of the RDS employment contract.
- 1.8 During the period of investigation it was made very clear by the individuals affected that they considered that the Authority had fallen short of its duty of care, that they were in this position through no fault of their own and were taking legal advice in order to pursue a legal claim against the Authority.
- 1.9 Specific legal advice was sought on the liability of the Authority in this matter, and early January 2015 the ACO People Services, ACFO Operations and PWC representatives met with Queen’s Counsel to receive the legal advice and agree a way forward.
- 1.10 In totality the advice received concluded that the Authority is not liable for the financial penalties for these individuals. However, it has been identified that some Fire Authorities have not resisted a claim arise from the individuals arising from their continuous employment in a RDS role and their loss of PPA rather they have negotiated a settlement rather than defend the action.
- 1.11 HMRC has responded to the “event” report and the associated Queen’s Counsel advice. HM Revenue & Customs have determined that the “breaches remain as being substantiated” and that “unauthorised payments” have taken place. It is HMRC’s stated intention to initiate action to recover the tax charge on the payments.
- 1.12 The position was further complicated by HMRC rules around grossing up. This means that the Authority would need to present all the evidence of the submission of the claim and its negotiated settlement to satisfy the HMRC that the Authority was in fact settling a “legal claim”. The HMRC would otherwise work on the basis that any payments made to individuals was in fact income and they would tax that amount also; effectively grossing up the amount on which a penalty charge would need to be paid.

## **2. FINANCIAL COMMENTS**

- 2.1 The total HMRC charge had been estimated as being in the region of £494,000, based on the potential maximum charges.
- 2.2 Over the past 15 month this figure has been reduced as HMRC firstly accepted a case presented by the Service which reduced the number of people affected to three. They have also agreed to restrict scheme sanction charge period solely to the post “A” day period commencing in 2006, rather than apply it to the whole of the individuals’ service resulting in a total charge to the employer of between £7,900 to £21,100, depending on the individuals’ tax charge being settled.

- 2.3 The three remaining individuals currently have a cumulative tax charge for the 2013/14 tax year of £120,594.
- 2.4 In essence it is for the Fire Authority to choose whether it “wishes” to pay the individuals’ tax charges and the scheme sanction charges totalling £188,791, or to only pay the higher scheme sanction charge of £21,100 and to allow the three individuals to pay their own tax charge.
- 2.5 HMRC Inspectors have agreed not to commence proceeding to recover any of the tax charges until the Authority’s decision is relayed to them. However, they have identified that any delay in payment of the tax charges incurs a 3% interest charge.

### 3.0 RECOMMENDATION

- 3.1 Members decision on which option detailed in paragraph 2.4 of the report that they wish to pursue

<b>Contact Officer:</b>	<b>Background Papers:</b>
Phil Haynes Director of People Services	None

## SOUTH WALES FIRE & RESCUE AUTHORITY

### MINUTES OF THE FINANCE, AUDIT & PERFORMANCE MANAGEMENT MEETING HELD ON MONDAY 11 MAY 2015 AT SOUTH WALES FIRE & RESCUE SERVICE HEADQUARTERS

#### 57. PRESENT:

<b>Councillor</b>	<b>Left</b>	
J Morgan (Deputy Chair)		Blaenau Gwent
S Bradwick	1200 hrs	Rhondda Cynon Taff
D T Davies	1200 hrs	Caerphilly
P Drake		Vale of Glamorgan
C Elsbury	1130 hrs	Caerphilly
E Galsworthy		Merthyr Tydfil
K Hyde	1200 hrs	Cardiff
M Javed		Cardiff
A Jones		Torfaen
S J Jones		Rhondda Cynon Taff
B Morgan	1200 hrs	Rhondda Cynon Taff
S Pickering	1200 hrs	Rhondda Cynon Taff
M Powell		Monmouthshire
P Seabourne	1200 hrs	Torfaen
C Smith		Bridgend

#### APOLOGIES:

P Hannon (Chair)	Newport
E Hacker	Vale of Glamorgan
C James	Bridgend
J Jones	Caerphilly
R McKerlich	Cardiff
M Rahman	Newport
V E Smith	Monmouthshire

#### ABSENT:

D Ali	Cardiff
G Phillips	Cardiff

**OFFICERS PRESENT:-** CFO H Jakeway, DCO S Chapman (Monitoring Officer), ACO P Haynes – Director of Peoples Services, ACFO A Thomas – Director of Operations, Mr C Barton – Treasurer, Mr

G Thomas – Head of Finance & Procurement, Mr C Powell – Monitoring Officer, Mr Mark Malson – Head of HR, A/AM Ian Greenman – Head of Training & Development, A/AM Alison Kibblewhite – ‘SOF’ Project, Mr Ron Price – Wales Audit Office, Ms Katherine Spooner – KPMG Accountant, Ms Lisa Mullan – Senior Accountant

## **60. PROTECTED PENSIONS AGE: FIRE AUTHORITY LIABILITY**

The ACO People Services informed Members that the report summarised the legal and financial liability of the Authority in relation to HMRC tax rules in respect of protected pension ages for three individuals previously employed as Wholetime staff within the Service. He explained the background to the changes in the tax legislation, the reasons why the three individuals were now subject to the tax charge and the options available to the Authority.

The Monitoring Officer stressed that although this was a very difficult decision for Members due to the distressing personal position the individuals concerned were in as a result of the change in tax rules, Members must adhere to the key issues when reaching their decision. She stressed that Members of the Fire Authority were custodians of public funds, and as such, those funds could only be applied for purposes for which there is a lawful authority. She continued that the ACO People Services had outlined extensive advice from Queen’s Counsel and financial specialists, which all said that it was the Scheme Administrator (Rhondda, Cynon Taff Borough Council Pension Section) and the Scheme Member who had responsibility to ensure that they understood the implications of any action that was taken. The Fire Authority’s liability only extended to a small charge as a consequence of the action taken by the Scheme Members, with the individual Scheme member being primarily responsible for the tax charges.

Members were also reminded that although HMRC did not mind who paid the tax charges so long as they were paid, as custodians of public funds they must be concerned with responsibility for payment. Members were advised that they should consider all relevant facts, including the original circular; the FBU circular advising of the changes; the legal advice received by the Service; HMRC advice; and consider the liability to pay and the legal powers available to the Authority to apply public funds.

Members were advised that the Service was not aware of any specific legal provision which permitted the Authority applying public funds for the discharge of an individual’s personal tax bill in the current situation and in the light of the advice received, although the Service was aware that one or two other Authorities had picked up these costs. Whilst it



was difficult to know what legal grounds these payments were made on as confidentiality agreements had been signed in some cases, Members were made aware of the case of one Police Authority which had made a settlement in order to prevent any future legal action being taken against that force in relation to this matter as it had been deemed to be very costly, complex and lengthy. Members were advised that this was a consideration for them, but that this should be weighed against the legal advice received and the appropriateness for utilising public funds in this way at this stage of the process.

The Monitoring Officer continued that she had also considered in detail the content and findings of the recent independent investigation into alleged unlawful payments at Carmarthen Council, where pay arrangements were put in place for the Chief Executive with a view to mitigating personal tax liability. Whilst it was appreciated that this situation was slightly different as it related to an existing tax liability, it was the Monitoring Officer's view that the principles were transferable. Members were advised that the Wales Audit Office were present at the meeting and had confirmed that they could address this point if Members required clarification.

Summing up, the Monitoring Officer advised that bearing in mind all the advice and information, and weighing up all of the legal considerations, there was one recommendation that she could recommend at the current time from a Monitoring Officer perspective, and that was for Members to resolve to pay the scheme sanction charge and to allow the three individuals to pay their own tax charge. She appreciated that this was an extremely emotive recommendation, but considered that to do otherwise on the basis of the information available at this time could expose the Authority to an independent investigation of the expenditure and whatever consequences may flow from that. It was stressed that this recommendation did not preclude the possibility of legal action being pursued by the Scheme Members if they considered this appropriate at a later date and that this would have to be considered at that time on the basis of information available then.

The Treasurer informed Members that in deciding this matter, Authority Members had to consider whether it would be unlawful or unreasonable to meet the personal tax liabilities of the affected employees.

He continued that as indicated in the report, there were circumstances in which employers could meet such liabilities and there were specific taxation rules around how such 'settlement agreements' were dealt with from a taxation perspective. However, the mere fact that such provisions exist within tax legislation did not constitute a legal power for the Authority to meet such costs as a Public Authority.

He considered the question in his mind came down to an assessment of whether any settlement of the personal liabilities would be in the interests of the Service users and taxpayers of the South Wales Fire Authority area who ultimately fund the Fire Authority.

At face value, the settlement of a personal tax liability had no obvious or direct benefit to the Service users or taxpayers of the South Wales Fire Authority area.

From a purely financial perspective, it could be argued that there was a risk of legal action by the employees and that the associated costs of defending such action would be significant enough to warrant settlement as a cheaper overall course of action.

Such an argument presumed that legal action would be successful and the South Wales Fire Authority would end up paying all of the settlement and associated legal costs.

There was also a further consideration in terms of legal action which could not be ignored. Given recent high profile and related events in the Welsh Public Sector, a decision to settle a personal tax liability would more than likely be challenged by a taxpayer or the Auditor General. Defending such a challenge would in itself attract significant legal costs.

Given that legal costs defending the decision were difficult to quantify and critically, they appeared to be a risk regardless of which decision Members arrived at, it would seem that such legal costs should not be a relevant consideration for Members at this time.

On the basis of the lack of any financial rationale which could be conceived to be in the interest of the Service users or taxpayers of South Wales, it was the Treasurer's view that there was a significant risk of this expenditure on meeting personal tax liabilities being deemed unlawful and he therefore recommended that Members confirm that the Authority should only meet the charges which it was liable to pay under the relevant legislation.

As the Head of Paid Services, the Chief Fire Officer stated that although he realised this was an extremely difficult decision for Members, he confirmed that the Fire Brigades Union in 2010 had published a circular on its website to make its members aware of issues around protected pension age. He confirmed that the surcharges had been triggered solely because individuals were employed on two separate contracts, Wholetime and RDS, and had retired from Wholetime at the age of 50,

but did not retire from their secondary contract. He also highlighted that Officers could not give advice to employees on their retirement. The Chief Fire Officer took the opportunity to thank Members for considering the urgent report at such short notice, and also thanked Officers for all their time and efforts in seeking advice and trying to resolve matters which affected the individuals who were public servants caught up by the changes and regulations.

The Wales Audit Officer also stated that he appreciated this was a difficult time for the individuals, but unfortunately he could not provide or add any advice. However, he confirmed that the Auditor General would question any payments made to settle individual tax charges in relation to protected pension age. He stressed that the situation was set out clearly and that only Fire Authority Members could make a decision.

Following a very lengthy question and answer session on lawful and unlawful payments, and tax liabilities on retirement, the ACO People Services informed Members that neither the Service nor the Pensions Administrator had been aware of the change in HMRC tax rules around protected pension age prior to HMRC making initial contact. Members were also advised that the costs for the Service to obtain specialist advice amounted to £18,000. The ACFO Service Delivery assured Members that a safeguard was now in place for employees to consider their situation when retiring, and continuing with a secondary contract.

In the light of the discussion, a motion was moved by Councillor Seabourne that the Authority pay the Scheme Sanction Charge, and that the three individuals be required to pay their own tax charge. The motion was duly seconded.

## **RESOLVED THAT**

60.1 Following a vote of 8 for, 1 against, and 2 abstentions, Members agreed to pay the scheme sanction charge and that the three individuals pay their own tax charge.

60.2 Members confirmed that the reasons for their decision were threefold, namely:

60.2.1 The Authority could not spend public funds on meeting individual tax bills.

60.2.2 The professional advice received confirmed that the Authority was not liable for the individuals' tax charge, only the scheme sanction charge.

60.2.3 It would be unlawful for the Authority to make a payment to meet the individuals' personal tax bill in the current circumstances.

Councillors Bradwick, B Morgan, Pickering and S Jones returned to the Finance, Audit and Performance Management meeting at 1130 hours.

## SOUTH WALES FIRE & RESCUE AUTHORITY

### MINUTES OF THE FIRE & RESCUE AUTHORITY MEETING HELD ON MONDAY 13 JULY 2015 AT SOUTH WALES FIRE & RESCUE SERVICE HEADQUARTERS

#### 16. PRESENT:

Councillor	Left	Authority
D T Davies (Chair)		Caerphilly
S Bradwick (Deputy Chair)		Rhondda Cynon Taff
P Drake		Vale of Glamorgan
C Elsbury		Caerphilly
E Galsworthy (arrived 10:50 hrs)		Merthyr Tydfil
E Hacker		Vale of Glamorgan
C Hawker		Caerphilly
P Hannon		Newport
A Jones		Torfaen
S J Jones		Rhondda Cynon Taff
R McKerlich		Cardiff
B Morgan		Rhondda Cynon Taff
S Pickering		Rhondda Cynon Taff
M Rahman		Newport
P Seabourne		Torfaen

#### APOLOGIES:

D Ali	Cardiff
K Hyde	Cardiff
C James	Bridgend
M Javed	Cardiff
J Morgan	Blaenau Gwent
G Phillips	Cardiff
M Powell	Monmouthshire
C Smith	Bridgend
V Smith	Monmouthshire.

#### ABSENT:

**OFFICERS PRESENT:-** CFO H Jakeway, DCO S Chapman – Monitoring Officer, ACFO R Prendergast – Director of Technical Services, AM D Rose – Head of Operations, Mr C Barton – Treasurer, A/AM I Greenman – Acting Head of Training & Development, Mr G Thomas – Head of Finance & Procurement

## **17. DECLARATIONS OF INTEREST**

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

## **18. CHAIR'S ANNOUNCEMENTS**

### **SPONSORSHIP MONIES OWED FOR CHARITY CYCLE RIDE**

Members were reminded to pay any outstanding sponsorship monies owed to Officers who had successfully completed the recent Firefighters Charity Cycle Ride during May 2015.

### **MEMBERS OF THE FINANCE, AUDIT & PERFORMANCE MANAGEMENT COMMITTEE**

Members of the Finance, Audit & Performance Management Committee were requested to stay behind at the end of the meeting for an informal discussion relating to changes to the 2015/2016 Internal Audit Programme.

### **FIREFIGHTERS MEMORIAL SERVICE, LONDON**

The Chair informed Members that the Firefighters Memorial Service would take place in London on Sunday, 13 September 2015. Any Members who were interested in attending should inform Admin Officers within the Business Support team, and suitable transport arrangements would be provided to attend the event.

### **WELSH BACCALAUREATE**

The Chair was pleased to inform Members that on Friday, 10 July, 2015, he and a number of Officers had attended the launch of the Welsh Baccalaureate at Merthyr College. The campaign was a joint project between the WJEC, the three Welsh Fire & Rescue Services, and Merthyr College.

The Welsh Baccalaureate covered 4 Challenges:-

- Road Safety (Aimed at A Level students post 16 years)
- Accidental Fires in The Home (Aimed at post 16 year old students)
- Keeping Your Community Safe (Aimed at post 16 year old students)
- Educating Young People on the Devastation of Deliberately Set Fires (Aimed at Key Stage 4 students - 10 and 11 year olds)

The Chair took the opportunity to thank crews at Merthyr Fire Station for all their hard work and assistance in supporting the campaign.

## **19. MINUTES OF PREVIOUS MEETING**

The following minutes were received and accepted as a true record of proceedings:-

- HR & Equalities meeting held on 26 January 2015, subject to the following amendment:-
  - Councillor Seabourne had submitted his apologies and was not absent as recorded
- Standards Committee meeting held on 2 March 2015
- Finance, Audit & Performance Management Committee meeting held on 9 March 2015
- Fire & Rescue Authority meeting held on 16 March 2015
- Finance, Audit & Performance Management Committee meeting held on 11 May 2015
- Annual General Meeting held on 8 June 2015
- Fire & Rescue Authority meeting held on 8 June 2015

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# Fire Brigades Union – Welsh Region

Undeb Brigadau Dân – Ardal Cymru

## South Wales – De Cymru



**Brigade Secretary**  
Alex Psaila  
07834 656082

**Brigade Chair**  
Steve Saunders  
07827 300090

**Brigade Organiser**  
Mike Alexander  
07795 038723

8<sup>th</sup> June 2016

Dear Huw,

### **Protected Pension Ages (PPA) – Employer Duty to Provide Information.**

On the 11<sup>th</sup> May 2015 South Wales Fire Authority (SWFA) took a decision in relation to a number of firefighters who faced financial detriment regarding HMRC tax payments in relation to their re-employment within South Wales Fire and Rescue Service (SWFRS) following retirement. The decision taken by SWFA is outlined within the attached minutes. The FBU had already unsuccessfully attempted to suggest a remedy to this situation. We were in the process of seeking a legal remedy to this when the Pension Ombudsman made a ruling on a similar issue in relation to a retired police officer in South Wales. The FBU believe that this ruling has a direct read across to the issue we are seeking to resolve and would ask that the SWFA position is reconsidered in light of this. .

In summary this is a formal request that SWFA reverse their decision of 11<sup>th</sup> May 2015 for the reasons outlined below and in light of this ombudsman ruling:

The Department for Communities and Local Government (DCLG) released *FPS Guidance Note 1/2010 -Protected Pension Age – Implications for Re-employment of FPS Pensioners from 6<sup>th</sup> April 2010* which clearly sets out how this tax liability could be avoided. The purpose of this note was to inform employers of the issue and how to avoid it and should have been acted upon or at least used to inform the affected employee of the situation. In SWFA this does not appear to have happened and the consequences of this have been devastating for the individuals caught by this.

The Pensions Ombudsman has recently ruled in line with this in that the employer of a member with a “protected pension age” for the purposes of the pensions tax regime should have provided information to that member about the possible adverse tax consequences of becoming re-employed after the commencement of receipt of pension payments.

The decision related to a complaint brought against a Police & Crime Commissioner (PCC) in relation to the Police Pension Scheme, but is likely to be significant for all employers participating in schemes where any members have the right to take benefits earlier than the current normal minimum pension age of 55.



# Fire Brigades Union – Welsh Region

## Undeb Brigadau Dân – Ardal Cymru

### *South Wales – De Cymru*



**Brigade Secretary**  
Alex Psaila  
07834 656082

**Brigade Chair**  
Steve Saunders  
07827 300090

**Brigade Organiser**  
Mike Alexander  
07795 038723

#### **The Cherry Case - The Ombudsman's conclusions:**

In a succinct determination, the Ombudsman concluded that the PCC should have provided Mr Cherry with the information already in its possession regarding the tax implications of re-employment within one month of retirement, and that it had a duty of care towards him in this respect.

The Ombudsman agreed that an employer does not have a legal obligation to advise its employees on their tax and pension liabilities; however, providing the information from the Home Office circular was not the same as advising Mr Cherry.

#### **The Remedy:**

The Ombudsman ordered that the PCC should pay Mr Cherry the amount of the tax liabilities which were a direct consequence of the loss of his protected pension age, once those liabilities had been established by HMRC through the self-assessment process. However, any penalties or interest arising as a result of delays in the self-assessment process would not be payable by the PCC.

The Fire Brigades Union request that this remedy is applied in the cases we have identified. This would in effect mean that the Fire Authority reverse the decision that they came to last year in relation to our members Alan Jenkins, Steve Kavanagh and Paul Owen. It is logical that the Ombudsman decision above provides clear similarities to the cases involving our members in SWFRS. Even at this stage of proceedings we would prefer that this was dealt with in an amicable manner, rather than us having to continue to submit our case to the Ombudsman with the obvious time and financial costs to all parties and the additional pressures placed upon the firefighters involved. We would therefore ask the Fire Authority to reconsider their previous decision in-light of the Cherry case



# Fire Brigades Union – Welsh Region

Undeb Brigadau Dân – Ardal Cymru



*South Wales – De Cymru*



**Brigade Secretary**  
**Alex Psaila**  
 07834 656082

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 07827 300090

**Brigade Organiser**  
**Mike Alexander**  
 07795 038723

We are aware of other cases of this type which have been dealt with in a similar manner within other Fire and Rescue Services across the UK. However, and due to confidentiality clauses within those final agreements we are unable to provide details.

**Yours Sincerely**

Alex Psaila  
 Brigade Secretary  
 South Wales FBU





**SOUTH WALES FIRE & RESCUE AUTHORITY**  
**AWDURDOD TÂN AC AGHUB DE CYMRU**

Fire Service Headquarters/  
 Pencadlys Gwasanaeth Tân  
 Forest View Business Park  
 Llantrisant CF72 8LX

**Chairman/Cadeirydd : D Tudor Davies**

Telephone/Ffôn: (01443) 232308

Mr Alex Psaila  
 FBU Representative  
 South Wales Branch  
 14 Summerwood Close  
 Bellfields  
 Fairwater  
 Cardiff

Our Ref./Ein cyf: TD/CMC

Your Ref./Eich cyf:

Date/Dyddiad:

1 November 2016

Dear Mr Psaila

**PROTECTED PENSION AGE**

Following receipt of your letter dated 8 June 2016, the Fire Authority endorsed the establishment of a sub-group to look into the detail of the Protected Pension Age issues you raised, and then to report back to the Fire & Rescue Authority, who are responsible for taking the final decision in this matter. The sub-group comprised of Councillor A Jones, Deputy Chair of the HR & Equalities Committee, Councillor B Morgan, Deputy Chair of Finance, Audit & Performance Management Committee, and Councillor K Hyde.

The sub-group met to consider the matter on 15 July 2016, and reported their recommendations to the Fire & Rescue Authority on 26 September 2016.

As part of their consideration of this matter the Fire & Rescue Authority discussed the following issues in addition to the report and recommendations provided by the sub-group:-

- The significant difference between the pre 2010 and post 2010 position for Protected Pension Age.
- The role of the Fire Pensions Committee in England and why it is different for Wales.
- Whether the pension administrators were aware of the changes in the tax rules related to Protected Pension Age.
- Whether there was any evidence that the Fire Brigades Union published advice on Protected Pension Age prior to the retirements taking place.

I confirm that the Fire Authority unanimously resolved to receive and note the reasoning and conclusions of the sub-group detailed within the report.

Members also unanimously agreed to accept the conclusions and recommendations of the Members sub-group and for a letter of response to be sent to yourself as the local Fire Brigades Union representative advising of the Fire & Rescue Authority's decision to uphold its earlier decision. Please treat this letter as such notification.

These resolutions remain in draft until such time that the minutes are formally approved at our December Fire & Rescue Authority meeting.

For the sake of completeness I have attached a copy of the sub-group's reasoning and determination that the Fire & Rescue Authority agreed with.

In closing, I must advise you that this decision concludes the Fire & Rescue Authority's internal review process, and no further internal right of appeal is available.

Yours sincerely

A handwritten signature in black ink, appearing to read 'D Tudor Davies', with a horizontal line underneath.

**Councillor D Tudor Davies**  
**Chair**

Encs

**MEMBERS' RESPONSE**

15 JULY 2016

**PROTECTED PENSION AGE (PPA) – FIRE AUTHORITY LIABILITY IN LIGHT OF THE PENSION OMBUDSMAN DETERMINATION (PO-7096 CHERRY)****1. BACKGROUND**

- 1.1 The issue of Protected Pension Age unauthorised payments arising in the case of Regular Firefighter retirees who had concurrent employment as a Retained Firefighter, and retired under age 55 after 5 April, 2010, without ceasing their concurrent employment as a Retained Firefighter, remains unresolved despite ongoing representations by a number of parties to Her Majesty's Revenue & Customs (HMRC).
- 1.2 In 2012 the Service identified three of its staff who were affected. Following lengthy discussions with the individuals, their representatives, HMRC, and professional advisors, on 11 May 2015, the Fire & Rescue Authority considered the options available, namely:-
- To pay the individuals' tax charges and the scheme sanction charges
  - Or to only pay the higher scheme sanction charge, and to allow the three individuals to pay their own tax charges
- 1.3 At the meeting, representations were made by the Monitoring Officer, Treasurer, Director of People Services, Chief Fire Officer, and the Wales Audit Office.
- 1.4 On the collective advice given, the Members decided that the second option was appropriate in the circumstances. This decision was taken on the basis that:
- The professional advice received was that the Authority was not liable for the individuals tax charge, only the scheme sanction charge, and
  - It would be unlawful and inappropriate for the Authority to use public funds to meet individuals' personal tax liabilities in the circumstances.
- 1.5 The Fire Brigades Union believe that in the recent determination made by the Pensions Ombudsman (Cherry) materially changes the situation, and have asked that the Authority reconsider the decision made on 11 May, 2015.

**2. ISSUES**

- 2.1 There are some issues concerning whether the 'Cherry' determination is relevant to the Fire Authority situation. There are some similarities, but some key differences, and these are outlined below.

**Personal liability for tax and penalties**

- 2.2 Both the Queens Council engaged by the Fire Authority, and the Ombudsman, have acknowledged that the employer is not held responsible for penalties incurred by the individuals, nor are they responsible for paying individuals' tax bills.

- 2.3 In the Cherry case, the Police Commissioner did agree to make a payment to avoid facing legal action.

#### **Protected Pension Age Trigger**

- 2.4 South Wales Police had required Mr Cherry to retire and then re-engaged him with less than a one month break in service, thus triggering a PPA tax liability.
- 2.5 The three Firefighters chose to retire from their Wholetime contracts of their own volition, but continued in employment as Retained Firefighters without a break in service, and it is this which HMRC contend has triggered the PPA liability in these cases.
- 2.6 Critically in the Cherry case, it was the employer which instigated the retirement/re-engagement, thus creating the PPA liability, tax bill, and associated penalties. The Commissioner had indeed agreed in principle to indemnify the members against tax liabilities that might be incurred.
- 2.7 The Fire Authority did not initiate the retirement of the three Firefighters from their Wholetime contracts.

#### **Provision of information to employees**

- 2.8 It has been argued both by the Firefighters concerned, and in the Cherry case that employers should inform their employees of relevant matters such as PPA in order to avoid unforeseen impacts on retirement benefits.
- 2.9 In the Cherry case the Ombudsman agreed that the Police Commissioner was under no legal obligation to advise individual employees on their tax and pension liabilities. However, the Ombudsman identified this was not a matter of giving advice, but about providing relevant information to employees. He said it was reasonable to expect the Police Commissioner to have provided the salient information, and as a responsible employer he had a duty of care to inform members of the tax implications of re-employment on their retirement benefits.
- 2.10 The Ombudsman's finding in respect of Mr Cherry should not be taken in isolation however. In determination PO-7511 Lennon (25 November 2015) (*Scally v Southern Health Board* (1992) 1 AC 294), the Ombudsman held that an employer must take reasonable steps to inform employees of a contractual right in circumstances where the terms were not individually negotiated.
- 2.11 The Ombudsman further identified that: *Under 'Scally', it was the responsibility of the employer to bring information to Mrs Lennon's attention unless she could be reasonable expected to have been aware of it by other means. The employers have not argued or evidenced that she could.*
- 2.12 As far as employees are concerned, the Firefighters' Pension Scheme Team Guidance Note 1 of 2010 appears to be a source document for PPA information, and this was distributed by the Fire Brigades Union to Branch Secretaries in Circular 2010HOC0158SS for further dissemination to its union members on 9 March, 2010. We do not know how much further or by what means this guidance was circulated, but it was clearly intended as an advice note to union members on the potential impact of PPA.

- 2.13 As far as the Fire Authority is concerned, Department for Communities and Local Government (DCLG) say the Fire Pensions Committee wrote to all English Fire & Rescue Authorities, and that the three devolved administrations were made aware of the PPA issue. An official from Welsh Government has an observer's seat on the Committee, but Welsh Fire & Rescue Services are not permitted to attend so were unaware of the impact of PPA at the time of these retirements.
- 2.14 HMRC advise that they write to all Fire & Rescue Services on such issues. However, they have been unable to identify an officer within the Fire Authority to whom they wrote. They have admitted that they do not keep an up to date list of contact officers, and no correspondence can be traced within the Service. It is reasonable to assume, therefore, that the Fire Authority had no knowledge of the impact of PPA on tax liabilities at the time these retirements took place.
- 2.15 Even if it was argued that the Fire Authority should have provided these employees with information/advice and or guidance regarding the implications of their retirement, the fact that the Authority was completely unaware of the impact of PPA at the time, means it could not have adequately done so in this regard.

### 3. DECISIONS & RECOMMENDATIONS

- 3.1 HMRC have well established and accepted protocols which stipulate that it is the responsibility of the individual to ensure they understand the tax implications of any actions taken, as it affects them.
- 3.2 There was a proper evidential basis for Fire Authority Members to conclude that there were sufficient checks and balances in place during 2010. The breadth and depth of the investigation has been reasonable and thorough. Consequently, there is nothing more that the Fire Authority and Fire & Rescue Service could have done at the time.
- 3.3 Furthermore, the Authority Members consider that it could be reasonably argued that:-
- ❖ The Fire Brigades Union Circular: 2010HOC0158SS to Branch Secretaries, dated 9 March, 2010, demonstrate that the pension scheme members should have been made aware of the issues by their own trade union.
  - ❖ There are further PO case determinations, including PO-7511 Lennon (25 November 2015) (Scally v Southern Health Board (1992) 1 AC 294), where it is recognised that the pension scheme members could be reasonably expected to have been made aware of PPA implications by other means.
  - ❖ The Home Office had issued a circular in relation to Police Officers which contained specific detail relating to PPA. However, neither the Department for Communities & Local Government (DCLG) nor Welsh Government, has issued a circular to Welsh Fire & Rescue Authorities which identify Protected Pension Age issues for Firefighters.
  - ❖ There was no offer of retirement and of re-engagement made to South Wales Fire Service personnel as had taken place in the case of Cherry.
  - ❖ HMRC identify that it is the individual's personal responsibility to understand the tax implications of any actions.
  - ❖ It was reasonable to have expected DCLG (Fire Pension Committee) and Welsh Government to inform and update the Fire Authority and Fire & Rescue



Service on pension and any associated tax issues through their existing mechanisms.

- ❖ It would be administratively and financially impractical for the Fire Authority and Fire & Rescue Service to introduce a further 'failsafe' mechanism in anticipation of failures of the above.

3.4 It is the Members recommendation that the decision previously made by the Fire Authority Members on 11 May, 2015, remain extant.



**MEMBERS' RESPONSE****15 JULY 2016****PROTECTED PENSION AGE (PPA) – FIRE AUTHORITY LIABILITY IN LIGHT OF THE PENSION OMBUDSMAN DETERMINATION (PO-7096 CHERRY)****1. BACKGROUND**

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- 1.2 In 2012 the Service identified three of its staff who were affected. Following lengthy discussions with the individuals, their representatives, HMRC, and professional advisors, on 11 May 2015, the Fire & Rescue Authority considered the options available, namely:-
- To pay the individuals' tax charges and the scheme sanction charges
  - Or to only pay the higher scheme sanction charge, and to allow the three individuals to pay their own tax charges
- 1.3 At the meeting, representations were made by the Monitoring Officer, Treasurer, Director of People Services, Chief Fire Officer, and the Wales Audit Office.
- 1.4 On the collective advice given, the Members decided that the second option was appropriate in the circumstances. This decision was taken on the basis that:
- The professional advice received was that the Authority was not liable for the individuals tax charge, only the scheme sanction charge, and
  - It would be unlawful and inappropriate for the Authority to use public funds to meet individuals' personal tax liabilities in the circumstances.
- 1.5 The Fire Brigades Union believe that in the recent determination made by the Pensions Ombudsman (Cherry) materially changes the situation, and have asked that the Authority reconsider the decision made on 11 May, 2015.

**2. ISSUES**

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- 2.3 In the Cherry case, the Police Commissioner did agree to make a payment to avoid facing legal action.

#### **Protected Pension Age Trigger**

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- 2.5 The three Firefighters chose to retire from their Wholetime contracts of their own volition, but continued in employment as Retained Firefighters without a break in service, and it is this which HMRC contend has triggered the PPA liability in these cases.
- 2.6 Critically in the Cherry case, it was the employer which instigated the retirement/re-engagement, thus creating the PPA liability, tax bill, and associated penalties. The Commissioner had indeed agreed in principle to indemnify the members against tax liabilities that might be incurred.
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- 2.8 It has been argued both by the Firefighters concerned, and in the Cherry case that employers should inform their employees of relevant matters such as PPA in order to avoid unforeseen impacts on retirement benefits.
- 2.9 In the Cherry case the Ombudsman agreed that the Police Commissioner was under no legal obligation to advise individual employees on their tax and pension liabilities. However, the Ombudsman identified this was not a matter of giving advice, but about providing relevant information to employees. He said it was reasonable to expect the Police Commissioner to have provided the salient information, and as a responsible employer he had a duty of care to inform members of the tax implications of re-employment on their retirement benefits.
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- 2.13 As far as the Fire Authority is concerned, Department for Communities and Local Government (DCLG) say the Fire Pensions Committee wrote to all English Fire & Rescue Authorities, and that the three devolved administrations were made aware of the PPA issue. An official from Welsh Government has an observer's seat on the Committee, but Welsh Fire & Rescue Services are not permitted to attend so were unaware of the impact of PPA at the time of these retirements.
- 2.14 HMRC advise that they write to all Fire & Rescue Services on such issues. However, they have been unable to identify an officer within the Fire Authority to whom they wrote. They have admitted that they do not keep an up to date list of contact officers, and no correspondence can be traced within the Service. It is reasonable to assume, therefore, that the Fire Authority had no knowledge of the impact of PPA on tax liabilities at the time these retirements took place.
- 2.15 Even if it was argued that the Fire Authority should have provided these employees with information/advice and or guidance regarding the implications of their retirement, the fact that the Authority was completely unaware of the impact of PPA at the time, means it could not have adequately done so in this regard.

### 3. DECISIONS & RECOMMENDATIONS

- 3.1 HMRC have well established and accepted protocols which stipulate that it is the responsibility of the individual to ensure they understand the tax implications of any actions taken, as it affects them.
- 3.2 There was a proper evidential basis for Fire Authority Members to conclude that there were sufficient checks and balances in place during 2010. The breadth and depth of the investigation has been reasonable and thorough. Consequently, there is nothing more that the Fire Authority and Fire & Rescue Service could have done at the time.
- 3.3 Furthermore, the Authority Members consider that it could be reasonably argued that:-
- ❖ The Fire Brigades Union Circular: 2010HOC0158SS to Branch Secretaries, dated 9 March, 2010, demonstrate that the pension scheme members should have been made aware of the issues by their own trade union.
  - ❖ There are further PO case determinations, including PO-7511 Lennon (25 November 2015) (*Scally v Southern Health Board* (1992) 1 AC 294), where it is recognised that the pension scheme members could be reasonably expected to have been made aware of PPA implications by other means.
  - ❖ The Home Office had issued a circular in relation to Police Officers which contained specific detail relating to PPA. However, neither the Department for Communities & Local Government (DCLG) nor Welsh Government, has issued a circular to Welsh Fire & Rescue Authorities which identify Protected Pension Age issues for Firefighters.
  - ❖ There was no offer of retirement and of re-engagement made to South Wales Fire Service personnel as had taken place in the case of Cherry.
  - ❖ HMRC identify that it is the individual's personal responsibility to understand the tax implications of any actions.
  - ❖ It was reasonable to have expected DCLG (Fire Pension Committee) and Welsh Government to inform and update the Fire Authority and Fire & Rescue

Service on pension and any associated tax issues through their existing mechanisms.

- ❖ It would be administratively and financially impractical for the Fire Authority and Fire & Rescue Service to introduce a further 'failsafe' mechanism in anticipation of failures of the above.

3.4 It is the Members recommendation that the decision previously made by the Fire Authority Members on 11 May, 2015, remain extant.

**SOUTH WALES FIRE & RESCUE AUTHORITY**  
**MINUTES OF THE FIRE & RESCUE AUTHORITY MEETING**  
**HELD ON MONDAY 26 SEPTEMBER 2016 AT**  
**SOUTH WALES FIRE & RESCUE SERVICE HEADQUARTERS**

**22. PRESENT:**

<b>Councillor</b>	<b>Left</b>	<b>Authority</b>
D T Davies (Chair)	12:20 hrs	Caerphilly
S Bradwick (Deputy Chair)		Rhondda Cynon Taff
D Ali		Cardiff
K Critchley		Newport
C Elsbury		Caerphilly
E Galsworthy	12:40 hrs	Merthyr Tydfil
E Hacker		Vale of Glamorgan
C Hawker	12:20 hrs	Caerphilly
K Hyde		Cardiff
C James		Bridgend
S J Jones		Rhondda Cynon Taff
R McKerlich		Cardiff
B Morgan		Rhondda Cynon Taff
J Morgan		Blaenau Gwent
G Phillips		Cardiff
M Powell		Monmouthshire
P Seabourne		Torfaen
C Smith		Bridgend
V Smith		Monmouthshire

**APOLOGIES:**

D Davies	Newport
P Drake	Vale of Glamorgan
A Jones	Torfaen
S Pickering	Rhondda Cynon Taff
C Powell	Deputy Monitoring Officer

**ABSENT:**

## **27.10 PROTECTED PENSION AGE – FIRE & RESCUE AUTHORITY LIABILITY**

The ACO People Services and the Treasurer presented a report to Members detailing the conclusions and recommendations of the Member sub-group set up to review the Fire & Rescue Authority Protected Pension Age decision of 11 May, 2015, in the light of recent Pension Ombudsman case law.

Following discussion, the ACO People Services addressed the following queries from Members, and provided clarification on the points raised, namely:-

- The significant differences between the pre 2010 and post 2010 position for Protected Pension Age was explained to the Committee.
- The role of the Fire Pension Committee in England and why it is different for Wales.
- Whether the pension administrators were aware of the changes in the tax rules related to Protected Pension Age.
- Was there any evidence that the Fire Brigades Union published advice on Protected Pension Age prior to the retirements taking place.

The Deputy Chief Officer also provided clarification on the role of the sub-group, and advised Members that it was not a Committee, had no decision making powers, and only reached conclusions and provided recommendations to the Authority. It was for the Authority to reach a determination on the issue.

### **RESOLVED THAT**

- 27.10.1 Members thanked Officers for addressing their queries in detail, and unanimously agreed to receive and note the reasoning and conclusions of the sub-group detailed within Appendix 3 attached to the report.



27.10.2 Members unanimously agreed to accept the conclusions and recommendations of the Members sub-group, and for a letter of response to be sent to the local Fire Brigades Union representative advising of the Fire & Rescue Authority's decision to uphold its earlier decision for the reasons outlined within the report.

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**SOUTH WALES FIRE & RESCUE AUTHORITY**  
**AWDURDOD TÂN AC ACHUB DE CYMRU**

Fire Service Headquarters/  
 Pencadlys Gwasanaeth Tân  
 Forest View Business Park  
 Llantrisant CF72 8LX

**Chairman/Cadeirydd : D Tudor Davies**

Telephone/Ffôn: (01443) 232308

Mr Alex Psaila  
 FBU Rep  
 South Wales Branch  
 14 Summerwood Close  
 Bellfields  
 Fairwater  
 Cardiff

Our Ref:/Ein cyf: TD/CMC  
 Your Ref/Eich cyf:

Date/Dyddiad: 1 November 2016

Dear Mr Psaila

### **PROTECTED PENSION AGE**

Following receipt of your letter dated 8 June 2016, the Fire Authority endorsed the establishment of a sub-group to look into the detail of the Protected Pension Age issues you raised, and then to report back to the Fire & Rescue Authority, who are responsible for taking the final decision in this matter. The sub-group comprised of Councillor A Jones, Deputy Chair of the HR & Equalities Committee, Councillor B Morgan, Deputy Chair of Finance, Audit & Performance Management Committee, and Councillor K Hyde.

The sub-group met to consider the matter on 15 July 2016, and reported their recommendations to the Fire & Rescue Authority on 26 September 2016.

As part of their consideration of this matter the Fire & Rescue Authority discussed the following issues in addition to the report and recommendations provided by the sub-group:-

- The significant difference between the pre 2010 and post 2010 position for Protected Pension Age.
- The role of the Fire Pensions Committee in England and why it is different for Wales.
- Whether the pension administrators were aware of the changes in the tax rules related to Protected Pension Age.
- Whether there was any evidence that the Fire Brigades Union published advice on Protected Pension Age prior to the retirements taking place.

I confirm that the Fire Authority unanimously resolved to receive and note the reasoning and conclusions of the sub-group detailed within the report.

Members also unanimously agreed to accept the conclusions and recommendations of the Members sub-group and for a letter of response to be sent to yourself and the local Fire Brigades Union representative advising of the Fire & Rescue Authority's decision to uphold its earlier decision. Please treat this letter as such notification.

These resolutions remain in draft until such time that the minutes are formally approved at our December Fire & Rescue Authority meeting.

For the sake of completeness I have attached a copy of the sub-group's reasoning and determination that the Fire & Rescue Authority agreed with.

In closing, I must advise you that this decision concludes the Fire & Rescue Authority's internal review process, and no further internal right of appeal is available.

Yours sincerely

A handwritten signature in black ink, appearing to read 'D Tudor Davies', with a long horizontal stroke extending to the right.

**Councillor D Tudor Davies**  
**Chair**

Encs

## MEMBERS' RESPONSE

15 JULY 2016

### PROTECTED PENSION AGE (PPA) – FIRE AUTHORITY LIABILITY IN LIGHT OF THE PENSION OMBUDSMAN DETERMINATION (PO-7096 CHERRY)

#### 1. BACKGROUND

- 1.1 The issue of Protected Pension Age unauthorised payments arising in the case of Regular Firefighter retirees who had concurrent employment as a Retained Firefighter, and retired under age 55 after 5 April, 2010, without ceasing their concurrent employment as a Retained Firefighter, remains unresolved despite ongoing representations by a number of parties to Her Majesty's Revenue & Customs (HMRC).
- 1.2 In 2012 the Service identified three of its staff who were affected. Following lengthy discussions with the individuals, their representatives, HMRC, and professional advisors, on 11 May 2015, the Fire & Rescue Authority considered the options available, namely:-
- To pay the individuals' tax charges and the scheme sanction charges
  - Or to only pay the higher scheme sanction charge, and to allow the three individuals to pay their own tax charges
- 1.3 At the meeting, representations were made by the Monitoring Officer, Treasurer, Director of People Services, Chief Fire Officer, and the Wales Audit Office.
- 1.4 On the collective advice given, the Members decided that the second option was appropriate in the circumstances. This decision was taken on the basis that:
- The professional advice received was that the Authority was not liable for the individuals tax charge, only the scheme sanction charge, and
  - It would be unlawful and inappropriate for the Authority to use public funds to meet individuals' personal tax liabilities in the circumstances.
- 1.5 The Fire Brigades Union believe that in the recent determination made by the Pensions Ombudsman (Cherry) materially changes the situation, and have asked that the Authority reconsider the decision made on 11 May, 2015.

#### 2. ISSUES

- 2.1 There are some issues concerning whether the 'Cherry' determination is relevant to the Fire Authority situation. There are some similarities, but some key differences, and these are outlined below.

##### **Personal liability for tax and penalties**

- 2.2 Both the Queens Council engaged by the Fire Authority, and the Ombudsman, have acknowledged that the employer is not held responsible for penalties incurred by the individuals, nor are they responsible for paying individuals' tax bills.

- 2.3 In the Cherry case, the Police Commissioner did agree to make a payment to avoid facing legal action.

### **Protected Pension Age Trigger**

- 2.4 South Wales Police had required Mr Cherry to retire and then re-engaged him with less than a one month break in service, thus triggering a PPA tax liability.
- 2.5 The three Firefighters chose to retire from their Wholetime contracts of their own volition, but continued in employment as Retained Firefighters without a break in service, and it is this which HMRC contend has triggered the PPA liability in these cases.
- 2.6 Critically in the Cherry case, it was the employer which instigated the retirement/re-engagement, thus creating the PPA liability, tax bill, and associated penalties. The Commissioner had indeed agreed in principle to indemnify the members against tax liabilities that might be incurred.
- 2.7 The Fire Authority did not initiate the retirement of the three Firefighters from their Wholetime contracts.

### **Provision of information to employees**

- 2.8 It has been argued both by the Firefighters concerned, and in the Cherry case that employers should inform their employees of relevant matters such as PPA in order to avoid unforeseen impacts on retirement benefits.
- 2.9 In the Cherry case the Ombudsman agreed that the Police Commissioner was under no legal obligation to advise individual employees on their tax and pension liabilities. However, the Ombudsman identified this was not a matter of giving advice, but about providing relevant information to employees. He said it was reasonable to expect the Police Commissioner to have provided the salient information, and as a responsible employer he had a duty of care to inform members of the tax implications of re-employment on their retirement benefits.
- 2.10 The Ombudsman's finding in respect of Mr Cherry should not be taken in isolation however. In determination PO-7511 Lennon (25 November 2015) (*Sally v Southern Health Board* (1992) 1 AC 294), the Ombudsman held that an employer must take reasonable steps to inform employees of a contractual right in circumstances where the terms were not individually negotiated.
- 2.11 The Ombudsman further identified that: *Under 'Sally', it was the responsibility of the employer to bring information to Mrs Lennon's attention unless she could be reasonable expected to have been aware of it by other means. The employers have not argued or evidenced that she could.*
- 2.12 As far as employees are concerned, the Firefighters' Pension Scheme Team Guidance Note 1 of 2010 appears to be a source document for PPA information, and this was distributed by the Fire Brigades Union to Branch Secretaries in Circular 2010HOC0158SS for further dissemination to its union members on 9 March, 2010. We do not know how much further or by what means this guidance was circulated, but it was clearly intended as an advice note to union members on the potential impact of PPA.

- 2.13 As far as the Fire Authority is concerned, Department for Communities and Local Government (DCLG) say the Fire Pensions Committee wrote to all English Fire & Rescue Authorities, and that the three devolved administrations were made aware of the PPA issue. An official from Welsh Government has an observer's seat on the Committee, but Welsh Fire & Rescue Services are not permitted to attend so were unaware of the impact of PPA at the time of these retirements.
- 2.14 HMRC advise that they write to all Fire & Rescue Services on such issues. However, they have been unable to identify an officer within the Fire Authority to whom they wrote. They have admitted that they do not keep an up to date list of contact officers, and no correspondence can be traced within the Service. It is reasonable to assume, therefore, that the Fire Authority had no knowledge of the impact of PPA on tax liabilities at the time these retirements took place.
- 2.15 Even if it was argued that the Fire Authority should have provided these employees with information/advice and or guidance regarding the implications of their retirement, the fact that the Authority was completely unaware of the impact of PPA at the time, means it could not have adequately done so in this regard.

### **3. DECISIONS & RECOMMENDATIONS**

- 3.1 HMRC have well established and accepted protocols which stipulate that it is the responsibility of the individual to ensure they understand the tax implications of any actions taken, as it affects them.
- 3.2 There was a proper evidential basis for Fire Authority Members to conclude that there were sufficient checks and balances in place during 2010. The breadth and depth of the investigation has been reasonable and thorough. Consequently, there is nothing more that the Fire Authority and Fire & Rescue Service could have done at the time.
- 3.3 Furthermore, the Authority Members consider that it could be reasonably argued that:-
- ❖ The Fire Brigades Union Circular: 2010HOC0158SS to Branch Secretaries, dated 9 March, 2010, demonstrate that the pension scheme members should have been made aware of the issues by their own trade union.
  - ❖ There are further PO case determinations, including PO-7511 Lennon (25 November 2015) (Scally v Southern Health Board (1992) 1 AC 294), where it is recognised that the pension scheme members could be reasonably expected to have been made aware of PPA implications by other means.
  - ❖ The Home Office had issued a circular in relation to Police Officers which contained specific detail relating to PPA. However, neither the Department for Communities & Local Government (DCLG) nor Welsh Government, has issued a circular to Welsh Fire & Rescue Authorities which identify Protected Pension Age issues for Firefighters.
  - ❖ There was no offer of retirement and of re-engagement made to South Wales Fire Service personnel as had taken place in the case of Cherry.
  - ❖ HMRC identify that it is the individual's personal responsibility to understand the tax implications of any actions.
  - ❖ It was reasonable to have expected DCLG (Fire Pension Committee) and Welsh Government to inform and update the Fire Authority and Fire & Rescue

Service on pension and any associated tax issues through their existing mechanisms.

- ❖ It would be administratively and financially impractical for the Fire Authority and Fire & Rescue Service to introduce a further 'failsafe' mechanism in anticipation of failures of the above.

3.4 It is the Members recommendation that the decision previously made by the Fire Authority Members on 11 May, 2015, remain extant.





**HM Revenue  
& Customs**

**Pension Schemes Services**

Fitz Roy House  
Castle Meadow Road  
Nottingham  
NG2 1BD

South Wales Fire Authority  
Fire Service HQ  
Forest View Business Park  
LLantrisant  
CF72 8LX  
Attn of: J.E.Davies

**Phone** 03000 564291  
Monday to Friday 9.00am to 5.00pm

**Fax** 03000 564566

**Email** nic.clarke@hmrc.gsi.gov.uk

**Date** 15 January 2013  
**Our ref** 00616644RY/CFAT/NC  
**Your ref**

hmrc.gov.uk

Dear Sirs

**South Wales Fire Service**

As administrator of the **South Wales Fire Service Pension Scheme** you are required each year to submit to HMRC an event report disclosing, among other things, any unauthorised payments made from the sub-scheme to its members.

Since 6 April 2010, any payments of pension or pension lump sum benefit that is paid to a fire-fighter after retirement but before the age of 55 and post re-employment of the fire-fighter by the service in a different capacity either less than one month, or less than six months (depending on the circumstances) will be unauthorised payments.

In the case of regular fire fighters also employed as retained fire fighters both employments have to cease on retirement from being a regular fire fighter in order to retain the protected pension age and take benefits before age 55.

HMRC is now seeking Event Reports in respect of any such unauthorised payments made in the 2010/11 and 2011/12 tax years, and I would be grateful if you could now submit the reports in respect of the sub-scheme for which you are administrator. If this issue is not one which affects your sub-scheme, could you please confirm that you have no members retiring after 5 April 2010, under the age of 55, relying on a protected pension age who were re-employed without the requisite break in service.

This does not include those members who qualified for ill-health early retirements where benefits are authorised regardless of retirement age.

If your sub-scheme is one that is affected by this issue, and your event report discloses unauthorised payments, HMRC will raise assessments in respect of the scheme sanction charges that arise as a result.

Information is available in large print, audio and Braille formats.  
Text Relay service prefix number – 18001



Business Head: Graeme Hood

However, only that proportion of the unauthorised payment which relates to a firefighter's service after 6 April 2006 is subject to the scheme sanction charge. Could you please, therefore, also supply details of the amount of the unauthorised payment which will be subject to the scheme sanction charge. You could include this in the box on the event report headed "Give a brief description of the nature of the payment" or, if you prefer, you could submit a separate calculation to HMRC at the address at the head of this letter.

In addition, Fire Regulatory Authorities (FRAs) should also be aware the revised commutation factors prepared by the Government Actuary for the purpose of calculating lump sums payable to members who retire and commute part of their firefighter's pension on or after 19th April 2011.

FRAs should be aware that as some of the revised commutation factors are higher than 20:1 there may be tax implications for some members where the value of their commuted lump sum exceeds the maximum permitted by HMRC (i.e. which is currently set at 25% of the total value of benefits vested). Where the commuted lump sum exceeds the HMRC 25% limit then the amount of lump sum in excess of the limit may be an unauthorised payment and subject to a tax charge.

In addition to the tax charge incurred by the scheme member the pension scheme may also be liable to pay a Scheme Sanction Charge.

Any such payments should be known by all to be unauthorised payments in advance of payment, so should show on Event Reports for tax years 2011-2012 onwards

I look forward to receiving the reports, or confirmation that these issues are not ones that affect your pension scheme, by 31 January 2013. If you have any queries on this issue, please contact me on the above number.

Yours faithfully



N. Clarke

Pension Schemes Services

Ms Judy Johnson-Smith  
 The Assistant Adjudicator  
 The Pensions Ombudsman  
 11 Belgrave Road  
 London  
 SW1V 1RB

Our Ref: PH/CMC  
 Your Ref: PO-15171  
 PO-15168  
 PO-15170

Date: 13 April 2017

Contact: Philip Haynes  
 Tel: 01443 232308

Dear Ms Johnson-Smith

**FIREFIGHTERS' PENSION SCHEME 1992**

- **MR STEPHEN ANTHONY KAVANAGH (PO-15168)**
- **MR PAUL OWEN (PO-15171)**
- **MR ALAN JENKINS (PO-15170)**

Further to my e-mail sent on Thursday, 13 April, 2017, I enclose the South Wales Fire & Rescue Authority response and documents bundle for the cases referred to above.

South Wales Fire & Rescue Authority does not agree with the claims as presented.

I wish to highlight the significant points that will become evident from the supporting documents in the bundle:-

- South Wales Fire & Rescue Authority is the scheme manager, and not the owner of the Firefighters' Pension Scheme 1992. Full responsibility for the relevant scheme is undertaken by Welsh Ministers, and this has been the situation since 2007.
- It is reasonable to have expected Welsh Government to inform and update the Fire & Rescue Authority, and the Pension Administrator, on pension and any associated tax issues through their existing mechanisms.
- All three individuals were formerly employed by South Wales Fire & Rescue Authority. All three held concurrent primary posts as Wholetime Duty Firefighters, and secondary posts as Retained Duty Firefighters. All three retired from their primary posts and continued without a break in service to work as Retained Duty Firefighters.

- All three individuals advised the Service of their intention to retire in the proper manner.
- The substantive situation is there was no offer of retirement and of re-engagement made to South Wales Fire & Rescue Service personnel.
- It is acknowledged that HMRC identify that it is the individual's personal responsibility to understand the tax implications of their actions and the source documents are technically complex.
- The Fire Brigades Union Circular: 2010HOC0158SS to Branch Secretaries, dated 9 March 2010, demonstrates that the pension scheme members should have been made aware of the issues by their own trade union.
- It would be administratively and financially impractical for the Fire & Rescue Authority, and the Fire & Rescue Service, to introduce a further 'failsafe' mechanism in anticipation of failures of the above.

Please note the Fire & Rescue Authority's legal representative is Mr Daniel South, Legal Services Officer, telephone number 01443 232113, e-mail [d-south@southwales-fire.gov.uk](mailto:d-south@southwales-fire.gov.uk)

If you require any further information please contact either Daniel South or myself, and we will make the appropriate arrangements.

Yours sincerely

**Philip Haynes**  
**Director of People Services**

Encs.

## **Implications for Re-employment of FPS Pensioners from April 6th 2010**

March 9, 2010

**CIRCULAR: 2010HOC0158SS**

9 March 2010

**TO: BRIGADE SECRETARIES**

Dear Brother/Sister,

Officials will be aware that members of the 1992 Firefighters' Pension Scheme retain the right to retire from age 50 (provided that they have 25 years or more of pensionable service) despite the new tax rules that take effect from 6th April 2010. This was clarified on several occasions via Head Office circulars.

In addition to this, the new tax rules from April 2006 will have an effect upon an individual who retires under this rule and takes up re-employment again unless certain criteria is satisfied.

Attached is a guidance note (FPS Guidance note 1/2010) which outlines the position to Fire and Rescue Authorities.

This guidance notice highlights substantial tax implications for individuals should one of the four re-employment conditions not be met.

These conditions are:

1. a recall by the Armed Forces;
2. a break in employment of at least six months;
3. a break in employment of at least one month and benefits may be abated;
4. a break in employment of at least one month and the re-employment is materially different.

Officials should raise this with their local pension administrator and ensure that the full effect of these tax implications are explained to the individual before re-employment occurs.

The situation may already be taken into account in some Fire and Rescue Authorities where a break of at least a month is the current practice.

Yours in Unity,

**SEAN STARBUCK**

**National Officer**

SS/EMH

**FPS Guidance Note 1/2010**

**Protected Pension Age – Implications for Re-employment of FPS Pensioners from 6th April 2010.**

Under the Finance Act 2004, the Minimum Pension Age (MPA) rises to age 55 from 6th April 2010. Members of the Firefighter's Pension Scheme 1992 have a right to retire from age 50 (provided they have 25 or more years of pensionable service). This right to retire at an age below 55 is protected \*\* and on retirement members will receive a Protected Pension Age (PPA).

HM Revenue and Customs have taken the view that protection does not extend to Chief Fire Officers appointed on or before 5th April 2006.

The purpose of this guidance note is to bring to the attention of Fire and Rescue Authorities the tax rules that will apply from 6th April 2010 where an individual who has taken pension benefits from the FPS takes up employment again. We are aware that some FRAs re-employ firefighters after retirement and this guidance note will therefore be of particular interest to those considering the employment of firefighters who retired with a PPA on, or after, 6th April 2010.

From 6th April 2010, an individual who retires with a PPA and who subsequently takes up employment will lose that protection if they are

employed by one of the following employers and one of the four employment conditions listed below is not met.

- An employer who employed the individual in the six months before benefit entitlement arose, and who was also a **sponsoring employer** in the scheme under which benefit entitlement arose in that six month period.
- Any person connected with the employer described in the previous bullet point. Note that under this condition the person employing the individual does not need to be a sponsoring employer.
- Any sponsoring employer in the pension scheme under which benefit entitlement arose that is connected with the individual.

Our interpretation of a “sponsoring employer” in connection with the FPS is the relevant employing authority, whether a fire and rescue authority or county council.

Therefore, from 6th April 2010 an individual who has retired with a PPA and is subsequently re-employed by a FRA before they have reached age 55 will incur additional tax charges on all pension benefits, including any commuted lump sum, paid to them before reaching age 55 unless one of the following four re-employment conditions is met:

1. recall by the Armed Forces
2. a break in employment of at least six months
3. a break in employment of at least one month and benefits may be abated
4. a break in employment of at least one month and the re-employment is materially different

With regard to re-employment condition 3, we are advised by HMRC that the abatement condition is satisfied provided that the employer has the discretion to abate. Whether abatement is actually applied is not material. Under Rule K4 of the FPS, a FRA has the discretion to abate where a person entitled to a pension is employed as a regular firefighter.

With regard to re-employment condition 4, the legislation is silent on the definition of “materially different” and HMRC advise that the normal meaning should be applied.

More detailed guidance is included in the HMRC Registered Pension Schemes Manual at

<http://www.hmrc.gov.uk/manuals/rpsmmanual/RPSMO3106064.htm>.

*Communities and Local Government*

*26th January 2010*

\*\* Under the Registered Pension Schemes (Prescribed Schemes and Occupations) Regulations 2005 (SI 2005 No. 3451.



AGENDA ITEM NO 6.vi

**Notice of Motion from Cllrs Brown & Naughton**

**“That the Fire Authority determine the Chair & Deputy Chair of the FAPM  
Scrutiny Group**

**DCO Sally Chapman**

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**SOUTH WALES FIRE & RESCUE AUTHORITY**

AGENDA ITEM NO 6.vii

9 JULY 2018

## REPORT OF THE DEPUTY CHIEF OFFICER

**COMPARTMENT FIRE BEHAVIOUR TRAINING (CFBT) FACILITY****SUMMARY**

Following tender return this report seeks authorisation to increase the allocated budget for the new build project at Cardiff Gate which will provide a CFBT facility to enhance the current training provision.

**RECOMMENDATIONS**

That members approve the increase in budget to support the completion of the CFBT project.

That members approve the transfer of £500k from the change management reserve into the CFBT reserve to bring the total project cost to £5m.

That approval is given for the Deputy Chief Officer to award the contract for the construction phase of the facility.

**1. BACKGROUND**

- 1.1 Members will be aware following previous updates that the design work required to provide a Carbonaceous Fire Behaviour Training (CFBT) facility at Cardiff Gate has been commenced. The facility will have the ability to simulate fires in houses and commercial buildings and enables firefighters to train in a realistic and challenging environment.
- 1.2 The CFBT facility will involve real fire and smoke created by burning timber materials in fixed and mobile cribs. The building includes a smoke treatment system (smoxidiser) which will prevent untreated emissions exiting the building. This is required to ensure compliance with all the legal and environmental conditions of the planning consent.
- 1.3 A SWFRS appointed project design team have been developing the design for the facility and following a procurement exercise a Contractor (ISG) was appointed to finalise the design and provide a costed build package. This stage has now been completed and following a procurement exercise the Contractor has provided a costed proposal for approval. Following approval a build contract will be entered into with the Contractor to construct the facility.

- 1.4 The Deputy Chief Officer has previously been given approval by Fire Authority to proceed and sign the Build Contract, however this approval was based on the current total budget figure of £4.5m.
- 1.5 There have been a number of critical design changes made during the development stage of the project which has resulted in a revised estimated total project cost of £5m.

## **2. ISSUE**

- 2.1 During the initial stages of the CFBT project a high level budget cost was provided which was based on an early concept design, and market engagement. Due to the complex and bespoke nature of the facility there were a number of unknowns relating to the design and planning process that had the potential to impact costs. These elements would be de-risked as part of the detailed design development stage.
- 2.2 To provide a detailed design ready for construction the project team incorporated a combination of lessons learnt from a similar facility operated by London Fire Brigade, direct input from our Breathing Apparatus Team, and significant specialist advice. The concept design subsequently evolved to reflect this detailed process and ensured we had a robust design that fully met the training requirements of SWFRS both now and in the future.
- 2.3 The design changes were significant and included a number of layout changes that enhanced the range of scenarios which the facility can be used for. This includes additional stairwells (of various design) for basement fires and further facilities for ship firefighting including hatches, doors and internal ladders.
- 2.4 It also included removing the welfare classroom from the main building into a standalone welfare building allowing the creation of an additional burn room.
- 2.5 Further design changes were introduced to safeguard instructor welfare. This included the addition of lobbies between fire compartments which act as refuges for instructors and further allow for additional points of entry/exit.
- 2.6 The introduction of a high pressure water system (in addition to the proposed low pressure system) increases the flexibility of the facility. (This system is currently being retrofitted to existing London facilities). Additional systems include an artificial 'cold' smoke capability, which is installed in all areas of the facility and further enhances the overall flexibility.

- 2.7 The training requirement was not the only critical element of the design. Life cycle costing was also a key consideration and the cost of operating and maintaining the facility informed a number of design solutions which have the potential to generate savings from the original estimated running costs over the life of the building.
- 2.8 Throughout the process the design has also had to be refined to deal with a number of planning requirements. The Dormouse Mitigation Strategy and requirements to minimise noise emissions have required costed solutions not originally budgeted for.
- 2.9 The Contractor has now provided their costed proposal for the build which is awaiting acceptance. The total project cost has therefore been received in light of this to the revised budget figure of £5.0m. To ensure the proposal is competitive and provides value for money our appointed cost consultant has reviewed the proposal.

### **3 FINANCIAL IMPLICATIONS**

- 3.1 The previously approved budget of £4.5m was available in a specific earmarked reserve created for this project and contained within the capital programme for 2018/19. The up to date cost certainty forecast following the final tender stage process for construction now increases the budget requirement by £500k to £5.0m for the total project.
- 3.2 Costs incurred to date of £279k have already be drawn from this reserve and the balance remaining will need to be increased to cover the outstanding design and forthcoming construction costs. It is therefore proposed to transfer £500k from the change management reserve into the CFBT reserve to fund the full cost of the project.

### **4. EQUALITY RISK ASSESSMENT**

- 4.1 The equality risk assessments for this project have been completed through the project initiation documentation and design phases.

### **5. RECOMMENDATIONS**

- 5.1 That members approve the increase in budget to support the completion of the CFBT project.
- 5.2 That members approve the transfer of £500k from the change management reserve into the CFBT reserve to bring the total project cost to £5m.

5.3 That approval is given for the Deputy Chief Officer to award the contract for the construction phase of the facility.

<b>Contact Officer:</b>	<b>Background Papers:</b>
Nick Corrigan Property Strategy Manager	None

AGENDA ITEM NO 7

**Reports for Information**

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**SOUTH WALES FIRE & RESCUE AUTHORITY**AGENDA ITEM NO 7.i  
9 JULY 2018

## REPORT OF THE DEPUTY CHIEF OFFICER

**AUDIT OF THE SOUTH WALES FIRE & RESCUE AUTHORITY 2018/19  
IMPROVEMENT PLAN****SUMMARY**

This report advises Members of the issue of the Certificate of Compliance for the audit of the Authority's 2018/19 Improvement Plan (incorporated within the Strategic Plan 2018-2023).

**RECOMMENDATIONS**

That Members note the issue of the Certificate of Compliance for the audit of the Authority's 2018/19 Improvement Plan which is incorporated into its Strategic Plan 2018-2023.

**1. BACKGROUND**

1.1 Members will be aware that under the Local Government (Wales) Measure 2009 (the Measure), the Authority is required to prepare and publish an Improvement Plan describing how it will discharge its duties to:

- Make arrangements to secure continuous improvement in the exercise of its functions;
- Make arrangements to secure achievement of its improvement objectives;
- Make arrangements to exercise its functions so that any performance standards specified by Welsh Ministers is met.

**2. ISSUE**

2.1 As the Authority's Auditor, the Auditor General for Wales, under section 17 and 19 of the Measure, is required to audit the Improvement Plan and in certifying that he has done so, reports whether the Authority has discharged its duty in accordance with Section 15 of the Measure and Statutory Guidance.

2.2 A copy of the Certificate of Compliance for the audit of the Authority's 2018/19 Improvement Plan as issued by the Auditor General is attached as Appendix 1 to this report and concludes that the Authority has effectively discharged its relevant statutory duty in this regard.

### 3. RECOMMENDATION

- 3.1 That Members note the issue of the Certificate of Compliance for the audit of the Authority's 2018/19 Improvement Plan which is incorporated into its Strategic Plan 2018-2023.

<b>Contact Officer:</b>	<b>Background Papers:</b>
Sally Chapman Deputy Chief Officer	None



**Reference:** 559A2018-19

APPENDIX 1

**Date issued:** May 2018

## Audit of South Wales Fire and Rescue Authority's 2018-19 Improvement Plan

### Certificate

I certify that, following publication on 31 March 2018, I have audited South Wales Fire and Rescue Authority's Improvement Plan in accordance with section 17 of the Local Government (Wales) Measure 2009 (the Measure) and my Code of Audit Practice.

As a result of my audit, I believe that the Authority has discharged its duties under section 15(6) to (9) of the Measure and has acted in accordance with Welsh Government guidance sufficiently to discharge its duties.

### Respective responsibilities of the Authority and the Auditor General

Under the Measure, the Authority is required to prepare and publish an Improvement Plan describing its plans to discharge its duties to:

- make arrangements to secure continuous improvement in the exercise of its functions;
- make arrangements to secure achievement of its improvement objectives; and
- make arrangements to exercise its functions so that any performance standard specified by Welsh Ministers is met.

The Measure requires the Authority to publish its Improvement Plan as soon as is reasonably practicable after the 31 December of the year prior to the financial year to which the plan relates, or after such other date as Welsh Ministers may specify by order.

The Authority is responsible for preparing the Improvement Plan and for the information set out within it. The Measure requires that the Authority has regard to guidance issued by Welsh Ministers in preparing and publishing its plan.

As the Authority's auditor, I am required under sections 17 and 19 of the Measure to carry out an audit of the Improvement Plan, to certify that I have done so, and to report whether I believe that the Authority has discharged its duties to prepare and publish an Improvement Plan in accordance with statutory requirements set out in section 15 and statutory guidance.

## Scope of the Improvement Plan audit

For the purposes of my audit work I will accept that, provided an authority meets its statutory requirements, it will also have complied with Welsh Government statutory guidance sufficiently to discharge its duties.

For this audit I am not required to form a view on the completeness or accuracy of information, or whether the Improvement Plan published by the Authority can be achieved. Other assessment work that I will undertake under section 18 of the Measure will examine these issues. My audit of the Authority's Improvement Plan, therefore, comprised a review of the plan to ascertain whether it included elements prescribed in legislation. I also assessed whether the arrangements for publishing the plan complied with the requirements of the legislation, and that the Authority had regard to statutory guidance in preparing and publishing its plan.

The work I have carried out in order to report and make recommendations in accordance with sections 17 and 19 of the Measure cannot solely be relied upon to identify all weaknesses or opportunities for improvement.



**Huw Vaughan Thomas**  
**Auditor General for Wales**

CC: Alun Davies – Cabinet Secretary for Local Government and Public Services

Jeremy Evans, Performance Audit Manager

**END OF YEAR HEALTH CHECK ON PERFORMANCE AND STRATEGIC THEMES 2017/18**

**SUMMARY**

This paper will give assurance to the Members of the Fire & Rescue Authority and Senior Management within South Wales Fire & Rescue Service on progress towards achievement of the Strategic Themes and performance of the Strategic Performance Indicators for 2017/18 as at the end of the financial year.

**RECOMMENDATIONS**

That Members review the performance details and statistical data for 2017/18 contained within this report.

**1. BACKGROUND**

- 1.1 The Welsh Government requires South Wales Fire & Rescue Service to develop Strategic Plans to identify the direction for the Service and address particular areas for improvement. The Service does this by developing a five year Strategic Plan, implementing actions and measuring indicators to enable the Service to achieve these organisational goals.
- 1.2 In 2017/18, all departments linked actions within their annual department plans to the appropriate Strategic Themes. This enables us to measure how well we are performing against these objectives by how many of the linked actions are on target and review how the associated indicators are performing.
- 1.3 Quarterly updates are recorded by action owners onto the Service Planning Framework, and staff within the Engagement, Transformation and Performance Team monitor the information and extract reports accordingly.
- 1.4 To further support the performance management framework, new National Strategic Indicators were introduced for reporting year 2015/16. Together these provide data and information to inform and support decision making processes within the Service to target activity and drive improvement. The Statistics and Risk Team monitors the information and extract reports accordingly.
- 1.5 This report will provide the Fire & Rescue Authority and our Senior Management Team with an end of year health check on performance against the Strategic Themes and Strategic Indicators for 2017/18.

## 2. ISSUE

2.1 For Members' information and taking into account the Well-Being of Future Generations (Wales) Act 2015, the Service has revised the Strategic Plan to include five Strategic Themes as listed below:

ST01 - We will Reduce Risk

ST02 - We will Engage and Communicate

ST03 - We will Nurture Sustainable Resources

ST04 - We will Embrace Technology

ST05 - We will Strengthen Partnerships

2.2 Each of these Strategic Themes has a number of Priority Actions (PA) that the Service monitored progress against in 2017/18. Appendix 1 to this report shows our position in securing the achievement of the Strategic Themes in 2017/18.

2.3 In relation to PA01, there are 6 actions that are green, 0 Amber and 0 red. In relation to PA02, there are 19 green, 11 amber and 0 red actions reported. With regards to PA03, there are 4 green actions, 0 amber actions and 1 red action reported. This gives a total of 29 green actions for ST01, with 11 amber and 1 red report. Therefore the majority were on target at Q4.

2.4 In relation to Strategic Theme 2 to "Engage & Communicate", there is one Priority Action linked to delivering against this objective: PA04 - Undertaking engagement to obtain views on service delivery, risk and priorities. There are 18 green actions, 3 amber and 0 red. Therefore the majority were on target at Q4.

2.5 In relation to Strategic Theme 3 "Nurture Sustainable Resources", there is one Priority Action linked to delivering this objective: PA05 - Ensure that we attract, develop and retain a suitably resilient workforce that reflects our communities and is capable of delivering our services. There are 76 linked actions that are green, 17 amber, 3 red and 4 outstanding reports. Therefore the majority were on target at Q4.

2.6 In relation to Strategic Theme 4 "Embrace Technology", there is one Priority Action linked to delivering this objective: PA06 - Ensuring ICT systems and services available to enable efficiency and support service delivery. There are 37 linked actions that are green, 9 amber and 0 red. Therefore the majority were on target at Q4.

2.7 In relation to Strategic Theme 5 "Strengthen Partnerships", there is one Priority Action linked to delivering this objective: PA07 - Working with others to be more efficient and effective. There are 25 linked actions that

are green, 7 amber and 4 red actions reported. Therefore the majority were on target at Q4.

- 2.8 Appendix 2 attached is a summary of the Performance Monitoring Report which reviews end of year performance against agreed targets for the seven National Strategic Performance Indicators for 2017/18. This summary provides a graphical view of these indicators, trend lines are added comparing the reported year end with the previous 4 years of data. It also includes a summary comment for each indicator.
- 2.9 Appendix 2 identifies that 2 indicators did not achieve their target and performance declined compared to the previous year; 1 indicator improved in comparison to last year but did not achieve the target, and 4 of the indicators have improved compared to last year and performed better than the target.
- 2.10 The two indicators that did not achieve their target and performance declined compared to the previous year were in relation to Other Special Service Calls and Percentage of Dwelling Fires contained to the Room of Origin.
- 2.11 Other Special Service Calls attended have increased from 2,147 in 2016/17 to 2,622 (+22.12%) in 2017/18. Medical Incidents First Responder account for the majority of this increase and have risen from 92 incidents in 2016/17 to 364 (+295.65%) in 2017/18. Effecting Entry has also increased rising from 332 in 2016/17 to 392 (+18.07%) in 2017/18. The Service has not reached the 2100 target set at the start of the year.
- 2.12 Dwelling Fires Confined to the Room of Origin in which they Originated are 1.26% lower than last year. There were 630 dwelling fires in 2017/18 of which 527 were confined to the room of origin (83.65%). This compares to 646 of 762 (84.91%) last year. The Service has not reached the 86% target set at the start of the year.
- 2.13 Appendix 3 attached is a Performance Monitoring Report, April 2017 to March 2018, that will be emailed to each Member to review. It provides further in-depth analysis of incidents by type and by unitary authority area, and also includes full details of the five year trend performance of the National Strategic Indicators and the Indicators of Interest.

### **3. EQUALITY RISK ASSESSMENT**

- 3.1 This report, the accompanying appendices and the targets themselves have no equality risk assessment impact. The Service Performance and Communication Department and the respective directorates are working

with the performance data to establish any trends and implications that would include equality implications. These will be addressed at that time.

- 3.2 It is the responsibility of the action owners to ensure that equality risk assessments are carried out for their actions in the planning framework.


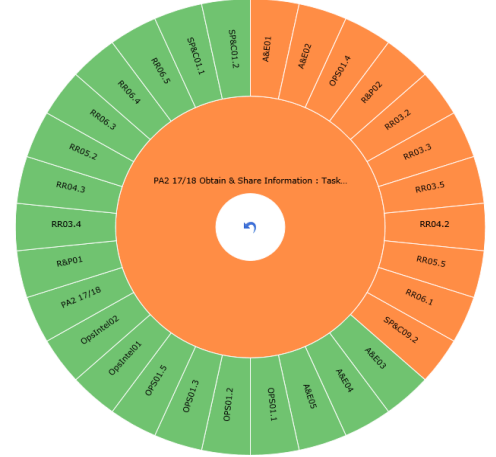

#### 4. RECOMMENDATIONS

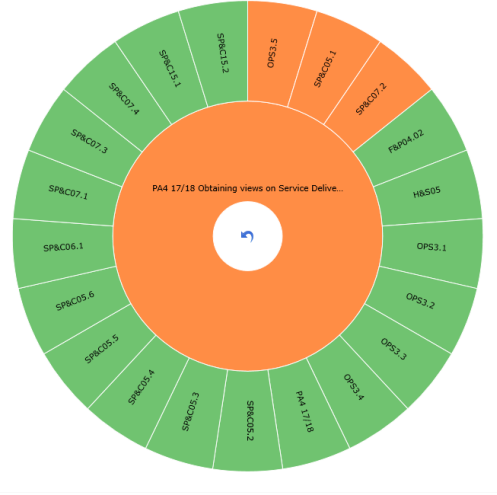
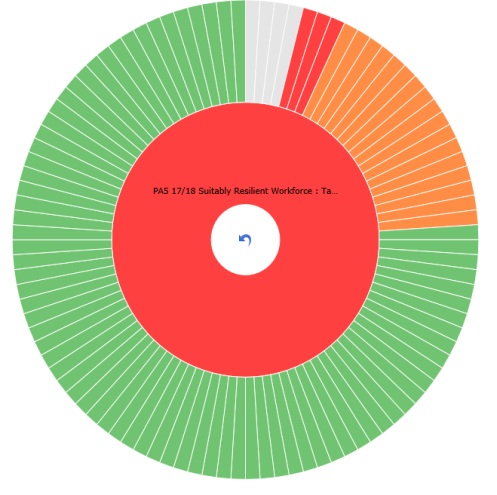
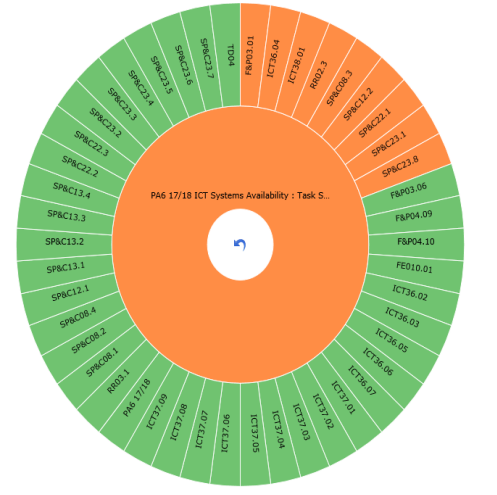
- 4.1 That Members review the performance details and statistical data for 2017/18 contained within this report.

<b>Contact Officer:</b>	<b>Background Papers:</b>
Paul Conway Engagement, Transformation & Performance Officer	<ul style="list-style-type: none"> <li>• Appendix 1 - Position in securing the achievement of the Strategic Themes</li> <li>• Appendix 2 - Summary Performance Monitoring Report 2017/2018</li> <li>• Appendix 3 - Performance Monitoring Report 2017/2018</li> </ul>



Position in securing the achievement of the Improvement Objectives 2016/2017

Strategic Theme	Priority Action	Updates	Comment
<p><b>ST1. Reduce Risk.</b></p>	<p><b>PA01</b> - Reduce the number of deliberate fires.</p>		<p>Red – 0, Amber – 0, Green – 6</p> <p>Deliberate fires in quarter 4 have decreased from 700 in 2016/17 to 580 in 2017/18. This is a decrease of 17%. Total deliberate fires for the year however have increased from 4054 in 2016/17 to 4184 in 2017/18. This is an increase of 3%. The numbers for February this year however, are the highest for 5 years with incidents increasing from 161 in 2017 to 258 (+60%) in February 2018. The numbers for March this year however, have fallen from 338 last year to 158 (-53%) in March 2018. The numbers of deliberate refuse fires have fallen from 358 in quarter 4 last year to 328 (-8%) this year. The numbers for the year have risen from 2183 in 2016/17 to 2321 (+6%) this year. Deliberate grass fires have fallen from 148 in quarter 4 last year to 97 (-34%) this year. The numbers for the year however, have risen from 858 in 2016/17 to 1007 (+17%) this year. Our work targeting areas with high deliberate vehicle fires has also seen a reduction for Q4 with numbers falling from 110 last year to 105 (-4%) this year and total numbers for the year have fallen from 573 in 2016/17 to 466 (-19%) in 2017/18.</p>
	<p><b>PA02</b> - Obtaining and sharing information where possible with other agencies to reduce risk and improve community wellbeing.</p>		<p>Red 0 , Amber 11, Green 19</p> <p>The Wellbeing Plans of each UA within SWFRS area has now been published. Following a trial of 'Safe and Well' visits in Newport and Bridgend UA the Service is now expanding these visits to all UAs. This will improve communication between ourselves, LAs and Health through clear pathways aimed at making vulnerable people safer in the communities. We continue to participate in a trial aimed at assisting Gwent Police in locating vulnerable 'missing persons'. We continue to share information at meetings of the JESG to ensure operational learning across all emergency Services.</p>
	<p><b>PA03</b> - Exploring and understanding the reasons behind fire related injuries and particular the increase in 2015/2016.</p>		<p>Red – 1, Amber -0, Green 4</p> <p>South Wales FRS has seen a reduction in Injuries in Primary Fires per 100,000 Population with injuries falling from 24 in quarter 4 of 2016/17 to 18 in quarter 4 of 2017/18. This is a reduction of 25%. Fires that started in the kitchen accounted for 6 (33%) of the injuries in quarter 4 of 2017/18. Serious injuries have increased from 1 to 4 (+300%) and slight injuries have fallen from 23 to 14 (-39%) in quarter 4 compared to last year.</p> <p>The total injuries for the year have also fallen from 85 in 2016/17 to 65 in 2017/18. This is a reduction of 24%. Serious injuries have reduced from 15 to 12 (-20.00%) and slight injuries have reduced from 70 to 53 (-24%) compared to 2016/17.</p> <p>South Wales FRS has also seen a reduction in Injuries in Accidental Dwelling Fires per 100,000 with injuries falling from 15 in quarter 4 of 2016/17 to 11 in quarter 4 of 2017/18. This is a reduction of 27%. The number of slight injuries has reduced from 14 in quarter 4 of 2016/17 to 8 in quarter 4 of 2017/18. This represents a reduction of 43%. The number of serious injuries in quarter 4 however, has increased from 1 in quarter 4 of 2016/17 to 3 in quarter 4 of 2017/18, an increase of 200%.</p> <p>Total injuries for the year in Accidental Dwelling Fires per 100,000 have fallen from 61 in 2016/17 to 41 in 2017/18, a reduction of 33%. Serious injuries have reduced from 8 to 7 (-12.50%) and slight injuries have reduced from 53 to 34 (-36%).</p>

Strategic Theme	Priority Action	Updates	Comment
<p><b>ST2. Engage &amp; Communicate</b></p>	<p><b>PA04</b> - Undertaking engagement to obtain views on service delivery, risk and priorities.</p>		<p>Red- 0, Amber – 3, Green – 18</p> <p>Business Fire Safety and Community Fire Safety continue to support partners, tenants and local premise owners impacted by the re-inspection and audit of premises following the Grenfell tragedy. Continued engagement with establishments and public bodies who experience a high number of AFA's continues with the aim of reducing these to an acceptable level. Work continues apace with staff and public in relation to increasing the number of on call firefighters we employ. Various recruitment videos have been launched. We continue to actively engage in the work of our nine Public Service Boards and scrutiny of their nine Wellbeing Plans has taken place by our Finance, Audit &amp; Performance Management Committee, the outcomes of which were approved by Fire Authority. Analysis of the engagement work undertaken with staff and stakeholders in relation to our new internet site has been undertaken and is being used to design the new framework for this. Engagement with a large number of external partners and stakeholders about our UKRO and community safety event.</p>
<p><b>ST3. Nurture Sustainable Resources</b></p>	<p><b>PA05</b> - Ensure that we attract, develop and retain a suitably resilient workforce that reflects our communities and is capable of delivering our services</p>		<p>Red – 3, Amber – 17, Green – 76, Not reported – 4 Awaiting Updates</p> <p>Work continues at a pace with staff and public in relation to increasing the number of on call firefighters we employ. Various recruitment videos have been launched. Much work has been done to facilitate a quicker recruitment process for this group of staff, embracing technology as a solution. Feedback was received by the SMT on the IIP assessment and preparations are in place to inform all staff of all the outcomes and findings. New appraisal formats are being finalised for launch in the new financial year.</p> <p>Proposals for the new Compartment Fire Behaviour Training Unit are progressing, with tender returns for construction of the facility awaited. We have launched our Fire Service Improvement Strategies delivery plan which has been approved by the Fire Authority. We are establishing a Diversity, Equality and Inclusion Group to oversee the implementation of these strategies.</p>
<p><b>ST4. Embrace Technology</b></p>	<p><b>PA06</b> - Ensuring ICT systems and services available to enable efficiency and support service delivery.</p>		<p>Red- 0, Amber -9, Green - 37</p> <p>All systems available.</p>

Strategic Theme	Priority Action	Updates	Comment
<p><b>ST5.</b> Strengthen Partnerships</p>	<p><b>PA07</b> - Working with others to be more efficient and effective</p>		<p>Red – 4, Amber – 5, Green – 25.</p> <p>We have continued to work closely with partners in the aftermath of the Grenfell tragedy to ensure that the public of South Wales are safe. We continue to actively engage in the work of our nine Public Service Boards and scrutiny of their 9 Wellbeing Plans has taken place by our Finance, Audit &amp; Performance Management Committee, the outcomes of which were approved by Fire Authority. These plans aim to improve the wellbeing of each respective area. Work is progressing jointly between Fire Services to implement the new GDP Regulations that come into force in May 2018. Collaborative Welsh Language training has taken place with our Police Partners to improve the Welsh Language skills of our staff with an aim of improving service delivery through the medium of Welsh. Early discussions have been commenced on an emergency services Occupational Health provision with South Wales Police and Gwent Police and an options paper is being drafted.</p>

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Performance Monitoring Report 2017/2018 (Quarter 1 - 4)

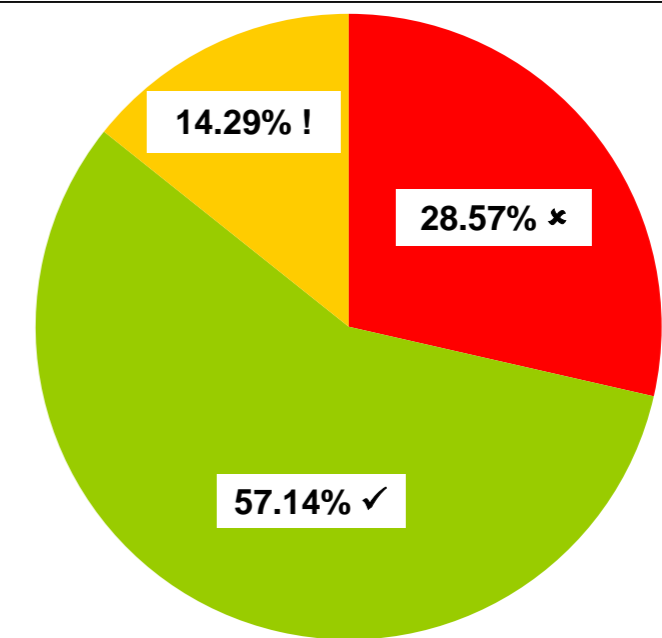
This is the Performance Monitoring Report for the full year 2017/18. The report highlights the organisation's performance against the Strategic Indicators set by Welsh Government for the period April 2017 to March 2018.

The performance against the indicators within this report cover five years of data, to enable us to demonstrate how the organisation is performing for the communities it serves by showing long term trends in performance.

Following consideration by the Senior Management Team and the Fire and Rescue Authority, the report is made available to the public via the internet.

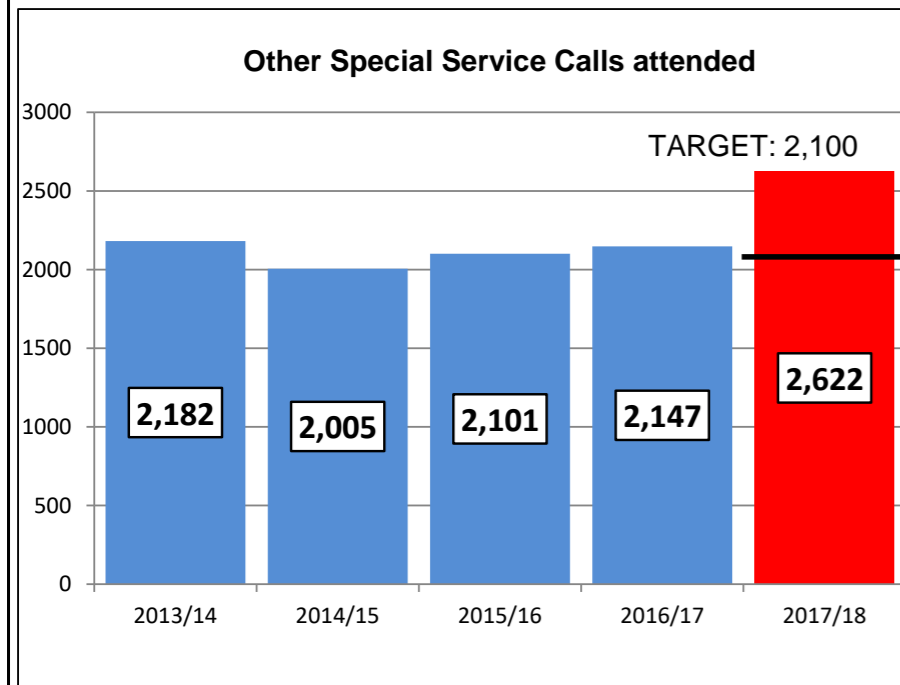
The Service Performance & Communications department co-ordinates and compiles this report on behalf of the Corporate Services Directorate. All information is extracted from updated Directorate quarterly Service Plans and the data sets are maintained and validated by the Statistics and Risk team.

Strategic Indicators 2017/2018 – Performance Q1 - Q4

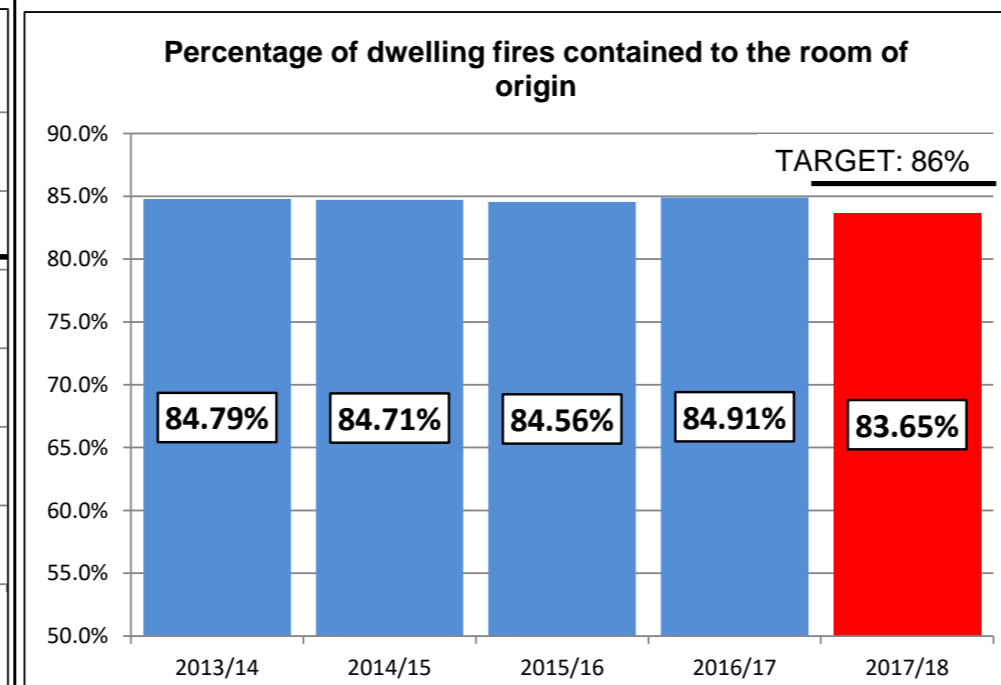


Performance	Indicator Type	Description
✗	Fire Measures	Total other SSC incidents attended per 10,000 population
✗	Fire Measures	The percentage of dwelling fires which were contained in the room in which they originated.
!	Fire Measures	Total Road Traffic Collisions attended per 10,000 population
✓	Deaths and Injuries	Total number of deaths and injuries arising from all fires per 100,000 population
✓	Deaths and Injuries	Total number of Deaths and Injuries Arising From Accidental Fires per 100,000.
✓	Fire Measures	All fires attended per 10,000 population
✓	Fire Measures	Total false alarms attended per 10,000 population

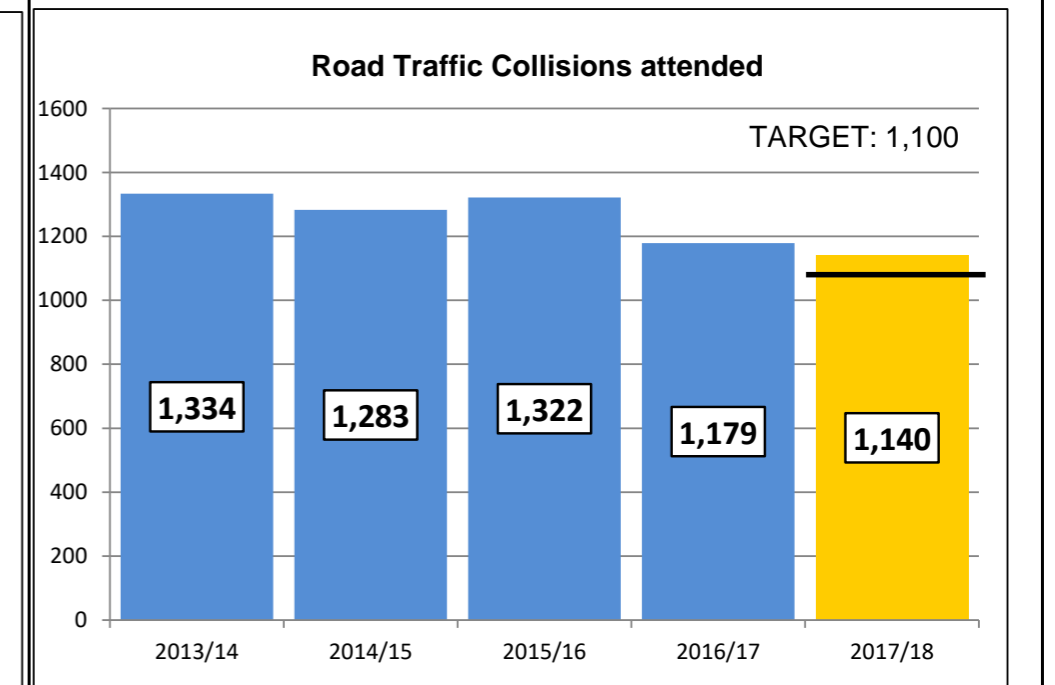
✗	Indicator(s) are not expected to achieve the target. (2)
!	Indicator(s) are improving in comparison to last year but are at risk of not achieving the target (1)
✓	Indicator(s) are expected to achieve the target. (4)



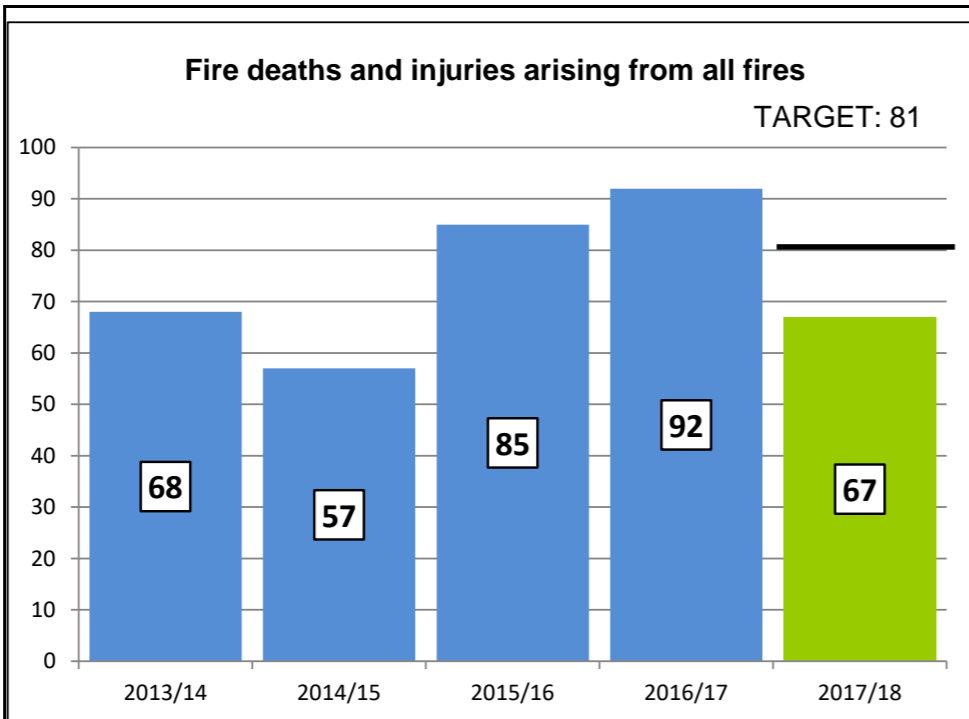
Other Special Service Calls attended have increased from 2,147 in 2016/17 to 2,622 (+22.12%) in 2017/18. Medical incidents first responder account for the majority of this increase and have risen from 92 incidents in 2016/17 to 364 (+295.65%) in 2017/18. Effecting entry has also increased rising from 332 in 2016/17 to 392 (+18.07%) in 2017/18. The service has not reached the 2100 target set at the start of the year.



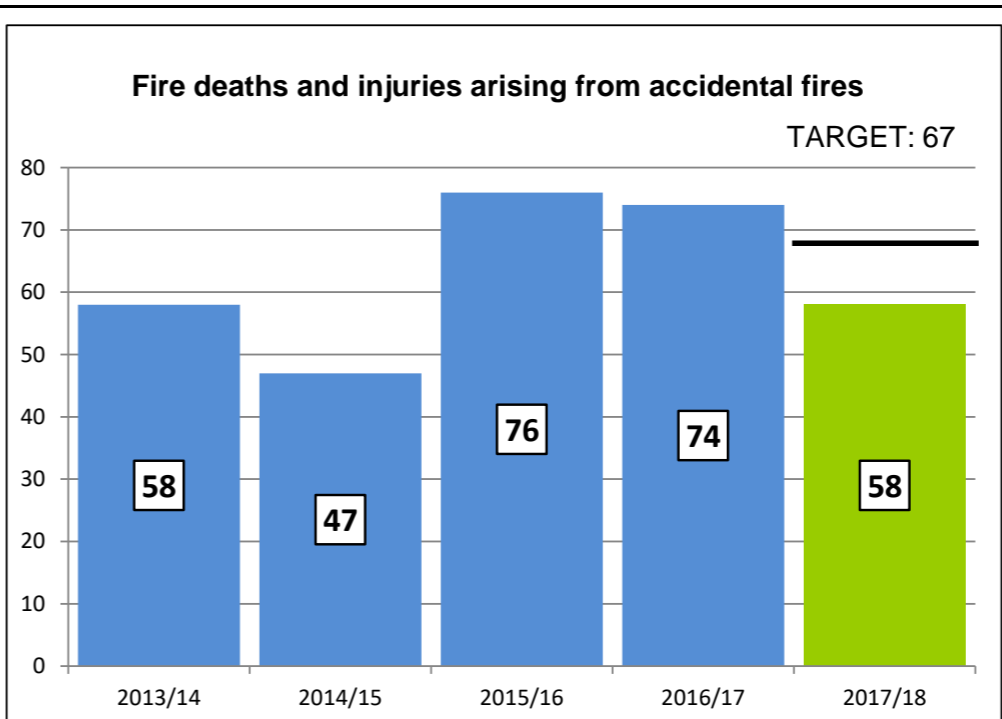
Dwelling fires confined to the room of origin in which they originated are 1.26% lower than last year. There were 630 dwelling fires in 2017/18 of which 527 were confined to the room of origin (83.65%). This compares to 646 of 762 (84.91%) last year. The service has not reached the 86% target set at the start of the year.



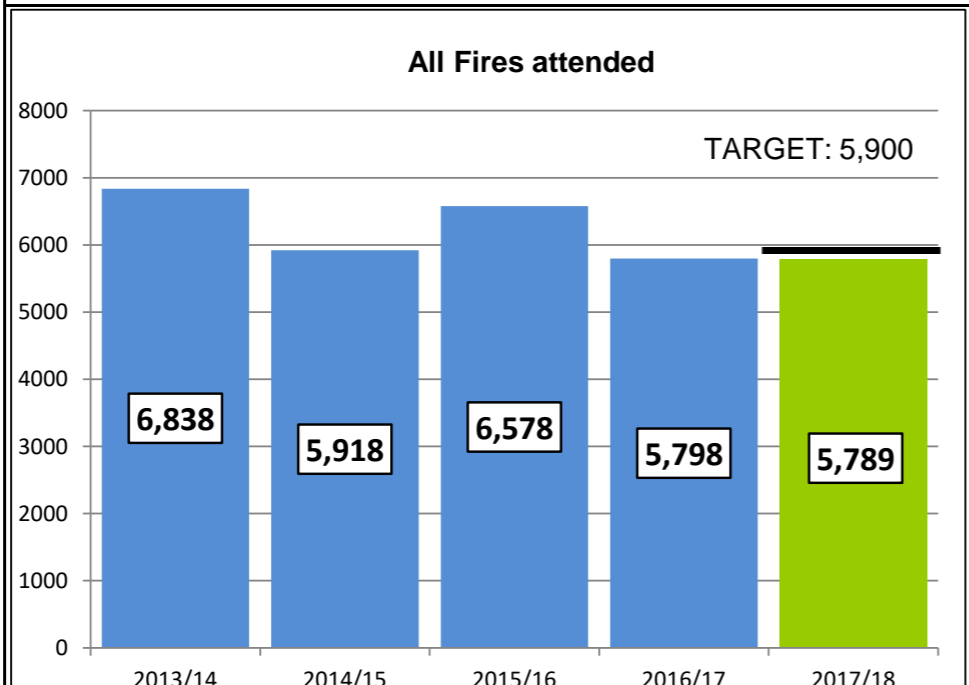
RTCs attended have decreased from 1,179 in 2016/17 to 1,140 in 2017/18. This is a reduction of 39 (-3.31%) compared to last year. Extrication and release of persons accounted for 205 (17.98%) of 1,140 total RTCs attended in 2017/18 compared to 206 of 1,179 (17.47%) in 2016/17. The total this year is 1,140, which has exceeded the target set at the start of the year of 1,100 but is improving compared to the 1,179 last year.



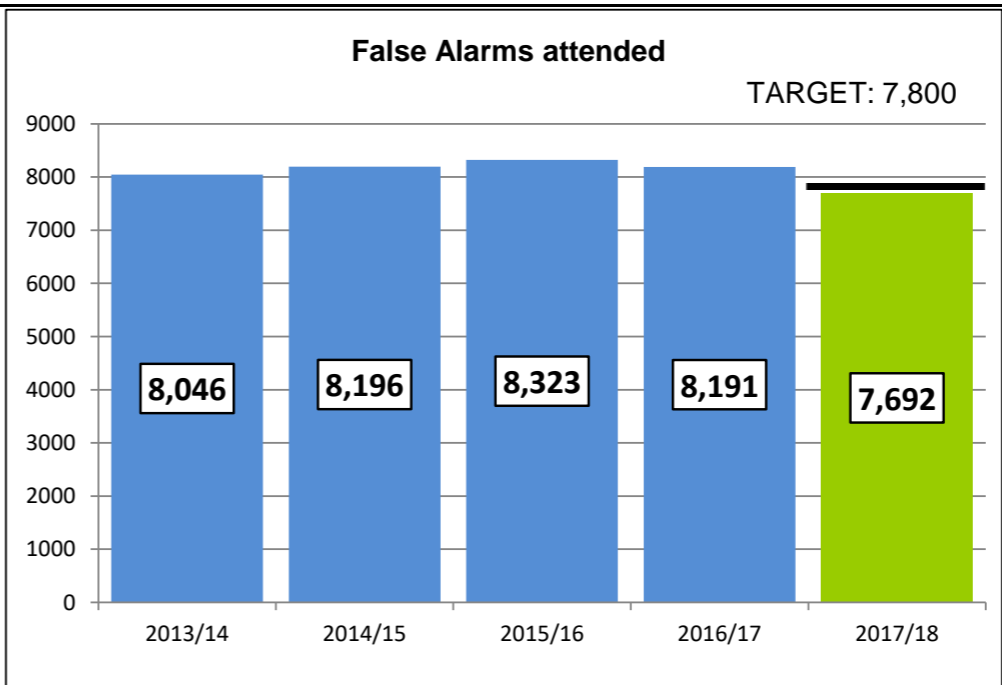
Total fire deaths and injuries have fallen from 92 in 2016/17 to 67 (-27.17%) in 2017/18. Fatalities have reduced from 7 last year to 2 (-71.42%) this year. Serious injuries have fallen from 15 to 12 (-20.00%) and slight injuries have fallen from 70 to 53 (-24.28%) compared to last year. The 67 injuries for 2017/18 is 14 below the target of 81 set at the start of the year.



Total accidental fire deaths and injuries have fallen from 74 in 2016/17 to 58 (-21.62%) in 2017/18. There has been 2 accidental fatalities in 2017/18 which was 1 lower than last year. Accidental serious injuries have increased from 11 in 2016/17 to 12 (+9.09%) this year. Slight injuries have fallen from 60 to 44 (-26.66%) compared to last year. The 58 injuries for 2017/18 is 9 below the target of 67 set at the start of the year.



Total fires attended have decreased by 9 (-0.16%) compared to last year. Refuse fires have increased from 2350 to 2493 (+6.09%) and grass fires have increased from 931 to 1,084 (+16.43%). Road Vehicle fires have decreased from 941 to 797 (-15.30%). Refuse fires (2,493) have accounted for 43.06% of all fires attended in 2017/18 and grass fires (1,084) have accounted for 18.72% of all fires attended in 2017/18. The 5,789 total fires figure for the year is below the target of 5,900 set at the start of the year. A Refuse fire working group has been set up to identify trends and patterns in this type of fire and to hopefully reduce this type of incident.



False Alarms attended have decreased by 499 (-6.09%) compared to last year. False alarms due to apparatus have fallen from 5,425 to 4,696 (-13.44%) compared to last year. False alarms due to apparatus in hospitals have fallen from 980 last year to 791 (-19.29%) this year. The 7,692 total false alarm figure for the year to date is below the target set at the start of the year of 7,800.

**\*\*\* Please note that all figures in this report were extracted on 1st June 2018 and are therefore provisional and subject to change, following further data collection and quality assurance**



Gwasanaeth Tân ac Achub  
**De Cymru**



**South Wales**  
Fire and Rescue Service

# Performance Monitoring Report 2017/2018

April 2017 to March 2018

Q1 - Q4

This is the Performance Monitoring Report for the year 2017/18 and it highlights performance for the period April 2017 to March 2018. The report includes:

- Analysis of incident activity levels by Unitary Authority Area (UAA).
  - Details the number and type of incidents that SWFRS have attended in each UAA.

The performance indicators that are included in the appendices of this report show five years of data to enable us to demonstrate how the organisation is performing for the communities it serves by showing long term trends in performance.

Following consideration by the Senior Management Team and the Fire and Rescue Authority, the report is made available to the public via the internet.

The Service Performance & Communications department co-ordinates and compiles this report on behalf of the Service Delivery Directorate. All information is extracted from updated Directorate quarterly Service Plans and the data sets are maintained and validated by the Statistics and Risk team.

We are continually seeking to improve this report and would welcome comments on additional information or other changes that you would like to see included in the future. Please feel free to contact Neil Herniman on 01443 232775 or Jon Carter 01443 232347 with these comments.



Incident Categories	2016/2017	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Year Total	Q1	Q2	Q3	Q4	16/17 vs 17/18
<b>Total Incidents</b>	1027	145	100	88	74	74	65	78	105	74	63	56	86	1008	333	213	257	205	- 19
<b>Special Service Calls (SSC)</b>	142	17	14	19	13	13	17	12	15	15	12	12	43	202	50	43	42	67	+ 60
SSC - Road Traffic Collisions	55	5	5	3	4	1	5	5	4	5	6	7	5	55	13	10	14	18	0
SSC - Other	87	12	9	16	9	12	12	7	11	10	6	5	38	147	37	33	28	49	+ 60
<b>False Alarms</b>	382	40	31	28	27	31	30	33	35	33	27	15	28	358	99	88	101	70	- 24
Malicious False Alarms	9	0	2	0	1	4	3	6	3	0	0	0	0	19	2	8	9	0	+ 10
Good Intent False Alarms	177	25	17	13	18	12	9	9	18	11	9	3	9	153	55	39	38	21	- 24
Automatic Fire Alarms	196	15	12	15	8	15	18	18	14	22	18	12	19	186	42	41	54	49	- 10
<b>Fires</b>	503	88	55	41	34	30	18	33	55	26	24	29	15	448	184	82	114	68	- 55
Deliberate Fires	420	81	47	36	31	25	16	30	48	23	22	25	9	393	164	72	101	56	- 27
Accidental Fires	83	7	8	5	3	5	2	3	7	3	2	4	6	55	20	10	13	12	- 28
All Fatalities + Injuries	3	0	1	0	0	1	0	0	0	0	0	0	0	2	1	1	0	0	- 1
Accidental Fatalities + Injuries	3	0	0	0	0	1	0	0	0	0	0	0	0	1	0	1	0	0	- 2

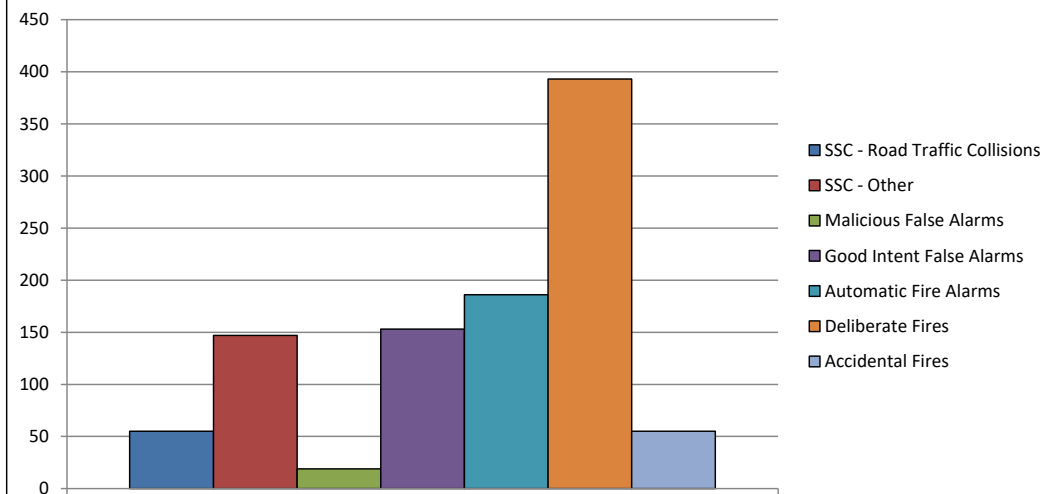
### Notes

The total number of incidents attended in Blaenau Gwent during 2017/18 was 19 lower (-1.85%) than last year.

The number of Other Special Service calls attended in Blaenau Gwent has risen from 87 in 2016/17 to 147 (+68.96%) in 2017/18. March (38) saw a spike in incidents with flooding (18) and assisting other agencies (10) accounting for the majority.

The number of deliberate fires attended during 2017/18 was 27 lower (-6.42%) than we attended during 2016/17. Deliberate fires accounted for 393 of 1008 total incidents attended during the year (38.98%)

### Quarter 1 - 4 2017/2018



Cyngor Bwrdeisdref Sirol  
**Blaenau Gwent**  
County Borough Council

Key -

- Shows a reduction when compared to a previous period
- Shows an increase when compared to a previous period
- Shows no change when compared to a previous period



Incident Categories	2016/2017	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Year Total	Q1	Q2	Q3	Q4	16/17 vs 17/18
<b>Total Incidents</b>	1527	171	172	126	135	116	111	119	100	103	96	111	106	1466	469	362	322	313	- 61
<b>Special Service Calls (SSC)</b>	318	31	27	26	25	28	24	27	16	24	28	14	41	311	84	77	67	83	- 7
SSC - Road Traffic Collisions	113	12	4	7	7	10	14	7	5	10	12	8	14	110	23	31	22	34	- 3
SSC - Other	205	19	23	19	18	18	10	20	11	14	16	6	27	201	61	46	45	49	- 4
<b>False Alarms</b>	786	62	69	66	71	60	56	53	46	50	51	59	42	685	197	187	149	152	- 101
Malicious False Alarms	15	4	0	0	1	4	2	1	2	0	0	0	2	16	4	7	3	2	+ 1
Good Intent False Alarms	236	27	39	26	28	21	14	15	21	17	20	28	13	269	92	63	53	61	+ 33
Automatic Fire Alarms	535	31	30	40	42	35	40	37	23	33	31	31	27	400	101	117	93	89	- 135
<b>Fires</b>	423	78	76	34	39	28	31	39	38	29	17	38	23	470	188	98	106	78	+ 47
Deliberate Fires	261	66	61	27	22	19	19	25	30	12	4	21	16	322	154	60	67	41	+ 61
Accidental Fires	162	12	15	7	17	9	12	14	8	17	13	17	7	148	34	38	39	37	- 14
All Fatalities + Injuries	5	1	0	1	0	1	0	0	0	0	0	0	1	4	2	1	0	1	- 1
Accidental Fatalities + Injuries	2	1	0	1	0	1	0	0	0	0	0	0	1	4	2	1	0	1	+2

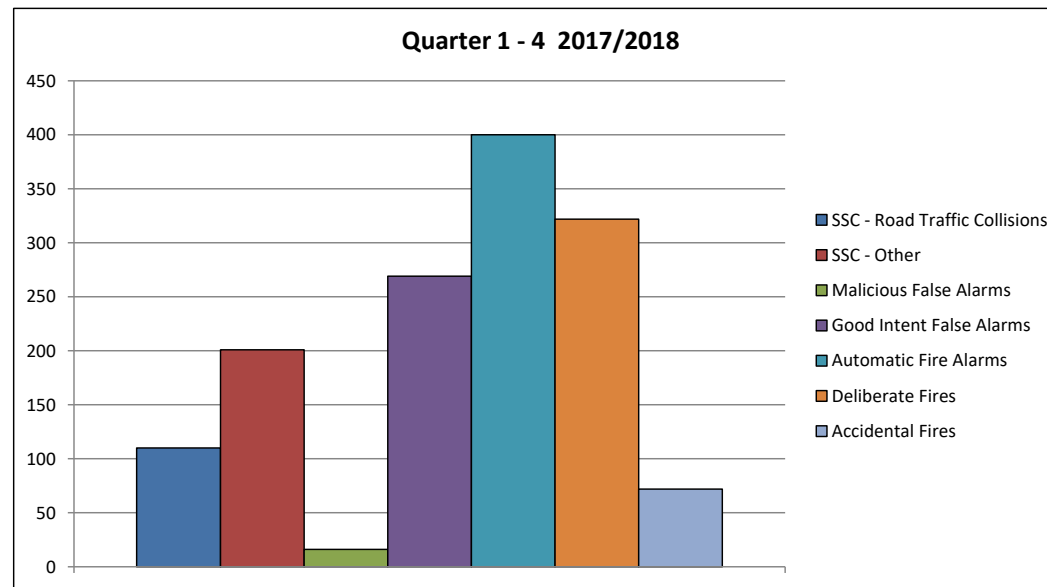
**Notes**

The total number of incidents attended in Bridgend during 2017/18 was 61 lower than the number attended during the same period of last year (-3.99%).

The number of false alarms attended during 2017/18 has decreased by 101 (-12.84%) compared to last year. The number of automatic fire alarms attended decreased by 135 (-25.23%). The 400 automatic fire alarms attended accounted for 27.28% of the total incidents attended in Bridgend in 2017/18.

The number of deliberate fires has increased by 61 (+23.37%) compared to last year. Refuse fires increased from 91 to 145 (+59.34%) and grass fires increased from 80 to 108 (+35.00%) and these 2 types of incident account for the majority of this increase.

The number of accidental fire fatalities and injuries recorded has increased by 2 (+100%) compared to last year.



Cyngor Bwrdeistref Sirol



Key -

- Shows a reduction when compared to a previous period
- Shows an increase when compared to a previous period
- Shows no change when compared to a previous period

Incident Categories	2016/ 2017	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Year Total	Q1	Q2	Q3	Q4	16/17 vs 17/18
<b>Total Incidents</b>	1738	307	179	170	150	142	115	149	153	118	107	119	114	1823	656	407	420	340	+ 85
<b>Special Service Calls (SSC)</b>	298	29	30	37	28	39	25	27	25	29	28	28	27	352	96	92	81	83	+ 54
SSC - Road Traffic Collisions	125	11	7	12	6	12	11	15	14	10	16	12	0	126	30	29	39	28	+ 1
SSC - Other	173	18	23	25	22	27	14	12	11	19	12	16	27	226	66	63	42	55	+ 53
<b>False Alarms</b>	636	79	51	76	57	54	48	60	51	53	40	37	47	653	206	159	164	124	+ 17
Malicious False Alarms	35	5	2	8	2	1	2	3	2	4	1	0	2	32	15	5	9	3	- 3
Good Intent False Alarms	263	52	30	35	32	26	14	23	32	24	20	20	16	324	117	72	79	56	+ 61
Automatic Fire Alarms	338	22	19	33	23	27	32	34	17	25	19	17	29	297	74	82	76	65	- 41
<b>Fires</b>	804	199	98	57	65	49	42	62	77	36	39	54	40	818	354	156	175	133	+ 14
Deliberate Fires	639	183	79	43	53	36	29	46	61	21	27	44	26	648	305	118	128	97	+ 9
Accidental Fires	165	16	19	14	12	13	13	16	16	15	13	10	14	171	49	38	47	37	+ 6
All Fatalities + Injuries	16	3	0	0	1	1	1	0	1	2	0	1	1	11	3	3	3	2	- 4
Accidental Fatalities + Injuries	14	3	0	0	1	1	1	0	1	2	0	1	0	10	3	3	3	1	- 4

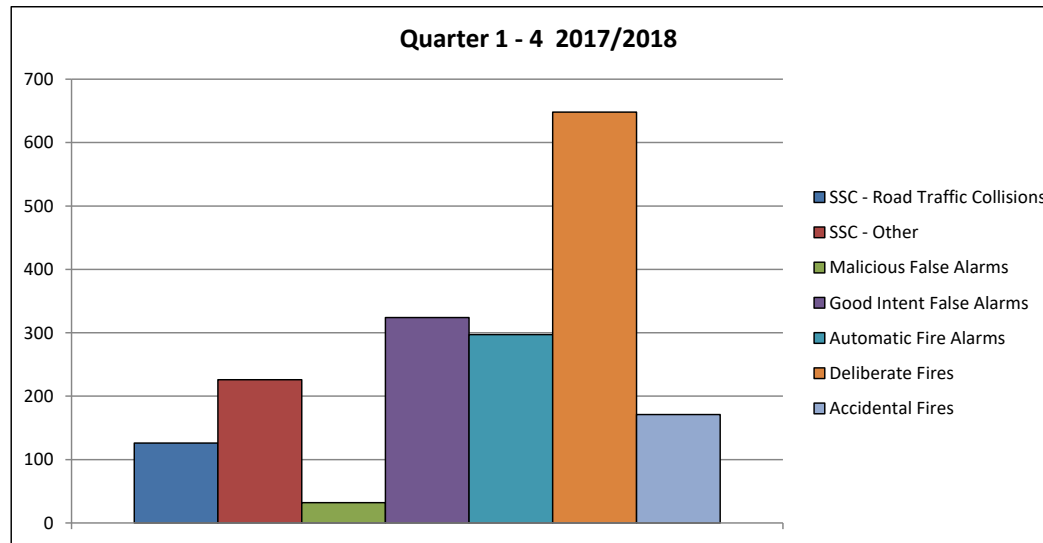
**Notes**

The total number of incidents attended in Caerphilly during 2017/18 was 85 higher than the number attended during last year (+4.89%) .

The number of fatalities and serious injuries for the year has decreased from 16 in 2016/17 to 11 (-25.00%) in 2017/18.

The number of false alarms attended during the year increased by 17 (+2.67%) compared to last year. The number of automatic fire alarms attended has decreased by 41 (-12.13%).

The number of fires attended during 2017/18 has increased by 14 (+1.74%) compared to the same period last year. Deliberate fires account for 648 of the 1823 incidents attended in Caerphilly (35.54%).



Key -

Shows a reduction when compared to a previous period

Shows an increase when compared to a previous period

Shows no change when compared to a previous period



Incident Categories	2016/2017	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Year Total	Q1	Q2	Q3	Q4	16/17 vs 17/18
<b>Total Incidents</b>	4070	415	376	374	383	342	317	374	368	320	274	268	311	4122	1165	1042	1062	853	+ 52
<b>Special Service Calls (SSC)</b>	769	69	70	90	78	77	75	86	68	68	53	55	98	887	229	230	222	206	+ 118
SSC - Road Traffic Collisions	235	16	19	11	21	16	18	26	19	19	17	16	17	215	46	55	64	50	- 20
SSC - Other	534	53	51	79	57	61	57	60	49	49	36	39	81	672	183	175	158	156	+ 138
<b>False Alarms</b>	2299	181	178	179	199	162	162	181	194	206	176	144	163	2125	538	523	581	483	- 174
Malicious False Alarms	95	5	9	7	5	6	2	8	5	11	7	7	3	75	21	13	24	17	- 20
Good Intent False Alarms	550	65	50	63	64	43	39	43	79	67	59	49	48	669	178	146	189	156	+ 119
Automatic Fire Alarms	1654	111	119	109	130	113	121	130	110	128	110	88	112	1381	339	364	368	310	- 273
<b>Fires</b>	1002	165	128	105	106	103	80	107	106	46	45	69	50	1110	398	289	259	164	+ 108
Deliberate Fires	609	112	95	75	69	64	53	78	78	22	21	43	30	740	282	186	178	94	+ 131
Accidental Fires	393	53	33	30	37	39	27	29	28	24	24	26	20	370	116	103	81	70	- 23
All Fatalities + Injuries	28	5	2	1	1	1	0	1	4	1	1	2	0	19	8	2	6	3	- 7
Accidental Fatalities + Injuries	23	5	1	0	1	1	0	1	4	1	1	1	0	16	6	2	6	2	- 7

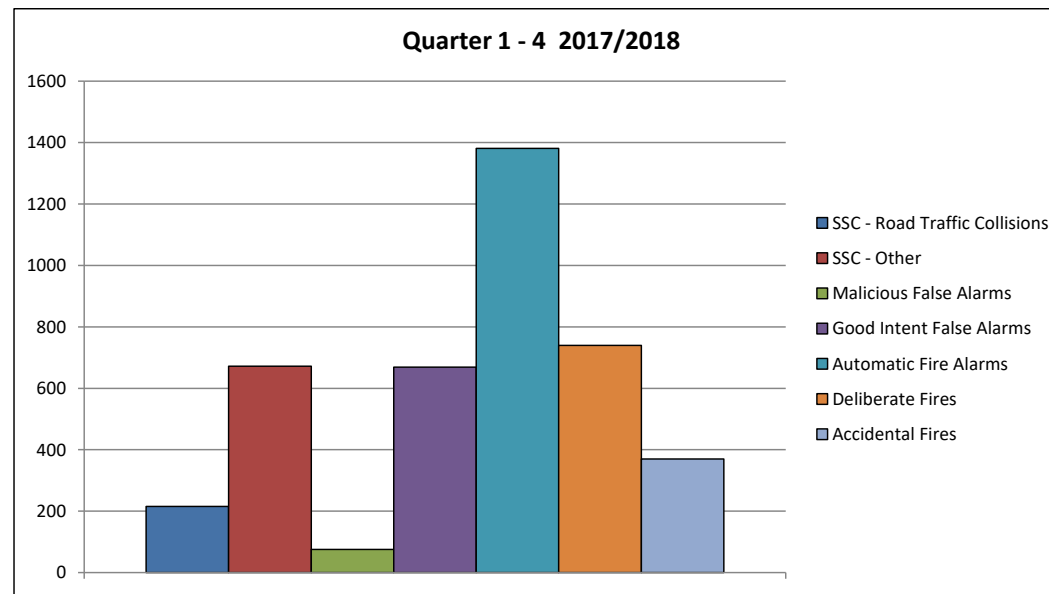
**Notes**

The total number of incidents attended in Cardiff during the year was 52 higher (+1.27%) than last year.

The number of Other Special Service calls attended during the year was 138 higher (+25.84%) than last year. Medical Incidents attended increased from 26 to 81 (+211.54%), effecting entry increased from 110 to 120 (+9.09%) and flooding incidents increased form 46 to 62 (+34.78%) compared to last year.

The number of Automatic Fire Alarm calls attended during 2017/18 has decreased by 273 (-16.50%) compared to last year. The 1381 incidents attended accounted for 33.50% of all incidents attended in 2017/18.

The number of fires attended during 2017/18 has increased by 108 (+10.77%) compared to last year. Deliberate fires increased by 131 (+21.50%) with deliberate refuse fires accounting for 453 of the 740 incidents (61.22%)



Key -

Shows a reduction when compared to a previous period  
Shows an increase when compared to a previous period  
Shows no change when compared to a previous period

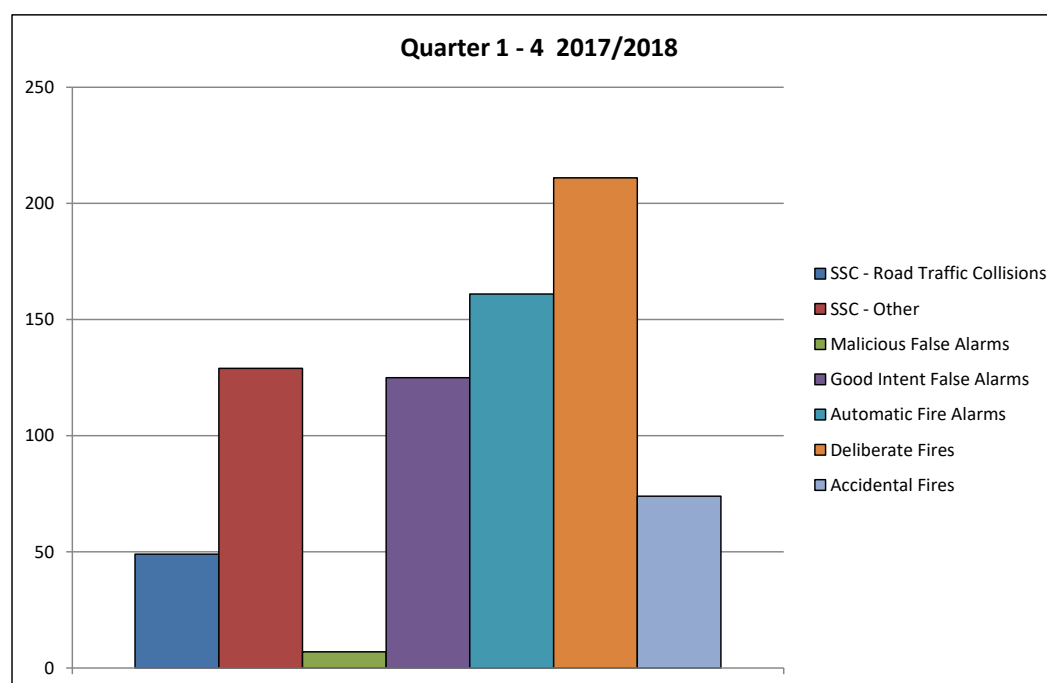
Incident Categories	2016/2017	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Year Total	Q1	Q2	Q3	Q4	16/17 vs 17/18
<b>Total Incidents</b>	765	117	84	65	93	47	51	57	47	44	41	47	63	756	266	191	148	151	-9
<b>Special Service Calls (SSC)</b>	142	13	21	20	30	13	19	9	6	11	8	10	18	178	54	62	26	36	+36
SSC - Road Traffic Collisions	49	4	4	4	10	5	5	5	2	4	3	0	3	49	12	20	11	6	0
SSC - Other	93	9	17	16	20	8	14	4	4	7	5	10	15	129	42	42	15	30	+36
<b>False Alarms</b>	319	34	23	32	32	17	22	33	20	21	13	16	30	293	89	71	74	59	-26
Malicious False Alarms	20	3	0	1	0	0	1	1	1	0	0	0	0	7	4	1	2	0	-13
Good Intent False Alarms	104	19	12	12	16	5	14	15	10	5	2	8	7	125	43	35	30	17	+21
Automatic Fire Alarms	195	12	11	19	16	12	7	17	9	16	11	8	23	161	42	35	42	42	-34
<b>Fires</b>	304	70	40	13	31	17	10	15	21	12	20	21	15	285	123	58	48	56	-19
Deliberate Fires	241	60	37	8	22	11	9	8	17	7	17	9	6	211	105	42	32	32	-30
Accidental Fires	63	10	3	5	9	6	1	7	4	5	3	12	9	74	18	16	16	24	+11
All Fatalities + Injuries	2	0	0	0	1	0	0	0	0	0	1	2	0	4	0	1	0	3	+2
Accidental Fatalities + Injuries	2	0	0	0	1	0	0	0	0	0	1	2	0	4	0	1	0	3	+2

**Notes**

The total number of incidents attended in Merthyr Tydfil during 2017/18 was 9 lower (-1.17%) than during last year.

The number of Other Special Service calls attended during 2017/18 was 36 (+38.70%) higher than the number attended during last year. Effecting entry increased from 11 in 2016/17 to 21 (+90.91%) in 2017/18. Flooding, 6 to 13 (+116.67%) and medical incidents, 4 to 14 (+250.00%) also showed increases compared to last year.

Deliberate fires accounted for 211 of the 756 (27.91%) total incidents attended in 2017/18. Deliberate fires have though reduced from 241 to 211 (-12.44%) compared to last year, with deliberate car fires reducing from 28 to 12 (-57.14%). Deliberate refuse fires (54.50%) accounted for the majority of the total deliberate fires in 2017/18.



Key -

Shows a reduction when compared to a previous period

Shows an increase when compared to a previous period

Shows no change when compared to a previous period



# Monmouthshire Council

## Performance Monitoring Report 2017/2018

Incident Categories	2016/2017	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Year Total	Q1	Q2	Q3	Q4	16/17 vs 17/18
<b>Total Incidents</b>	1043	72	94	75	92	73	81	84	67	63	57	67	84	909	241	246	214	208	- 134
<b>Special Service Calls (SSC)</b>	278	16	26	21	22	20	20	19	19	20	23	23	27	256	63	62	58	73	- 22
SSC - Road Traffic Collisions	87	6	12	7	7	5	9	10	12	8	12	9	9	106	25	21	30	30	+ 19
SSC - Other	191	10	14	14	15	15	11	9	7	12	11	14	18	150	38	41	28	43	- 41
<b>False Alarms</b>	565	42	49	48	48	36	44	50	34	29	22	27	41	470	139	128	113	90	- 95
Malicious False Alarms	7	0	2	1	2	0	0	2	0	0	0	0	1	8	3	2	2	1	+ 1
Good Intent False Alarms	113	14	9	10	14	13	13	11	9	8	6	9	10	126	33	40	28	25	+ 13
Automatic Fire Alarms	445	28	38	37	32	23	31	37	25	21	16	18	30	336	103	86	83	64	- 109
<b>Fires</b>	200	14	19	6	22	17	17	15	14	14	12	17	16	183	39	56	43	45	- 17
Deliberate Fires	64	3	5	1	10	6	9	6	8	2	1	3	3	57	9	25	16	7	- 7
Accidental Fires	136	11	14	5	12	11	8	10	6	12	11	14	13	127	30	31	28	38	- 9
All Fatalities + Injuries	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	- 1
Accidental Fatalities + Injuries	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	- 1

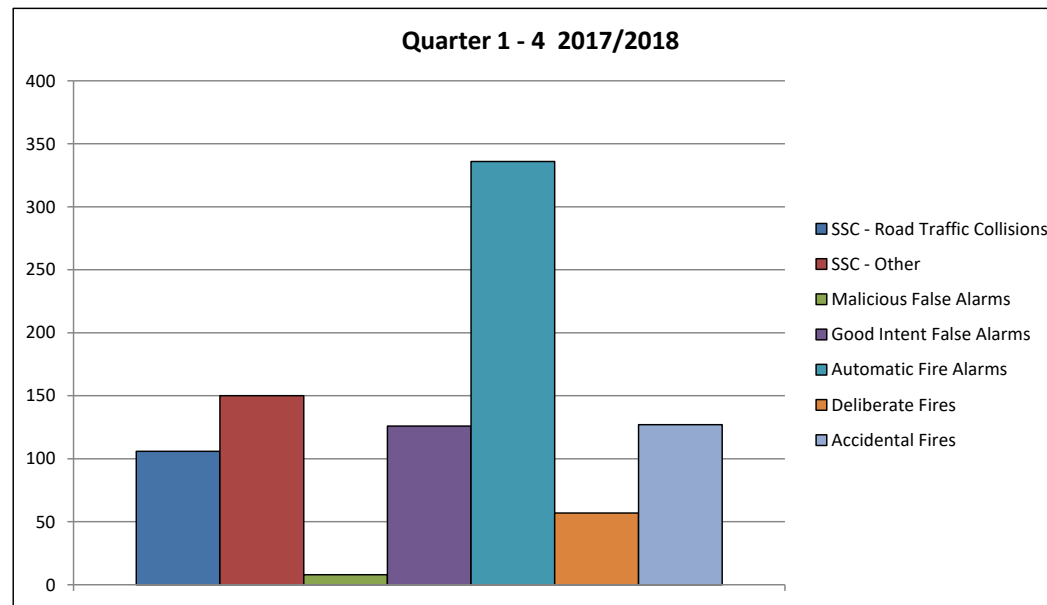
**Notes**

The total number of incidents attended in Monmouthshire during 2017/18 was 134 lower (-12.84%) than during last year.

The number of false alarms attended during 2017/18 was 95 lower (-16.81%) than last year. The number of automatic fire alarms attended was also 109 lower (-24.49%) than the number attended last year.

The number of road traffic collisions attended during 2017/18 was 19 higher (+21.83%) than the number attended during last year. Of the 106 incidents 31 were making the vehicle safe and 23 were making the scene safe with extrication and release of persons accounting for just 25 (23.58%) of the 106 road traffic collisions.

336 of the 909 incidents attended in Monmouthshire during 2017/18 were false alarms due to automatic fire alarms (36.96%).



**Key -**

Shows a reduction when compared to a previous period

Shows an increase when compared to a previous period

Shows no change when compared to a previous period

Incident Categories	2016/2017	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Year Total	Q1	Q2	Q3	Q4	16/17 vs 17/18
<b>Total Incidents</b>	2268	238	190	209	191	207	186	210	220	211	168	142	155	2327	637	584	641	465	+ 59
<b>Special Service Calls (SSC)</b>	357	33	34	37	32	41	36	38	36	34	31	26	34	412	104	109	108	91	+ 55
SSC - Road Traffic Collisions	133	7	13	10	9	10	9	18	11	11	13	9	11	131	30	28	40	33	- 2
SSC - Other	224	26	21	27	23	31	27	20	25	23	18	17	23	281	74	81	68	58	+ 57
<b>False Alarms</b>	977	95	81	98	87	95	92	95	77	98	90	63	79	1050	274	274	270	232	+ 73
Malicious False Alarms	48	3	2	6	3	5	4	6	0	0	4	1	6	40	11	12	6	11	- 8
Good Intent False Alarms	277	40	28	24	19	24	23	26	29	31	25	21	18	308	92	66	86	64	+ 31
Automatic Fire Alarms	652	52	51	68	65	66	65	63	48	67	61	41	55	702	171	196	178	157	+ 50
<b>Fires</b>	934	110	75	74	72	71	58	77	107	79	47	53	42	865	259	201	263	142	- 69
Deliberate Fires	746	97	55	61	59	61	45	63	94	61	37	41	34	708	213	165	218	112	- 38
Accidental Fires	188	13	20	13	13	10	13	14	13	18	10	12	8	157	46	36	45	30	- 31
All Fatalities + Injuries	9	0	0	0	0	2	0	0	0	0	0	0	1	3	0	2	0	1	- 6
Accidental Fatalities + Injuries	6	0	0	0	0	1	0	0	0	0	0	0	1	2	0	1	0	1	- 4

**Notes**

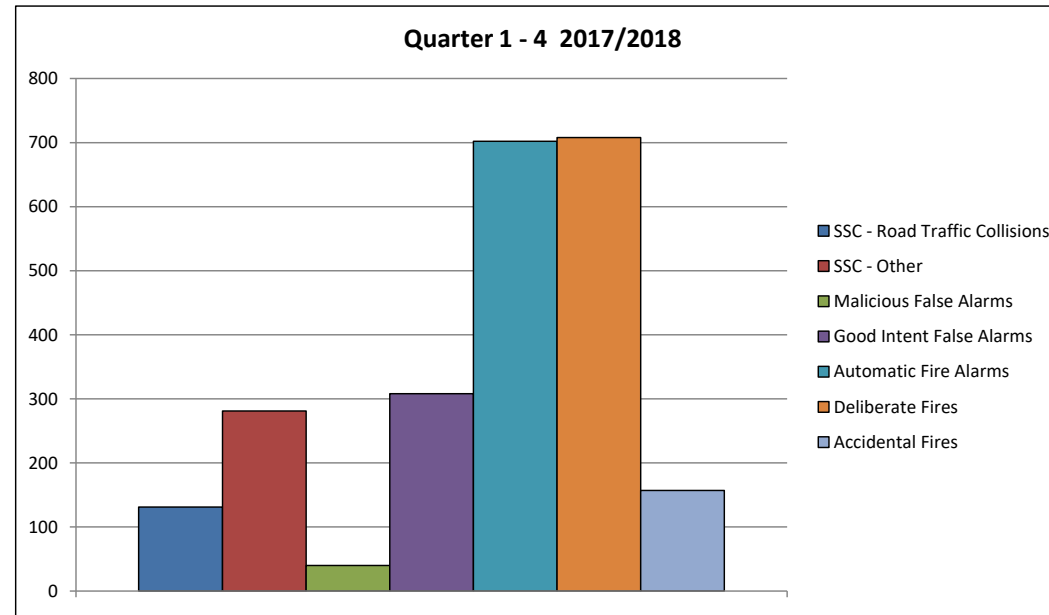
The total number of incidents attended in Newport during 2017/18 was 59 higher (+2.60%) than last year.

The number of Other Special Service calls attended during 2017/18 was 57 (+25.44) higher than the number attended during last year. Medical incidents have increased from 8 incidents in 2016/17 to 36 (+350.00%) incidents in 2017/18.

The number of automatic fire alarms attended during 2017/18 has increased by 50 (+7.66%) compared to last year.

The number of deliberate fires attended this year has decreased by 38 (-5.09%) compared to last year, although refuse fires did show an increase from 456 to 472 (+3.51%).

There has been 3 fire related injuries that required a casualty being transported to hospital during the year. There were 9 during the same period last year.



Key -

Shows a reduction when compared to a previous period

Shows an increase when compared to a previous period

Shows no change when compared to a previous period





Incident Categories	2016/2017	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Year Total	Q1	Q2	Q3	Q4	16/17 vs 17/18
<b>Total Incidents</b>	2407	377	309	230	208	167	165	175	187	177	164	183	164	2506	916	540	539	511	+ 99
<b>Special Service Calls (SSC)</b>	472	46	60	46	58	53	46	41	34	50	50	38	44	566	152	157	125	132	+ 94
SSC - Road Traffic Collisions	224	20	19	13	18	14	11	13	13	17	24	11	11	184	52	43	43	46	- 40
SSC - Other	248	26	41	33	40	39	35	28	21	33	26	27	33	382	100	114	82	86	+ 134
<b>False Alarms</b>	1038	96	87	103	62	71	73	70	75	79	80	68	73	937	286	206	224	221	- 101
Malicious False Alarms	24	3	3	4	1	2	5	1	2	0	0	1	2	24	10	8	3	3	0
Good Intent False Alarms	409	57	47	47	29	24	31	33	38	30	32	29	31	428	151	84	101	92	+ 19
Automatic Fire Alarms	605	36	37	52	32	45	37	36	35	49	48	38	40	485	125	114	120	126	- 120
<b>Fires</b>	897	235	162	81	88	43	46	64	78	48	34	77	47	1003	478	177	190	158	+ 106
Deliberate Fires	646	215	127	49	62	31	37	45	53	24	20	56	25	744	391	130	122	101	+ 98
Accidental Fires	251	20	35	32	26	12	9	19	26	24	14	21	22	260	87	47	69	57	+ 9
<b>All Fatalities + Injuries</b>	21	0	2	6	1	0	0	1	2	0	2	2	1	17	8	1	3	5	- 4
Accidental Fatalities + Injuries	19	0	2	6	1	0	0	1	2	0	2	2	1	17	9	1	3	5	- 2

**Notes**

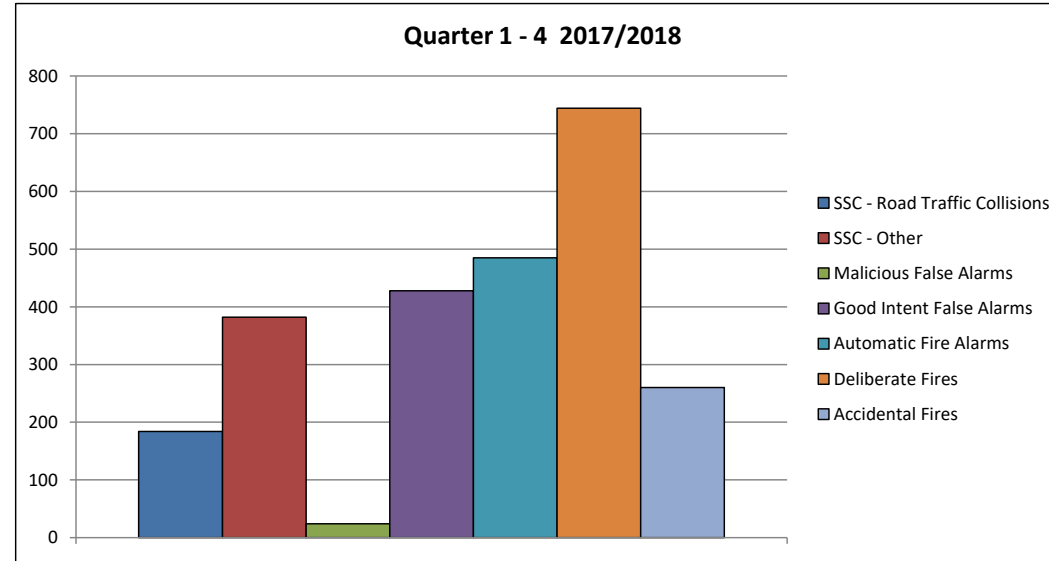
The total number of incidents attended during 2017/18 was 99 higher (+4.11%) than last year.

The number of Other Special Service calls attended during 2017/18 was 134 (+54.03%) higher than the number attended during last year. Medical incidents attended increased from 6 to 55 (+816.67%).

The number of automatic fire alarms attended during 2017/18 has decreased by 120 (-19.83%) compared to last year.

The number of deliberate fires attended during 2017/18 has increased by 98 (+15.17%) compared to last year.

Deliberate fires have accounted for 744 of the 2506 incidents (29.68%) attended in Rhondda Cynon Taf during 2017/18.



Key -

Shows a reduction when compared to a previous period

Shows an increase when compared to a previous period

Shows no change when compared to a previous period



Incident Categories	2016/2017	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Year Total	Q1	Q2	Q3	Q4	16/17 vs 17/18
<b>Total Incidents</b>	1273	133	100	116	96	103	73	85	88	99	86	66	82	1127	349	272	272	234	- 146
<b>Special Service Calls (SSC)</b>	205	23	33	17	21	21	11	14	16	23	13	13	23	228	73	53	53	49	+ 23
SSC - Road Traffic Collisions	61	3	8	4	7	2	2	2	6	8	6	3	4	55	15	11	16	13	- 6
SSC - Other	144	20	25	13	14	19	9	12	10	15	7	10	19	173	58	42	37	36	+ 29
<b>False Alarms</b>	689	56	40	61	55	51	42	53	36	55	56	39	47	591	157	148	144	142	- 98
Malicious False Alarms	40	3	1	2	4	1	0	4	0	2	1	2	2	22	6	5	6	5	- 18
Good Intent False Alarms	165	19	16	12	15	12	13	10	11	17	20	12	13	170	47	40	38	45	+ 5
Automatic Fire Alarms	484	34	23	47	36	38	29	39	25	36	35	25	32	399	104	103	100	92	- 85
<b>Fires</b>	379	54	27	38	20	31	20	18	36	21	17	14	12	308	119	71	75	43	- 71
Deliberate Fires	242	34	15	24	15	21	17	15	28	11	8	7	6	201	73	53	54	21	- 41
Accidental Fires	137	20	12	14	5	10	3	3	8	10	9	7	6	107	46	18	21	22	- 30
All Fatalities + Injuries	2	0	0	0	0	0	0	0	0	2	0	0	0	2	0	0	2	0	0
Accidental Fatalities + Injuries	2	0	0	0	0	0	0	0	0	1	0	0	0	1	0	0	1	0	- 1

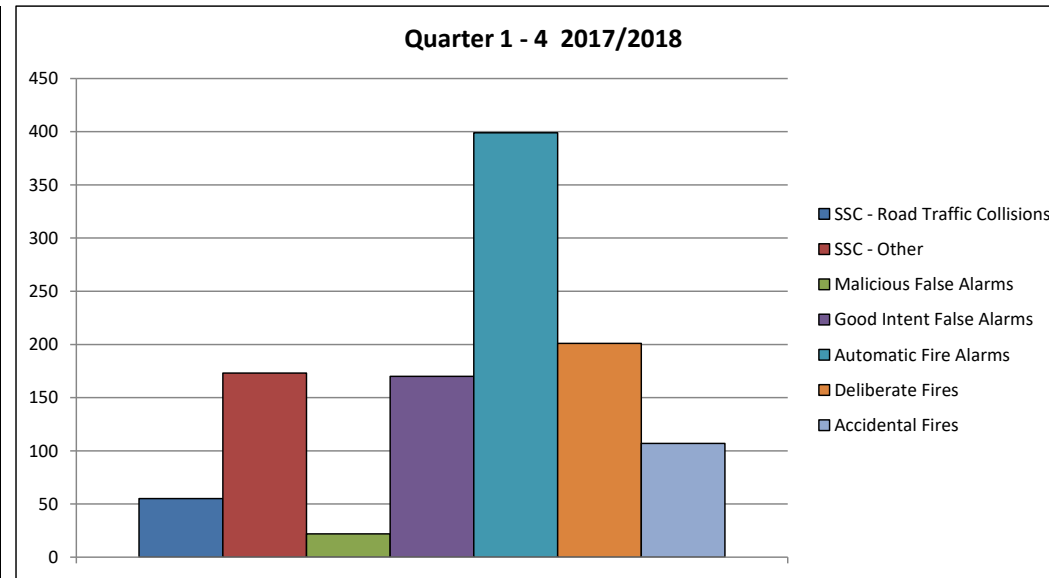
**Notes**

The total number of incidents attended during 2017/18 was 146 (-11.46%) lower than the number attended during the same period last year.

The number of false alarms attended as a result of automatic fire alarms has decreased by 85 (-17.56%) compared to last year. Automatic fire alarms (399) accounted for 35.40% of all incidents attended in 2017/18.

The number of deliberate fires attended during 2017/18 has decreased by 41 (-16.94%) compared to last year. Deliberate refuse fires have decreased from 138 last year to 103 (-25.36%) this year.

There were 2 fire related deaths or fire related injuries that required a casualty being transported to hospital during the year. This was the same as last year.



Key -

- Shows a reduction when compared to a previous period
- Shows an increase when compared to a previous period
- Shows no change when compared to a previous period



Incident Categories	2016/2017	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Year Total
<b>Total Incidents</b>	1194	98	107	102	106	99	98	93	86	108	113	82	98	1190
<b>Special Service Calls (SSC)</b>	344	21	33	29	32	33	34	27	18	31	51	25	32	366
SSC - Road Traffic Collisions	96	6	8	9	6	11	13	15	5	9	12	7	6	107
SSC - Other	248	15	25	20	26	22	21	12	13	22	39	18	26	259
<b>False Alarms</b>	499	43	43	53	35	43	46	42	42	50	47	36	47	527
Malicious False Alarms	10	1	0	0	1	1	0	0	0	2	0	0	0	5
Good Intent False Alarms	168	22	13	16	11	17	10	11	19	11	12	13	20	175
Automatic Fire Alarms	321	20	30	37	23	25	36	31	23	37	35	23	27	347
<b>Fires</b>	351	34	31	20	39	23	18	24	26	27	15	21	19	297
Deliberate Fires	185	24	24	13	26	14	9	12	15	9	7	13	8	174
Accidental Fires	166	10	7	7	13	9	9	12	11	18	8	8	11	123
All Fatalities + Injuries	5	0	0	0	0	0	0	0	0	1	4	0	0	5
Accidental Fatalities + Injuries	2	0	0	0	0	0	0	0	0	1	2	0	0	3

Q1	Q2	Q3	Q4	16/17 vs 17/18
307	303	287	293	- 4
83	99	76	108	+ 22
23	30	29	25	+ 11
60	69	47	83	+ 11
139	124	134	130	+ 28
1	2	2	0	- 5
51	38	41	45	+ 7
87	84	91	85	+ 26
85	80	77	55	- 54
61	49	36	28	- 11
24	31	41	27	- 43
0	0	1	4	0
0	0	1	2	+ 1

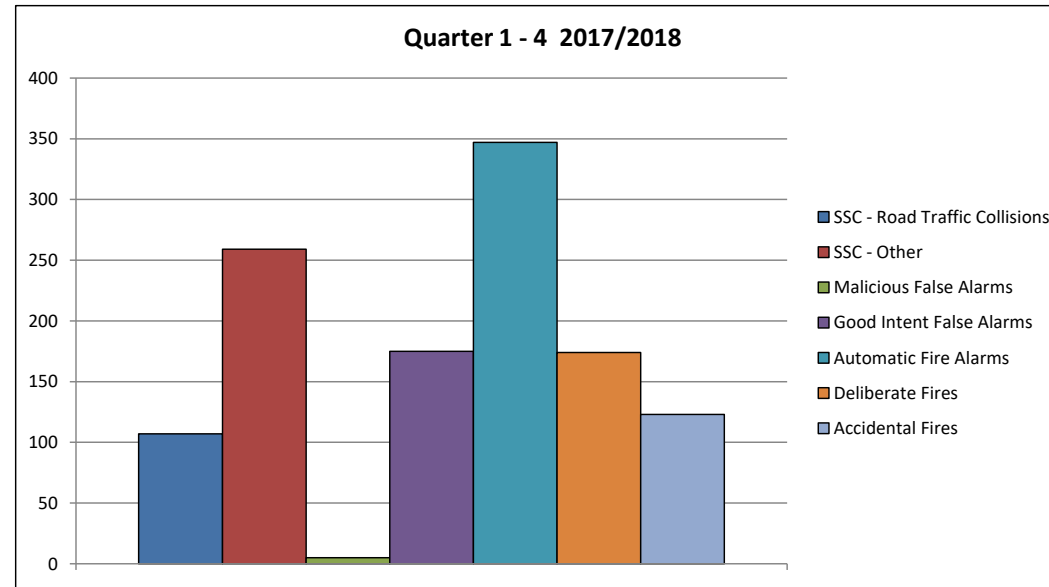
**Notes**

The total number of incidents attended in The Vale of Glamorgan during 2017/18 was 4 lower (-0.33%) than last year. False alarms (527) accounted for 44.28% of all incidents attended in 2017/18.

The number of automatic fire alarms attended during 2017/18 was 26 higher (+8.09%) than the number attended during last year.

The number of deliberate fires attended during 2017/18 was 11 incidents lower (-5.94%) than the number attended during last year.

There were 5 fire related deaths or fire related injuries that required a casualty being transported to hospital during 2017/18. 4 of these were in January and were in 2 separate incidents.



Key -

Shows a reduction when compared to a previous period

Shows an increase when compared to a previous period

Shows no change when compared to a previous period

**FORWARD WORK PROGRAMME FOR  
FIRE & RESCUE AUTHORITY 2018/19**

<b>Expected Date of Report</b>	<b>Report Name</b>	<b>Purpose of Piece of Work</b>	<b>Lead Director/ Contact Officer</b>	<b>Progress</b>
Each meeting following the NIC meeting	Update Report on the work of the NIC	To keep Members up-to-date with the work of the NIC.	DCO  Contact Officer: Sally Chapman	
9 July 2018	Strategic Risk	To advise Members of the Strategic Risks of the organisation and how these are being treated, managed or reduced.	DCO  Contact Officer: Sarah Watkins	On agenda
9 July 2018	WAO Certificate of Compliance	To advise Members of the WAO Certificate of Compliance received in relation to the publication of the 2018/19 Improvement Plan.	DCO  Contact Officer: Sally Chapman	On agenda
9 July 2018	Principal Officer Vacancy	To seek authority to advertise and recruit to vacant Principal Officer post.	CFO  Contact Officer: Mark Malson	On agenda
	<b>Annual Reports:</b>			
9 July 2018	End of year Health Check on Performance and Strategic Objectives 2017/18	To advise Members of end of year performance against agreed targets and to advise Members of the end of year health check position in securing the achievement of the Strategic Objectives.	DCO  Contact Officer: Sarah Watkins	On agenda

<b>Expected Date of Report</b>	<b>Report Name</b>	<b>Purpose of Piece of Work</b>	<b>Lead Director/ Contact Officer</b>	<b>Progress</b>
9 July 2018	Health & Safety Annual Report 2017/18	To advise Members of Health & Safety performance of the organisation.	ACFO TS  Contact Officer: Richie Prendergast	On agenda
9 July 2018	Report on Proposed Priority Actions 2019/20	To advise Members of the proposed Priority Actions 2019/20 and to seek authority to enter into public consultation on these.	DCO  Contact Officer: Sarah Watkins	On agenda
24 Sept 2018	Welsh Government Review of Fire & Rescue Authorities	To update Members on recent correspondence from the Cabinet Secretary on proposals to reform Welsh Fire & Rescue Authorities.	CFO/DCO  Contact Officer: Huw Jakeway	
24 Sept 2018	Update on MTFs and Reserves Strategy	To update Members on the Financial Strategy and Reserves Strategy of the Authority prior to considering the report on the 2019/20 Budget Setting Strategy.	Treasurer  Contact Officer: Chris Barton	
24 Sept 2018	Budget Strategy 2018/19	To obtain clarification upon the political steer for the Budget Strategy for 2019/20 budget setting process	Treasurer  Contact Officer: Chris Barton	
24 Sept 2018	Statement of Accounts (Revenue and Capital) for 2017/18 budget	To seek Members' approval for publication of the Statement of Accounts	Treasurer  Contact Officer: Geraint Thomas	
24 Sept 2018	Treasury Management Outturn 2017/18	To advise Members of the year end treasury management position	Treasurer	

Expected Date of Report	Report Name	Purpose of Piece of Work	Lead Director/ Contact Officer	Progress
			Contact Officer: Chris Barton & Geraint Thomas	
7 Dec 2018	WAO Annual Improvement Report	To advise Members of the key issues emanating from the annual report and to provide an opinion on adequacy and effectiveness of the organisation and its potential to improve, its approach to risk management, control and governance processes based on the WAO work undertaken during the year, including data quality & PIs, HR work, a Framework update, whistleblowing and forward planning.	DCO  Contact Officer: Sally Chapman	
7 Dec 2018	Half Yearly Health Check of Performance and Review of Strategic Themes	To advise Members of performance against agreed targets and achievement of Strategic Themes at the mid-way point through the year	DCO  Contact Officer: Sarah Watkins	
7 Dec 2018	Half Yearly Review of Strategic Risk	To keep Members advised of the Strategic Risks of the organisation and how these are being treated, managed or reduced.	DCO  Contact Officer: Sarah Watkins	
7 Dec 2018	Estimated Revenue & Capital Budget determination for 2019/20	To consider consultation responses and to set the recommended budget determination for consideration by the Fire Authority.	Treasurer  Contact Officer: Geraint Thomas	

<b>Expected Date of Report</b>	<b>Report Name</b>	<b>Purpose of Piece of Work</b>	<b>Lead Director/ Contact Officer</b>	<b>Progress</b>
7 Dec 2018	Treasury Management Mid Term Report 2018/19	To advise Members of the mid year position in relation to our treasury management.	Treasurer Contact Officer: Geraint Thomas	
7 Dec 2018	Independent Remuneration Panel for Wales' Draft Annual Report	To consider the IRPW's draft Annual Report and enable comments to be submitted to the Panel within required timescales.	DCO Contact Officer: Sally Chapman	
11 Feb 2019	KPI Target Setting 2019/20	To set the targets for the following financial year.	ACFO SD Contact Officer: Sarah Watkins	
11 Feb 2019	Report on Responses to the Consultation of the draft rolling Strategic Plan and Priority Actions 2019/20	To advise Members of consultation responses and seek approval for a final version of the rolling Strategic Plan.	DCO Contact Officer: Sarah Watkins	
11 Feb 2019	Pay Policy Statement 2018/19	To consider the Authority's Pay Policy Statement in compliance with the Localism Act 2011 and associated guidance.	ACO PS Contact Officer: Mark Malson	
11 Feb 2019	Treasury Management Strategy 2018/19	To secure Members' approval to the adoption of the Treasury Management Strategy 2019/20	Treasurer Contact Officer: Geraint Thomas	
29 April 2019	Annual Report of the work of the Finance, Audit & Performance Management Committee & its working group during 2018/19	To advise Members of the work of the Committee.	DCO Contact Officer: Sally Chapman	

<b>Expected Date of Report</b>	<b>Report Name</b>	<b>Purpose of Piece of Work</b>	<b>Lead Director/ Contact Officer</b>	<b>Progress</b>
29 April 2019	Annual Report of the work of the HR & Equalities Committee during 2018/19	To advise Members of the work of the Committee,	ACO PS Contact Officer: Mark Malson	
29 April 2019	Annual Report of the Work of the Local Pensions Board 2018/19	To advise Members of the work of the Board.	ACO PS Contact Officer: Mark Malson	
29 April 2019	Work of the PSB's	To update Members on the work of each of the PSB's and how this impacts upon the work of SWFRS	DCO Contact Officer: Sarah Watkins	
29 April 2019	Welsh Language Standards	To update Members on compliance against the Welsh Language Standards	ACO PS Contact Officer: Mark Malson	

Huw Jakeway – CFO  
Sally Chapman – DCO  
Andrew Thomas – ACFO Service Delivery  
Richie Prendergast – ACFO Technical Services  
Mark Malson – Acting ACO People Services

Chris Barton – Treasurer  
Geraint Thomas – Head of Finance & Procurement  
Dewi Rose – Head of Operations  
Sarah Watkins – Acting Head of Corporate Services  
Andrew Jones – Acting Head of Human Resources

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## AGENDA ITEM NO 8

**To consider any items of business that the Chairman deems urgent  
(Part 1 or 2)**

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1.	Apologies for Absence	
2.	Declarations of Interest	
	Members of the Fire & Rescue Authority are reminded of their personal responsibility to declare both orally and in writing any personal and/or prejudicial interest in respect of matters contained in this agenda in accordance with the provisions of the Local Government Act 2000, the Fire & Rescue Authority's Standing Orders and the Members Code of Conduct.	
3.	Chairman's Announcements	
4.	To receive the minutes of;	
	<ul style="list-style-type: none"> <li>• Local Pension Board Meeting held on 26 February 2018</li> <li>• Fire &amp; Rescue Authority meeting held on 26 March 2018</li> <li>• Standards Committee Meeting held on 6 March 2017</li> <li>• FAPM Meeting held on 29 January 2018</li> <li>• Annual General meeting held on 11 June 2018</li> </ul>	<p style="text-align: right;">5</p> <p style="text-align: right;">11</p> <p style="text-align: right;">21</p> <p style="text-align: right;">25</p> <p style="text-align: right;">29</p>
5.	Update on Actions	37
6.	<b>REPORTS FOR DECISION</b>	39
6.i.	Corporate Risk Register 2017/18 – Quarter 4 Review	41
6.ii.	Principal Officer Vacancies – Appointment Authorisation of Assistant Chief Officer Service Delivery & Assistant Chief Officer People Services	51
6.iii.	Health, Safety and Wellbeing Annual Report 2017/18	57

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6.iv.	Report on Proposed Priority Actions 2019/2020	85
6.v	Review of Protected Pension Age (PPA): Fire Authority Liability	89
6.vi	Notice of Motion from Cllrs Brown & Naughton	141
6.vii	Compartment Fire Behaviour Training (CFBT) Facility	143
7.	<b>REPORTS FOR INFORMATION</b>	147
7.i.	Audit of the South Wales Fire & Rescue Authority 2018/19 Improvement Plan	149
7.ii	End of Year Health Check on Performance and Strategic Themes 2017/18	153
7.v	Forward Work Programme	175
8.	To consider any items of business that the Chairman deems urgent (Part 1 or 2)	181