

WALES FIRE & RESCUE AUTHORITY

MINUTES OF THE FIRE & RESCUE AUTHORITY MEETING HELD AT 1030HRS ON MONDAY 9 JULY 2018 AT SOUTH WALES FIRE & RESCUE SERVICE HEADQUARTERS

13. PRESENT:

Councillor	Left	Authority
D T Davies (Chair)		Caerphilly
S Bradwick (Deputy Chair)		Rhondda Cynon Taff
D Ali		Cardiff
L Brown		Monmouthshire
K Critchley		Newport
R Crowley		Vale of Glamorgan
L Davies		Merthyr Tydfil
D De'Ath		Cardiff
S Ebrahim (arrived 11:00)	12:10	Cardiff
S Evans		Torfaen
J Harries		Rhondda Cynon Taff
A Hussey		Caerphilly
K McCaffer		Vale of Glamorgan
D Naughton		Cardiff
S Pickering		Rhondda Cynon Taff
R Shaw		Bridgend
A Slade		Torfaen
V Smith		Monmouthshire
H Thomas		Newport
J Williams		Cardiff

APOLOGIES:

C Elsbury	Caerphilly
A Roberts	Rhondda Cynon Taff
G Thomas	Blaenau Gwent
D White	Bridgend

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, Mr M Hole – Health & Safety Manager, Mr T Jackson – Staff Officer, Mr A Psaila – FBU Representative

14. CHAIR'S ANNOUNCEMENTS

MEMBER TRAINING SESSION

The Chair wished to advise that a Member Training Session has been arranged to take place on Tuesday, 31 July in the conference room at 10:30hrs.

WELCOME

The Chair welcomed Councillor De'Ath to his first meeting.

15. DECLARATIONS OF INTEREST

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

Councillor Williams declared an interest in the Compartment Fire Behaviour Training Facility report due to its location within his ward area.

16. MINUTES OF PREVIOUS MEETINGS

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

- Local Pension Board meeting held on 26 February 2018
- Fire & Rescue Authority meeting held on 26 March 2018
- Standards Committee meeting held on 6 March 2017
- FAPM meeting held on 29 January 2018

The minutes of the Annual General meeting held on 11 June 2018 were received and accepted as a true record of proceedings following amendment to;

- **Page 1 Attendee list** –
J Harris to be updated to Harries and A Slade's Authority as Torfaen and not Rhondda Cynon Taff.

17. UPDATE ON ACTIONS

NIC Fire Control Feasibility Study Update

The Deputy Chief Officer informed Members that the audit process is currently underway for 2017/18, which would as part of the audit, provide audit opinion on the accounting treatment of the joint control project costs.

Land at Lanelay Hall

The Deputy Chief Officer reported that the auction of the small parcel of land just beyond the Lanelay Hall site is scheduled to take place later this week.

18. REPORTS FOR DECISION

18.1 CORPORATE RISK REGISTER 2017/18 – QUARTER 4 REVIEW

The Deputy Chief Officer reported on the strategic risks within the Corporate Risk Register for Members' consideration.

RESOLVED THAT

18.1.1 Members viewed the strategic risks contained within the Corporate Risk Register and agreed their validity.

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

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 has indicated his intention to retire on 30 September, 2018. Following the retirement of the Director of People Services, ACO Philip Haynes, there is a vacancy for an ACO People Services. Since this retirement the post has been filled on a temporary basis, although the post holder has also indicated their intention to retire.

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.

RESOLVED THAT

- 18.2.1 Members approved the filling of the posts of ACFO Service Delivery and ACO People Services on a permanent basis as soon as possible.
- 18.2.2 Members approved the recruitment and selection process and timetable as laid out in the report.
- 18.2.3 Members approved 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.
- 18.2.4 Members approved 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.
- 18.2.5 Members approved an amendment to the Authority's Pay Policy to reflect this change in salary structure for Assistant Chief Officer posts.

18.3. HEALTH, SAFETY AND WELLBEING REPORT

The Director of Technical Services presented the report which provided a summary of the key activities undertaken and the performance of South Wales Fire and Rescue Service in the area of Health and Safety.

RESOLVED THAT

- 18.3.1 Members accepted the report on the performance of South Wales Fire and Rescue Service in the area of Health, Safety and Wellbeing.
- 18.3.2 Members noted the overall success achieved during 2017/18 in the delivery of an environment that is supportive of the Health, Safety and Welfare of staff.
- 18.3.3 Members endorsed and supported the range of initiatives underway to proactively and reactively support the Health, Safety and Wellbeing of staff employed by South Wales Fire & Rescue Authority.

18.3.4 Members wished to note their appreciation and thanks to all staff involved with the completion of the report.

18.4 REPORT ON PROPOSED PRIORITY ACTIONS 2019/20

The Deputy Chief Officer reported on the priority actions for 2019/20 for publication in the Service's Annual Improvement Plan Stage 2.

RESOLVED THAT

18.4.1 Members noted the contents of the report and agreed the proposed Priority Actions for 2019/20.

18.4.2 Members approved the proposed Priority Actions for publication in the "Consultation Document" – Stage 2 of the Annual Improvement Plan on South Wales Fire and Rescue Service's website by 31 October 2018.

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

18.5.1 RESOLUTION TO EXCLUDE THE PRESS AND PUBLIC BY VIRTUE OF SECTION 100A AND S1001 AND PARAGRAPHS 12, 13 AND 14 OF PART 4 OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 (AS AMENDED)

A resolution to exclude the press and public by virtue of Section 100A and S1001 and Paragraphs 12, 13 and 14 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended) was passed by Members.

The Acting Director of People Services provided a summary on 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 of previous reports on this issue are contained within the report.

RESOLVED THAT

- 18.5.2 As the service now has access to HMRC regulations through fire pension scheme systems, it was confirmed that staff would be made aware of any new regulations received and advised to take the appropriate advice.
- 18.5.3 Members agreed to re-affirm the previous decision that individuals be required to pay their own tax charge.
- 18.5.4 The Acting Director of People Services to identify the next steps, make contact with the Ombudsman and await his direction.

Following conclusion of this item the meeting returned to open forum.

18.6 NOTICE OF MOTION FROM COUNCILLORS BROWN & NAUGHTON

Members were requested to determine the motion that the positions of Chair & Deputy Chair of the FAPM Scrutiny Group be determined by the Fire Authority.

RESOLVED THAT

The motion was not approved.

18.7 COMPARTMENT FIRE BEHAVIOUR TRAINING (CFBT) FACILITY

The DCO updated Members of the tender return for the construction of the CFBT facility. The report requested authorisation to increase the allocated budget for the new build project at Cardiff Gate for the reasons outlined in the report to enable the project to proceed.

RESOLVED THAT

- 18.7.1 Members approved the increase in total budget cost to support the completion of the CFBT project.
- 18.7.2 Members approved the transfer of £500k from the change management reserve into the CFBT reserve to bring the total project cost to £5m.

18.7.3 Members agreed to the Deputy Chief Officer awarding the contract for the construction phase of the facility.

19. REPORTS FOR INFORMATION

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

The Deputy Chief Officer advised 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).

RESOLVED THAT

Members noted 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.

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

The Deputy Chief Officer presented the report which assured Members of the Fire & Rescue Authority and Senior Management within South Wales Fire and 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 that financial year.

RESOLVED THAT

Members reviewed the performance details and statistical data for 2017/18 contained within the report.

19.3 FORWARD WORK PROGRAMME

The Deputy Chief Officer presented the Forward Work Programme for 2018/19.

RESOLVED THAT

Members reviewed and agreed the Forward Work Programme for 2018/19.

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

RESOLVED THAT

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