

SOUTH WALES FIRE & RESCUE AUTHORITY

MINUTES OF THE FIRE & RESCUE AUTHORITY MEETING HELD ON MONDAY, 22 MARCH 2021 AT 1030 HOURS VIA STARLEAF

50. PRESENT:

Councillor	Arrived	Left	Authority
D T Davies (Chair)			Caerphilly
S Bradwick			Rhondda Cynon Taf
L Brown			Monmouthshire
M Colbran			Merthyr Tydfil
P Drake			Vale of Glamorgan
S Evans			Torfaen
A Hussey			Caerphilly
C Elsbury	11:00		Caerphilly
D Naughton			Cardiff
A Lister	10:36	11:35	Cardiff
J Williams	11:06		Cardiff
A Roberts			Rhondda Cynon Taf
V Smith			Monmouthshire
M Spencer			Newport
H Thomas			Newport
D White		12:10	Bridgend
R Shaw			Bridgend
W Hodgins	10:40		Blaenau Gwent
G Holmes			Rhondda Cynon Taf
A Jones		12:01	Torfaen

APOLOGIES:

J Harries	Rhondda Cynon Taf
H Jarvie	Vale of Glamorgan
D Ali	Cardiff
S Ebrahim	Cardiff

OFFICERS PRESENT: CFO H Jakeway; DCO S Chapman – Monitoring Officer; Mr C Barton – Treasurer; ACO A Reed – Director of People Services; ACFO R Prendergast – Director Technical Services; ACFO Dewi Rose – Director Service Delivery, Sarah Watkins – Head of Corporate Support; Mr Owen Jayne - Head of Business Fire Safety; Mr Nick Selwyn - Wales Audit

51. DECLARATION OF INTEREST

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

Councillor S Evans declared an interest in agenda item 5 – Update on Actions in relation to New Inn Fire and Rescue Station, advising that he is a member of the Planning Committee within his home authority.

52. CHAIR'S ANNOUNCEMENTS

Related Party Transactions

The Chair advised that Members will have received an email from Natalie Green asking for completion of the Related Party Transaction forms and to be returned by the end of the month at the latest. He requested that those who have yet to complete and return their form please do so within the next week.

Councillor Bradwick queried why paper copies have not been provided, as he does not have a printer available.

The Deputy Chief Officer advised that it is the intention that Members complete and return the form electronically to reduce the carbon footprint, but added that if Members would prefer a paper copy this can be provided by contacting Natalie Green.

Volunteers for Vaccination Centres

The Chair advised Members that the Service has been working with the Health Boards to provide volunteers for vaccination centres to enable the vaccination programme to proceed as quickly as possible.

To date a number of shifts have been completed by staff from across the organisation to assist our health colleagues.

The Chair requested that Members' appreciation be extended to staff involved.

Investors in People (IIP)

The Chair was pleased to inform Members of the outstanding achievement that the Service has received in the recent Investors in People assessments.

The Service undertook the assessments in a challenging time nationally and used the digital platform to reach out to all employees with great success.

The assessments and informal group meetings were well received and contributed to the Service receiving Gold in the People survey and an incredible achievement with Silver in the Health and Wellbeing, this award being the first to be issued to any organisation in Wales.

He advised that following the last assessment in 2017 where the Service was awarded silver, there has been significant progress, and he is certain that with the recommendations in the 2021 report officers are committed to ensuring progress continues.

The Chair made reference to the assessor's comments in how the Service has responded during the Covid pandemic; the way in which appliance availability has been maintained, home working, use of technology, leadership and the passion of all staff to ensure the communities of South Wales remain safe, well and protected, adding that Members share this positive view and this is something that all in the Service should be very proud of.

It is the intention for the full reports to be released over the coming weeks, with more detailed briefings to follow to the HR & Equalities Committee.

The Chair wished to record thanks and appreciation to all staff involved.

Best Wishes

The Chair extended best wishes from Members to the wife of the Chief Fire Officer who is recovering from an operation, and wished her a speedy recovery.

Meeting with Deputy Minister held Wednesday 17th March 2021

The Deputy Chief Officer provided an update to Members from the meeting held with the Deputy Minister on 17th March 2021.

- **Broadening the Role of Firefighters**

The Deputy Chief Officer confirmed that a detailed specification has now been agreed by the task and finish group. The Deputy Minister has had positive meetings with the Fire Brigades' Union who indicated that they are sympathetic with the direction Wales are travelling in. The Deputy Minister had confirmed that the next steps of Broadening the Role of the Firefighter will not occur until after the May election, and that Welsh Government will be issuing a statement imminently.

- **Covid Pandemic**

The Deputy Chief Officer advised that the Deputy Minister was made aware of the assistance being given by the Service to partners such as local health boards and most recently at the Covid vaccination centres. She was also advised of the lateral flowing testing that has commenced at the Joint Fire Control, which will be rolled out across the Service over the coming weeks. The Deputy Minister was also briefed upon the Services maintenance of critical services throughout the pandemic.

- **Building Safety**

The Deputy Chief Officer advised that discussions took place in relation to the Building Safety White Paper currently out for consultation. The Deputy Chief Officer briefed the Minister that the resource implications detailed within the impact assessment were woefully understated and that there would be a significant workload implication for the fire and rescue services in Wales, with South Wales requirements exceeding the all Wales figures quoted in the report. This position was echoed by both North Wales and Mid and West Wales FRS.

Councillor Bradwick queried whether the successor to the Chief Fire Officer at North Wales Fire and Rescue Service had been announced. The Chief Fire Officer confirmed Dawn Docx has been appointed as the new Chief Fire Officer on the retirement of Simon Smith.

53. MINUTES OF PREVIOUS MEETINGS

The minutes of the Fire & Rescue Authority held on 8 February 2021 were received and accepted as a true record.

The minutes of the HR & Equalities Committee held 2 November 2020 were received and accepted as a true record.

The minutes of the FAPM Committee held 23 November 2020 were received and accepted as a true record.

54. UPDATE ON ACTIONS

The Deputy Chief Officer updated Members on the potential acquisition of land at New Inn for construction of a new fire station, confirming that a 12 week exclusivity period has been agreed with the owners, enabling the Service to commence ground investigations and surveys.

RESOLVED THAT:

Members noted the update on actions.

55. REPORTS FOR DECISION

55.1 GENDER PAY GAP STATEMENT

The Director of People Services presented to Members the 2020 Gender Pay Gap Statement.

She was pleased to confirm that figures show an improvement from last year with a Mean (average) of 14.9% as opposed to last year's figure of 16.34% and

in terms of median (average), 14.59% as opposed to last year's figure of 20.92%.

A number of activities have taken place to improve gender equality, including ensuring a mix of genders on interview panels, blind sifting on recruitment processes and pathways for all staff. She advised that this is a work in progress and there is more to do. The Service will continue to look through all its procedures to see where improvements can be made.

RESOLVED THAT:

Members approved the 2020 Gender Pay Gap Statement to be published by 31 March 2021.

56.2 SOUTH WALES FIRE AND RESCUE AUTHORITY – ANNUAL PAY POLICY STATEMENT 2021/22

The Director of People Services presented the report advising Members of the Annual Pay Policy Statement 2021/2022. She advised Members that there are no changes proposed other than the update to salary which are now reflective of current rates.

RESOLVED THAT:

Members reviewed and approved the 2021/2022 Pay Policy Statement to be published by 31 March 2021.

56.3 TREASURY MANAGEMENT STRATEGY 2021/22

The Treasurer presented the Treasury Management Strategy 2021/22 report requesting Members consider the treasury management activities required to deliver capital spending plans in a prudent and sustainable manner and ensure cash resources are managed effectively for the next three years.

The Treasurer drew Members attention to capital expenditure requirements noting that the 2021/22 figure equates to approximately £8.6m, he confirmed this reflects carry over and slippage of current year. He also noted that the borrowing figures increase to £38m by 2023/24, this reflects the aspirational nature of some of the projects and shows a worst case scenario.

He also noted the percentage of the budget which is being used shows an increase from 5.97% in 2019/20 to 7.49% estimated for 2023/24. He advised that it is not unusual for authorities to have a 6-7% limit and is well within the boundary of what was expected. He confirmed a ceiling of 10% is in place, adding that in practice, other sources of finances are usually found, thus keeping numbers down.

Councillor Shaw queried the increase to 7.49% adding that he feels this is rather high. He also queried counterparty risk for the Authority.

The Treasurer acknowledged the upward trend, but assured Members that figures are monitored regularly through budget processes. Regards the comment that the figure is high, he confirmed that this figure is normal and in line with local authorities. He wished to reassure Members that figures are constantly monitored via a fully transparent process, if it is deemed the figure is too high, then this will be addressed through the budget process for future years.

Regards counterparty risks, this is essentially the placing of cash on a temporary low interest rate basis. He confirmed that security of investment is monitored very carefully with investment only being placed with assured lenders, e.g., main banks.

RESOLVED THAT

Members noted and approved:

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

56.4 2015 PENSION REFORMS: HMT CONSULTATION OUTCOMES AND UPDATE ON LEGAL CHALLENGE

The Director of People Services presented the report that updates Members on the McCloud/Sargent judgement which followed a successful legal challenge from the Fire Brigades Union on behalf of its members on the grounds of discrimination. The report focusses on two aspects: HM Treasury consultation on Remedy proposals and Schedule 22 Appeal Judgement.

The Director of People Services advised that, in relation to the Remedy Proposal, members will be able to make their decision between scheme benefits shortly before benefits are paid from the scheme (at retirement).

She further advised that in relation to the Schedule 22 Appeal Judgement, the appeal was based on the argument that the fire and rescue authorities did not make the legislation which was found by the Court of Appeal to be discriminatory on the grounds of age, but were bound to follow it because it was law. The EAT held that the fire and rescue authorities cannot rely on the

Schedule 22 defence. Since the outcome was reported the steering group managing the litigation had met to consider appealing the decision, but following detailed legal advice it was decided not to appeal, therefore it is now for the fire and rescue authorities to take the next steps. The Treasury and HMRC are putting together guidance for fire and rescue authorities which will advise on a number of issues such as taxation.

Councillor Smith queried the number of cases the Authority will be faced with in 2022.

The Director of People Services advised that there will be a few hundred who will need immediate action, e.g., those in immediate detriment, are about to retire or have retired. Looking forward, there will be several hundred members who will have the option to choose the best scheme that works for them on retirement. She advised that work will now take place with the pension's administrators to line up pensions admin support, it is expected that this will be a huge undertaking.

Councillor Brown queried why the UK government decided not to appeal the decision.

The Deputy Chief Officer advised that there was detailed consideration by the Steering Committee but there were three grounds the appeal would have to succeed on, and after considering advice they decided not to appeal any further.

RESOLVED THAT

56.4.1 Members acknowledged the publication in February 2021 of the UK government's response to the consultation on public service pension schemes; and

56.4.2 acknowledged the outcome of the Employment Appeal Tribunal which was issued in February 2021.

56.5 LOCAL GOVERNMENT & ELECTIONS (WALES) ACT 2021

The Deputy Chief Officer presented the report that summarises the key provisions within the new legislation that impact upon the Fire and Rescue Authority.

The Deputy Chief Officer advised Members of a number of key provisions one of which relates to the administration of Fire and Rescue Authority and Committee meetings, confirming that as of 1st May 2021 Members will have the choice to either attend meetings in person or remotely, either from home, council offices etc. She confirmed that work is underway to improve access to virtual meetings, and also the ability for Members to vote electronically. She

advised that another key change relates to issuing agenda and reports electronically, this ties in with the Welsh Government drive to digitalising more areas of work and reducing the carbon footprint across Wales, adding that this is also being considered by ICT, with the possibility of being able to access agenda and papers from another device.

She further reported that there is provision for fire and rescue authorities to no longer be part of the improvement authority provisions under the Welsh Measure, but this provision will not be brought into force until a new performance regime has been developed, which will be after the Welsh Government elections and after the development of the new National Framework for Fire.

She advised that another area relates to the holding of public inquiries, confirming that an inquiry can only be held if the combination order geographic areas are to be changed or the combination order is being revoked, in any other situation Welsh Government may cause an inquiry to be held.

Lastly, the Deputy Chief Officer confirmed that going forward it will be a requirement for fire and rescue authorities' Standards Committees to produce an annual report on discharge of their work.

Councillor White queried progress on 'teams'. The Deputy Chief Officer confirmed that Members had previously approved the ICT strategy of which 'teams' was included.

The Director of Technical Services confirmed that a procurement exercise has been completed and a meeting is taking place with the delivery partner this week. He commended Members on how well they have coped with the challenges brought about by the Covid pandemic, and was pleased to note that all meetings have been able to take place remotely.

Councillor Naughton wished to thank officers for all that they done during the pandemic to ensure meetings are still held.

RESOLVED THAT

- 56.5.1 Members noted the changes introduced for fire and rescue authorities by the Local Government & Elections (Wales) Act 2021; and
- 56.5.2 delegated authority to the Monitoring Officer to make any necessary changes to the Fire and Rescue Authority's constitutional documents to give effect to the legislation.

56.6 PROPOSED NEW TERMS OF REFERENCE FOR SCRUTINY COMMITTEE

The Deputy Chief Officer presented the report that summarises the consideration that Members have given to the issue of reforming Fire & Rescue Authority (FRA) scrutiny with a view to making this more independent from key committee decision makers. The report proposes updated terms of reference for a newly formed Scrutiny Committee further to Members' consideration of an earlier report (12 October 2020) on proposed reform of FRA scrutiny. It highlights the likely knock on implications that such changes will have on the membership of other FRA committees and also considers an alternative proposal put forward by the FAPM Committee at their meeting last week on 15 March 2021. The alternate option involves merging the FAPM and HR & Equalities Committees into a single new resources committee of 10 Members and increasing the membership of the Scrutiny Committee also to ten Members. The same rules as to not sitting on both the new resources committee and the Scrutiny Committee would apply.

Councillor Naughton expressed his concern regards overstretching of Members. He added that if committees were merged there would be an issue with balance plus some Members could be overworked. He expressed that he would wish to keep committees separate, with the Scrutiny Committee comprising of seven members with the option for three independent members to opt on.

Councillor Evans commented that membership only works if all Members attend meetings, advising that there is added pressure on other Members to make up the short fall. He felt that the new proposal would negate this going forward.

RESOLVED THAT:

Members agreed to refer the issue back to FAPM Scrutiny Committee, HR & Equalities Committee and FAPM Committee for them to consider both committee options in further detail and provide views back to a later Fire and Rescue Authority meeting.

56.7 AUDIT WALES ANNUAL AUDIT SUMMARY 2019/20

The Audit Wales Auditor presented the report that concludes the Audit Wales review of the Authority's audit of financial and performance reporting for 2019/20. He was pleased to report that overall there are no issues of concern and that the review resulted in a very positive conclusion.

The Chair thanked all involved for their hard work in producing another positive report.

RESOLVED THAT

Members accepted the Annual Audit Summary for 2019/20 and noted the positive outcomes in relation to the financial audit, performance and improvement audit and well-being of future generation's audit.

56.8 REPORT ON STRATEGIC PLAN 2020

The Deputy Chief Officer presented the report requesting that Members approve the publication of the South Wales Fire and Rescue Service 2nd year of their Strategic Plan 2020-2030 by 31st March 2021.

RESOLVED THAT

Members approved the publication of the South Wales Fire and Rescue Service 2nd year of their Strategic Plan 2020-2030 by 31st March 2021.

56.9 ONE GWENT-WIDE PUBLIC SERVICE BOARD (PSB)

The Chief Fire Officer presented the report that advises Members of the intention to amalgamate 5 Public Service Boards into One Gwent-Wide PSB.

He advised that since the introduction of the Well-being of Future Generations (Wales) Act 2015 there has been continued dialogue and discussion on establishing a Gwent-wide PSB. Discussions have taken place at the G10 meetings and it is now felt that professional working relationships have been established and leaders believe now is the right time to move to a single PSB direction. He added that the merger of five PSBs into one will see a decrease in time spent at these PSBs for himself and other officers.

RESOLVED THAT

Members recognised the work of G10 to date and the direction of travel to a Gwent wide and single PSB, and as a Statutory Partner approved the establishment of a Gwent-wide PSB

56.10 GRENFELL TOWER INQUIRY THEMATIC REVIEW REPORT

The Chief Fire Officer presented the report and gave an overview of the thematic review into the extent to which the Welsh Fire and Rescue Services have taken action to address the Grenfell Tower Inquiry recommendations.

He was pleased to advise that Services within Wales were proactive, and did not wait for the recommendations before implementing changes. He confirmed that within South Wales a team was set up immediately to review all high rise buildings, adding that a number were identified that had failed. He confirmed

that the majority of these buildings have now been remedied although some still need work on them.

He advised that it was heartening to read the findings of the Advisor that work undertaken by the Service in anticipating and then responding to the GTI Phase 1 report recommendations has substantially reduced the likelihood of such catastrophic outcomes at an incident occurring in Wales.

The Chair noted the onus on the management of risks, and queried whether there are any instances of firefighters not being able to gain access. The Chief Fire Officer confirmed that generally building maintenance and fire management will attend and audits are pretty good, but there are buildings that do not comply, for which enforcement action will be taken.

The Chair queried whether it is likely monthly reports will be submitted to the Service from building managers/owners.

The Chief Officer confirmed the Service has operational intelligence for buildings, but it is always a challenge to ensure details are kept up to date.

RESOLVED THAT

- 56.10.1 Members acknowledged the thematic report of the Welsh Minister's Fire Advisor into the Grenfell Tower Inquiry.
- 56.10.2 Agreed that the report will be considered by the Service's Operational Co-ordination Group and the High Rise Task Group; and
- 56.10.3 A further report be provided to the Fire Authority as to the update of this work

56.11 SAFER BUILDINGS IN WALES - WELSH GOVERNMENT CONSULTATION

The Director of Service Delivery presented the report that updates Members on a Welsh Government White Paper that sets out proposals for comprehensive reform of legislation that contributes to building safety and the Fire & Rescue Authority's consultation response.

He advised that the Welsh Government are proposing a new 'Building Safety Regime for Wales'. This will present a significant overhaul to the existing system. It would also result in the most expansive building safety regime in the UK. The proposal would have a significant impact on the resourcing demands placed on the Fire & Rescue Service, and any future

amendments to the Risk Based Inspection Programme would have an impact on current statutory work, based on existing resources.

He confirmed that Welsh Government have indicated the creation of two FTE officers for the whole of Wales, but it is the belief that they have greatly underestimated what additional requirements will be needed. He added that these proposed changes will have a big impact on the Service, and currently it is hard to quantify what exact resources will be required, but it will be in excess of those identified by Welsh Government. He believes there will be a number of posts required within the Service, in addition to the need to re-align resources to deal with this increase in work for the Business fire Safety team.

He drew Members attention to the intended response that has been drafted by the Head of Business Fire Safety.

Councillor Evans noted the cost implications.

The Head of Business Fire Safety confirmed that there will be financial implications as the Service will be involved in the design, construction and beyond phases. He added that requests will come to the fire and rescue service via the gateway approach.

The Deputy Chief Officer added that all three Services emphasised the additional resource requirements that will be needed at the recent meeting with the Deputy Minister.

Councillor Shaw agreed with Councillor Evans regards the added cost implications but noted that there could be an enhanced need at the beginning that will reduce once complete.

The Head of Business Fire Safety confirmed that when considering a new regime, immediate training and competency impact will be considered. Officers will become more experienced, but currently there are over 37,000 extra buildings coming into scope, so the Service will need to accommodate for the maximum.

Councillor Naughton queried whether there are any plans to work with local authorities to find out actual number of Category 2 buildings

The Head of Business Fire Safety confirmed that the Service works alongside building control and Welsh Government, and have done so from the outset of the Grenfell incident. He added that there has been some aligning of databases, but some work will need to be done regards houses converted into flats, and the sharing of this data.

Councillor Holmes expressed his displeasure that local authorities are not able to check plans within their own area, he feels it is an insult to the professionalism of local authorities. The Head of Business Fire Safety advised that this requirement is a check and balance, as the Hackett Review commented that it was a broken system and needed extra scrutiny in place.

RESOLVED THAT

- 56.11.1 Members approved the consultation responses provided by the Head of Business Fire Safety on behalf of South Wales Fire Authority prior to submitting to the Welsh Government by 12 April 2021.
- 56.11.2 Members acknowledged the likely impacts on the Service if the proposed 'Building Safety regime' outlined in the White Paper for Wales is implemented.

57. REPORTS FOR INFORMATION

57.1 ANNUAL REPORT OF THE WORK OF THE FINANCE, AUDIT & PERFORMANCE MANAGEMENT COMMITTEE AND THE DISCHARGE OF THE TERMS OF REFERENCE OF THE FINANCE, ASSET & PERFORMANCE MANAGEMENT SCRUTINY GROUP

The Head of Corporate Support presented the annual report on the work of the Finance, Audit & Performance Management Committee and its Scrutiny Group for the municipal year 2020/2021.

RESOLVED THAT

Members noted the work undertaken by the Finance, Audit & Performance Management Committee and Scrutiny Group during the municipal year 2020/2021.

57.2 ANNUAL REPORT OF THE WORK OF THE HR & EQUALITIES COMMITTEE DURING 2020/21

The Director of People Services presented the report which informs Members of the work that the HR & Equalities Committee has undertaken during the Municipal Year 2020/2021

Councillor Drake wished to thank the Director of People Services and staff for their hard work undertaken in all aspects of HR.

RESOLVED THAT

Members noted the work of the HR & Equalities Committee.

57.3 SUMMARY OF THE LOCAL PENSION BOARD WORK PROGRAMME

The Director of People Services presented the report that informs Members of the work that the South Wales Fire & Rescue Authority Local Pension Board has undertaken during the Municipal Year 2020/2021.

She noted that a senior member of the Authority's pension's administrator now sits on the board which has been welcomed. The knowledge and expertise this person brings to the Board is very useful. She also advised that upskilling of members has taken place, also a Member's handbook has been created, advising of every aspect of running a Pensions Board.

Councillor Bradwick wished to note his thanks to the Head of People Services and the excellent work and guidance she provides, and thanks were also extended to her team. He was pleased to note the attendance of the pension's administrator at the meeting.

RESOLVED THAT

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

57.4 WORK OF THE PUBLIC SERVICE BOARDS (PSB)

The Deputy Chief Officer presented the report that highlights the work being undertaken by the PSBs and how this impacts upon the work of South Wales Fire and Rescue Service.

RESOLVED THAT

Members noted the content of the report.

57.5 SUMMARY OF THE NATIONAL ISSUES COMMITTEE UPDATE 2019-2021

The Chief Fire Officer presented the report that updates Members on the outcomes of the Welsh Fire and Rescue Services' National Issues Committee.

He advised that, although a meeting of the NIC had not been held for a while, he wished to reassure Members that workstreams had been progressing and collaboration is still at the forefront of everything the Service does.

The Chair advised that the NIC was formed in 2012, this was a forum for counterparts from the other two Welsh Authorities to get together and worked very well in building up relationships and understanding. He commended officers for the work that they continue to do in relation to collaboration.

The Deputy Chair seconded the Chair's comments.

RESOLVED THAT

Members noted the content of the National Issues Committee summary report and the continued collaboration that exists across the three Services.

57.6 MEMBER ATTENDANCE 2020/21

The Deputy Chief Officer presented the report that provides Members with a summary of member attendance for the 2020/21 Municipal year.

She wished to draw Members attention to the percentage chart, advising Members to note the small number of meetings, meaning that just one non-attendance can affect percentage heavily.

She was pleased to note that during the Covid pandemic and taking into consideration issues encountered with technology member attendance has been at a very good level.

RESOLVED THAT

Members noted the report.

57.7 FORWARD WORK PROGRAMME FOR FIRE & RESCUE AUTHORITY 2020/2021

The Deputy Chief Officer presented the Forward Work Programme for 2020/21 and confirmed all items are on schedule to complete the Work Programme.

The Deputy Chief Officer advised Members that there will be a requirement to convene a single item extraordinary meeting to consider Job Evaluation. It is hoped that this meeting will be held in either April or May.

The Chair wished to record his thanks to all members for their participation, it is greatly appreciated by himself and the Deputy Chair.

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

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