

SOUTH WALES FIRE & RESCUE AUTHORITY

MINUTES OF THE FIRE & RESCUE AUTHORITY MEETING HELD ON MONDAY 26 SEPTEMBER 2011 AT SOUTH WALES FIRE & RESCUE SERVICE HEADQUARTERS

34. PRESENT:

Councillor	Left	Authority
A M Ernest (Chairman)		Vale of Glamorgan
S Bradwick		Rhondda Cynon Taff
J Daniel		Rhondda Cynon Taff
D T Davies	1430 hrs	Caerphilly
R J W Greenland		Monmouthshire
C James	1205 hrs	Bridgend
R Jones		Torfaen
L W Kelloway		Cardiff
C Mann	1455 hrs	Caerphilly
R McKerlich		Cardiff
R Patel	1235 hrs	Cardiff
G Price		Merthyr Tydfil
W J Routley	1325 hrs	Newport
J Singh	1235 hrs	Cardiff
V E Smith		Monmouthshire
G Stacey	1235 hrs	Rhondda Cynon Taff
B Thomas	1235 hrs	Blaenau Gwent
W Tomlinson	1235 hrs	Torfaen
E T Williams		Vale of Glamorgan

APOLOGIES:

K Hyde	Cardiff
S J Jones	Rhondda Cynon Taff
D Sage	Bridgend

ABSENT:

D Bolter	Caerphilly
D Hando	Newport

OFFICERS PRESENT:- CFO A Marles, DCFO H Jakeway, ACFO R Hammerton – Director of Technical Services, Mr S Greenslade – Treasurer, ACO P Haynes – Director of People Services, AM G Clement – Head of Major Projects & Property Maintenance, Mr M Watt – FBU Representative, Ms V Stevens – Wales Audit Officer, Mr M Chown – Chairman of the Trustees of Firebrake, Ms H Prior – Chief Executive Officer of Firebrake

35. DECLARATIONS OF INTEREST

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

In addition the following Members specifically drew attention to the following interests as it affected their home Authority:-

Councillor Bradwick	Item 28
Councillor Daniel	Item 28

As a trustee of Firebrake, the Chief Fire Officer declared an interest in agenda item 9.

36. CHAIRMAN'S ANNOUNCEMENTS

TODAY'S MEETING

Due to the length of the agenda the Chairman announced Members would break for lunch at 1230 hours and reconvene at 1315 hours.

WELSH AMBULANCE TRUST

The Annual Public Meeting of the Board of the Welsh Ambulance Services NHS Trust is to be held at 1030 hrs on 29 September 2011 in G7 Atrium, Gorseinon Development Trust, Millers Drive, Gorseinon, Swansea, SA4 4QN. The Trust welcomes the attendance of all members of the public and fully embraces equality and diversity. Members were reminded that if they had any special requirements in order to aid their attendance to inform the Trust at least five working days in advance to enable them to help accommodate Members requirements. Welsh simultaneous translation facilities would also be available.

The Annual Public Meeting would be followed by a Trust Board Meeting also open to the public, to be held at 1130 hours. Further details, including directions to the location, were available from Nia Cockburn on 01745 532994.

TREASURY MANAGEMENT WORKSHOP

Members were requested to note that as a result of the Treasury Management Compliance Review which was reported to the Finance Audit and Performance Management Committee in July, a Treasury Management Workshop would be held at 2pm on 17 October, to which all Members were encouraged to attend. Members should inform Members Support of their attendance.

FIREFIGHTERS' CHARITY GALA PRESENTATION EVENING

This year's Firefighters' Charity Gala Presentation Evening is to be held at Caerphilly Castle on Friday 28 October 2011, 1900-1930 hours. Tickets are on sale at £25.00 each, and include complimentary wine, 5 course meal and entertainment.

GLEISION COLLERY MINING TRAGEDY

The Chairman was sure that all Members would join him in expressing his condolences to the families of the miners who tragically lost their lives in last week's incident. Whilst support was provided by a number of agencies the Chairman was able to confirm that a number of personnel from South Wales Fire & Rescue Service provided assistance, and that he would be writing to each of them thanking them for the extreme efforts that they exhibited throughout the incident.

Members held a minute's silence.

PRESENTATION EVENING

The Chairman reminded Members that a Presentation Evening is to be held at Headquarters on Thursday 3 November 2011, commencing at 7pm, and urged all Members to attend if possible.

WELCOME

The Chairman welcomed Mr Mike Chown, Chair of Trustees and Helen Prior, Chief Executive Officer from Firebrake, who were invited to talk to Members in regard to agenda item number 9. The Chairman also welcomed Ms V Stevens, from the Wales Audit Office.

RETIREMENT OF THE CHIEF FIRE OFFICER

The Chairman announced that as it was the Chief Fire Officer's last Fire Authority meeting before he retires on 30 November, the Chairman would like to take the opportunity to wish the Chief Fire Officer all the very best in his retirement, and on behalf of the Fire Authority wished to thank him formally for all his outstanding work and achievements carried out on behalf of the Service.

The Chief Fire Officer thanked Members for their best wishes.

37. MINUTES OF PREVIOUS MEETING

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

- HR & Equalities Meeting held on 11 April 2011
- Finance Audit & Performance Management Meeting held on 16 May 2011
- Fire & Rescue Authority Meeting held on 27 June 2011

38. UPDATE ON ACTIONS

The Chief Fire Officer informed Members of actions undertaken since the last meeting.

39. MEMBERS ATTENDANCE

The Chairman drew Members attention to the up to date figures on Fire Authority Members attendance for 27 June 2011 – 23 September 2011.

RESOLVED THAT

Members noted the content of the report.

40. STATEMENT OF ACCOUNTS 2010/2011

The Treasurer informed Members that the South Wales Fire & Rescue Authority (SWFRA) is required to adopt its Statement of Accounts for 2010/11 by 30 September 2011, by which date the external auditor is also required to provide his/her opinion on the financial statements. The report and appendix discharged those obligations, and also considered the associated letter of representation by the auditor.

The Chairman of the Finance Audit & Performance Management Committee wished to convey his thanks to the Treasurer and members of staff for the good work carried out in producing the Statement of Accounts.

RESOLVED THAT

Members unanimously agreed to adopt the Statement of Accounts for the year ended 31 March 2011 as provided electronically via the Member portal.

41. AUDIT OF FINANCIAL STATEMENTS – REPORT TO THOSE CHARGED WITH GOVERNANCE (AUDIT OF FINANCIAL STATEMENT REPORT)

The Treasurer and the Welsh Audit Officer jointly informed Members that the appointed auditor is required to give their opinion on the true and fairness of the financial statements for the year ended 31 March 2011.

RESOLVED THAT

41.1 Members agreed to consider the Audit of Financial Statement Report of the appointed auditor shown at Appendix 1 to the report.

41.2 Members agreed to note the letters of representation included in the Audit of Financial Statement Report and delegate authority to the Treasurer for these to be reviewed and finalised on behalf of the Authority.

42. FIREBRAKE FUNDING

The Treasurer presented a report highlighting Members key concerns raised at their 27 June 2011 meeting on the supplementary funding request by Firebrake to cover their accommodation costs for the next three years from April 2011, in addition to the funding already provided to the charity. The Chief Executive of the charity was present at the meeting to address Members concerns and answer any questions.

Due to an electrical failure Members and Officers continued the meeting in Meeting Room 8 from 1130 hours.

RESOLVED THAT

42.1 Members noted the report.

42.2 Members confirmed the decision not to provide the additional funding requested and resolved to reduce the longstanding funding in next year 2012/13 budget to £15,000 subject to no salary increases being awarded and progress in value added initiatives in South Wales being evidenced prior to final budget setting.

42.3 Members requested a microphone to be available for guest speakers at future meetings

43. BUDGET STRATEGY 2012/13

The Treasurer presented a report for Members consideration on the budget strategy to be employed in the construction of the 2012/13 Revenue Budget.

RESOLVED THAT

43.1 Members agreed to approve the strategic budget issues discussed in the paper.

43.2 Members approved the 2011/2015 Medium Term Financial Plan made available to Members electronically.

43.3 Members agreed the 2012/13 budget process and timetable shown at Section 2.9 to the report.

44. RISK REDUCTION PLAN 2012/13

The Deputy Chief Fire Officer presented a report for Members to consider the responses received during the consultation process on the draft Risk Reduction Plan 2012-13, and the content of the final version of the Risk Reduction Plan 2012-13 that Members would adopt.

RESOLVED THAT

- 44.1 Members agreed to note the consultation responses.
- 44.2 Members agreed to adopt the draft 2012-13 Risk Reduction Plan approved by Members on 9 May 2011.
- 44.3 Members agreed that consultation and negotiations continue with the relevant trade unions on specific project proposals before formal recommendation proposals are presented to Members.
- 44.4 Members agreed that the final version of the Risk Reduction Plan 2012-13 be submitted to the Welsh Government by 31 October 2011 in accordance with statutory requirements and published on the Authority's internet site.
- 44.5 Members agreed that the Chief Fire Officer be given delegated authority to implement the adopted Risk Reduction Plan 2012-13.
- 44.6 Following Members concerns on comments received from an internal member of staff, the Deputy Chief Fire Officer agreed to discuss further with the staff member.

45. PUBLICATION OF THE ANNUAL IMPROVEMENT PLAN 2011/12

The Deputy Chief Fire Office presented Members with a report on publishing the Service's Annual Improvement Plan in accordance with the requirements of the Local Government (Wales) Measure 2009.

RESOLVED THAT

45.1 Members noted the report and agreed the general content and strategic direction of the plan.

45.2 Members approved the publishing of the Improvement Plan on the SWFRS internet site by 31 October 2011.

(Councillor C James left the meeting at 1205 hours)

46. REPORT ON DISCIPLINARY DISMISSAL APPEALS ISSUES

The ACO People Services informed Members that under the existing South Wales Fire & Rescue Service Discipline Policy and Procedures, following dismissal from the Service all employees have the right of appeal to the Disciplinary Appeals Committee of the Fire & Rescue Authority.

The Finance & Audit Performance Management Committee received an auditor's report which recommended that disciplinary appeals against dismissal should fall within the ambit of the Principal Officers' roles and responsibilities.

The matter was then referred to the HR & Equalities Committee for further consideration of the wider personnel issues to take place.

In doing so, the HR & Equalities Committee received information which identified that when an employee is dismissed from the Service and they subsequently appeal the dismissal to the Disciplinary Appeals Panel that they remain on full pay until the appeal is heard.

RESOLVED THAT

In accordance with the HR & Equalities Committee resolution Members agreed to accept the following recommendation:-

46.1 That the Disciplinary Dismissal Appeals should be heard by members of the Executive Leadership Team (CFO, DCFO, and ACOs).

Following lengthy discussion, Members voted 11 votes to 7 to defer the following recommendations until legal advice had been obtained:-

- That the practice of continuing to pay employees after dismissal but whilst awaiting their appeal should be ceased.
- That where the employee is reinstated on appeal they would be reimbursed their loss of earnings from their original dismissal date.

The meeting was adjourned for lunch at 1235 hours.

(Councillors Singh, Patel, Stacey, Thomas, and Tomlinson, left the meeting at 1235 hours)

The meeting resumed at 1315 hours.

47. STRATEGIC PROPERTY UPDATE

Area Manager Clement updated Members upon the key issues arising from the detailed Strategic Property Update at the Fire & Rescue Authority meeting held June 2011.

RESOLVED THAT

- 47.1 Members noted the work being undertaken by Officers in relation to the sites detailed in the report.
- 47.2 Members requested that both current and past Members are invited to the opening ceremony of the Cardiff Central and Aberbargoed Fire Stations.

48. DISPOSAL OF APPLIANCES

The ACFO Technical Services informed Members that the Fire & Recue Service vehicle disposal has been a matter of debate within the CFOA Wales Transport Officers Group for some time, with concerns being raised regarding security and second usage. Whilst all current Water Ladder disposals are being donated to Serbia, recent interest within the market place for specific vehicles have rendered 4x4 Water Ladders worth considerably more that was previously the case.

RESOLVED THAT

48.1 Members agreed to authorise delegated powers to the ACFO Technical Services, and the Treasurer, to test the market place and seek Best Value for the Authority when disposing of vehicles.

48.2 Members requested a further report on the outcome of sales to be presented to the Asset Management Working Group.

(Councillor Routley left the meeting at 1325 hours)

49. DISPOSAL OF WATER TANKER

The ACFO Technical Services informed Members that further to a delivery of a replacement vehicle during the summer of 2011, South Wales Fire & Rescue Service has a Water Tanker for disposal that has attracted interest from Cini Fire Tech Limited on the Isle of Wight, who are prepared to offer £5,000 to purchase it. In view of the vehicle's age and condition this is considered a good price.

RESOLVED THAT

49.1 Members agreed to authorise the sale of the Water Tanker to Cini Fire Tech Limited.

49.2 Members agreed to make a donation of £2500 from the proceeds of the sale, subject to legal review to assist in the delivery of vehicles to Serbia.

50. BRIBERY ACT 2010

The Treasurer informed Members of the existence of the Bribery Act 2010 and how this relates to them in their role as a Fire & Rescue Authority Member, and to ask that they note the action being taken by Officers to update the Authority's robust policies and procedures currently in place to mitigate against possible acts of bribery by or on behalf of the Authority.

RESOLVED THAT

50.1 Members agreed to note the report and the action being taken by Officers to mitigate against possible acts of bribery by, or on behalf of, the Authority.

50.2 Members agreed that the responsibility for this Act should sit with the Standards Committee and that the ACO Corporate Services be given delegated authority to amend the terms of reference of the Standards Committee accordingly.

51. DRAFT ANNUAL REPORT OF THE INDEPENDENT REMUNERATION PANEL FOR WALES – DECEMBER 2011

The Treasurer summarised for Members the key findings relevant to Fire & Rescue Authority Members in the Panel's draft report and sought Members' views upon the consultation response to be submitted to the Panel Secretariat by 3 October 2011.

RESOLVED THAT

51.1 Following consideration on the issues raised within the report, Members agreed to delegate authority to the Chief Fire Officer and Treasurer, in consultation with the Chairman, to respond to the panel by the 3 October deadline.

51.2 The Chairman agreed to send a copy of the response to Members.

52. HEALTH & SAFETY REPORT 2010/2011

The ACFO Technical Services informed Members that the Annual Health & Safety report for 2010/2011 presents statistics and activities which provides data on performance within South Wales Fire & Rescue Service.

The report continues to identify the downward trend in accidents and injuries from the base line data of 1997/1998 in line with our Health & Safety Strategy.

The Chairman thanked the ACFO Technical Services for an excellent report, and suggested that it be reported in the next Chief Fire Officer's Newsletter.

RESOLVED THAT

Members unanimously agreed:-

- 52.1 To note the report on the performance of South Wales Fire & Rescue Service in the area of Health & Safety.
- 52.2 To note the overall success achieved in the area of Health & Safety across the Service area.
- 52.3 To note the range of initiatives underway to support Health & Safety for South Wales Fire & Rescue Service.

53. MOTORCYCLE SAFETY PROGRAMME – 'RIDE OUT RIDE RIGHT'

The Deputy Chief Fire Officer updated Members on the progress that has been made with the 'Ride Out Ride Right' (RORR) motorcycle safety programme, since its launch in June 2010. The RORR programme is funded by the Welsh Government with the aim to assist in reducing the number of motorcyclists killed and seriously injured on the roads of Wales.

RESOLVED THAT

- 53.1 Members agreed that the RORR motorcycle programme continues within South Wales Fire & Rescue Service, taking on board feedback from partners and attendees plus evaluation, with the intention to continuously improve where required.
- 53.2 Members requested that any evaluation conducted by Wales Government be reported to the Authority.

54. LOCAL, REGIONAL, NATIONAL: WHAT SERVICES ARE BEST DELIVERED WHERE? THE SIMPSON REVIEW

The Chief Fire Officer introduced the Simpson Review to Members of the Fire & Rescue Authority.

RESOLVED THAT

- 54.1 Members noted the report and submission to the Welsh Local Government Association (WLGA).
- 54.2 Members requested a report on joint collaboration with the other Emergency Services (JESG) to be presented at December's Fire Authority meeting.

55. USE OF EMERGENCY RELATED POWERS BY DEPUTY CHIEF FIRE OFFICER AND APPROVAL FOR ATTENDANCE AT OVERSEAS EVENTS

The Deputy Chief Fire Officer advised Members of the use of Emergency Powers by the Deputy Chief Fire Office, in consultation with the Chairman of the Finance, Audit & Performance Management Committee, to approve attendance at events overseas; and requested Members' approval for travel overseas.

RESOLVED THAT

- 55.1 Members agreed to note that in the absence of the Chief Fire Officer and Chairman of the Authority, the use by the Deputy Chief Fire Officer of Emergency Powers to authorise the attendance of a member of the UK International Search and Rescue (ISAR) Team on a Staff Management Course in Sweden on 18-23 September 2011.
- 55.2 Members agreed to authorise the attendance of the UK-ISAR Team member to represent the UK-ISAR Management Team at the UN INSARAG meeting in Tunisia on 24-28 November 2011.
- 55.3 Members agreed to authorise and fund the air fare for a Station Manager to attend the WRO/UKRO training initiative in Ghana on 12-26 November 2011.

56. PERFORMANCE MONITORING REPORT – QUARTER 1 APRIL 2011 TO JUNE 2011

The Deputy Chief Fire Officer presented to Members the performance information and recorded incident statistics from April 2011 to June 2011.

RESOLVED THAT

56.1 Members agreed to note the performance details and statistical data contained within the report.

56.2 Members agreed to approve its publication on the SWFRS internet site.

56.3 Members agreed for Officers not to pursue the disaggregation of data to ward level for the reasons detailed within the report.

The Chairman thanked the Deputy Chief Fire Officer for an excellent report, and wished to pass his thanks on to members of staff who had carried out the work.

57. STRATEGIC PLANNING FOR POTENTIAL INDUSTRIAL ACTION OVER CHANGES TO PUBLIC SECTOR PENSIONS

The ACFO Technical Services informed Members that proposed changes to Public Sector Pension Schemes, and the current consultation process, are creating a period of industrial tension which presents the potential for industrial action to take place in the near future. In previous disputes Fire & Rescue Authorities have been able to rely on support from the military in providing emergency cover. This is no longer available. This fact, combined with the fact that SWFRS has extremely high union membership, are key factors in planning for any industrial dispute. The report set out the Statements of Strategic Intent that are required to enable adequate action plans to be developed.

RESOLVED THAT

Members agreed to note the content of the report and endorsed the Statements of Strategic Intent.

58. FORWARD WORK PROGRAMME

The Chief Fire Officer presented the Forward Work Programme.

RESOLVED THAT

Members accepted the Forward Work Programme for the Fire & Rescue Authority 2011/12.

59. TO CONSIDER ANY ITEMS OF BUSINESS THAT THE CHAIRMAN DEEMS URGENT (PART 1)

There were no items of urgent business.

60. RESOLUTIONS TO EXCLUDE THE PRESS AND PUBLIC BY VIRTUE OF SECTION 100A AND PARAGRAPHS 12, 13 & 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 paragraphs 12, 13 & 14 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended) was passed.

61. DISPOSAL OF LANELAY HALL SITE

Councillor Daniel left the meeting in the consideration of this item.

Area Manager Clement updated Members on progress made towards securing planning permission and marketing the Lanelay Hall site since the June 2011 meeting.

RESOLVED THAT

Members accepted the following recommendations, whilst Councillor Bradwick abstained:-

61.1 Members noted the current progress to the planning process for the Lanelay Hall site.

61.2 Members approved the Authority contributing up to £250,000 in remediating the difficulties in maximising site value by a contribution to the costs of a third party subject to gaining planning permission.

61.3 Members agreed that if the contribution of £250,000 needs to be increased then delegated authority be authorised to the Chief Fire Officer, Treasurer and Chairman.

Councillor Daniels returned to the meeting.

(Councillor D T Davies left the meeting at 1430 hours)

62. RETIREMENT OF THE CHIEF FIRE OFFICER

The Deputy Chief Fire Officer left the meeting in the consideration of this item.

The Chief Fire Officer advised the Authority of his intention to retire. Members were offered two alternatives to put interim arrangements in place to give continued leadership at the top of the Service.

(Councillor Mann left the meeting at 1455 hours)

RESOLVED THAT

62.1 Members unanimously agreed to making temporary appointments from existing staff members to achieve an interim solution to commence on 1 December 2011 for an initial 6 month period, subject to review. These arrangements to include the temporary promotion of the Deputy Chief Fire Officer to Chief Fire Officer and Assistant Chief Officer Corporate Services to Deputy Chief Officer. To maintain the ratio of three uniformed officers in the Executive Leadership Team for top level rota response, an Area Manager would need to be temporarily promoted to Assistant Chief Fire Officer. There would also need to be a realignment of officer responsibilities with an extended role for the Treasurer.

62.2 That the ACO People Services be given delegated authority to consult with the Chairman to set the level of honoraria payments to Officers taking on additional temporary responsibilities under the recommendation of the report.

62.3 The Chairman asked Members to consider asking the Chief Fire Officer to remain in the Authority's employment as an

advisor to the management team after 30th November in view of the expected industrial action on 30th. This was unanimously agreed. ACO People Services was given authority to make suitable arrangements.

The Deputy Chief Fire Officer returned to the meeting.

63. RENT OF DESK SPACE AT HEADQUARTERS

Area Manager Clement appraised Members of the proposal for a third party private sector Company to occupy office space within Headquarters.

RESOLVED THAT

63.1 Members agreed for negotiations to take place between FARMSS and SWFRS on the basis of the rental and other charges.

63.2 Members agreed to accommodate a FARMSS member of staff in the Headquarters building, subject to safeguarding security and confidentiality, and delegate authority to the ACO Corporate Services to make the necessary arrangements, including negotiating the rental charge.

64. STAFF REDUNDANCY – NON UNIFORMED

The ACO People Services outlined for Members changes in the workload of the Equalities and Diversity Unit, with arguments to support the redundancy of a part-time post.

RESOLVED THAT

64.1 Members approved the voluntary redundancy of the support member of staff with effect from 30 September 2011.

64.2 Members agreed that the one off redundancy costs be met from in-year savings generated by the redundancy.

65. TO CONSIDER ANY ITEMS OF BUSINESS THAT THE CHAIRMAN DEEMS URGENT (PART 2)

There were no items of urgent business.