

## **SOUTH WALES FIRE & RESCUE AUTHORITY**

### **MINUTES OF THE HR & EQUALITIES MEETING HELD ON MONDAY, 20 JULY, 2015 AT SOUTH WALES FIRE & RESCUE SERVICE HEADQUARTERS**

#### **1. PRESENT:**

<b>Councillor</b>	<b>Left</b>	<b>Authority</b>
S J Jones (Chair)		Rhondda Cynon Taff
A Jones (Deputy Chair)		Torfaen
P Drake		Vale of Glamorgan
C Elsbury		Caerphilly
B Morgan		Rhondda Cynon Taff
J Morgan		Blaenau Gwent
G Phillips		Cardiff
M Powell		Monmouthshire
P Seabourne		Torfaen

#### **APOLOGIES:**

S Bradwick		Rhondda Cynon Taff
E Galsworthy		Merthyr Tydfil
E Hacker		Vale of Glamorgan
R McKerlich		Cardiff
M Rahman		Newport

#### **ABSENT:**

S Pickering		Rhondda Cynon Taff
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**OFFICERS PRESENT:-** ACO P Haynes – Director of People Services, Mr C Powell – Deputy Monitoring Officer, A/AM I Greenman – Acting Head of Training & Development

#### **2. DECLARATIONS OF INTEREST**

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

Councillor Seabourne declared a personal interest in Agenda Item 6 - Firefighter Pension Schemes – Welsh Government Circulars.

Officers declared an interest in Agenda Item 7 - South Wales Fire & Rescue Authority, Principal Officers and Heads of Service – Equal Treatment Terms.

### **3. CHAIR'S ANNOUNCEMENTS**

The Chair brought Members attention to copies of the following circulars relating to Pay Awards for 2015:-

- National Joint Council for Local Authority Fire & Rescue Services – Circular NJC/11/15 – Pay Settlement 2015. The NJC had agreed an increase of 1% with effect from 1 July 2015
- National Joint Council for Brigade Managers of Local Authority Fire & Rescue Services – Pay Award 2015. The NJC had agreed an increase of 1% in Brigade Managers pay with effect from 1 January 2015.

The ACO People Services also informed Members of the following circular which was a lengthy document and hard copies would only be provided upon request:-

- National Joint Council for Local Authority Fire & Rescue Services – Circular NJC/12/15 – Continual Professional Development Payments 2015: Payments by Authority. The NJC had agreed an increase of 1% on the above payments effective from 1 July 2015

Members also noted that the Fire & Rescue Authority's Annual Pay Policy would be updated to include these circulars.

### **4. MINUTES OF PREVIOUS MEETING**

The minutes of the HR & Equalities meeting held on 23 March 2015, were received and accepted as a true record of proceedings.

### **5. ANNUAL MONITORING REPORT TO WELSH LANGUAGE COMMISSIONER 2014-2015 BRIEFING REPORT**

The ACO People Services provided Members with an overview of performance against the Authority's Welsh Language Scheme 2010-2014, which is still in force pending the introduction of Welsh Language Standards.

## **RESOLVED THAT**

- 5.1 Members accepted the Annual Welsh Language Monitoring Report for 2014-2015.
- 5.2 Members agreed to note the need to continue to implement and monitor the Authority's Welsh Language Scheme in order to provide the Welsh Language Commissioner with the evidence required to prove that the Authority is meeting its legal responsibilities with regard to the Welsh Language.
- 5.3 Following a query by Members, Officers agreed to check the figures contained within page 15 attached to the report.
- 5.4 Following lengthy discussion on the cost of translating documents and time limits, and whether Members would prefer to receive meeting papers either electronically or hard copies through the mail, Officers agreed to carry out a survey on how Members would prefer to receive meeting papers in the future.

## **6. FIREFIGHTERS PENSION SCHEMES – WELSH GOVERNMENT CIRCULARS**

The ACO People Services informed Members that the Public Services Pension Act (PSPA) 2013 set out the new arrangements for the creation of Schemes for the payment of pensions and other benefits. The PSPA 2013 gave powers to the Pensions Regulator to operate a system of independent oversight of the operation of these Schemes.

Under the terms of the PSPA 2013, the Fire & Rescue Authority was the recognised Scheme Manager and as such needed to identify through which mechanism it intended to fulfil its role and obligations.

The Welsh Government issued regular communications to all Chief Fire Officers, Chairs and Clerks of Fire & Rescue Authorities, electronically in a standard circular template. These circulars can cover a variety of areas, including Firefighters Pension Schemes and have to be noted or actioned as appropriate. The report established the mechanism for reporting and processing all Firefighters Pension Schemes managerial and administrative actions.

Members, in their capacity as Scheme Managers, were required to consider the factors identified in the circulars, and to endorse the appropriate actions to ensure the proper administration of the Firefighters Pension Schemes.

## **RESOLVED THAT**

- 6.1 Members agreed to note the content of the Welsh Government (Firefighters' Pensions Scheme Circulars) that have been received since the beginning of the 2015/2016 Municipal Year.
- 6.2 Members agreed to note the actions that have been implemented for each of the circulars.
- 6.3 Members agreed to receive summary reports on Welsh Government Pension Scheme circulars at future HR & Equalities meetings.
- 6.4 Following a lengthy question and answer session, Members were made aware that along with Officers they were unable to provide an individual with any advice or guidance regarding pensions or personal tax.

Apart from the ACO People Services, Officers withdrew from the meeting while the following agenda item was being presented.

## **7. SOUTH WALES FIRE & RESCUE AUTHORITY, PRINCIPAL OFFICERS AND HEADS OF SERVICE – EQUAL TREATMENT TERMS**

The ACO People Services informed Members that each year Public Sector bodies were required to review and publish their Pay Policy Statement in line with the terms of the Localism Act. The Fire & Rescue Authority had determined that the HR & Equalities Committee should review its Pay Policy Statement, and then report their recommendations to the full Committee.

In October 2014, the HR & Equalities Committee reviewed the Authority's 2014/2015 Pay Policy Statement in light of guidance issued by Welsh Government.

The HR & Equalities Committee had initially requested a report on the equal pay and equal value terms identified in the Pay Policy Statement and its accompanying report. Having considered those issues the Members requested further clarification on the potential legal factors affecting equal pay or equal value.

During a lengthy debate, Members acknowledged the content of the external legal advice that had been received. They considered an analysis of current risks and any future risk of claims. They also gave regard to a range of options available to them. They acknowledged the

position identified in the report that in the current financial climate any substantive increase in the level of pay outside national agreements was not a reasonable course of action. Similarly they identified that any movement to equalise pay downward would go against individual contracts of employment and would undoubtedly be opposed, controversial and difficult to achieve.

It was accepted that the Service promotes itself as an equal opportunities employer and the importance of applying equal value principles irrespective of gender, were constituent factors. The ACO People Services withdrew from the meeting in order for Members to deliberate and its accompanying report.

### **RESOLVED THAT**

- 7.1 Following a vote by Members, they unanimously agreed that the decision be deferred and an independent external advisor be engaged to evaluate the current salary matrix in full.
- 7.2 Members unanimously agreed that the Fire & Rescue Authority should utilise the findings and address the perceived inequalities where appropriate, and for it to guide and inform the 'Shaping Our Future' project's recommendations.

Officers returned to the meeting.

### **8. SOUTH WALES FIRE & RESCUE SERVICE – TRAINING AND DEVELOPMENT DEPARTMENT – PLANNED TRAINING ACTIVITIES 2015/2016**

The Acting Head of Training & Development presented an electronic presentation and report to Members on the Training Department's Planned Training activities for 2015/2016, and identified the organisation's structure and functions established within Training & Development in order to facilitate it.

### **RESOLVED THAT**

- 8.1 Following a question and answer session, Members agreed to note the content of the report and electronic presentation, and endorsed the actions identified.
- 8.2 Following a request by Members, Officers agreed to consider arranging a further visit to the Cardiff Gate Training & Development Centre in due course.

The Chair thanked Officers for the excellent presentation.

**9. FORWARD WORK PROGRAMME**

The ACO People Services presented the Forward Work Programme for 2015/2016.

**RESOLVED THAT**

Members accepted the Forward Work Programme for the HR & Equalities Committee 2015/2016.

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

There were no items of urgent business.