

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 on **StarLeaf – Access Code: 4272861806**  
**Monday, 13 July 2020 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. Chairperson's Announcements
4. To receive the minutes of;

- Fire & Rescue Authority held on 10 February 2020 5
- Annual General Meeting held on 8 June 2020 9
- Finance, Audit & Performance Management Committee held on 25 November 2019 17
- HR and Equalities Committee held on 11 November 2019 23

<ul style="list-style-type: none"> <li>• Local Pension Board Committee held on 20 January 2020</li> <li>• Finance, Audit &amp; Performance Management Committee held on 2 March 2020</li> </ul>	<p>31</p> <p>35</p>
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Signature of Proper Officer:



## MEMBERSHIP

### Councillors:

W	Hodgins	Blaenau Gwent
R	Shaw	Bridgend
D	White	Bridgend
D T	Davies	Caerphilly
C	Elsbury	Caerphilly
A	Hussey	Caerphilly
D	Ali	Cardiff
S	Ebrahim	Cardiff
A	Lister	Cardiff
D	Naughton	Cardiff
J	Williams	Cardiff
M	Colbran	Merthyr Tydfil
L	Brown	Monmouthshire
V	Smith	Monmouthshire
M	Spencer	Newport
H	Thomas	Newport
S	Bradwick	Rhondda Cynon Taff
J	Harries	Rhondda Cynon Taff
S	Pickering	Rhondda Cynon Taff
A	Roberts	Rhondda Cynon Taff
S	Evans	Torfaen
A	Jones	Torfaen
P	Drake	Vale of Glamorgan
H	Jarvie	Vale of Glamorgan

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**SOUTH WALES FIRE & RESCUE AUTHORITY**

**MINUTES OF THE FIRE & RESCUE AUTHORITY MEETING  
HELD ON MONDAY, 10 FEBRUARY 2020 AT 1030 HOURS  
AT SOUTH WALES FIRE & RESCUE SERVICE HEADQUARTERS**

**38. PRESENT:**

<b>Councillor</b>	<b>Arrived</b>	<b>Left</b>	<b>Authority</b>
D T Davies (Chair)			Caerphilly
D Ali			Cardiff
L Brown			Monmouthshire
M Colbran			Merthyr Tydfil
P Drake			Vale of Glamorgan
C Elsbury			Caerphilly
S Evans			Torfaen
J Holt			Blaenau Gwent
A Hussey			Caerphilly
H Jarvie			Vale of Glamorgan
A Jones			Torfaen
D Naughton			Cardiff
A Roberts			Rhondda Cynon Taf
V Smith			Monmouthshire
M Spencer			Newport
H Thomas			Newport
J Williams	1040		Cardiff

**APOLOGIES:**

S Bradwick			Rhondda Cynon Taf
S Ebrahim			Cardiff
J Harries			Rhondda Cynon Taf
A Lister			Cardiff
S Pickering			Rhondda Cynon Taf
D White			Bridgend

**ABSENT:**

R Shaw			Bridgend
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**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; AM G Davies – Head of Operations

**39. DECLARATION OF INTEREST**

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

#### **40. CHAIR'S ANNOUNCEMENTS**

##### **OPENING OF THE COMPARTMENTAL FIRE BEHAVIOUR TRAINING FACILITY**

The Chair reminded Members of the official opening of the new CFBT facility by the Deputy Minister on Thursday, 14 February 2020. Members were asked to arrive at Cardiff Gate Training & Development Centre by 0945 hrs.

##### **NATIONAL FRAMEWORK FOR FIRE & RESCUE SERVICES – PROGRESS REPORT**

The Chair brought to Members' attention the publication of the Deputy Minister's bi-annual report on the Welsh Fire & Rescue Services. The Chair reiterated that it is an all-Wales report, and along with officers he is working through the report to consider the source data that has been used to determine the next steps. A report will be brought to the next meeting of Fire & Rescue Authority.

A copy of the Welsh Government report will be circulated to all Members of the Authority.

##### **CANTEEN FACILITY AT HEADQUARTERS**

The Chair was pleased to advise that should Members wish to purchase lunch or a snack following the meeting, the canteen facility is now open 5 days a week. It is being run by 'Miss Tilleys', who provide work experience opportunities to people with learning disabilities.

#### **41. MINUTES OF PREVIOUS MEETINGS**

The minutes of the Finance, Asset & Performance Management Scrutiny Group meeting held on 7 October 2019 were received and accepted as a true record.

The minutes of the Local Pension Board meeting held on 24 June 2020 were duly noted but could not be confirmed as a true record in the absence of a second Member of the Board.

The minutes of the Standards Committee meeting held on 4 February 2019 were duly noted but could not be confirmed as a true record in the absence of a second Member of the Committee.

The minutes of the Fire & Rescue Authority meeting held on 16 December 2020 were received and accepted as a true record, subject to amendment to include the attendance of Councillor Malcolm Colbran.

#### **42. UPDATE ON ACTIONS**

The Deputy Chief Officer advised that all outstanding actions had been completed.

## **43. REPORTS FOR DECISION**

### **43.1 WALES AUDIT OFFICE ANNUAL AUDIT LETTER 2018/19 AND CERTIFICATE OF COMPLIANCE 2018/19**

The Deputy Chief Officer reported on the conclusion of the Wales Audit Office review of the Authority's audit of financial reporting for 2018/19 and assessment of performance for 2018/19, following receipt of both the Wales Audit Office Annual Audit Letter 2018/19 and Certificate of Compliance 2018/19.

#### **RESOLVED THAT**

Members noted the two documents received from the Wales Audit Office.

### **43.2 REVENUE BUDGET 2020/21**

The Treasurer updated Members on outstanding matters in respect of the revenue budget and provided feedback on the consultation exercise undertaken and the budget planning considerations undertaken to reduce the proposed budget increase from 4.5% to an increase of 4.25%.

During a question and answer session, the Treasurer provided clarity on aspects of the report.

The Chair wished to record his thanks to the Treasurer and his teams for the excellent work undertaken in determining the revenue budget for 2020/21.

#### **RESOLVED THAT**

Members approved the contribution budget at £74,879,797, representing an increase of 4.25%.

### **43.3 STRATEGIC PERFORMANCE INDICATOR TARGETS 2020/21**

The Head of Operations presented the proposed Strategic Performance Indicators for 2020/21 for Members' consideration.

Specifics of the data provided were discussed in further detail, and the Chair reminded Members that the performance indicators are set by Welsh Government, and not the Fire Authority.

The Chief Fire Officer, particularly in light of the progress report relating to the National Framework for Fire & Rescue Services, advised that the Service's ambition is to make the societies of South Wales safer and to add more value to the communities that we serve. This is reflected in the Authority's decision that the Service provides a response over and about its statutory functions.

**RESOLVED THAT**

43.3.1 Members agreed to endorse the Performance Indicator Targets proposed for 2020/21.

43.3.2 Members approved delegation to the Director of Service Delivery to review the quarter 4 data for 2019/20 and planned reduction strategies, and refine targets as necessary.

43.3.3 Members approved its publication on the South Wales Fire & Rescue Service website.

**43.4 RESPONSES TO THE CONSULTATION ON THE STRATEGIC THEMES AND OBJECTIVES FOR 2020/21**

The Deputy Chief Officer updated Members on the recent public consultation on the Strategic Themes and Objectives developed for 2020/21, and Members were requested to consider the responses received during the consultation period of 21 September 2019 to 13 December 2019.

Debate took place on the consultation questions, and whilst these had previously been agreed by Members, officers undertook to include a preamble to next year's consultation on Strategic Themes and Objectives in order to provide some context. It was further agreed that in terms of the ethnicity question, 'Black-British' should be an additional option. Officers noted the omission and undertook to include going forward.

**RESOLVED THAT**

43.4.1 Members reviewed the consultation evaluation contained in Appendices B, C and D to the report.

43.4.2 Members approved the Strategic Themes and Objectives detailed within Appendix A to the report.

**44. REPORTS FOR INFORMATION****44.1 FORWARD WORK PROGRAMME 2019/20**

The Deputy Chief Officer presented the Forward Work Programme for 2019/20, and undertook to report on the National Framework for Fire & Rescue Services – Progress Report at the next meeting.

**45. 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.

**SOUTH WALES FIRE & RESCUE AUTHORITY**

**MINUTES OF THE FIRE & RESCUE AUTHORITY  
ANNUAL GENERAL MEETING HELD ON  
MONDAY 8 JUNE 2020**

**HELD REMOTELY VIA STARLEAF**

**1. PRESENT:**

<b>Councillor</b>	<b>Authority</b>
D Ali	Cardiff
S Bradwick	Rhondda Cynon Taff
L Brown	Monmouth
M Colbran	Newport
D T Davies	Caerphilly
P Drake	Vale of Glamorgan
S Ebrahim (Joined at 1045 hrs)	Cardiff
C Elsbury	Caerphilly
S Evans	Torfaen
J Harries	Rhondda Cynon Taff
W Hodgins	Blaenau Gwent
A Hussey	Caerphilly
H Jarvie	Vale of Glamorgan
A Jones	Torfaen
A Lister	Cardiff
D Naughton	Cardiff
S Pickering	Rhondda Cynon Taff
A Roberts	Rhondda Cynon Taff
R Shaw	Bridgend
V Smith	Monmouth
M Spencer	Newport
H Thomas	Newport
D White	Bridgend

**APOLOGIES:**

J Williams	Cardiff
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**OFFICERS PRESENT:** CFO H Jakeway, DCO S Chapman – Monitoring Officer, Ms S Watkins – Deputy Monitoring Officer

## **2. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

## **3. ELECTION OF CHAIRPERSON OF THE FIRE & RESCUE AUTHORITY FOR MUNICIPAL YEAR 2020/2021**

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

### **RESOLVED THAT**

Councillor D T Davies was duly elected Chair of the Fire & Rescue Authority for the Municipal Year 2020/2021.

The newly appointed Chair responded by thanking Members for their unanimous vote of confidence and support.

As Councillor Holt had recently withdrawn from the Fire & Rescue Authority, the Chair extended a warm welcome to new Member, Councillor Hodgins.

## **4. ELECTION OF DEPUTY CHAIRPERSON OF THE FIRE & RESCUE AUTHORITY FOR MUNICIPAL YEAR 2020/2021**

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 2020/2021.

## 5. TO AGREE THE COMMITTEE MEMBERSHIP FOR THE MUNICIPAL YEAR 2020/2021

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

### RESOLVED THAT

- 5.1 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.
- 5.2 The Chair called for and received nominations for the following membership of Committees for 2020/2021 which was unanimously agreed:-

#### Finance Audit & Performance Management Committee

Cllr W Hodgins	Blaenau Gwent
Cllr D White	Bridgend
Cllr A Hussey	Caerphilly
Cllr S Ebrahim	Cardiff
Cllr V Smith	Monmouthshire
Cllr M Spencer	Newport
Cllr J Harries	Rhondda Cynon Taff
Cllr S Evans	Torfaen
Cllr P Drake	Vale of Glamorgan
Cllr M Colbran	Merthyr Tydfil

#### Local Pension Board

Cllr S Bradwick	Rhondda Cynon Taff	Labour
Cllr P Drake	Rhondda Cynon Taff	Labour
Cllr V Smith	Monmouthshire	Independent
Cllr L Brown	Monmouthshire	Conservative

#### HR & Equalities

Cllr A Roberts	Rhondda Cynon Taff	Labour
Cllr D Ali	Cardiff	Labour
Cllr S Pickering	Rhondda Cynon Taff	Labour
Cllr H Thomas	Newport	Labour
Cllr A Lister	Cardiff	Labour
Cllr A Hussey	Caerphilly	Labour

Cllr S Evans	Torfaen	Labour
Cllr R Shaw	Bridgend	Labour
Cllr P Drake	Vale of Glamorgan	Labour
Cllr C Elsbury	Caerphilly	Plaid Cymru
Cllr A Jones	Torfaen	Labour
Cllr D Naughton	Cardiff	Liberal Democrat
Cllr W Hodgins	Blaenau Gwent	Independent
Cllr H Jarvie	Vale of Glamorgan	Independent
Cllr M Colbran	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

## **6. ELECTION OF CHAIRPERSON OF THE FINANCE, AUDIT & PERFORMANCE MANAGEMENT COMMITTEE FROM ITS COMMITTEE MEMBERS FOR MUNICIPAL YEAR 2020/2021**

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

### **RESOLVED THAT**

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

## **7. ELECTION OF DEPUTY CHAIRPERSON OF THE FINANCE, AUDIT & PERFORMANCE MANAGEMENT COMMITTEE FROM IT'S COMMITTEE MEMBERS FOR MUNICIPAL YEAR 2020/2021**

The Chair called for nominations for Deputy Chairperson of the Finance, Audit & Performance Management Committee from

among its Members. Councillor P Drake was nominated and seconded. There were no other nominations.

**RESOLVED THAT**

Councillor P Drake was duly elected as Deputy Chairperson of the Finance, Audit & Performance Management Committee.

**8. ELECTION OF CHAIRPERSON OF HR & EQUALITIES COMMITTEE FROM ITS COMMITTEE MEMBERS FOR MUNICIPAL YEAR 2020/2021**

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

**RESOLVED THAT**

Councillor S Pickering was duly elected as Chair of the HR & Equalities Committee for 2020/2021.

**9. ELECTION OF DEPUTY CHAIRPERSON OF HR & EQUALITIES COMMITTEE FROM ITS COMMITTEE MEMBERS FOR MUNICIPAL YEAR 2020/2021**

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

**RESOLVED THAT**

Councillor D Ali was duly elected as Deputy Chair of the HR & Equalities Committee for 2020/2021.

## **10. TO AGREE THE APPOINTMENT OF REPRESENTATIVES TO OTHER GROUPS AND OUTSIDE BODIES FOR MUNICIPAL YEAR 2020/2021**

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**

10.1 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 D T Davies

#### **Representative on LGA Fire Committee**

Chairperson – Councillor D T Davies

#### **Community Safety Partnership Representatives**

Cllr W Hodgins	Blaenau Gwent
Cllr D White	Bridgend
Cllr C Elsbury	Caerphilly
Cllr D Ali	Cardiff
Cllr P Drake	Vale of Glamorgan
Cllr L Brown	Monmouthshire
Cllr H Thomas	Newport
Cllr J Harries	Rhondda Cynon Taff
Cllr S Evans	Torfaen
Cllr M Colbran	Merthyr Tydfil

#### **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 A Jones	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 M Spencer	Newport
Cllr A Roberts	Rhondda Cynon Taff
Cllr J Williams	Cardiff
Cllr P Drake	Vale of Glamorgan
Cllr A Hussey	Caerphilly
Cllr S Evans	Torfaen
Cllr H Thomas	Newport
Cllr R Shaw	Bridgend
Cllr H Jarvie	Vale of Glamorgan

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

Cllr S Pickering	Rhondda Cynon Taff
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### **Representatives on ICT Steering Group**

Cllr C Elsbury	Caerphilly
Cllr A Roberts	Rhondda Cynon Taff

10.2 Following lengthy discussion on the membership of the Finance, Asset & Performance Management Scrutiny Group, Members unanimously agreed that the Scrutiny Group would consider proposals to reconfigure to a Scrutiny Committee. The Scrutiny Group will consider reform of the relevant terms of reference and membership of the new committee and present a report to the Fire & Rescue Authority with their recommendations in due course.

10.2 The Monitoring Officer agreed to ensure that Councillor Drake received adequate pensions training for her new position on the Local Pension Board.

10.3 Following a question and answer session, the Monitoring Officer agreed to send Councillor Hodgins a copy of the policies and procedures of the HR & Equalities Committee, as well as the Terms of Reference.

## **11. TO AGREE THE CYCLE OF MEETINGS FOR THE MUNICIPAL YEAR 2020/2021**

The Chair provided Members with details of the proposed cycle of Committee and Working Group meetings for the Municipal Year 2020/2021.

## **RESOLVED THAT**

- 11.1 Members unanimously approved the cycle of Committee and Working Group meetings for the Municipal Year 2020/2021 detailed in Appendix 1 attached to the report.
- 11.2 Members agreed that a new date for the next Presentation Evening would be arranged in due course.
- 11.3 Members noted that they would receive their weekly Covid updates on a fortnightly basis in future.

## **12. WELCOME ADDRESS**

The Chief Fire Officer extended a warm welcome to Members of the Fire & Rescue Authority for the Municipal Year 2020/2021.

He was pleased to report that along with the Chair he had attended a meeting with the Deputy Welsh Government Minister who was extremely complimentary on how the Service was responding to the Covid-19 pandemic.

Councillor Bradwick also took the opportunity to thank crews from Aberdare Fire Station for all their hard work in tackling the recent grassfires in the local area.

## SOUTH WALES FIRE & RESCUE SERVICE

### MINUTES OF THE FINANCE, AUDIT & PERFORMANCE MANAGEMENT COMMITTEE MEETING HELD ON MONDAY, 25 NOVEMBER 2019 AT 10:30HRS SOUTH WALES FIRE & RESCUE SERVICE HEADQUARTERS

#### 21. PRESENT

##### Councillor

S Evans (Chair)  
P Drake  
V Smith  
A Hussey  
M Colbran

##### Left

Torfaen  
Vale of Glamorgan  
Monmouthshire  
Caerphilly  
Merthyr Tydfil

##### APOLOGIES

M Spencer  
S Ebrahim  
J Holt  
J Harries

Newport  
Cardiff  
Blaenau Gwent  
Rhondda Cynon Taff

##### ABSENT

D White

Bridgend

**OFFICERS PRESENT:** Mrs S Chapman – Deputy Chief & Monitoring Officer, Mr C Barton – Treasurer, ACO A Reed – Director of People Services, Mr A Jones – Head of Human Resources, Mr G Thomas – Head of Finance & Procurement, Mr C Fitzgerald – TIAA Internal Auditor, Ms A Butler – WAO

#### 22. DECLARATIONS OF INTEREST

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

#### 23. CHAIR'S ANNOUNCEMENTS

There were no announcements from the Chair.

#### 24. MINUTES OF PREVIOUS MEETING

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

- Finance, Asset & Performance Management meeting held on 25 March 2019

- Finance, Audit & Performance Management meeting held on 9 September 2019.

## **25. REVENUE MONITORING REPORT 2019/20**

The Head of Finance & Procurement provided details of the annual revenue budget and associated information for the year ending 31 March 2020.

It was noted that the increase in underspend for contracted services was due to South Wales Police supplying the ICT software for the Joint Control Centre, and the cost sharing arrangements for this.

A discussion arose around which services were now operating from Llantwit Major Fire Station. It was confirmed that the Coastguard, Police and Ambulance are now operating at the Emergency Services' Station.

The increase in members of staff is as a result of temporary staff becoming permanent members of staff, as per the Re-structure report approved by the Fire Authority. It was noted that the establishment figures had not changed following the Fire Authority report.

### **RESOLVED THAT**

- 12.1 The content of the report was noted.
- 12.2 A summary explanation on the main variances contained within Appendix 2 of the report to be provided within the main body of future reports.
- 12.3 A visit to the Emergency Services' Station at Llantwit Major to be arranged for Members.

## **26. CAPITAL MONITORING REPORT 2019/20**

The Head of Finance & Procurement presented Capital Monitoring report 2019/20 and provided detail of the capital budget, transactions to date and the forecast year end position.

### **RESOLVED THAT**

Members noted the budget and progress of capital schemes, approved the alterations identified in Appendix 1 and associated movements in funding streams.

## **27. REVENUE & CAPITAL BUDGET SETTING UPDATE REPORT**

The Treasurer provided a presentation on the Revenue & Capital budget setting update report. Changes to local authority population figures were discussed in detail and it was noted that the changes were due to a shift in the Welsh Government forecasted figures provided previously.

Scenarios were also presented based on Welsh Government grant funding for pension increases and without the grant funding.

### **RESOLVED THAT**

- 27.1 Members noted the content of the presentation.
- 27.2 Members agreed to a report being presented at the December Fire Authority meeting, with a view to asking Members to agree to a formal consultation on local authority budget contributions.

## **28. AUDIT ACTIONS REPORT**

The Deputy Chief Officer presented the Audit Actions which were reviewed in detail.

### **RESOLVED THAT**

Members noted the Audit Actions contained within the report.

## **29. TREASURY MANAGEMENT MID-TERM REVIEW REPORT 2019/20**

The Treasurer provided Members with an update on the Authority's treasury activities for the period 1 April – 30 September 2019.

### **RESOLVED THAT**

- 29.1 Members noted the report and the treasury activity for the period 1 April – 30 September 2019.
- 29.2 Members agreed for the report to be presented at the December Fire Authority meeting.

## **30. INTERNAL AUDIT REPORT**

The Internal Auditor updated Members upon progress being made against the Internal Audit Plan 2019/20.

As part of ICT audits, it was noted that the Service employs outside organisations to undertake a managed exercise to try to gain access to the Service's systems and alleviate breaches to the system. Daily and weekly backups also take place.

## **RESOLVED THAT**

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

### **31. 2018-19 AUDIT OF FINANCIAL STATEMENTS REPORT ADDENDUM - RECOMMENDATIONS**

The Wales Audit Officer provided a detailed update on the 2018-19 Audit of Financial Statements Addendum recommendations. A questions and answer sessions followed.

It was noted that requirements will be built into future tender specifications for external valuers to determine the life value of all service properties, for accounting purposes.

## **RESOLVED THAT**

Members noted the content of the report.

### **32. SERVICE WIDE JOB EVALUATION EXERCISE**

The Director of People Services provided Members with a summary of the proposed service wide Job Evaluation Exercise. It was noted that a report was presented at the previous HR & Equalities Committee and feedback from Members was for officers to consider low morale amongst staff who may be affected in relation to downgrading of posts. In instances of downgrading, those positions will be pay protected for 3 years, in line with current Authority policy.

A report will also be presented at the December Fire Authority meeting which will also cover any risks identified with the exercise, communication & engagement with staff and pension impacts.

## **RESOLVED THAT**

Members noted the content of the report and agreed for a report to be presented to Fire Authority on this issue.

### **33. FORWARD WORK PROGRAMME 2019-20**

The Deputy Chief Officer presented the Forward Work Programme for 2019/20.

**RESOLVED THAT**

Members agreed the Forward Work Programme for 2019/20.

**34. 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 HR & EQUALITIES COMMITTEE MEETING HELD ON MONDAY, 11 NOVEMBER 2019 AT SOUTH WALES FIRE & RESCUE SERVICE HEADQUARTERS

#### 15. PRESENT

<b>Councillor</b>	<b>Left</b>	<b>Authority</b>
S Pickering (Chair)		Rhondda Cynon Taff
M Colbran		Merthyr Tydfil
P Drake		Vale of Glamorgan
S Evans		Torfaen
D Naughton		Cardiff
H Thomas		Newport
A Lister	12:15	Cardiff
A Roberts	11:35	Rhondda Cynon Taff

#### **APOLOGIES:**

D Ali	Cardiff
C Elsbury	Caerphilly
A Hussey	Caerphilly
J Holt	Blaenau Gwent

#### **ABSENT:**

H Jarvie	Vale of Glamorgan
A Jones	Torfaen
R Shaw	Bridgend

**OFFICERS PRESENT:** ACO Alison Reed – Director of People Services; Mrs S Watkins – Head of Corporate Support & Deputy Monitoring Officer; AM I Greenman – Head of Training Delivery; Mr A Jones – Head of Human Resources; SM M Wyatt – Training Manager, Mrs G Goss – HR Manager Employee Relations, Mrs K Davies – HR Manager Attendance Management, Mrs D Doel – HR Manager Recruitment & Assessment, Mr C Wood – Equality & Diversity Officer, Mr D Crews – Firefighter, SM Kevin Yates, Training Manager

#### 16. DECLARATIONS OF INTEREST

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

## **17. CHAIR'S ANNOUNCEMENTS**

### **REMEMBRANCE SERVICE**

The Chair informed Members of the Remembrance Service being held at headquarters at 11:00hrs and that the meeting would be interrupted at 10:50hrs to allow Members to pay their respects.

### **MICROPHONE TESTING**

The Chair advised Members that the microphones placed in the meeting room were for testing purposes only, ahead of the next Fire Authority meeting.

### **ITEM 9 ON THE AGENDA – CFBT PROJECT UPDATE**

It was agreed that the CFBT Project Update be presented as the last item.

### **ADDITIONAL REPORT**

It was agreed to add an additional report on Job Evaluation under any other urgent business.

## **18. MINUTES OF PREVIOUS MEETING HELD ON 18 FEBRUARY 2019**

The minutes of the meeting held on 8 July 2019 were received and accepted as a true record of proceedings.

## **19. NATIONAL JOINT COUNCIL CIRCULARS ON PAY FOR 2019 – BRIGADE MANAGERS AND OTHER ROLES**

The Director of People Services provided Members with details of the National Joint Council and Local Government Services' circulars which confirms agreement reached in respect of pay awards for 2019 for Brigade Managers and other roles, and how it related to South Wales Fire & Rescue Service. As stated in the Annual Pay Policy, the Fire & Rescue Authority has agreed to implement nationally agreed pay awards.

### **RESOLVED THAT**

- 19.1 Members noted the National Joint Council for Brigade Managers of Local Authority Fire & Rescue Services joint circulars, which confirms agreement has been reached in respect of the pay award for 2019.
- 19.2 Members also noted the National Joint Council for Local Government Services' circular issued in 2018, which confirmed a 2 year arrangement covering 2018 and 2019.

## **20. STRATEGIC EQUALITY PLAN (SEP) UPDATE**

The Equality and Diversity Officer advised Members that the Service's current Strategic Equality Plan is time-limited to 31 March 2020 with a new follow-on Plan being required under law.

The first draft of equality outcomes for the Strategic Equality Plan 2020-2025 together with a mapping table indicating lineage which lead to the formation of the draft outcomes, were presented to Members.

A consultation process will be undertaken on the plan and feedback will be presented at a future meeting of the Fire Authority.

### **RESOLVED THAT**

Members noted the content of the report.

## **21. FIREFIGHTERS' PENSION SCHEMES – WALES GOVERNMENT CIRCULARS 2019/2020**

The Director of People Services advised Members that under the terms of the Public Services' Pension Act 2013 (PSBA 2013), the Fire & Rescue Authority is the recognised Scheme Manager for Firefighters' Pension Schemes.

Welsh Government issue regular communications to all Chief Fire Officers, Chairs and Clerks of Fire & Rescue Authorities, electronically in a standard circular template. These emails and circulars can cover a variety of areas, including all aspects of Firefighters' Pension Schemes, and have to be noted or actioned as appropriate.

### **RESOLVED THAT**

- 21.1 Following a question and answer session on the initial pension shortfall, as reported at a previous Pension Board meeting, Members noted that the expectation is that the service will be required to meet the shortfall. It was agreed to await the Hearing meeting on tapering arrangements, the case management for which is taking place in December.
- 21.2 Members accepted the Welsh Government (Firefighters' Pension Scheme Circulars and emails) that have been received in the 2019/2020 year to date.
- 21.3 Members noted the actions that have been implemented for each of the circulars.

At 10:50hrs the meeting was interrupted to allow Members to attend the Remembrance Service. The meeting re-convened at 11:15hrs.

## **22. RECRUITMENT, ATTRACTION & ENGAGEMENT STRATEGY**

The HR Manager Recruitment & Assessment provided Members with an update on the Recruitment, Attraction & Engagement Strategy that is being developed on behalf of the Service. The aim is to attract, engage, recruit and retain a diverse workforce which is representative of the community of South Wales, and to become a 'preferred employer of choice'. The report provided details of previous work undertaken, ongoing developments and the way the Service would like to move forward.

The Head of HR advised Members that the Strategy will be developed from 2020 onwards. He also advised that following the recent Wholetime Firefighter Recruitment Process which was open for a limited time over 2 days, the Service received a total of 3,200 applications of interest, which was pleasing to report.

Following a question and answer session on the recruitment process, and the perception members of the public have on the role of a firefighter, it was noted that standards cannot be lowered however the service can work through any barriers that individuals may have and will help to develop them. The Service's fitness advisers can also assist, if required. For those applicants that did not meet the entry criteria, the Service will work through any shortfalls with them.

In relation to the low number of female firefighters, it was confirmed that positive action work is being carried out in conjunction with organisations such as Stonewall and Chwarae Teg. Females are encouraged and advised that they can undertake the role.

Applications have also been received from former Cadets, and the Service is considering how it can work with them and provide support to future applicants.

The 'He for She' campaign launched at the Senedd was very successful and showed how services can move away from discriminating barriers. The Service will ensure it maintains its impetus in this regard.

The Chair thanked the HR Manager for the work undertaken on the Strategy.

### **RESOLVED THAT**

Members noted the content of the report.

### **23. UPDATE ON LEADERSHIP DEVELOPMENT STRATEGY – 1 SEPTEMBER 2018- 31 MARCH 2019**

The Head of HR updated Members on the development modules in respect of the future leaders of the Service, and outlined the background for future plans.

The Service is considering more effective ways of working in terms of cost and time management and reviewing promotional processes used within other organisations.

The Head of HR advised of the recent Leadership conference held with South Wales Police and the Ambulance Service which was a successful event and it is hoped that the event will run on an annual basis. Keynote speakers were in attendance and the event's themes were based on leadership development, leadership activities, individual productivity, nutrition, talent management, customer service levels, employment engagement, lower absence rates and how to reduce disciplinaries and grievances.

Benefits, resource sharing and opportunities to share costs with other agencies will be considered. Tentative discussions with South Wales Police and WAST have taken place in this regard.

#### **RESOLVED THAT**

Members noted the contents of the report.

### **24. ANNUAL MENTAL HEALTH STRATEGY & WELLBEING DELIVERY PLAN REPORT FOR THE PERIOD 1 APRIL 2018 – 31 MARCH 2019**

The HR Manager Attendance Management informed Members that the Service published the Mental Health Strategy 2018-2021 in September 2018. The report outlined the progress made to the Service's mental health provision from April 2018 to March 2019, a summary of the ongoing health and wellbeing support provided by the Service and a brief overview of the new activities to be undertaken from April 2019 to March 2020.

The HR Manager advised that she is due to meet with an assessor to discuss the corporate work standard in relation to securing an externally accredited award and to review how the Service is achieving against their standard.

A Wellbeing Steering Group has been set up which is represented by members of staff from across the service. The HR Manager and Firefighter Crews are currently undertaking a review of mental health. Firefighter Crews is also a member of the Royal Foundation Working Group which has been established to provide mental health support and wellbeing of front line and other operational members of staff. Firefighter Crews provided Members with an

insight into the work of the group which consists of representatives from Fire, Ambulance, Police and Coastguard. Firefighter Crews will be seconded to HR to review what support is in place, from a Service perspective and will visit neighbouring services to discuss good practice.

The Service's aim is to build on the 'Time to Talk' Campaign and to arrange an awareness day through the Royal Foundation. It was noted that 1 in 4 will suffer with some form of mental health and of those, only 25% will access support. Suicide rates are male dominated. Those between the ages of 40-45 in Wales are more at risk of taking their own life and with this in mind, the Service will consider what support can be provided. Line managers will be advised where information can be found to provide support.

The ACO People Services was pleased to advise Members of the powerful partnership that is now in place and the good piece of work that Firefighter Crews, in conjunction with the HR Manager, has completed to date. She also congratulated Firefighter Crews on securing his place on the Royal Foundation.

## **RESOLVED THAT**

Members noted the contents of the report.

## **25. GENDER PAY GAP STATEMENT**

The Director of People Services advised Members that under the Equality Act 2010 (Specific Duties and Public Authorities), all public authorities are required to publish gender pay gap information by reporting the percentage differences in pay between their male and female employees.

Public authorities must publish the required information based on data captured on the snapshot date of 31 March 2019, within 12 months. Accordingly, the deadline for publication is 30 March 2020 for the Service's Gender Pay Gap report based on figures as at 31 March 2019.

This report details the legal background and requirements placed on the Fire & Rescue Authority to publish a Gender Pay Gap Statement, the reporting metrics set out in legislation, and the definitions for the relevant pay period, full pay relevant employee, ordinary pay and bonus pay.

The Director of People Services also advised Members that the Service will hopefully be able to close the gender pay gap through the implementation of its Recruitment and Attraction Strategy which will be reported at the December meeting of the Fire Authority for final sign off.

**RESOLVED THAT**

25.1 Members noted the contents of the report.

25.2 Year on year figures to be provided at the next meeting, to include comparisons with other services.

**26. UPDATE ON INVESTORS IN PEOPLE**

The Training Manager provided Members with an overview of the current position with the Investors in People Award, including future actions remaining until re-accreditation in October 2020.

A presentation was provided on the results received from a recent questionnaire to all staff.

It was noted that all negative and positive comments are being reviewed and the Service will consider how they can be addressed. It was identified that over 1/3 of staff did not engage in the process and this will also be reviewed going forward to ensure they are involved in future engagement.

The Chair thanked the Training Manager for providing the presentation.

**RESOLVED THAT**

Members noted the contents of both the presentation and report.

**27. CFBT PROJECT UPDATE**

The Training Manager provided a presentation on the CFBT Project which included images and video footage of a controlled burn.

An invite will be sent to Members for the Official Opening. The Deputy Minister will also be in attendance.

The Chair thanked the Training Manager for the presentation, images and video footage and encouraged Members' attendance at the Official Opening.

**RESOLVED THAT**

Members noted the content of the presentation.

## **28. FORWARD WORK PROGRAMME**

The Head of Corporate Support presented the Forward Work Programme for the HR & Equalities Committee for 2019/20 and the following will be included within the Programme;

- Job Evaluation report to be added for future reference.
- Update on Annual Mental Health Strategy and Wellbeing Delivery Plan.
- Further information to be provided on a wider perspective of the Gender Pay gap.

### **RESOLVED THAT**

Members accepted the Forward Work Programme for the HR & Equalities Committee 2019/20 together with the additions noted above.

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

### **14.1 JOB EVALUATION**

The HR Manager Employee Relations provided Members with a summary of the proposed service wide Job Evaluation Exercise.

In the event of posts being downgraded it was confirmed that they will be protected for 3 years, which is in line with LGPS regulations.

Members advised officers to be mindful of low morale when undertaking the exercise, in instances of downgrading of posts.

### **RESOLVED THAT**

Members noted the contents of the report which will be presented and authorised at the December meeting of the Fire Authority.

The Chair closed the meeting by thanking all staff involved with the completion of all reports presented, which was evidence of the excellent work undertaken by the Authority and the Service.

## SOUTH WALES FIRE & RESCUE AUTHORITY

### MINUTES OF THE LOCAL PENSION BOARD MEETING HELD ON MONDAY 20 JANUARY 2020 AT SOUTH WALES FIRE & RESCUE SERVICE HEADQUARTERS

#### 20. PRESENT:

S Bradwick (Chair)	Rhondda Cynon Taff
V Smith (Deputy Chair)	Monmouthshire
L Brown	Monmouthshire
J Harries	Rhondda Cynon Taff
D King	Fire & Rescue Service Association
R Prendergast	Association of Principal Fire Officers
S Saunders	Fire Brigades Union, Brigade Chair

**OFFICERS PRESENT:-** ACO A Reed – Director of People Services, ACO C Barton – Treasurer, Ms S Watkins – Deputy Monitoring Officer, Ms K Jeal – HR Manager, Mr I Traylor – Service Director, RCT Pensions, Ms C Black, RCT Pensions

#### 21. DECLARATIONS OF INTEREST

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

#### 22. CHAIR'S ANNOUNCEMENTS

There were no new announcements to report.

#### 23. MINUTES OF PREVIOUS MEETING

The minutes of the previous Local Pension Board Committee meeting held on 21 October, 2019, were received and accepted as a true record of proceedings.

#### 24. LOCAL PENSION BOARD - FIREFIGHTER PENSIONS ADMINISTRATION: KEY PERFORMANCE INDICATORS

The ACO People Services and RCT Service Director, informed Members that the Service Level Agreement (SLA) between South Wales Fire & Rescue Service and Rhondda Cynon Taf County Borough Council, sets out the manner in which certain duties and responsibilities were expected to be carried out. A key element of the Service Level

Agreement was the reporting on actual performance activity against the key delivery Service Standards. The presented report shared the performance data for the period 1 November to 30 November, 2019.

The Death Grant for active members within 5 days has been added to the Indicators as agreed.

It was highlighted that 2 cases of transferees both went over the 10 days target. There was no financial implications for the persons concerned. It was agreed that Officers will advise how long over the 10 day period this took at the next meeting.

### **RESOLVED THAT**

Members agreed to note the performance data attached to the report at Appendix 1.

## **25. LOCAL PENSION BOARD – MEMBERS HANDBOOK**

The ACO People Services informed Members that Officers had developed the content of a Members Handbook for the purpose of ensuring all Local Pension Board Members had the requisite knowledge, skills and understanding to enable them to fulfil their role on the Board. The report shared the first four chapters of the Handbook for approval by the Local Pension Board Members.

It was highlighted that there are only 3 scheme member representatives in attendance not 4 as is in the document. It was advised that one member had retired and his predecessor Robert Bailey will be invited to future meetings. This will ensure there are 4 members represented and invited to future meetings.

A discussion arose in relation to the Quorum and attendees at meetings. It was agreed that there is a requirement to ensure there is a balance in attendees, ACO People Services and Treasurer will look at what the legal requirements are and inform the group at the next meeting.

### **RESOLVED THAT**

Members agreed to approve Chapters 1-4 of the Members Handbook attached to the report as Appendix 1.

## **26. LOCAL PENSION BOARD – TRAINING STRATEGY & FRAMEWORK**

The ACO People Services informed Members that they were required to have a Training Strategy and Framework to meet the statutory requirements of ensuring all Board Members had the requisite knowledge, skills, and understanding to enable them to fulfil their role on the Board. A draft strategy and framework was presented to the Local Pension Board for approval at its October meeting. The presented report provided the content of each in more detail, and sought approval from the Board to proceed to implement the arrangements set out within the documents.

### **RESOLVED THAT**

- 26.1 Members agreed to approve and adopt the Local Pension Board Training Strategy as outlined in Appendix 1 attached to the report.
- 26.2 Members agreed to approve and adopt the Local Pension Board Training Framework as outlined in Appendix 2 attached to the report.
- 26.3 Members agreed to complete and return the Training Needs Analysis at Appendix 3 attached to the report by the deadline of Friday, 31 January, 2020.

## **27. TRAINING SESSION FOR MEMBERS**

Officers from RCT presented Members with a training session on Local Pension Board issues.

### **RESOLVED THAT**

Members noted and completed the Local Pension Board training session.

## **28. FORWARD WORK PROGRAMME 2019/2020**

The ACO People Services confirmed that the Programme of Work for 2019/2020 was complete as identified in the Forward Work Programme.

### **RESOLVED THAT**

Members accepted the Forward Work Programme for 2019/2020.

**29. 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.

## SOUTH WALES FIRE & RESCUE SERVICE

### MINUTES OF THE FINANCE, AUDIT & PERFORMANCE MANAGEMENT COMMITTEE MEETING HELD ON MONDAY, 2 MARCH 2020 AT 10:30HRS SOUTH WALES FIRE & RESCUE SERVICE HEADQUARTERS

#### 35. PRESENT

Councillor	Arrived	Left	
S Evans (Chair)			Torfaen
P Drake			Vale of Glamorgan
M Colbran			Merthyr Tydfil
V Smith			Monmouthshire
A Hussey			Caerphilly
M Spencer			Newport
S Ebrahim	10:48		Cardiff

#### APOLOGIES

J Holt	Blaenau Gwent
D White	Bridgend

#### ABSENT

J Harries	Rhondda Cynon Taff
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**OFFICERS PRESENT:** Mrs S Chapman – Deputy Chief & Monitoring Officer, Mr C Barton – Treasurer, Mr C Williams, Head of ICT, Ms Helen Cargill – TIAA Internal Auditor, Mr N Hollis – WAO.

#### 36. DECLARATIONS OF INTEREST

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

#### 37. CHAIR'S ANNOUNCEMENTS

There were no announcements from the Chair.

#### 38. MINUTES OF PREVIOUS MEETING

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

- Finance, Asset & Performance Management Scrutiny Group meeting held on 7 October 2019

- Finance, Audit & Performance Management meeting held on 25 November 2019.

### **39. TREASURY MANAGEMENT STRATEGY REPORT**

The Treasurer advised that due to the Senior Accountant being away from the office at present due to a family bereavement, the Treasury Management Strategy report was not available for reporting at this time. The report will be presented at the next Fire Authority meeting scheduled to take place on 30 March.

Members asked for their condolences to be sent.

### **40. BUSINESS PLAN ACTIONS REPORT – HEALTH CHECK 2019/20 QUARTER 3**

The Deputy Chief Officer presented the Business Plan Actions Report - Health Check 2019/20 - Quarter 3.

In relation to providing education to our communities, it was confirmed that the Service holds a database containing contact information for vulnerable members of the service area, the information is provided by health boards and other agency partners. Those individuals without social service involvement do, unfortunately, fall through the net, unless they contact us directly.

The Deputy Chief Officer was pleased to report that visits were made by the Service over the weekend of 28 February-1 March to vulnerable people on the Service's database who were victims of flooding in the Ely area of Cardiff.

In relation to the number of false alarms attended, it was noted that more properties are employing alarm monitoring companies which has resulted in an increase in attendance at such incidents.

It was also noted that the Service will respond to false alarms at hospitals during the hours of 0800-1800 at normal road speed, with a single appliance in attendance, unless a fire is confirmed.

### **RESOLVED THAT**

Members noted the content of the report.

**41. DRAFT ANNUAL REPORT OF THE WORK OF THE FINANCE, AUDIT AND PERFORMANCE MANAGEMENT COMMITTEE AND THE DISCHARGE OF THE TERMS OF REFERENCE OF THE FINANCE, ASSET & PERFORMANCE MANAGEMENT SCRUTINY GROUP**

The Deputy Chief Officer summarised the work of the Finance, Audit & Performance Management Committee and its Scrutiny Group for the municipal year 2019/20.

**RESOLVED THAT**

Members considered the report and made slight amendment to paragraph 2.4, prior to reporting to the Fire & Rescue Authority as a summary of the workload carried out by the Committee and Scrutiny Group during the municipal year.

**42. REVENUE MONITORING REPORT 2019/20**

The Treasurer provided details of the annual revenue budget and associated information for the year ending 31 March 2020.

In relation to shared services, it was confirmed that the service does not hold a large debt and recovery service. Payments are, on occasion, overdue, but not substantially.

A discussion arose around automatic meter readings and it was noted that this plan of works is still ongoing. The Service is actively identifying best value for money on meter systems. It was also noted that the heating levels on stations are controlled from a central point.

Members were advised that funding for USAR is received through grant funding resulting in neutral impact. USAR is wholly financed by Welsh Government.

**RESOLVED THAT**

Members noted the report and agreed its content.

**43. CAPITAL MONITORING REPORT 2019/20**

The Treasurer presented the Capital Monitoring report 2019/20 and provided a detailed update on the capital budget, transactions to date and the forecast position at year end.

It was noted that helmets were not included within the purchase of PPE. A separate procurement process will be undertaken for the purchase of helmets as we were not included on the North Wales tender documents.

The following station refurbishment update was provided to Members;

Pontypridd – refurbishment works have commenced on site

Llantwit Major – works completed

Occupational Health Unit – works completed

New Inn – currently establishing if there are potential alternative sites for the station that would better suit our needs.

## **RESOLVED THAT**

Members noted the budget and progress of capital schemes, approved the alterations identified in Appendix 1 and associated movements in funding streams.

### **44. INTERNAL AUDIT REPORT**

The Internal Auditor updated Members upon progress being made against the Internal Audit Plan 2019/2020.

## **RESOLVED THAT**

Members agreed the internal audit recommendations and work completed to date on the Internal Audit Annual Plan and were pleased to note the positive report which was a good reflection of the work undertaken by SWFRS staff.

### **45. WALES AUDIT OFFICE – 2020 AUDIT PLAN**

The Wales Audit Officer presented the 2020 Audit Plan which included the Audit of Accounts, Performance Audit, Fees, Audit Team Timetable and Future Developments to his audit work.

The Treasurer wished to bring to Members' attention a potential discrimination issue in relation to the McCloud Judgement which was discussed at a recent Welsh Government Scheme Advisory Board meeting. A plan is afoot in relation to a remedy, without a remedy the liabilities are unknown. It was noted that this is an issue across many organisations.

## **RESOLVED THAT**

Members noted the 2020 Audit Plan.

#### **46. STRATEGIC RISK REGISTER REPORT**

The Deputy Chief Officer updated Members upon the Strategic Risk Register Health Check - 2019/20 - Quarter 3 Review which outlined progress made on the management of risks identified as at October-December 2019.

It was confirmed that specific emergency plans are in place in relation to the outbreak of the corona virus which include steps the Service will take in the event of loss of staff. A meeting is being held with a number of public service organisations through National Resilience Forums.

The Emergency Services Network was discussed.

#### **RESOLVED THAT**

Members noted the report.

#### **47. REGISTER OF GIFTS AND HOSPITALITY**

The Deputy Chief Officer provided Members with an overview of the Gifts and Hospitality recorded on the Hospitality and Gifts Register for 2019/20.

#### **RESOLVED THAT**

Members noted the contents of the Hospitality and Gifts Register in line with Internal Audit recommendations.

#### **48. CYBER SECURITY ACCREDITATION UPDATE REPORT**

The Head of ICT provided Members with an update on accreditation progress towards Cyber Essentials Plus/Information Assurance for Small and Medium Enterprises.

#### **RESOLVED THAT**

Members noted the content of the report.

#### **49. FORWARD WORK PROGRAMME 2019-20**

The Deputy Chief Officer presented the Forward Work Programme for 2019/20.

#### **RESOLVED THAT**

Members accepted the Forward Work Programme for 2019/20.

**50. 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.

At the close of the meeting, the Chair wished to thank SWFRS staff for the comprehensive work undertaken in completing all reports.

## AGENDA ITEM NO 5

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

Sally Chapman – DCO  
Huw Jakeway – CFO  
Dewi Rose – ACFO SD

Chris Barton – Treasurer  
Alison Reed – ACO PS  
Richie Prendergast – ACFO TS

<b>Minute No</b>	<b>Item</b>	<b>Action</b>	<b>Leading Officer</b>	<b>Current Status:</b>
43.3.3	Strategic Performance Indicator Targets 2020/21	To publish the agreed strategic performance indicator targets for 2020/21 on the internet and revise published targets appropriately following consideration of year end data	ACO SD	The agreed strategic performance indicator targets for 2020/21 have been published on the website. <a href="https://www.southwales-fire.gov.uk/who-we-are/our-performance/our-targets/">https://www.southwales-fire.gov.uk/who-we-are/our-performance/our-targets/</a>

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## AGENDA ITEM NO 6

**Reports for Decision**

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**SOUTH WALES FIRE & RESCUE AUTHORITY**AGENDA ITEM NO 6.i  
13 JULY 2020

## REPORT OF THE DEPUTY CHIEF OFFICER

**RATIFICATION OF EMERGENCY DECISIONS****SUMMARY**

This report seeks ratification of four key decisions taken by Members since the outbreak of COVID-19.

**RECOMMENDATIONS**

That Members ratify the following decisions:

- Authorisation of emergency delegated powers to the Chief and Deputy Chief Officer as detailed in Appendix 1.
- Approval of the Authority's Strategic Equality Plan as detailed in Appendix 2.
- Approval of the Authority's Pay Policy as detailed in Appendix 3.
- Approval of the firefighter pension discretions as detailed in Appendix 4.
- Approval of the report of those charged with governance as detailed in Appendix 5.

**1. BACKGROUND**

1.1 As Members will recall, the lockdown arising from COVID-19 resulted in the Fire Authority being unable to meet for a period of time until requisite regulations and a virtual meeting infrastructure was in place to facilitate virtual Member meetings. As a consequence, a number of key decisions had to be taken and these were done under the emergency powers delegated to the Chief and Deputy Chief Officer following Member authorisation obtained by email.

1.2 This report therefore seeks formal ratification of the decisions taken on the following issues:

- The granting of emergency delegated powers to the Chief and Deputy Chief Officer as per email dated 16 March 2020 (attached at Appendix 1).
- Approval of the Strategic Equality Plan for publication via email and associated report dated 24 March 2020 (attached as Appendix 2).
- Approval of the Authority's Pay Policy via email dated 24 March 2020 and associated report (attached as Appendix 3).
- Approval of firefighter pension discretions via email dated 24 March 2020 and associated report (attached as Appendix 4).

- Approval of the report of those charged with governance via email on 19 May 2020 and associated report (attached as Appendix 5).

## 2. **RECOMMENDATIONS**

2.1 That Members ratify the following decisions:

2.1.1 Authorisation of emergency delegated powers to the Chief and Deputy Chief Officer as detailed in Appendix 1.

2.1.2 Approval of the Authority's Strategic Equality Plan as detailed in Appendix 2.

2.1.3 Approval of the Authority's Pay Policy as detailed in Appendix 3.

2.1.4 Approval of the firefighter pension discretions as detailed in Appendix 4.

2.1.5 Approval of the report of those charged with governance as detailed in Appendix 5.

<b>Contact Officer:</b>	<b>Background Papers:</b>
Sally Chapman Deputy Chief Officer	Appendices 1-5

## APPENDIX 1

### GRANTING OF EMERGENCY DELEGATED POWERS

**From:** Chapman, Sally  
**Sent:** 16 March 2020 18:10  
**To:** Members of the Fire Authority  
**Subject:** Fire Authority Meetings & Coronavirus  
**Importance:** High

Dear Members,

As you will appreciate, the Service has been fully reviewing all of our plans and policies in the light of the Covid 19 virus to ensure that we can, as far as practicable, maintain essential services during what promises to be difficult and unchartered times over the next few months.

With that in mind, and following consultation with the Chairman, consideration has been given to Members attendance at Fire Authority and Committee meetings in the foreseeable future, especially given that many Members travel considerable distances from different communities in Wales for meetings; several members fall into one or more of the “at risk” groups; and the fact that unnecessary social contact is being actively discouraged by government and public health officials. In addition, consideration has also been given to our ICT infrastructure and our ability to facilitate remote attendance by Members at meetings, a facility that unfortunately we do not in place, primarily due to their being no requirement on the FRA to do this, as they were not included in the legislative provisions requiring such provision.

The Forward Work Programme of the Authority and its Committees has also been considered to establish business critical decisions that may need to be taken. Fortunately, we are at a time in the municipal year when the work programmes of the Authority are nearly complete pending the AGM in June. The key issues requiring members consideration over the next few month is the Treasury Management Report, the Pay Policy and the Strategic Equality Plan (the latter two of which have already been through the HR & Equalities Committee) which it is acknowledged can all be circulated electronically to Members for comment and approval in these unique circumstances we find ourselves in. this will be done under separate email.

As a consequence of all of these considerations, it has been decided to defer all Fire Authority and Committee meetings for the foreseeable future until further notice, a stance that I know some councils are also taking. However, in this interim period, which we hope will be as short as reasonably practicable, it is necessary for the Service to continue to function, albeit that some changes to service delivery will need to be made and prioritised on a risk based approach as the virus affects more of our staff and communities.

We have carefully considered the existing scheme of delegations to officers and in particular to the CFO and DCO, who have several emergency delegations within prescribed parameters, but none of which are sufficient to meet the current scenario that the country now faces. To facilitate the necessary flexibility required to ensure service delivery is maintained as effectively and efficiently as possible to prioritised areas during what promises to be a challenging period, it is necessary for us to seek a new emergency delegation to the CFO and DCO. This delegation will be exercised carefully and responsibly, preferably and where practicable following consultation with the other statutory officers of the Service and the Chairman or Deputy Chairman of the Authority.

I would be grateful if Members could respond as a matter of urgency to advise if they agree or not with the proposed new emergency delegation being granted.

Proposed New Delegation to CFO / DCO

To take any action considered necessary to ensure:

- i) That the duties, functions and responsibilities of the organisation are prioritised as far as is practicable to mitigate risk to the community and risk to our staff; and
- ii) That the organisations available resources are deployed as effectively and efficiently as possible to mitigate risk to the community and risk to our staff; and
- iii) That where required to mitigate risk to the community and risk to our staff, additional financial resources may be drawn from the Authority's reserves for use if required where approved budget is not available

Where practicable, the statutory officers of the Service and the Chair or Vice Chair of the Authority will be consulted on the proposed use of these delegations and the Monitoring Officer shall report the use of these delegations to the next available Fire Authority meeting.

I look forward to hearing from you as soon as possible.

Kind regards

Sally

**Sally Chapman**  
**Dirprwy Brif Swyddog**

Ffôn: 01443 232007

E-bost: [s-chapman@southwales-fire.gov.uk](mailto:s-chapman@southwales-fire.gov.uk)

Pencadlys Gwasanaeth Tân ac Achub De Cymru  
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**Sally Chapman**  
**Deputy Chief Officer**

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South Wales Fire & Rescue Service HQ  
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Llantrisant  
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## APPENDIX 2

## STRATEGIC EQUALITY PLAN 2020-2025

**From:** Chapman, Sally  
**Sent:** 24 March 2020 16:33  
**To:** Members of the Fire Authority  
**Subject:** FW: FA Reports for Decisions by Approval by Members (30 March 2020)  
**Importance:** High

Dear members,

Please find attached three separate reports that require Member decision. All reports have already been through HR & Equalities Committee who endorsed the content. Please could you confirm by return whether or not you agree with the content of each report and if you do have comments / suggestions / points of clarification that you highlight these. I can then ensure all members are updated on responses.

Many thanks  
Sally

**Sally Chapman**  
**Dirprwy Brif Swyddog**

Ffôn: 01443 232007  
E-bost: [s-chapman@southwales-fire.gov.uk](mailto:s-chapman@southwales-fire.gov.uk)

Pencadlys Gwasanaeth Tân ac Achub De Cymru  
Parc Busnes Forest View  
Llantrisant  
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**SOUTH WALES FIRE & RESCUE AUTHORITY**AGENDA ITEM NO  
30 MARCH 2020

## REPORT OF ACO PEOPLE SERVICES

**STRATEGIC EQUALITY PLAN (SEP) – 2020-2025****SUMMARY**

The Service's current Strategic Equality Plan (SEP) is time-limited to 31 March, 2020, with a new Plan being required under the Equality Act (2010).

The purpose of this report is to present to Members of the HR & Equalities Committee the draft Strategic Equality Plan 2020-2025.

**RECOMMENDATION**

That Members note the content of this report.

**1. BACKGROUND**

- 1.1 Legal requirements within the Equality Act (2010) means it is incumbent upon this Service to develop and implement a five-year Strategic Equality Plan (SEP). The Current Strategic Equality Plan is due to expire on 31 March, 2020.
- 1.2 Along with the above Act, Wales has 'Specific Equality Duties' which also require compliance.
- 1.3 The Service's Corporate Strategic Plan, as well as outcomes of both the Welsh Government, and the Equality & Human Rights Commission (EHRC), all form key components of consideration alongside the Law when developing a Strategic Equality Plan.
- 1.4 Utilising the above method, five key outcomes were devised, and form the basis of the draft Strategic Equality Plan. These were agreed at the HR & Equalities Committee meeting on 11 November, 2019.

**2. ISSUE**

- 2.1 The Welsh Government has decided to introduce the Socio-economic Duty with effect from 1 April, 2020. However, the proposed implementation period involves a 'softer' approach to be applied to the duty during the first two years, to allow the Welsh Government time to refine the guidance for a period of two years before being issued as 'final' statutory guidance on 1 April, 2022.

2.2 This information outlined in 2.1 has only recently been confirmed. In light of this the Service will wish to review and amend the Strategic Equality Plan 2020-2025 accordingly after publication.

2.3 Next stages:- consultation, amendments, and the presenting of a final draft to the Fire & Rescue Authority on 30 March, 2020.

2.4 The Plan, under Law, must be published and uploaded to the Service's website prior to 1 April, 2020.

### **3. FINANCIAL IMPLICATIONS**

3.1 No known direct financial implications.

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

4.1 The Strategic Equality Plan is constructed from the General Duties (Equality Act (2010)), as well as the Wales Specific Duties, and filtered through the Service's Corporate Strategic Plan, so there is no identified adverse general impact on a particular Protected Characteristic.

### **5. RECOMMENDATION**

5.1 That Members note the contents of this report.

<b>Contact Officer:</b>	<b>Background Papers:</b>
Mr Andrew Jones Head of HR	Appendix 1 – Draft Strategic Equality Plan 2020-2025



Gwasanaeth Tân ac Achub  
De Cymru

South Wales  
Fire and Rescue Service

South Wales Fire and Rescue Service

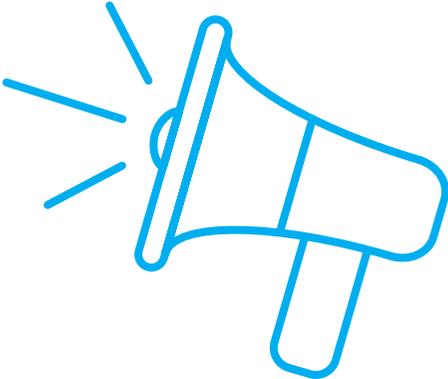
# STRATEGIC EQUALITY PLAN

## 2020/2025



# Contents

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# Foreword



## **Huw Jakeway**

Chief Fire Officer  
South Wales Fire and Rescue Service

I extend a warm welcome to South Wales Fire and Rescue Service's (SWFRS) Strategic Equality Plan for 2020-25, which introduces our strategic equality outcomes for the next five years.

The outcomes will be built into what we do, with every corporate action being related to one or more of them. This allows for us to accurately monitor improvements and increase our service to all of our communities.

Our Vision of "Making South Wales safer by reducing risk" includes you.

'Inclusion' might be a buzz word to some, but at SWFRS it represents the true commitment of all of us to continue involving you- whether it's in what we can do to be a more inclusive employer, how we can better deliver services that meet your needs, or which safety messages would be of help to you. As a public service we are proud to serve all of our diverse communities, and I encourage you to let us know how we can continue doing so.

I invite you to feedback your thoughts on this plan in either Welsh or English, and let us know if you'd like this in a paper or another format.



## OUR VISION

“ To make South Wales safer by reducing risk. ”



## OUR MISSION

**We will achieve this through:**

- **S**erving our communities needs
- **W**orking with others
- **F**acing challenges through innovation and improvement
- **R**educing risk through education, enforcement and response
- **S**ucceeding in making South Wales safer



## OUR VALUES

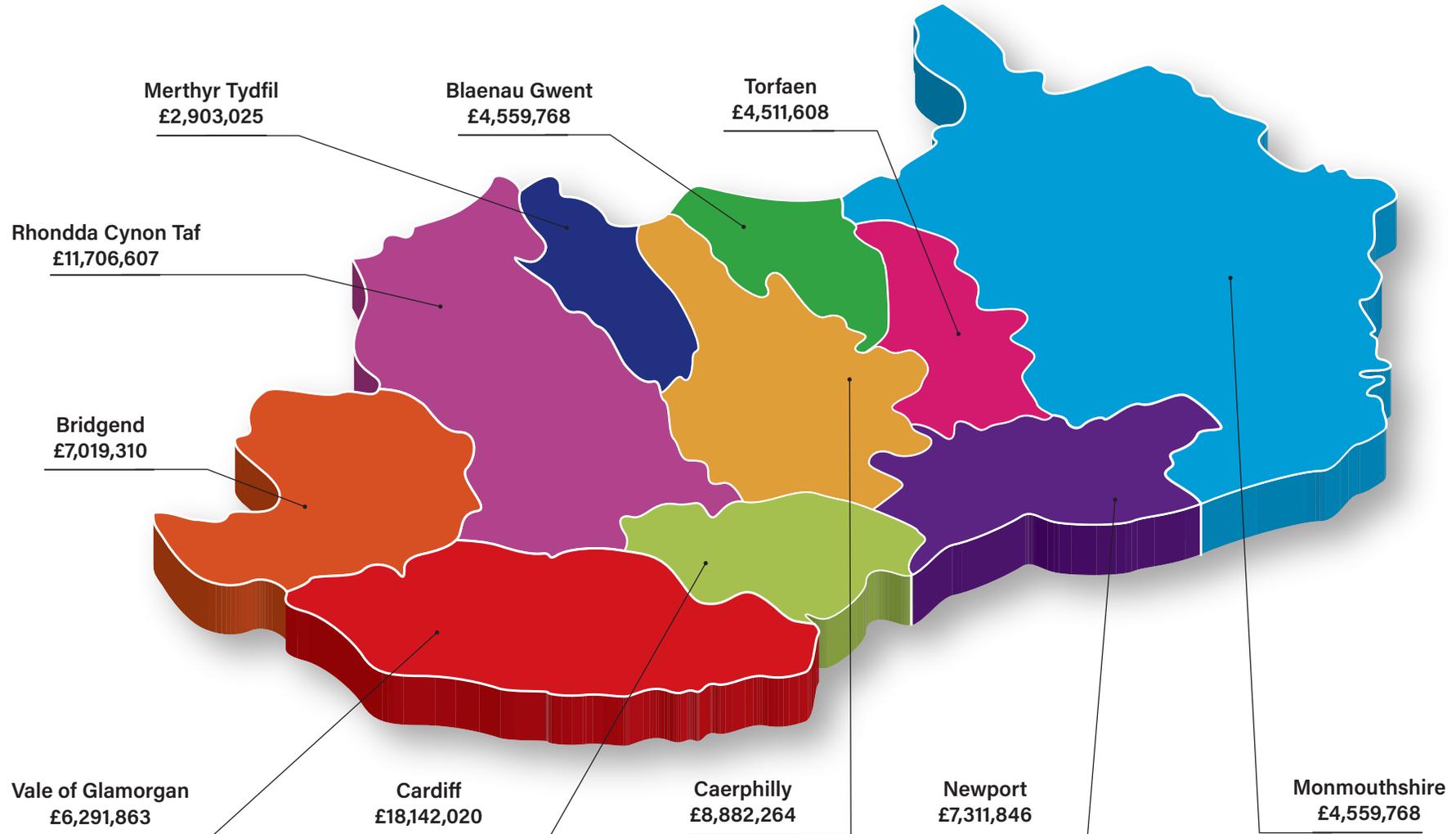
**Define what we stand for; our core rules.**

Whenever you come into contact with the Service, these values should always be evident.

- Caring
- Dedicated
- Disciplined
- Dynamic
- Professional
- Resilient
- Respectful
- Trustworthy

# Our Budget

The map illustrates where we obtain the majority of our funding. The amounts are calculated based on population figures per Local Authority area. (Figures from 2018-2019 budget year).



# ABOUT US, WHO WE SERVE, WHAT WE DID



## IN 2018 - 2019 SOUTH WALES FIRE AND RESCUE SERVICE:



\*2018 Stats Wales

# Where our outcomes came from

While using jargon based tick boxes might be tempting, we wanted to make sure our Outcomes formed part of real and meaningful changes/improvements, so we:

- Mapped key innovative legislation along with our Corporate and People Plans onto a table (an example of what that looked like is below)
- Identified themes which were common and fell into three categories
- Used those themes to create our Strategic Equality Plan Outcomes
- Colour coded the five Outcomes under the three categories (Services, People, Infrastructure) so they would be easy to find and also pin to our Corporate actions

<b>Corporate Plan Theme</b>	<b>PA1</b> - Ensuring we provide an efficient, effective and relevant response to our communities.
<b>People Services Plan Aim</b>	<b>4</b> - Foster a values-based culture focused on diversity, inclusivity, wellbeing, and positive engagement.
<b>Wales Specific Equality Duties</b>	<b>Reg 4</b> - Authorities have a duty to collect a range of equality information to contribute to this evidence base.
<b>Welsh Government Objective (est)</b>	<b>2</b> - The needs and rights of those who share PCs are at the forefront of design and delivery .
<b>Wellbeing of Future Generations Act Goal/s</b>	A Wales of Cohesive Communities A More Equal Wales
<b>SWFRS Strategic Equality Plan Outcome</b>	<b>What we do:</b> Services

# Strategic Equality Outcomes

## What we will do

Make sure under-represented groups and marginalized communities are at the beginning of service re-design and delivery.

### We will do this by:

- Exploring new ways of working in order to improve service delivery
- Building our relationships with external groups and seek their input into how we can better serve them
- Working with local authorities, charities, health bodies, and other organisations to combine resources to reduce 'consultation fatigue'
- Involving marginalised communities by asking for feedback on what we're doing
- Communicating with those we serve, letting them know what we are doing, and why
- Collecting and analysing relevant data to make sure we are not accidentally excluding a group (or groups)

### We will know we've done this when:

- Decisions by Senior Management Team explicitly include equality considerations
- Assessments for equality risks are competently carried out, with improvements noted and actioned
- Links between data, feedback, and changes are clearly made, jargon free, and easily visible to our communities
- Feedback from marginalised communities and under-represented groups show we have improved
- Events and consultations which we do in partnership with others, have increased
- Results of engagement are widely shared

# Strategic Equality Outcomes

## What we will do

Become an employer that all our communities can see themselves being a part of.

Be a place of work where all employees feel valued.

### We will do this by:

- Consistently addressing internal and external barriers to us becoming a truly inclusive employer of choice
- Attracting higher numbers of applications from people in under-represented groups
- Building trust and value with all staff
- Honestly reviewing our current internal culture
- Listening to feedback from under-represented groups
- Upskilling current and future managers
- Enhancing terms and conditions wherever possible while also promoting opportunities for progression

### We will know we've done this when:

- Evidence indicates that we have robustly tackled views, actions, and comments which go against our Aims & Values
- Survey shows positive morale across all sections of the organisation
- Data from job vacancies show an increase across all Protected Characteristics
- In-House support services have been used more than in the previous year
- Appraisals become constructive two way conversations

# Strategic Equality Outcomes

## What we will do

Make sure we carry out our Legal Duties under the Equality Act (2010) and related Welsh legislation.

Improve the infrastructure to better support a 21st century inclusive employer.

### We will do this by:

- Publishing reports ahead of their deadlines
- Working with others to share learning and resources
- Lobbying for creative solutions to future proofing a 21st century fire service
- Researching equipment, working patterns, and technology which supports inclusion and enhances what we do
- Improving compliance with the Equality Act (2010)
- Supporting Welsh businesses/suppliers (where possible)

### We will know we've done this when:

- Reports are on our website (in both English and Welsh) before the legal deadlines, and referenced in the Corporate Plan
- Benefits of our partnership working are measurable and tangible to the marginalised communities we serve
- Monitoring shows improvement in the fulfilling of our requirements under Law
- Feedback from staff and communities evidence improvements
- Successful contracts and tenders show an increase in Welsh businesses/ suppliers used

# What's next?

Along with our Annual Equality Report, which acts as a report card on how we are doing to meet the Equality Act (2010), we'll be publishing a yearly review of this Strategic Equality Plan. This review will include how we are progressing with the five Outcomes, and what we look to do in the following year.

Both of these will be published on our website by March 31st of that year, and promoted on our social media sites.

We encourage you to check out our Diversity Page; from there you'll be able to click through a link to the Corporate Library and find the above (as well as other) reports and plans:

[www.southwales-fire.gov.uk/who-we-are/equality-and-diversity/](http://www.southwales-fire.gov.uk/who-we-are/equality-and-diversity/)

If you have any questions on this Strategic Equality Plan, feel free to contact the Diversity Unit:

Diversity Unit,  
South Wales Fire and Rescue Service Headquarters,  
Forest View Business Park,  
Llantrisant,  
CF72 8LX

divext@southwales-fire.gov.uk

## Have your say

We are always looking for ways to improve our services and to present information that is meaningful. In order to do this we want to ensure that your views are considered when delivering our activities and presenting information to you.

We would particularly welcome your comments and / or questions with regards to our proposed objectives [?????](#)

## Write to us

Service Performance and Communications  
South Wales Fire and Rescue Service  
Forest View Business Park  
Llantrisant CF72 8LX

## Call us

01443 232000

## Website

[www.southwales-fire.gov.uk](http://www.southwales-fire.gov.uk)

## Welsh Language

We are eager to effectively serve those who choose to live their lives via the medium of the Welsh Language. As a result of the Welsh Language (Wales) Measure 2011, the South Wales Fire and Rescue Authority has been issued with a Welsh Language Standards Compliance Notice by the Welsh Language Commissioner. This Compliance Notice is published on our website and gives details about what services citizens can expect to receive in Welsh. We seek to engage with Welsh speakers and learners in order to improve the overall standard of service provided, including services that are provided in Welsh.

## Alternative versions

If you would like this information in an alternative language or format such as large print, Braille or audio please contact us.



@SWFireandrescue



@SWFireandrescue



@sw\_fire\_and\_rescue

We welcome correspondence in Welsh and English – we will respond equally to both and will reply in your language of choice without delay.

**Gwasanaeth Tân ac Achub**  
De Cymru



South Wales  
**Fire and Rescue Service**

## APPENDIX 3

## ANNUAL PAY POLICY STATEMENT 2020/21

**From:** Chapman, Sally  
**Sent:** 24 March 2020 16:33  
**To:** Members of the Fire Authority  
**Subject:** FW: FA Reports for Decisions by Approval by Members (30 March 2020)  
**Importance:** High

Dear members,

Please find attached three separate reports that require Member decision. All reports have already been through HR & Equalities Committee who endorsed the content. Please could you confirm by return whether or not you agree with the content of each report and if you do have comments / suggestions / points of clarification that you highlight these. I can then ensure all members are updated on responses.

Many thanks  
 Sally

**Sally Chapman**  
**Dirprwy Brif Swyddog**

Ffôn: 01443 232007  
 E-bost: [s-chapman@southwales-fire.gov.uk](mailto:s-chapman@southwales-fire.gov.uk)

Pencadlys Gwasanaeth Tân ac Achub De Cymru  
 Parc Busnes Forest View  
 Llantrisant  
 CF72 8LX

**Sally Chapman**  
**Deputy Chief Officer**

Tel: 01443 232007  
 Email: [s-chapman@southwales-fire.gov.uk](mailto:s-chapman@southwales-fire.gov.uk)

South Wales Fire & Rescue Service HQ  
 Forest View Business Park  
 Llantrisant  
 CF72 8LX

**APPENDIX 3****SOUTH WALES FIRE & RESCUE AUTHORITY**AGENDA ITEM NO  
30 MARCH 2020

REPORT OF THE ASSISTANT CHIEF OFFICER PEOPLE SERVICES

**SOUTH WALES FIRE & RESCUE AUTHORITY – ANNUAL PAY  
POLICY STATEMENT 2020/2021****SUMMARY**

South Wales Fire & Rescue Authority is required to publish a Pay Policy Statement for each financial year, which provides information for the following financial year.

The Fire & Rescue Authority at their meeting held on 6 February 2012, adopted and published its first Pay Policy Statement. The Fire & Rescue Authority also determined that the HR & Equalities Committee should review the Pay Policy Statement and report to the full Committee. In 2014 Welsh Government issued new guidelines with further amendments which determined the contents of the Pay Policy. The 2020/2021 Pay Policy Statement has been drafted for Members

**RECOMMENDATION**

1. That Members review South Wales Fire & Rescue Authority's Pay Policy Statement for 2020/2021.
2. That Members approve the 2020/2021 Pay Policy Statement to be published by 31 March 2020.

**1. BACKGROUND**

- 1.1 The Localism Bill 2010 was enacted in Parliament in November 2011, and as such required South Wales Fire and Rescue Authority to publish a Pay Policy Statement by 31 March 2012, and for each subsequent financial year, which provides information for the following financial year.
- 1.2 The Localism Act includes the provision of general powers for stand alone Fire & Rescue Authorities with a requirement to publish a Pay Policy Statement each year.
- 1.3 A Pay Policy Statement is expected to contain the following elements:-
  - A Pay Policy Statement must set out the Authority's policies for the financial year relating to:-
    - (a) the remuneration of its Chief Officers

(b) the remuneration of its lowest paid employees and

(c) the relationship between –

- The remuneration of its Chief Officers, and
- The remuneration of its employees who are not Chief Officers

The Statement must state:-

- The definition of ‘lowest paid employees’ adopted by the Authority for the purposes of the Statement, and
- The Authority’s reasons for adopting that definition

The Statement must include the Authorities policies relating to:-

- The level and elements of remuneration for each Chief Officer
- Remuneration of Chief Officers on recruitment
- Increases and additions to remuneration for each Chief Officer
- The use of performance related pay for Chief Officers
- The use of bonuses for Chief Officers
- The approach to the payment of Chief Officers on their ceasing to hold office or to be employed by the Authority, and
- The publication of and access to information relating to remuneration of the Chief Officers

1.4 A Pay Policy Statement should also set out the Authority’s policies for the financial year relating to the other terms and conditions applying to the Authority’s Chief Officers.

1.5 There are supplementary provisions relating to statements as follows:-

- A relevant Authority’s Pay Policy Statement must be approved by a resolution of the Authority before it comes into force.
- The Statement must be prepared and approved before the end of 31 March.

- 1.6 Each subsequent Statement must be prepared and approved before the end of 31 March immediately preceding the financial year to which it relates.
- 1.7 The Fire & Rescue Authority may by resolution amend its Pay Policy Statement, including after the beginning of the financial year to which it relates.
- 1.8 As soon as is reasonably practicable after approving or amending a Pay Policy Statement, the Authority must publish the Statement or the amended Statement in such a manner as it thinks fit, which would include publication on the Authority's website.

## **2. ISSUES**

- 2.1 Attached at Appendix 1 is the South Wales Fire & Rescue Authority's 2020/2021 Pay Policy Statement.
- 2.2 The Policy Statement reflects Welsh Government guidance on the structure of Pay Policy Statements.
- 2.3 The areas included within the Pay Policy are:- Purpose, Legislative Framework, Scope, Pay Structures (with examples), Market Supplements, Honoraria, Re-employment (abatement position), Definition of Chief Officer and pay levels, additions to salary of Chief Officers, Performance Related Pay for Chief Officers, Payments on Termination (assumed redundancy), Pay Relatives with the Authority (remuneration of lowest level and multipliers within the Authority), Independent Remuneration Panel, Accountability and Decision Making, and Reviewing the Policy.
- 2.4 All relevant changes have been identified and updated in Appendix 1.

## **3. EQUALITY RISK ASSESSMENT**

- 3.1 In January 2020 the Service will commence a Job Evaluation exercise for its Corporate staff. Parallel to this we will undertake an equal pay audit to analyse the position prior to commencing this work. Equal pay audits are a means of establishing if an organisation is paying its employees fairly and consistently, without discrimination on the basis of gender or race. The position will be reviewed as part of the exercise and reported back to the Fire Authority, along with the outcomes of the Job Evaluation exercise.

#### 4. RECOMMENDATIONS

- 4.1 Members review South Wales Fire & Rescue Authority's Pay Policy 2020/2021 Statement.
- 4.2 Members recommend that the 2020/2021 Pay Policy Statement be published by 31 March 2020.

<b>Contact Officer:</b> ACO Alison Reed Director of People Services	<b>Background Papers:</b> 2020/2021 Pay Policy Statement
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DRAFT

## SOUTH WALES FIRE & RESCUE AUTHORITY



### LOCALISM ACT 2011: PAY POLICY STATEMENT

<b>1.</b>	<b>INTRODUCTION</b>	
1.1	South Wales Fire & Rescue Authority is committed to operating consistent and equitable pay arrangements for employees. This policy sets out the key principles that must be adhered to in establishing employee pay levels and in approving pay related allowances. It sets out the basis for determining salaries, how salary levels are arrived at, the method of pay progression and the approval for acting up, honoraria and severance payments.	FA 15.12.14
1.2	In accordance with the Localism Act and the Code of Recommended Practice for Local Authorities on Data Transparency, this policy, the pay multiple between the highest paid employee, and the levels for senior employees, are published on the Fire & Rescue Service's website.	FA 15.12.14
1.3	The legislation requires pay to include all remuneration including salary, allowances, and expenses. All such payments are covered within this policy or the other pay related policies referred to in Section 16. There are no discretions to make further payments outside of these policies.	FA 15.12.14
<b>2.</b>	<b>SCOPE</b>	
2.1	This policy applies to all South Wales Fire & Rescue Authority employees.	FA 15.12.14
2.2	<p>The Fire &amp; Rescue Authority advocates collective bargaining arrangements and supports existing national level provisions that govern pay and conditions of service for the following employee groups:</p> <ul style="list-style-type: none"> <li>• National Joint Council for Local Authorities' Fire and Rescue Services, Scheme of Conditions of Service</li> <li>• National Joint Council for Brigade Managers of Fire and Rescue Services, Constitution and Scheme of Conditions of Service</li> <li>• National Joint Council for Local Government</li> </ul>	FA 15.12.14

	<p>Services (Green Book)</p> <ul style="list-style-type: none"> <li>□ British Medical Association (BMA) guidance within the Occupational Physician (Consultant initial appointment) salary range</li> <li>□ Royal College of Nursing – NHS Agenda for Change – Pay Rates</li> <li>□ Joint Negotiating Committee for Local Authority Craft and Associated Employees</li> <li>□ Joint Negotiating Committee (JNC) for Youth and Community Workers</li> </ul>	
2.3	<p>Pay levels are reviewed annually by these committees and any ‘cost of living’ award is reported to the Fire &amp; Rescue Authority by way of Employers Groups. These are nationally agreed pay awards reached by collective bargaining and binding on Employers, and paid as soon as possible to staff. The Fire Authority is informed at the next Fire Authority meeting by Chair’s Announcements.</p>	<p>FA 15.12.14</p> <p>FA 12.02.18</p>
2.4	<p>The Fire &amp; Rescue Authority has local pay bargaining arrangements for other employees in scope of this policy and any locally agreed ‘cost of living’ award is approved by the Fire and Rescue Authority and applied to their remuneration rate. (Auxiliary Firefighters)</p>	<p>FA 15.12.14</p>
<b>3.</b>	<b>LEGAL CONTEXT</b>	
3.1	<p>Section 38 (1) of the Localism Act 2011 requires English and Welsh Local Authorities to produce a Pay Policy Statement for each financial year. The Bill as initially drafted referred solely to Chief Officers (a term which includes both statutory and non-statutory Chief Officers, and their Deputies); but amendments reflecting concerns over low pay and also drawing on Will Hutton’s 2011 ‘Review of Fair Pay in the Public Sector’ introduced requirements to compare the policies on remunerating Chief Officers and other employees, and to set out policy on the lowest paid.</p>	<p>FA 15.12.14</p>
3.2	<p>The Act as finally passed requires the Pay Policy Statement to range over disparate aspects of remuneration policy and must include the following:-</p> <ul style="list-style-type: none"> <li>• A Local Authority’s policy on the level and elements of remuneration for each Chief Officer</li> <li>• A Local Authority’s policy on the remuneration of its lowest-paid employees (together with its definition of “lowest-paid employees” and its reasons for adopting that definition)</li> </ul>	<p>FA 15.12.14</p>

	<ul style="list-style-type: none"> <li>• A Local Authority's policy on the relationship between the remuneration of its Chief Officers and other Officers</li> <li>• A Local Authority's policy on other specific aspects of Chief Officers' remuneration: remuneration on recruitment, increases and additions to remuneration, use of performance-related pay and bonuses, termination payments and transparency</li> </ul>	
3.3	The Act defines remuneration widely, to include not just pay but also charges, fees, allowances, benefits in kind, increases in/enhancements of pension entitlements, and termination payments.	FA 15.12.14
3.4	For the purposes of this statement the term "Chief Officer" is not limited to Heads of Paid Service or statutory Chief Officers. It also includes those who report directly to them both statutory and non statutory. For South Wales Fire & Rescue Service this includes the Chief Fire Officer, Deputy Chief Fire Officer, Deputy Chief Officer, Assistant Chief Fire Officers, Assistant Chief Officers.	FA 15.12.14  FA 12.02.18
3.5	The Localism Act 2011 requires Authorities to develop and make public their Pay Policy on all aspects of Chief Officer Remuneration (including on ceasing to hold office), and that pertaining to the 'lowest paid' in the Authority, explaining their Policy on the relationship between remuneration for Chief Officers and other groups.	FA 15.12.14
3.6	In discharging its legislative responsibilities for transparency under the above Localism Act, South Wales Fire & Rescue Authority's Pay Policy details each of the arrangements that have been resolved.	FA 15.12.14
<b>4.</b>	<b>PRINCIPAL OFFICERS' PAY CONSTRUCT</b>	
4.1	National Joint Council circular (ref number 28/05/04) dated 28 May 2004 dealt with the Principal Officers pay settlement and reinforced a previous recommendation that a local review of the pay levels of senior staff should be undertaken.	FA 15.12.14
4.2	The Fire & Rescue Authority employs Chief Officers under Joint National Council terms and conditions which are incorporated in their contracts. The Joint National Councils for Chief Fire Officers / Chief Officers negotiates on national (UK) annual cost of living pay increases for this group, and any award of same is determined on this basis.	FA 12.10.15

	Chief Fire Officers / Chief Officers employed under Joint National Council terms and conditions are contractually entitled to any national Joint National Council determined pay rises and this Fire & Rescue Authority will therefore pay these as and when determined in accordance with current contractual requirements.	
4.3	The Fire & Rescue Authority recently resolved that the HR & Equalities Committee should be assigned to consider Principal Officers' remuneration and their findings reported to the full Fire & Rescue Authority for final determination.	FA 15.12.14

4.4	South Wales Fire and Rescue Authority's Executive Leadership Team remuneration matrix is identified as comprising:															
	<table border="1"> <thead> <tr> <th>Title</th> <th>Notional % of CFO salary</th> </tr> </thead> <tbody> <tr> <td>Chief Fire Officer (CFO)</td> <td>100%</td> </tr> <tr> <td>Deputy Chief Fire Officer (DCFO)</td> <td>80% of CFO</td> </tr> <tr> <td>Deputy Chief Officer (DCO)</td> <td>95% of DCFO</td> </tr> <tr> <td>Assistant Chief Fire Officer (ACFO)</td> <td>75% of CFO</td> </tr> <tr> <td>Assistant Chief Officer (ACO)</td> <td>82.5% of ACFO</td> </tr> <tr> <td>Treasurer*</td> <td>70.88% of ACO</td> </tr> </tbody> </table>	Title	Notional % of CFO salary	Chief Fire Officer (CFO)	100%	Deputy Chief Fire Officer (DCFO)	80% of CFO	Deputy Chief Officer (DCO)	95% of DCFO	Assistant Chief Fire Officer (ACFO)	75% of CFO	Assistant Chief Officer (ACO)	82.5% of ACFO	Treasurer*	70.88% of ACO	
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Assistant Chief Officer (ACO)	82.5% of ACFO															
Treasurer*	70.88% of ACO															
	<p>* The Treasurer reports directly to the FRA, holds no directorate responsibility and is employed for 118 days per annum.</p> <p>Note: From time to time the percentage figures may need to be amended to reflect the pay award made to ensure that each roles salary actually receives the pay award. For example:-</p> <p>CFO 1% award – Salary £129,820 p.a. to £131,118 p.a.  DCFO 80% of CFO – Salary £103,856 p.a. to £104,895 p.a.  DCO 95% of DCFO – Salary £98,859 p.a. to £99,650 p.a. (less than 1% pay award £98,859 + 1% = £99,848 p.a.). Therefore, the award should be adjusted by 0.189% to 95.189% = £99,848 p.a.</p>															

4.5	The Fire and Rescue Authority on 9 July 2018 determined that the non-uniformed DCO, ACO and Treasurer's posts would be single salary points and determined on a percentage basis as set out in point 4.4.	FA 15.12.14  FA 09.07.18
4.6	To meet the Service's functional needs the resulting remuneration structure had to reflect the commitment to providing a resilient and flexible service.	FA 15.12.14
4.7	Fire & Rescue Authority, (Ref number Minute 67, September 2009), resolved that the Executive Leadership Team would be comprised of five directors. In addition, the Treasurer reports directly to the Fire and Rescue Authority, but holds no directorate responsibility.	FA 15.12.14
4.8	Fire and Rescue Authority, (December 2010), resolved to advertise the Deputy Chief Officer's post and to open the applications to both uniformed and non-uniformed candidates, with a Deputy Chief Officer's remuneration being set at 95% of that of a Deputy Chief Fire Officer.	FA 15.12.14
4.9	Fire and Rescue Authority revisited relevant percentage variances at Deputy and Assistant levels and at its meeting 9 July 2018 further resolved that the titles and grading arrangements identified in Paragraph 4.4 be introduced.	FA 15.12.14  FA 09.07.18
4.10	Assistant Chief Officer's remuneration is established at 82.5% of the full rate of the Assistant Chief Fire Officer.	FA 15.12.14 FA 09.07.18
4.11	Chief Officers, remuneration on appointment is determined by the full Fire and Rescue Authority. South Wales Fire and Rescue Authority does not pay performance related pay or bonuses, and no additional allowances or enhancements to salary or pension are offered upon employment. On cessation of their duties no additional payments are made other than those that are due for salary purposes or payments made to the individual in line with the appropriate pension scheme on retirement.	FA 15.12.14
4.12	Information on the remuneration of Chief Officers is published as part of the South Wales Fire and Rescue Service annual end of year Financial Statement.	FA 15.12.14
4.13	In accordance with this Pay Policy Statement, Chief Officers' remuneration levels should be reviewed annually as part of South Wales Fire and Rescue Authority's	FA 15.12.14

	commitment to maintaining a competitive grading and remuneration structure. In the absence of nationally determined guidance on 'cost of living' increases the Fire and Rescue Authority may identify and agree a local rate and implementation date. The HR and Equalities Committee will be responsible for reviewing this situation, and for making recommendations to the full Fire and Rescue Authority. Only the Fire and Rescue Authority may make a final determination in respect of remuneration rates for Chief Officers, including annual cost of living awards.	
4.14	On 27 March 2017 the HR & Equalities Committee received a report detailing the cessation of the joint arrangements for the provision of a joint post of Senior Occupational Health Physician. It was resolved that SWFRS would solely employ the SOHP on a part time basis. Remuneration is in accordance with British Medical Association (BMA) guidance within the Occupational Physician (Consultant initial appointment) salary range.	FA 15.12.14  FA 12.02.18
<b>5.</b>	<b>AREA MANAGERS (4 POSTS) – LOCAL AGREEMENT</b>	
5.1	Following a review of the Area Managers' establishment and operational rota it was determined that the number of posts would reduce from 6 to 4 from August 2009 with a move to a continuous duty system rota.	FA 15.12.14
5.2	The remuneration scheme for this group of staff was locally agreed as follows: AMB salary, as per agreed NJC Fire & Rescue Services uniformed pay scales, plus 20% flexi duty allowance, plus 14% continuous duty system payment.	FA 15.12.14
<b>6.</b>	<b>NON UNIFORMED HEADS OF SERVICE (4 POSTS)</b>	
6.1	Heads of Service remuneration rate is determined at a point above the National Joint Council (NJC) for Local Government Services salary scales and is expressed as a percentage of an Assistant Chief Officer's baseline salary.	FA 15.12.14
<b>7.</b>	<b>ALL OTHER STAFF</b>	
7.1	All other staff employed by South Wales Fire and Rescue Authority are encompassed within Wholetime, On-Call, Control or Support Staff categories, and as such their remuneration is based on the relevant NJC agreed salary schemes as identified in paragraph 2.2.	FA 15.12.14

7.2	In general the terms and conditions of employment for all staff are covered by existing collective agreements negotiated with those trade unions recognised by the Fire and Rescue Authority for collective bargaining purposes. These arrangements are embodied in the Scheme of Conditions of Service of the National Joint Council, and are supplemented by the Fire and Rescue Authority's rules, records, Organisational, Policy & Procedural Documents and other instructions, as amended, along with such other employment law legislation which will apply from time to time.	FA 15.12.14
7.3	The "lowest salary" used by the Fire and Rescue Authority is the National Joint Council (NJC) for Local Government services (Green Book), spinal column point 1.	FA 15.12.14
7.4	An examination of the current pay levels within the Authority enables the Authority to identify the multiplier between the lowest pay point and that of the Chief Fire Officer. The multiple between the lowest paid (full time equivalent) employee and the Chief Fire Officer is 1:7.77.	FA 15.12.14
<b>8.</b>	<b>DELEGATED AUTHORITY LEVELS</b>	
8.1	Any variation in pay detailed within this policy is subject to appropriate approval, as described below.	FA 15.12.14
8.2	Decisions on pay detailed within this policy are delegated as follows:	FA 15.12.14

<b>DECISION</b>	<b>DELEGATED AUTHORITY LEVEL</b>
Starting pay (above grade minimum), but not including, Assistant Chief Officer (and equivalent level)	Assistant Chief Officer People Services (As identified in the Fire & Rescue Authority Standing Orders)
Starting Pay Assistant Chief Officer (and equivalent) level and above	Full Authority to agree the senior management organizational structure including grades and salary bands.  Appointment panel to agree and approve actual salary on appointment within the management structure agreed by Full Authority above.
Appointment to higher graded job (above grade minimum) up to, but not including, Assistant Chief Officer level.	Assistant Chief Officer People Services or delegated to Head of HR.

Acting-up payment at Assistant Chief Officer level where total salary package is less than £100k.	Chief Fire Officer
Acting up payment for posts where total salary package is more than £100k.	Full Fire & Rescue Authority

8.3	Human Resources is responsible for overseeing any decisions on pay in order to ensure that they are made in accordance with the delegated authority levels and are compliant with the terms of the Pay Policy and legislation.	FA 15.12.14
8.4	Delegations for decision on pay cannot be delegated below the levels outlined in table above.	FA 15.12.14
<b>9.</b>	<b>PAY RELATIVITIES WITHIN THE FIRE AND RESCUE AUTHORITY</b>	
9.1	The lowest paid persons employed under a Contract of Employment with the Fire and Rescue Authority are employed on full time [37 hours] equivalent salaries in accordance with the minimum spinal column point currently in use within the Fire and Rescue Authority's grading structure. As at 1 April 2019, this is £17,364 per annum. The Fire and Rescue Authority occasionally engages Apprentices [and other such Trainees] who are not included within the definition of 'lowest paid employees'.	FA 15.12.14
9.2	The statutory guidance under the Localism Act recommends the use of pay multiples as a means of measuring the relationship between pay rates across the workforce and that of senior managers.	FA 15.12.14
9.3	The Authority remunerates substantive personnel above the National Living Wage.	FA 15.12.14
<b>10.</b>	<b>STARTING SALARY</b>	
10.1	Employees appointed to jobs within the Authority will normally be appointed to the minimum point of the pay grade for the job.	FA 15.12.14
10.2	In certain circumstances it may be appropriate to appoint to a higher point in the pay grade. This may arise when the preferred candidate for the job is in or has been in receipt of a salary at a higher level than the grade minimum.	FA 15.12.14

10.3	An Appointment Panel wishing to appoint a candidate up to, but not including Assistant Chief Officer level, at a salary above the grade minimum must seek approval from the Assistant Chief Officer, fully outlining the business case. Managers may seek guidance from Human Resources, if required.	FA 15.12.14
10.4	The business case should incorporate the following: <ul style="list-style-type: none"> <li>• preferred candidate's current or most recent salary;</li> <li>• salary range for job being appointed to; preferred candidate's interview assessment outcome and details of point scores for other interviewees;</li> <li>• benefits to service and customers of appointing the preferred candidate;</li> <li>• potential impact on other jobholders of appointing the preferred candidate at a level higher than the grade minimum;</li> <li>• confirmation that increased employee costs will be met by the existing service budget.</li> </ul>	FA 15.12.14
10.5	The Assistant Chief Officer People Services will: <ul style="list-style-type: none"> <li>• consider the request presented by the recruiting manager;</li> <li>• discuss their proposed decision with Head of Human Resources to ensure it is compliant with the terms of the Pay policy;</li> <li>• respond to the appointment panel;</li> <li>• complete the relevant payroll authorization so that the recruitment process can be completed.</li> </ul>	FA 15.12.14
10.6	The decision of the Assistant Chief Officer People Services is final.	FA 15.12.14
10.7	A resolution of the full Fire and Rescue Authority is required for all organizational re-structures and associated grading and salary.	FA 15.12.14
<b>11.</b>	<b>RE-EMPLOYMENT OF FORMER EMPLOYEES</b>	
11.1	Former employees are able to be re-employed by the Fire and Rescue Authority, but there are several determining factors.	FA 15.12.14
11.2	The Fire and Rescue Authority resolved to introduce the application of abatement of salaries/pension for a fixed term period in order to retain specialist skills, expertise and knowledge.	FA 15.12.14

11.3	Fire and Rescue Authority further resolved to refer applications for abatement of salaries/pension by directors back to the full Fire and Rescue Authority for consideration based on business needs.	FA 15.12.14
11.4	When someone retires, or is released on voluntary or compulsory redundancy, it would not be expected that they would be re-employed as either an employee or an agency worker/contractor in the same or similar job role or service area from which they were made redundant. Such action could indicate that the original decision on the voluntary or compulsory redundancy was not a value for money decision for the tax payer. Therefore, any exceptions to this approach leading to the re-engagement of voluntary or compulsory redundant employees will have to be justified to ensure that the original terms of the redundancy i.e. cessation of work has actually occurred.	FA 15.12.14
11.5	Managers who wish to recruit former employees or procure workers who have previously been made redundant from the same service area will need to provide a business case for doing so, and request authorization from the Fire and Rescue Authority or designated Assistant Chief Officer.	FA 15.12.14
11.6	When a Local Government Pension Scheme or Fire and Rescue Services (on Grey book terms and conditions) pensioner is re-employed within the Local Government sector, and combined earnings and pension exceeds final salary in the original employment when adjusted for inflation, the pension will be abated.	FA 15.12.14
<b>12.</b>	<b>ACTING-UP TO A HIGHER GRADED JOB</b>	
12.1	Acting-up is appropriate when the higher graded post becomes vacant due to maternity leave, sick leave etc. Acting-up allowances are made to employees who agree to carry out the full or partial duties, and responsibilities of a higher grade job. The higher graded job must be part of the Authority's agreed staffing establishment.	FA 15.12.14
12.2	The allowance is payable when an employee carries out the work of the higher grade job for a continuous period for any reason other than annual leave.	FA 15.12.14
12.3	Employees who undertake the full duties and responsibilities of a higher graded job will receive the salary that would apply if they were promoted to the higher graded post.	FA 15.12.14

12.4	Employees who undertake part of the duties and responsibilities of a higher grade job will receive a partial acting-up allowance. For example, if the employee is covering 20% of the higher graded duties and responsibilities then they would receive 20% of the grade differential as acting up allowance.	FA 15.12.14
12.5	Where there are only one or two employees who are able to “act-up” to the higher grade job it is relatively easy to identify the jobholder(s) who could reasonably be asked to carry out the higher graded job. Where there are a large number of employees who may be in a position to “act-up” to the higher graded job, then there will be a need to advertise the temporary vacancy or the acting-up arrangement.	FA 15.12.14
12.6	Managers who wish to use either full or partial acting up arrangements must seek approval from the Assistant Chief Officer (or Head of Human Resources, depending on the level of the post). In addition, managers may also seek guidance from Human Resources, if required.	FA 15.12.14
12.7	The approving officer will: <ul style="list-style-type: none"> <li>• consider the request presented by the requesting manager;</li> <li>• discuss their proposed decision within the Human Resources Department to ensure it is compliant with the Pay policy;</li> <li>• provide a response to the requesting manager, normally within 10 working days;</li> <li>• complete and notify the Payroll Section if a pay variation is to be implemented.</li> </ul>	FA 15.12.14
12.8	Any acting up arrangements at Assistant Chief Officer level must be agreed by the Chief Fire Officer. Any acting up arrangements for posts with remuneration package at or above £100k must also be agreed by the full Fire and Rescue Authority. In both cases the salary must be within the organizational structure agreed by full Fire and Rescue Authority and be financed in full.	FA 15.12.14
12.9	Acting-up allowances are removed once the need for the acting-up arrangement no longer exists. Managers are responsible for ensuring that employees receive sufficient notice of this.	FA 15.12.14
<b>13.</b>	<b>HONORARIUM PAYMENTS</b>	
13.1	An honorarium payment is a <b>one-off</b> payment. It can only be made where there is clear evidence to support the	FA 15.12.14

	<p>following circumstances:</p> <ul style="list-style-type: none"> <li>• where an employee temporarily carries out significant additional work over and above their usual responsibilities;</li> <li>• where an employee carries out a significant amount of work over their normal contracted hours, but is not eligible for overtime payments because of their placing on a salary scale.</li> </ul>	
13.2	<p>An honorarium payment <b>cannot</b> be made in the following circumstances:</p> <ul style="list-style-type: none"> <li>• where the employee is carrying out the full or partial duties and responsibilities of a higher graded job, when an acting-up payment should be made;</li> <li>• where the ongoing duties and responsibilities of the job have changed to the extent that the job should be submitted for re-evaluation;</li> <li>• where the additional work undertaken is commensurate with the employees current job description/salary grade.</li> </ul>	FA 15.12.14
13.3	<p>If the payment of a honoraria leads to a remuneration package exceeding £100k it must also be approved by the Chief Fire Officer and the Chair of the Fire and Rescue Authority having taken advice from the Assistant Chief Officer for People Services or their nominated representative.</p>	FA 15.12.14
13.4	<p>Honorarium payments are a one-off payment and will be paid on a pro-rata basis to part-time employees, proportionate to their working hours.</p>	FA 15.12.14
13.5	<p>Honorarium payments based on spinal column point differentials will be subject to any cost of living increase applied by the Fire and Rescue Authority.</p>	FA 15.12.14
13.6	<p>Honorarium payments are pensionable.</p>	FA 15.12.14
13.7	<p>Information on all honoraria payments will be compiled and reviewed annually by Human Resources and reported to the HR and Equalities Committee for monitoring purposes.</p>	FA 15.12.14
<b>14.</b>	<b>SEVERANCE</b>	
14.1	<p>On ceasing to be employed by the Fire and Rescue Authority, employees will be paid contractual payments</p>	FA 15.12.14

	due under their contract of employment. In the event of redundancy, severance pay will be paid in line with the employer's discretions as set out in the Employment Protection Policy published by the Fire and Rescue Authority and retained by Rhondda Cynon Taff Pensions Section.	
14.2	All business cases for redundancy, early retirement and severance must be reported to the Fire and Rescue Authority for scrutiny prior to the Authority making a resolution to either accept or reject.	FA 15.12.14
14.3	Regulation 30(6), "Flexible Retirement" – Local Government Pension Scheme Discretion.  This discretion will be applied, subject to the Chief Fire Officer and Assistant Chief Officer, People Services agreeing to the application after taking into account the costs and benefits to the organisation. There will be a requirement by the employee to reduce their working hours by at least 40%. Any actuarial reductions in pension benefits will apply.	FA 14.03.15
	The Fire and Rescue Authority / HR & Equality Committee will receive reports to countersign the Chief Fire Officer and Assistant Chief Officer, People Services' decisions	FA 14.03.15
<b>15.</b>	<b>UNIFORMED FIRE AND RESCUE SERVICES</b>	
15.1	All Fire and Rescue Services employees, up to and including Area Managers, are paid in line with the National Joint Council for Local Authorities' Fire and Rescue Services, Scheme of Conditions of Service. These are nationally agreed terms and conditions (the 'Grey' book).	FA 15.12.14
15.2	Under the National Joint Council for Brigade Managers of Fire and Rescue Services, Constitution and Scheme of Conditions of Service (the 'Gold' book), the Chief Fire Officer and Brigade Managers have separate pay arrangements in place. The Chief Fire Officer's salary is reviewed prior to a new appointment being made and a number of factors are taken into account during this process. These are summarized below: <ul style="list-style-type: none"> <li>• The relevant minimum salary of the Chief Fire Officer and the most relevant benchmark data;</li> <li>• The relationship of current salary to the national</li> </ul>	FA 15.12.14

	<p>benchmark;</p> <ul style="list-style-type: none"> <li>• Any substantial local factors not common to Fire and Rescue Authorities of similar type and size;</li> <li>• Comparative information to on salaries in other similar authorities;</li> <li>• Top management structures and size of management team compared to those of other fire and rescue authorities of similar type and size;</li> <li>• The relative job size of each post; and</li> <li>• Incident command responsibility and the requirement to provide operational cover within the employing authority and beyond.</li> </ul>	
15.3	Other Fire and Rescue Service Managers who are paid as a percentage of the Chief Fire Officer's salary may be reviewed at the same time as any review to the Chief Fire Officer's salary takes place.	FA 15.12.14
15.4	For a review, the benchmarking and associated analysis will be collated by the Human Resources Department and any recommendations presented to the HR and Equalities Committee before being submitted to the full Fire and Rescue Authority for final determination.	FA 15.12.14
<b>16.</b>	<b>OTHER PAY RELATED POLICIES</b>	
16.1	Other pay related policy areas that are applicable to all employees are: <ul style="list-style-type: none"> <li>• Business Travel and Expenses</li> <li>• Relocation expenses</li> <li>• Handling redundancy</li> <li>• Early retirement – including redundancy, flexible retirement and efficiency of service</li> <li>• Pensions – LGPS, Firefighters' Pension Scheme 1992, New Firefighters' Pension Scheme 2007 and the Firefighters' Pension Scheme (Wales) 2015</li> </ul>	FA 14.03.16
<b>17.</b>	<b>OTHER TERMS AND CONDITIONS</b>	
17.1	The Act defines remuneration widely, to include not just pay but also charges, fees, allowances, benefits in kind, increases in/enhancements of pension entitlements, and termination payments. (Ref. Section 4. Principal Officers Pay Construct).	FA 15.12.14
17.2	South Wales Fire and Rescue Service contributes to the lease vehicle payments for its Senior Members of staff that choose to take part in the Services lease vehicle scheme.	FA 15.12.14

17.3	Contributions level vary and are dependent on the specific post. These Service contributions form only part of the lease vehicle cost with the majority paid for by the individuals.	FA 15.12.14
17.4	<p>The Fire &amp; Rescue Authority has implemented a strategic framework to ensure the Service has identified its key posts and has considered issues of resilience in support of the delivery of Fire &amp; Rescue Service workforce planning. The aim is to utilise a structured approach to both identifying critical positions and developing managers and staff with high potential within the organisation, and to steer their career development and progression to fulfil these positions.</p> <p>Succession planning is the systematic process whereby the Fire &amp; Rescue Service identifies, assesses and develops their employees to ensure they are ready to take on key roles within the Service. It is a strategic approach to ensure that the necessary talent and skills will be available when needed, and that essential knowledge and abilities will be maintained when employees in critical positions leave.</p>	14.03.16
<b>18.</b>	<b>MONITORING AND REVIEW</b>	
18.1	The Assistant Chief Officer People Services will review the application of this policy on an annual basis.	FA 15.12.14
18.2	The Pay Policy will then be presented to the HR and Equalities Committee for review before being submitted to the full Fire and Rescue Authority for final determination annually in March.	FA 15.12.14
18.3	Any change or deviation from this policy outside of such a review requires full Fire and Rescue Authority approval.	FA 15.12.14
<b>19.</b>	<b>SALARY SCALES</b>	
19.1	South Wales Fire and Rescue Authority Principal Officers and Heads of Service, salary matrix – Appendix 1	FA 15.12.14  FA 12.02.18
19.2	National Joint Council for Local Authorities' Fire and Rescue Services, salary matrix – Appendix 2	FA 15.12.14

		FA 12.02.18
19.3	South Wales Fire and Rescue Service, Retained Payment Structure – Appendix 3.	FA 15.12.14  FA 12.02.18
19.4	National Joint Council for Local Government service, salary matrix – Appendix 4.	FA 15.12.14  FA 12.02.18
19.5	Joint Negotiating Committee for Local Authority Craft & Associated Employees – Appendix 5	FA 15.12.14  FA 12.02.18
19.6	South Wales Fire & Rescue Authority – Auxiliary Firefighters	FA 21.9.15  FA 12.02.18

**SOUTH WALES FIRE AND RESCUE AUTHORITY, PRINCIPAL OFFICERS  
AND HEADS OF SERVICE, SALARY MATRIX**

	<b>WT Salary</b>	<b>Actual Salary</b>
<b>DIRECTORS (5 posts)</b>		
Chief Fire Officer	£135,064	£135,064
<i>Deputy Chief Fire Officer (80% CFO)</i>	<i>£108,051</i>	<i>-</i>
Deputy Chief Officer (95.18% - DCFO)	£102,853	£102,853
Assistant Chief Fire Officer - Technical Services (75.14% CFO)	£101,499	£101,499
Assistant Chief Fire Officer - Service Delivery (75.14% CFO)	£101,499	£101,499
Assistant Chief Officer - People Services (82.5% - ACFO)	£83,737	£83,737
<b>STATUTORY OFFICER (1 post)</b>		
Treasurer (70.88%)	£59,358	£26,936
* The Treasurer reports directly to the FRA, holds no directorate responsibility and is employed for 118 days per annum.		
<b>HEADS OF SERVICE (8 posts)</b>		
Head of Service - Finance	£53,286	£53,286
Head of Service - Corporate	£53,286	£53,286
Head of Service - HR	£53,286	£53,286
Head of Service - ICT	£53,286	£53,286
Area Manager – Operations †	£82,151	£82,151
Area Manager - Head of Operational Risk Management †	£82,151	£82,151
Area Manager – Head of Risk Reduction †	£82,151	£82,151
Area Manager - Training & Development †	£82,151	£82,151
† Area Manager - Baseline Salary	£59,565	
20% flexi duty allowance	£11,913	
14% continuous duty system pay	£10,007	
CPD	£666	
† Includes National Joint Council for Local Authorities' Fire & Rescue Services, Scheme of conditions of service w.e.f. 1 July 2019		
<b>MEDICAL (1 post)</b>		
Occupational Health Physician*50%	£101,451	£50,725
* British Medical Association (BMA) guidance within the Occupational Physician Consultant initial appointment)		

**NATIONAL JOINT COUNCIL FOR LOCAL AUTHORITIES' FIRE AND  
RESCUE SERVICES, SALARY MATRIX**

**FIREFIGHTING ROLES - PAY RATES FROM 1st JULY 2019**

	<b>Basic annual £</b>	<b>Basic hourly rate £</b>	<b>Overtime rate £</b>
<b>Firefighter</b>			
Trainee	23,366	10.67	16.01
Development	24,339	11.11	16.67
Competent	31,144	14.22	21.33
<b>Crew Manager</b>			
Development	33,101	15.11	22.67
Competent	34,528	15.77	23.66
<b>Watch Manager</b>			
Development	35,275	16.11	24.17
Competent A	36,255	16.55	24.83
Competent B	38,611	17.63	26.45
<b>Station Manager</b>			
Development	40,161	18.34	27.51
Competent A	41,367	18.89	28.34
Competent B	44,297	20.23	29.75
<b>Group Manager</b>			
Development	46,254	21.12	Not Applicable
Competent A	47,641	21.75	“
Competent B	51,275	23.41	“
<b>Area Manager</b>			
Development	54,303	24.79	Not applicable
Competent A	55,930	25.54	“
Competent B	59,565	27.20	“

## APPENDIX B

**FIREFIGHTING ROLES – PAY RATES FROM 1st JULY 2019  
(ON CALL SYSTEM)**

	(1) £ per annum	(2) £ per annum	(3) £ per Hour	(4) £ per occasion
<b>Firefighter</b>				
Trainee	2,337	1,168	10.67	4.10
Development	2,434	1,217	11.11	4.10
Competent	3,114	1,557	14.22	4.10
<b>Crew Manager</b>				
Development	3,310	1,655	15.11	4.10
Competent	3,453	1,726	15.77	4.10
<b>Watch Manager</b>				
Development	3,528	1,764	16.11	4.10
Competent A	3,626	1,813	16.55	4.10
Competent B	3,861	1,931	17.63	4.10
<b>Station Manager</b>				
Development	4,016	2,008	18.34	4.10
Competent A	4,137	2,068	18.89	4.10
Competent B	4,430	2,215	20.23	4.10
<b>Group Manager</b>				
Development	4,625	2,313	21.12	4.10
Competent A	4,764	2,382	21.75	4.10
Competent B	5,128	2,564	23.41	4.10
<b>Area Manager</b>				
Development	5,430	2,715	24.79	4.10
Competent A	5,593	2,797	25.54	4.10
Competent B	5,957	2,978	27.20	4.10

Column 1 shows the full annual retainer (10% of the full-time basic annual salary, as set out in Appendix A)  
 Column 2 shows the retainer for employees on the day crewing duty system (5% of the full-time basic annual salary, as set out in Appendix A)  
 Column 3 shows the hourly rate for work undertaken  
 Column 4 shows the disturbance payment per call-out

## APPENDIX C

## CONTROL SPECIFIC ROLES - PAY RATES FROM 1st JULY 2019

	Basic annual £	Basic hourly rate £	Overtime rate £
<b>Firefighter (Control)</b>			
Trainee	22,198	10.14	15.21
Development	23,122	10.56	15.84
Competent	29,587	13.51	20.27
<b>Crew Manager (Control)</b>			
Development	31,446	14.36	21.54
Competent	32,802	14.98	22.47
<b>Watch Manager (Control)</b>			
Development	33,511	15.30	22.95
Competent A	34,442	15.73	23.60
Competent B	36,680	16.75	25.13
<b>Station Manager (Control)</b>			
Development	38,153	17.42	26.13
Competent A	39,299	17.94	26.91
Competent B	42,082	19.22	28.83
<b>Group Manager (Control)</b>			
Development	43,941	20.06	<b>Not applicable</b>
Competent A	45,259	20.67	"
Competent B	48,711	22.24	"

\*(95% of the respective firefighting role basic annual salary, as set out in Appendix A)

## APPENDIX D

**NON-OPERATIONAL STAFF - PAY RATES FROM 1st JULY 2019**

	<b>£ per annum</b>
<b>Fire Control Operator equivalent</b>	
During first six months	19,901
After six months and during 2nd year	20,783
During 3rd year	21,769
During 4th year	22,840
During 5th year	24,876
<b>Leading Fire Control Operator equivalent</b>	26,640
<b>Senior Fire Control Operator equivalent</b>	
During 1st year in rank	27,323
During 2nd year in rank	28,359

**JUNIOR FIREFIGHTERS - PAY RATES FROM 1st JULY 2019**

	<b>£ per annum</b>
Aged 16	10,810
Aged 17	11,615
Aged 18	23,366

**RDS SCHEME PAY AWARD 1ST JULY 2019**  
**2% INCREASE**

Firefighter			
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105 Hours	Trainee	Development	Competent
Hourly Rate	£10.67	£11.11	£14.22
Number of Hours	62.5	62.5	62.5
Paid a Month			
Allowance A	£8,002.50	£8,332.50	£10,665.00
Allowance B	£2,000.63	£2,083.13	£2,666.25
salary Total	£10,003.13	£10,415.63	£13,331.25

94.5 Hours	Trainee	Development	Competent
Hourly Rate	£10.67	£11.11	£14.22
Number of Hours	56.25	56.25	56.25
Paid a Month			
Allowance A	£7,202.25	£7,499.25	£9,598.50
Allowance B	£1,800.56	£1,874.81	£2,399.63
salary Total	£9,002.81	£9,374.06	£11,998.13

Crew Manager		
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105 Hours	Development	Competent
Hourly Rate	£15.11	£15.77
Number of Hours	62.5 + 12.5 hrs Admin	62.5 + 12.5 hrs Admin
Paid a Month	75	75
Allowance A	£13,599.00	£14,193.00
Allowance B	£3,399.75	£3,548.25
salary Total	£16,998.75	£17,741.25

94.5 Hours	Development	Competent
Hourly Rate	£15.11	£15.77
Number of Hours	56.25 + 11.25 hrs Admin	56.25 + 11.25 hrs Admin
Paid a Month	67.5	67.5
Allowance A	£12,239.10	£12,773.70
Allowance B	£3,059.78	£3,193.43
salary Total	£15,298.88	£15,967.13

84 Hours	Trainee	Development	Competent
Hourly Rate	£10.67	£11.11	£14.22
Number of Hours	50	50	50
Paid a Month			
Allowance A	£6,402.00	£6,666.00	£8,532.00
Allowance B	£1,600.50	£1,666.50	£2,133.00
salary Total	£8,002.50	£8,332.50	£10,665.00

84 Hours	Development	Competent
Hourly Rate	£15.11	£15.77
Number of Hours	50 + 10 hrs Admin	50 + 10 hrs Admin
Paid a Month	60	60
Allowance A	£10,879.20	£11,354.40
Allowance B	£2,719.80	£2,838.60
salary Total	£13,599.00	£14,193.00

73.5 Hours	Trainee	Development	Competent
Hourly Rate	£10.67	£11.11	£14.22
Number of Hours	43.75	43.75	43.75
Paid a Month			
Allowance A	£5,601.75	£5,832.75	£7,465.50
Allowance B	£1,400.44	£1,458.19	£1,866.38
salary Total	£7,002.19	£7,290.94	£9,331.88

73.5 Hours	Development	Competent
Hourly Rate	£15.11	£15.77
Number of Hours	43.75 + 8.75 hrs Admin	43.75 + 8.75 hrs Admin
Paid a Month	52.5	52.5
Allowance A	£9,519.30	£9,935.10
Allowance B	£2,379.83	£2,483.78
salary Total	£11,899.13	£12,418.88

63 Hours	Trainee	Development	Competent
Hourly Rate	£10.67	£11.11	£14.22
Number of Hours	37.5	37.5	37.5
Paid a Month			
Allowance A	£4,801.50	£4,999.50	£6,399.00
Allowance B	£1,200.38	£1,249.88	£1,599.75
salary Total	£6,001.88	£6,249.38	£7,998.75

63 Hours	Development	Competent
Hourly Rate	£15.11	£15.77
Number of Hours	37.5 + 7.5 hrs Admin	37.5 + 7.5 hrs Admin
Paid a Month	45	45
Allowance A	£8,159.40	£8,515.80
Allowance B	£2,039.85	£2,128.95
salary Total	£10,199.25	£10,644.75

52.5 Hours	Trainee	Development	Competent
Hourly Rate	£10.67	£11.11	£14.22
Number of Hours	31.25	31.25	31.25
Paid a Month			
Allowance A	£4,001.25	£4,166.25	£5,332.50
Allowance B	£1,000.31	£1,041.56	£1,333.13
salary Total	£5,001.56	£5,207.81	£6,665.63

52.5 Hours	Development	Competent
Hourly Rate	£15.11	£15.77
Number of Hours	31.25+6.25 hrs Admin	31.25+6.25 hrs Admin
Paid a Month	37.5	37.5
Allowance A	£6,799.50	£7,096.50
Allowance B	£1,699.88	£1,774.13
salary Total	£8,499.38	£8,870.63

42 Hours	Trainee	Development	Competent
Hourly Rate	£10.67	£11.11	£14.22
Number of Hours	25	25	25
Paid a Month			
Allowance A	£3,201.00	£3,333.00	£4,266.00
Allowance B	£800.25	£833.25	£1,066.50
salary Total	£4,001.25	£4,166.25	£5,332.50

42 Hours	Development	Competent
Hourly Rate	£15.11	£15.77
Number of Hours	25+5 hrs Admin	25+5 hrs Admin
Paid a Month	30	30
Allowance A	£5,439.60	£5,677.20
Allowance B	£1,359.90	£1,419.30
salary Total	£6,799.50	£7,096.50

31.5 Hours	Trainee	Development	Competent
Hourly Rate	£10.67	£11.11	£14.22
Number of Hours	18.75	18.75	18.75
Paid a Month			
Allowance A	£2,400.75	£2,499.75	£3,199.50
Allowance B	600.19	624.94	799.88
salary Total	£3,000.94	£3,124.69	£3,999.38

31.5 Hours	Development	Competent
Hourly Rate	£15.11	£15.77
Number of Hours	18.75+3.75 hrs Admin	18.75+3.75 hrs Admin
Paid a Month	22.5	22.5
Allowance A	£4,079.70	£4,257.90
Allowance B	£1,019.93	£1,064.48
salary Total	£5,099.63	£5,322.38

**RDS SCHEME PAY AWARD 1ST JULY 2018 2% INCREASE**

Watch Manager			Paid as an honorarium
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Station Manager	Paid as an honorarium	Paid as an honorarium
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105 Hours	Development	Competent A	Competent B
Hourly Rate	£16.11	£16.55	£17.63
Number of Hours	62.5 + 12.5 hrs Admin	62.5 + 12.5 hrs Admin	62.5 + 12.5 hrs Admin
Paid a Month	75	75	75
Allowance A	£14,499.00	£14,895.00	£15,867.00
Allowance B	£3,624.75	£3,723.75	£3,966.75
salary Total	£18,123.75	£18,618.75	£19,833.75

105 Hours	Development	Competent A
Hourly Rate	£18.34	£18.89
Number of Hours	62.5 + 12.5 hrs Admin	62.5 + 12.5 hrs Admin
Paid a Month	75	75
Allowance A	£16,506.00	£17,001.00
Allowance B	£4,126.50	£4,250.25
salary Total	£20,632.50	£21,251.25

94.5 Hours	Development	Competent A	Competent B
Hourly Rate	£16.11	£16.55	£17.63
Number of Hours	56.25 + 11.25 hrs Admin	56.25 + 11.25 hrs Admin	56.25 + 11.25 hrs Admin
Paid a Month	67.5	67.5	67.5
Allowance A	£13,049.10	£13,405.50	£14,280.30
Allowance B	£3,262.28	£3,351.38	£3,570.08
salary Total	£16,311.38	£16,756.88	£17,850.38

94.5 Hours	Development	Competent A
Hourly Rate	£18.34	£18.89
Number of Hours	56.25 + 11.25 hrs Admin	56.25 + 11.25 hrs Admin
Paid a Month	67.5	67.5
Allowance A	£14,855.40	£15,300.90
Allowance B	£3,713.85	£3,825.23
salary Total	£18,569.25	£19,126.13

84 Hours	Development	Competent A	Competent B
Hourly Rate	£16.11	£16.55	£17.63
Number of Hours	50 + 10 hrs Admin	50 + 10 hrs Admin	50 + 10 hrs Admin
Paid a Month	60	60	60
Allowance A	£11,599.20	£11,916.00	£12,693.60
Allowance B	£2,899.80	£2,979.00	£3,173.40
salary Total	£14,499.00	£14,895.00	£15,867.00

84 Hours	Development	Competent A
Hourly Rate	£18.34	£18.89
Number of Hours	50 + 10 hrs Admin	50 + 10 hrs Admin
Paid a Month	60	60
Allowance A	£13,204.80	£13,600.80
Allowance B	£3,301.20	£3,400.20
salary Total	£16,506.00	£17,001.00

73.5 Hours	Development	Competent A	Competent B
Hourly Rate	£16.11	£16.55	£17.63
Number of Hours	43.75 + 8.75 hrs Admin	43.75 + 8.75 hrs Admin	43.75 + 8.75 hrs Admin
Paid a Month	52.5	52.5	52.5
Allowance A	£10,149.30	£10,426.50	£11,106.90
Allowance B	£2,537.33	£2,606.63	£2,776.73
salary Total	£12,686.63	£13,033.13	£13,883.63

73.5 Hours	Development	Competent A
Hourly Rate	£18.34	£18.89
Number of Hours	43.75 + 8.75 hrs Admin	43.75 + 8.75 hrs Admin
Paid a Month	52.5	52.5
Allowance A	£11,554.20	£11,900.70
Allowance B	£2,888.55	£2,975.18
salary Total	£14,442.75	£14,875.88

63 Hours	Development	Competent A	Competent B
Hourly Rate	£16.11	£16.55	£17.63
Number of Hours	37.5 + 7.5 hrs Admin	37.5 + 7.5 hrs Admin	37.5 + 7.5 hrs Admin
Paid a Month	45	45	45
Allowance A	8,699.40	8,937.00	9,520.20
Allowance B	£2,174.85	£2,234.25	£2,380.05
salary Total	£10,874.25	£11,171.25	£11,900.25

63 Hours	Development	Competent A
Hourly Rate	£18.34	£18.89
Number of Hours	37.5 + 7.5 hrs Admin	37.5 + 7.5 hrs Admin
Paid a Month	45	45
Allowance A	£9,903.60	£10,200.60
Allowance B	£2,475.90	£2,550.15
salary Total	£12,379.50	£12,750.75

52.5 Hours	Development	Competent A	Competent B
Hourly Rate	£16.11	£16.55	£17.63
Number of Hours	31.25+6.25 hrs Admin	31.25+6.25 hrs Admin	31.25+6.25 hrs Admin
Paid a Month	37.5	37.5	37.5
Allowance A	£7,249.50	£7,447.50	£7,933.50
Allowance B	£1,812.38	£1,861.88	£1,983.38
salary Total	£9,061.88	£9,309.38	£9,916.88

52.5 Hours	Development	Competent A
Hourly Rate	£18.34	£18.89
Number of Hours	31.25+6.25 hrs Admin	31.25+6.25 hrs Admin
Paid a Month	37.5	37.5
Allowance A	£8,253.00	£8,500.50
Allowance B	£2,063.25	£2,125.13
salary Total	£10,316.25	£10,625.63

42 Hours	Development	Competent A	Competent B
Hourly Rate	£16.11	£16.55	£17.63
Number of Hours	25+5 hrs Admin	25+5 hrs Admin	25+5 hrs Admin
Paid a Month	30	30	30
Allowance A	£5,799.60	£5,958.00	£6,346.80
Allowance B	£1,449.90	£1,489.50	£1,586.70
salary Total	£7,249.50	£7,447.50	£7,933.50

42 Hours	Development	Competent A
Hourly Rate	£18.34	£18.89
Number of Hours	25+5 hrs Admin	25+5 hrs Admin
Paid a Month	30	30
Allowance A	£6,602.40	£6,800.40
Allowance B	£1,650.60	£1,700.10
salary Total	£8,253.00	£8,500.50

31.5 Hours	Development	Competent A	Competent B
Hourly Rate	£16.11	£16.55	£17.63
Number of Hours	18.75+3.75 hrs Admin	18.75+3.75 hrs Admin	18.75+3.75 hrs Admin
Paid a Month	22.5	22.5	22.5
Allowance A	£4,349.70	£4,468.50	£4,760.10
Allowance B	£1,087.43	£1,117.13	£1,190.03
salary Total	£5,437.13	£5,585.63	£5,950.13

31.5 Hours	Development	Competent A
Hourly Rate	£18.34	£18.89
Number of Hours	18.75+3.75 hrs Admin	18.75+3.75 hrs Admin
Paid a Month	22.5	22.5
Allowance A	£4,951.80	£5,100.30
Allowance B	£1,237.95	£1,275.08
salary Total	£6,189.75	£6,375.38

## APPENDIX 4

## NJC PAY SCALES from April 2019 (GREEN BOOK STAFF)

SCP	1 Apr 19
1	£17,364
2	£17,711
3	£18,065
4	£18,426
5	£18,795
6	£19,171
7	£19,554
8	£19,945
9	£20,344
10	£20,751
11	£21,166
12	£21,589
13	£22,021
14	£22,462
15	£22,911
16	£23,369
17	£23,836
18	£24,313
19	£24,799
20	£25,295
21	£25,801
22	£26,317
23	£26,999
24	£27,905
25	£28,785
26	£29,636
27	£30,507
28	£31,371
29	£32,029
30	£32,878
31	£33,799
32	£34,788
33	£35,934
34	£36,876
35	£37,849
36	£38,813
37	£39,782
38	£40,760
39	£41,675
40	£42,683
41	£43,662
42	£44,632
43	£45,591

**Extract****Joint Negotiating Committee for Local Authority Craft & Associated Employees****CRAFT & ASSOCIATED EMPLOYEES**

Pay for craft & associated employees from the pay week including **1 April 2019** are as follows:

**Apprentice Engineers & Electricians**

Engineering and Electrical Apprentices following a recognised training course. Rate per week and rate for calculation of overtime and other premium payments from the pay week including **1 April 2016** are as follows (percentage of full time rate is denoted in brackets).

<b>Age at Entry</b>	<b>1st Year</b>	<b>2nd Year</b>	<b>3rd Year</b>	<b>4th Year</b>
	<b>1 April 2019</b>	<b>1 April 2019</b>	<b>1 April 2019</b>	<b>1 April 2019</b>
<b>16 Yrs</b>	£198.25 (55%)	£252.32 (70%)	£324.41 (90%)	£342.43 (95%)
<b>17 Yrs</b>	£198.25 (55%)	£288.36 (80%)	£324.41 (90%)	£342.43 (95%)
<b>18 Yrs +</b>	£288.36 (80%)	£306.38 (85%)	£324.41 (90%)	£342.43 (95%)

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

### **Auxiliary Firefighter pay will be made up of the following components:-**

- £1,000 per year retainer (paid in quarterly instalments of £250) for the availability of previous 3 months
- £1,000 per year for training attendance (paid in quarterly instalments of £250) for the attendance and compliance with training requirements
- £250 per year enhancement for LGV drivers (to include a one day per year EDRT)

Therefore (subject to availability in meeting retainer requirements and attendance on quarterly training):

- An Auxiliary Firefighter will receive £2,000 per annum
- An Auxiliary Firefighter that is also a EDRT (LGV response driver) will receive £2,250 per annum
- An Auxiliary who is only EDRT (LGV Response driver) will receive £1,250 per annum

Additionally, WDS and RDS personnel of all ranks (up to and including Area Manager) are also able to apply for a “Resilience Contract”. The salary will be between £2,000 and £3,250, depending on skill sets.

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**APPENDIX 4****FIREFIGHTER PENSION SCHEMES DISCRETION**

**From:** Chapman, Sally  
**Sent:** 24 March 2020 16:33  
**To:** Members of the Fire Authority  
**Subject:** FW: FA Reports for Decisions by Approval by Members (30 March 2020)  
**Importance:** High

Dear members,

Please find attached three separate reports that require Member decision. All reports have already been through HR & Equalities Committee who endorsed the content. Please could you confirm by return whether or not you agree with the content of each report and if you do have comments / suggestions / points of clarification that you highlight these. I can then ensure all members are updated on responses.

Many thanks  
 Sally

**Sally Chapman**  
**Dirprwy Brif Swyddog**

Ffôn: 01443 232007  
 E-bost: [s-chapman@southwales-fire.gov.uk](mailto:s-chapman@southwales-fire.gov.uk)

Pencadlys Gwasanaeth Tân ac Achub De Cymru  
 Parc Busnes Forest View  
 Llantrisant  
 CF72 8LX

**Sally Chapman**  
**Deputy Chief Officer**

Tel: 01443 232007  
 Email: [s-chapman@southwales-fire.gov.uk](mailto:s-chapman@southwales-fire.gov.uk)

South Wales Fire & Rescue Service HQ  
 Forest View Business Park  
 Llantrisant  
 CF72 8LX

**APPENDIX 4****SOUTH WALES FIRE & RESCUE AUTHORITY**

AGENDA ITEM NO

30 MARCH 2020

REPORT OF THE ASSISTANT CHIEF OFFICER PEOPLE SERVICES

**REVIEW OF FIREFIGHTER PENSION SCHEMES DISCRETIONS –  
(FIREFIGHTER PENSION SCHEME 1992, NEW FIREFIGHTER  
PENSION SCHEME 2006/2007, 2015 FIRE PENSION SCHEME)****SUMMARY**

It is a requirements of the Firefighter Pension Schemes Regulations that participating Authorities must explain and publish how they will apply discretionary elements for Scheme members. Once approved these discretions need to be lodged with our Administrators for future reference and application.

This report, and the appendices attached, explains the areas and issues that need to be considered and approved. It also identifies the significant areas, and makes recommendations for Members to consider and to make determinations thereon for the Fire & Rescue Authority to consider.

**RECOMMENDATIONS**

1. Members approve the new Statements of Policy for all three Firefighter Pension Schemes, attached to the report at appendix 1, 2, and 3.
2. That Members authorise Officers to provide Rhondda Cynon Taff Pension Fund Administrators with a copy of the approved policy statements.

**1. BACKGROUND**

- 1.1 Under the Firefighter Schemes Regulations, as with previous Regulations, the Scheme employer (the Fire & Rescue Authority) is required to prepare, maintain, and keep under review a Statement of Policy concerning a number of discretions made available to them throughout the Regulations.
- 1.2 The provision of all three Firefighter Pension Schemes require participating Authorities to have a policy statement explaining how they will apply their discretions under those elements of the Scheme where payments to Scheme members are at the discretion of the employing Authority.

- 1.3 The appendices attached sets out the discretions per scheme that are available to the Scheme Manager to apply when appropriate, and applicable. These discretions differ between schemes and are scheme specific.
- 1.4 The policies requiring consideration and approval are provided in full in appendix 1, 2, and 3 attached to the report, and fully explains the individual discretions whether the Scheme Manager wishes to apply the discretion or not. Consideration has been given to the impact that these discretions are likely to have on both the Member and the Pension Fund longer term

## **2. ISSUES**

- 2.1 These discretionary polices will need to be in force as soon as possible as Rhondda Cynon Taff Pension Administering Authorise advice that agreed policies must be in situ for one month before they can be relied upon to avoid falling foul of the Regulator. Currently they do not hold an approved discretions policy statement for the Service.

## **3. FINANCIAL IMPLICATIONS**

- 3.1 None arising directly. Implications will only arise in the application of the policy in individual cases.

## **4. EQUALITY RISK ASSESSMENT**

- 4.1 The proposals maintain the provision of a discretionary payments policy reflecting the requirements of the Firefighter Pension Schemes. The Equality Impact Assessment for the policy has been reviewed in light of the changes to the policy, and no adverse impact has been identified.

## **5. REPRESENTATIVE BODY CONSULTATION**

- 5.1 Discretionary payments under the Firefighter Pension Schemes are a matter for determination by the employer, and the relevant Representative Bodies will be informed of the revised policy, if approved.
- 5.2 The revised policy, if approved, will be published internally.

## **6. RECOMMENDATIONS**

- 6.1 Members approve the new Statement of Policy for all three Firefighter Pension Schemes, attached to the report at appendix 1, 2, and 3.

- 6.2 That Members authorise Officers to provide Rhondda Cynon Taff Pension Fund Administrators with a copy of the approved policy statements..

<b>Contact Officer:</b>	<b>Background Papers:</b>
ACO Alison Reed Director of People Services Tel: 01443 232308	Appendix 1 – Review of Firefighter Pension Scheme 1992 Discretions Appendix 2 – Review of New Firefighter Pension Scheme 2006/2007 Appendix 3 – Review of Fire Pension Scheme 2015

DRAFT

## APPENDIX 1

## SOUTH WALES FIRE &amp; RESCUE SERVICE

## DISCRETIONS UNDER THE FIREFIGHTERS PENSION SCHEME 1992

	DISCRETIONS	REGULATION	EXPLANATION/PROCESS FOR EXERCISING DISCRETION	SWFRS statement on whether the discretion is to be exercised or not (the individual exercising the discretion is stated where appropriate)
1	Commutation of trivial pension	Rule B8	This discretion allows the consideration of conversion of a small pension to a single lump sum payment, and is governed by financial limits set by the Finance Act 2004.	Yes
2	Acceptance of condition of normal life expectancy for allocation purposes.	Rule B9(6)	<p>Rule B9 allows a member of FPS to allocate (give up) part of their pension during their lifetime, when they first become eligible to retire, to provide on their death a pension for a spouse, civil partner or a dependant.</p> <p>This is a very old part of the FPS and has largely been replaced by better provision for spouse and civil partners, or dependants in the scheme. Rule B9(6) contains a requirement that the member has normal life expectancy and this</p>	No

			discretion allows consideration of whether that is so.	
3	Discretion to reinstate all or part of a spouse's or civil partner's pension or gratuity for such period as the Fire & Rescue Authority think fit following termination on marriage, remarriage, formation of a civil partnership or subsequent civil partnership.	Rule C9	Discretion to allow reinstatement of all or part of a widow(er)'s pension which had ceased on remarriage of the widow (er). This provision comes into effect only should the widow(er)'s new spouse/civil partner die or the marriage or civil partnership be dissolved.	No longer a discretion
4	Award of benefit to a child aged 17 or over who has had an interruption in whole-time education or vocational training.	Rule D5(5) and (3)(b)	The FPS allows the payment of a child's pension when the child is in full time education. This provision allows the consideration of reinstatement of the pension when there has been an interruption in while time education or vocational training.	Yes
5	Award of benefit to a child aged 17 or over who is permanently disabled and who would not otherwise qualify for an award.	Rule D5(4)(c) and (3)(a)	This discretion allows the consideration of making an award to a disabled child who would not otherwise qualify for an award.	Yes
6	Award of dependent relative's gratuity to a dependant relative.	Rule E3		Yes
7	Decision to commute for a lump sum, part or all of a spouse's or civil partner's pension which is of limited amount.	Rule E5 subject to limitations in Rule E7	This discretion allows consideration of commutation of a limited amount of a spouse or civil partner's pension into a lump sum.	Yes
8	Decision to commute for a lump sum, part or all of a child's pension.	Rule E6 subject to limitations in Rule E7	This discretion allows consideration of commutation of a limited amount of a child's pension into a lump sum.	In normal circumstances the Service would not exercise this discretion. However, if raised by an individual and

				the circumstances are considered exceptional, consideration would be given by the Scheme Manager.
9	Decision to substitute a higher amount of child's flat rate award where neither of the child's parents is alive.	Rule E9(6)	This discretion allows consideration of substitution of a higher amount than the child's flat rate when neither of the child's parents are alive.	Yes.
10	Decision as to amount of pensionable service (to be set out in Certificate of Pensionable Service with notice of right of appeal).	Rule F1	This discretion allows a decision to be made on the amount of pensionable service and notification of appeal rights to the Secretary of State.	Yes
11	Extension of six month time limit for election to pay certain sums in order that earlier pensionable service may count on re-joining the Fire & Rescue Service.	Rule F4(1)(c), (3)(c), 4(d) and Rule F5(1)(c)	This discretion allows consideration of an extension of the time limit for an election to pay for previous service where a Firefighter commences work with another Fire Authority after retiring without a pension.	Yes
12	Discretion to accept a transfer value.	Rule F7(1) subject to Rule F7(2) and (3)	As described.	Yes
13	Extension of 6 month time limit for a former Firefighter to request payment of a transfer value to another pension scheme.	Rule F9(2)		Yes
14	Extension of 12 month time limit after leaving in which a former Firefighter must be subject to a new scheme and may request a transfer value after having previously received a gratuity or repayment of pension contributions.	Rule F9(5)	This discretion allows consideration of the situation of a Firefighter who has received a gratuity or a refund of contributions requesting a transfer value instead. The refund	No

			of contributions or gratuity must also be paid back.	
15	Determination of pensionable pay.	Rule G1(1)	This discretion allows consideration of which elements of pay are pensionable.	No – pensionable pay has no discretionary elements. Pensionable pay is predetermined by scheme regulations.
16	Discretion to deduct pension contributions from instalments of pay.	Rule G2(2)		Yes
17	Discretion to extend 30-day time limit in which an election to pay contributions in respect of unpaid additional maternity or adoption leave must be made.	Rule G2A(3)		Yes
18	Discretion not to accept a Firefighter's election to purchase increased benefits through the payment of additional contributions unless the Firefighter has undergone a medical examination at own expense and satisfied the Fire & Rescue Authority as to his/her good health.	Rule G6(4)(b)	This discretion allows the Authority to require that a Firefighter is in good health before accepting additional contributions.	Yes – delegated to Head of HR
19	Discretion of Fire & Rescue Authority to agree to discontinuance of payment of periodical contributions for increased benefits where satisfied that payment is causing, or likely to cause, financial hardship.	Rule G7(3)	This discretion is to allow a Firefighter to cease making additional contributions.	Yes
20	Discretion to pay a pension in lieu of gratuity, or increase an ill-health pension, for a serviceman injured during his forces period.	Rule 12(3) and 13(3)		Yes
21	Requirement to decide, at such intervals as the Fire & Rescue Authority think proper, whether a person under age 60, and in receipt of an ill-health pension for less than 10 years, has become capable of carrying out any duty appropriate to the role from	Rule K1(1) and (2)	Requirement to review ill health pensions under 10 years of retirement	Yes

	which he/she retired on health grounds, and in the case of a higher tier ill-health pension, whether that person has become capable of carrying out any regular employment.			
22	Requirement to decide at such intervals as the Fire & Rescue Authority think proper, whether a person under 60, and in receipt of a deferred pension, has become capable of firefighting and performing any other duties appropriate to his former role as a Firefighter.	Rule K1(3)	Requirement to review deferred pensions paid early on permanent disablement.	Yes
23	Requirement to decide whether to offer a person whose ill-health pension has been reviewed under Rule K1, and who is found to be capable of performing duties appropriate to his/her former role, an offer of employment in that role.	Rule K1A(2)		Yes
24	The discretion to reduce the level of an ill-health pension to not less than half of the full amount where Firefighter contributed to infirmity by own default.	Rule K3(1)	This discretion permits the reduction of a Firefighter pension to not less than half the amount due where it is considered that they have contributed to an infirmity by their default.	Yes
25	Discretion to withdraw whole or part of a person's pension (other than a spouse's or civil partner's award under FPS) during any period of his/her re-employment as a regular Firefighter with a Fire & Rescue Authority.	Rule K4	This discretion allows abatement of a Firefighter pension where the employee has been re-employed as a regular Firefighter.	Yes
26	Discretion to withdraw a pension in whole or in part, permanently or temporarily, on a person's conviction of certain offences.	Rule K5(1)	This discretion only applies in the case of treason or a serious offence under the Official Secrets Act.	Yes
27	Discretion to restore at any time, and to such extent as the Fire & Rescue Authority think fit, a pension	Rule K5(5)	This discretion allows consideration of the reinstatement of the pension	Yes

	withdrawn under Rule K5(1) to the pensioner or to apply it for the benefit of any dependant of the pensioner.		withdrawn as a result of a decision in Delegation 26.	
28	Determination of intervals at which instalments of pension shall be paid.	Rule L3(1)	This discretion allows the arrangement of normal monthly payments of annual pension.	Yes
29	Discretion to delay payment of an award to the extent necessary for determining any question as to the Fire & Rescue Authority's liability.	Rule L3(1)	This discretion allows the Fire Authority to delay the payment of an award sum until they are satisfied as to the eligibility of an award.	Yes
30	Discretion to decide an earlier payment date for survivors' benefits than the date prescribed where the deceased received a gratuity, and an option to pay a gratuity in instalments rather than as a single lump sum.	Rule L3(7) and (8)	This discretion allows consideration of earlier payment of survivor benefits which are normally paid one year after the date the member deceased. There is also the option to pay a smaller amount in regular instalments where this would be of advantage to the person entitled.	Yes
31	Discretion as to the recipient of any sum payable to a minor.	Rule L5 (1)	This discretion allows the payment of any sum due to a minor to any appropriate person.	Yes
32	Discretion as to recipient or application of payments due to a person incapable of managing his/her own affairs.	Rule L5(2)	This discretion allows the consideration of payment of an award to an appropriate person where the recipient is deemed to be incapable of managing their affairs.	Yes
33	Discretion following death of a person as to recipient(s) of sums less than amount specified in the Administration of Estates (Small Payments) Act 1965.	Rule L5(3)	This discretion deals with awards less than £5,000 and allows decision to be made of who should receive this amount.	Yes

34	Discretion to withhold sums due in respect of an award to a Firefighter where there has been a loss to the funds of the Fire & Rescue Authority as a result of fraud, theft or negligence on the part of that person in connection with his/her employment.	Rule L5(6)	This discretion allows the Authority to reclaim sums lost as a result of fraud, theft or negligence on the part of that person in connection with their employment.	Yes
35	Requirement to estimate amounts payable to, and out of, the Firefighters' Pension Fund for each financial year, and discretion to submit revised information to Secretary of State.	Rule LA4		Yes – delegated to Head of Finance
36	Discretion to deduct from an award any outstanding balance of payments in respect of previous service.	Schedule 6, Part 1, Paragraph 1(4)	This discretion relates to where a member has elected to pay additional sums in respect of previous pension service and then retires before completing the payments. The scheme provides that they will receive a pension as if they have completed the payments. This discretion allows the recovery of the payments not made.	Yes
37	Discretion to extend 14-day time limit in which a person must lodge a medical appeal to a period not exceeding 6 months from the date of issue of the medical opinion to that person, provided the Fire & Rescue Authority are of the opinion that the person's failure to lodge the appeal within 14 days was not due to his/her own default.	Schedule 9, Part 1, Paragraph 1(2)	This discretion allows consideration of extending the time limit for an appeal	Yes – basis delegated to Head of HR
38	Discretion to decide the Fire & Rescue Authority's representation at Medical Appeal Board interview.	Schedule 9, Part 1, Paragraph 4(5)	This discretion deals with the arrangements for representation at a Medical Appeal Board.	Yes – delegated to Head of HR
39	Discretion to decide whether or not to submit written evidence or a written statement to a Medical Appeal Board.	Schedule 9, Part 1, Paragraph 5	This discretion allows consideration of whether to present written evidence to a Medical Appeal	Yes – delegated to Head of HR

			Board. In practice this is always done.	
40	Discretion where Medical Appeal Board decide that a person's appeal was 'frivolous, vexatious or manifestly ill-founded' to require the appellant to pay to the Fire & Rescue Authority such sum as the Authority think fit, not exceeding the fees and allowances of the specialist member of the Board.	Schedule 9, Part 1, Paragraph 8(2)		Yes
41	Discretion where appellant withdraws appeal within 21 working days before the date appointed for interview or medical examination, to require the appellant to pay to the Fire & Rescue Authority such sum as the Authority think fit not exceeding the Medical Appeal Board's total fees and allowances payable to the Board by the Authority.	Schedule 9, Part 1, Paragraph 8(2A)		Yes.

## APPENDIX 2

## SOUTH WALES FIRE &amp; RESCUE SERVICE

## DISCRETIONS UNDER THE FIREFIGHTERS PENSION SCHEME 2006

	<b>DISCRETIONS</b>	<b>REGULATION</b>	<b>EXPLANATION/PROCESS FOR EXERCISING DISCRETION</b>	<b>SWFRS statement on whether the discretion is to be exercised or not (the individual exercising the discretion is stated where appropriate)</b>
1	Determination of eligibility for membership of NFPS.	Part 2, Rule 1		Yes
2	Decision by agreement with Firefighter as to last day of membership where Firefighter on unpaid leave or absent without permission on the day on which he/she leaves the Scheme.	Part 2, Rule 4		Yes
3	Resolution that an optant-out may not re-join the Scheme unless he/she has undergone a medical examination at his/her own expense and satisfied the Fire & Rescue Authority as to his/her good health.	Part 2, Rule 6	This allows the consideration of whether to require a medical examination before allowing a Firefighter that has opted out of the pension scheme before allowing them to re-join the scheme.	Yes
4	Discretion to refuse a Firefighter's request for early payment of a deferred pension ('member-initiated early retirement') where this is likely to be less than the GMP at State pensionable age.	Part 3, Rule 5		Yes

5	Discretion to retire a Firefighter aged 55 or over on grounds of economical, effective and efficient management of their functions ('Authority-initiated early retirement').	Part 3, Rule 6	This discretion allows the early payment of a pension to a Firefighter aged 55 or over where the retirement is in the interests of the management of the Service.	Yes
6	Discretion to commute a small pension payable to Firefighter.	Part 3, Rule 10,	This discretion allows consideration of a small pension to a single lump sum payment.	Yes
7	Discretion to permit a Firefighter to allocate a portion of pension for a dependant other than a spouse, civil partner, or nominated partner.	Part 3, Rule 11, Paragraphs 2(b) and 3	This discretion allows consideration of a Firefighter allocating a portion of pension for a dependant other than a spouse, civil partner or nominated partner.	Yes
8	Acceptance of good health and normal life expectancy for allocation purposes.	Part 3, Rule 11, Paragraph 6(a)	This is similar to delegation above and allows a Firefighter to allocate (give up) part of their pension during their lifetime when they first become eligible to retire to provide on their death a pension for a spouse, civil partner or a dependant. There is a requirement that the member has normal life expectancy, and this discretion allows consideration of whether this is so.	No other than the standard survivors entitlements
9	Discretion to withhold all or part of a survivor's pension permanently or temporarily, where the deceased's spouse, civil partner, or nominated partner is convicted of manslaughter of the deceased.	Part 4, Rule 1, Paragraph 3		Yes
10	Discretion to withhold all or part of a child's pension, permanently or temporarily, where the	Part 4, Rule 7, Paragraph 5		Yes

	child is convicted of manslaughter of the deceased.			
11	Decision to cease payment of a child's pension where the Fire & Rescue Authority are satisfied that the child is no longer permanently disabled or the child's pension should not have been awarded.	Part 4, Rule 7, Paragraph 9	This discretion allows the Authority to deal with the review of a child's pension on change of circumstances.	Yes
12	Discretion as to recipient of Death Grant	Part 5, Rule 1, Paragraph 10	This discretion allows the Authority to decide who should receive a Death Grant.	Yes
13	Discretion to pay part of any Death Grant not paid in full to a person whose conviction for murder or manslaughter of the deceased has been quashed.	Part 5, Rule 1, Paragraph 12		Yes
14	Discretion with the agreement of the pension credit member to commute whole of pension credit pension.	Part 6, Rule 2	This discretion allows the commutation of a small pension into a lump sum in the circumstances of divorce. A small pension is defined in Paragraph 20 schedule 29 of the Finance Act 2004 as a lump sum which is not more than 1% of the standard lifetime allowance on the date the lump sum is paid.	Yes
15	Discretion to pay a post-retirement Death Grant in respect of a pension credit member to such person or persons as the Fire & Rescue Authority think fit.	Part 6, Rule 5, Paragraph 2	This discretion allows the consideration of who to pay a post retirement Death Grant.	Yes
16	Determination, in the first instance of entitlement to and type of award due under the NFPS.	Part 8, Rule 2, Paragraph 1	This is the general power to make awards under the NFPS.	Yes.

17	Requirement to use but right to select an Independent Qualified Medical Practitioner (IQMP) for providing a medical opinion.	Part 8, Rule 2, Paragraph 2	The NFPS requests than IQMP is used to provide a medical opinion. This discretion allows the Authority to appoint such a person.	Yes – delegated to Head of HR
18	Discretion to determine award without an Independent Qualified Medical Practitioner's opinion if the Firefighter wilfully or negligently fails to submit him or herself to medical examination and the Medical Practitioner is unable to give an opinion on the basis of medical evidence available to him/her.	Part 8, Rule 2, Paragraph 6	This discretion allows the Authority to make decisions in the absence of an IQMP opinion if the Firefighter wilfully or negligently fails to submit him or herself to a medical examination.	Yes – delegated to Head of HR
19	Discretion to agree with person concerned that the Independent Qualified Medical Practitioner should be given the opportunity to review his/her medical opinion if new evidence is presented within appropriate timescales.	Part 8, Rule 3, Paragraph 1	This discretion allows the opportunity for an IQMP to review a decision where new medical evidence is presented.	Yes – delegated to Head of HR
20	Confirmation or revision of decision following an Independent Qualified Medical Practitioner's reconsideration of opinion.	Part 8, Rule 3, Paragraph 4 and 5	This delegation requires the Authority to confirm the decision after IQMP reconsideration of opinion within specific timescales.	Yes – delegated to Head of HR
21	Discretion to extend time limit for an appeal against the Authority's decision based on medical advice.	Part 8, Rule 4, Paragraph 4	This discretion allows the Authority to consider exceptions to the 28 day time limit for a Firefighter to submit an appeal.	Yes – delegated to Head of HR
22	Requirement to deal with appeals under Internal Dispute Resolution Procedures.	Part 8, Rule 5	This requirement applies where a person disagrees with the Authority's decision and the question is not of a medical nature.	The Service would always allow the individual to raise an issue of this nature through the Service IDRPs process.
23	Requirement to decide at such intervals as the Fire & Rescue Authority think proper, whether a person under State pensionable age and in	Part 9, Rule 1, Paragraph 1	Requirement to review ill-health pensions.	Yes – where retirement is under 10 years

	receipt of an ill-health pension for less than 10 years, has become capable of carrying out any duty appropriate to the role from which he/she retired on health grounds and in the case of a higher tier ill-health pension, whether that person has become capable of carrying out any regular employment.			
24	Requirement to decide whether to make to a person whose ill-health pension has been reviewed under Part 9 Rule 1, and who is found to be capable of performing duties appropriate to his/her former role, an offer of employment in that role.	Part 9, Rule 3, Paragraph 3(b)		Yes
25	Discretion to withdraw the whole or part of a Part 3 (personal award) pension paid to a former regular Firefighter during any period of re-employment as a regular Firefighter, or to a retained or volunteer Firefighter during any period of re-employment as a retained or volunteer Firefighter.	Part 9, Rule 3, Paragraphs 1 and 2	This discretion allows consideration of withdrawing a Firefighter pension in payment if the person is re-employed as a regular Firefighter.	Yes under the abatement principal
26	Discretion to abate a pension under Part 3 (personal award) for so long as the recipient is employed in any capacity by any Fire & Rescue Authority.	Part 9, Rule 3, Paragraph 3	This discretion allows consideration of withdrawing a Firefighter pension in payment if the person is re-employed in any capacity by any Fire & Rescue Authority.	Yes
27	Discretion to disallow early payment of a deferred pension under Part 3, Rule 3, Paragraph 4, because of Firefighter's dismissal from the Fire & Rescue Authority's employment.	Part 9, Rule 4	Part 3, Rule 3, Paragraph 4 contains the power to pay a deferred pension early where a person is permanently disabled. This discretion allows consideration of not making such a payment where the Firefighter was dismissed.	Yes

28	Discretion, at any time, and to such extent as the Fire & Rescue Authority see fit, to restore a pension withdrawn under Part 9, Rule 5, or to apply it for the benefit of any dependant of the pensioner.	Part 9, Rule 5, Paragraph 4	This is the discretion to restore a pension withdrawn as in delegation above.	Yes
29	Discretion to decide to what extent an award should be forfeited by a person who has been convicted of an offence under Section 34(6) of the Fire & Rescue Services Act 2004 (acts or omissions for purposes of obtaining awards or other sums). Section 34 (6) of the Fire & Rescue Services Act 2004 states that a person commits an offence if he does an act or makes an omission as a result of which he is injured or becomes ill, for the purpose of obtaining for himself or another person:- (a) An award under a scheme brought into operation under this section, or (b) A sum in respect of the repayment or application of contributions made under such a scheme.	Part 9, Rule 6	This discretion allows consideration to what extent an award should be forfeited in the circumstances described.	Yes
30	Decision as to the amount of qualifying service which a Firefighter may reckon.	Part 10, Rule 1	Power to determine qualifying service.	Yes
31	Decision as to the amount of pensionable service a Firefighter may reckon.	Part 10, Rules 2 and 3	Power to determine pensionable service.	Yes
32	Determination of pensionable pay.	Part 11, Rule 1	This delegation allows the Authority to determine what pensionable pay is.	No discretion – pensionable pay is determined in scheme regulations
33	Discretion to extend the time limit in which an election to pay pension contributions in respect of unpaid additional maternity or adoption leave must be made.	Part 11, Rule 4, Paragraph 3		Yes

34	Discretion to deduct contributions in respect of unpaid additional maternity or adoption leave from the Death Grant payable under Part 5 if the member dies without giving notice within the election time limit that he/she wishes to pay such contributions.	Part 11, Rule 4, Paragraph 6	This discretion allows the Authority to consider whether to treat as pensionable service a period of unpaid leave where the member dies without giving notice within the election time limit they wish to pay such contributions.	Yes
35	Discretion to allow a part-time regular Firefighter to purchase pro-rated additional service.	Part 11, Rule 5, Paragraph 5		Yes
36	Discretion to agree to a Firefighter member's request to discontinue payment of additional contributions to purchase service provided this is solely on the grounds of the member's financial circumstances.	Part 11, Rule 8, Paragraph 1	This discretion is to allow a Firefighter to cease making additional contributions.	Yes
37	Decision as regards timing of recommencement of payment of additional contributions to purchase service where agreed with member that discontinuance should be no greater than 6 months.	Part 11, Rule 8, Paragraph 2		Yes
38	Discretion to extend time limit for the payment of contributions in respect of periods of unpaid service or absence.	Part 11, Rule 9, Paragraph 4(c)		Yes
39	Selection of 'the guarantee date' for statement of cash equivalent transfer value entitlement.	Part 12, Rule 3, Paragraphs 1 and 2	This discretion allows the determination of a guarantee date for the calculation of a transfer value from the New Firefighter Pension Scheme.	Yes
40	Discretion to charge member for third or subsequent statement of cash equivalent	Part 12, Rule 3, Paragraph 6		Yes

	transfer value entitlement requested within any 12 month period.			
41	Discretion to extend the one-year time limit for an application for a transfer payment into the NFPS from another pension arrangement.	Part 12, Rule 9, Paragraph 2		No –closed scheme
42	Discretion to accept a transfer value.	Part 12, Rule 10, Paragraph 1, subject to Paragraph 3		Yes
43	Determination, if so required by the Firefighter, of accuracy of information contained in certificate of pensionable service to be supplied on Firefighter's transfer to another English Fire & Rescue Authority – the determination to be decided via Internal Dispute Resolution Procedures (IDRP) set up by Authority.	Part 12, Rule 12, Paragraphs 3 to 5	Discretion to determine pensionable service via IDRP procedure	Yes
44	Requirement to estimate amounts payable to, and out of, the Firefighters' Pension Fund for each financial year and discretion to submit revised information to Secretary of State.	Part 13, Rule 4, Paragraphs 3 and 4		Yes – delegated to Head of Finance
45	Discretion to delay payment of an award to the extent necessary for determining any question as to the Fire & Rescue Authority's liability.	Part 14, Rule 3, Paragraph 2(a)	The Fire Authority need not pay the sum until they are satisfied as to the eligibility of an award.	Yes
46	Discretion to pay an award at other reasonable intervals if impracticable to pay at the standard monthly periods.	Part 14, Rule 3, Paragraph 2(b)		Yes
47	Discretion to recover all or part of an overpayment following a pensioner's death of which the Fire & Rescue Authority were not informed (possibly by making an off-set against any other awards payable under the NFPS in respect of the deceased).	Part 14, Rule 3, Paragraph 5		Yes

48	Discretion as to recipient of any sum payable to a minor.	Part 14, Rule 5, Paragraph 1	This discretion allows the payment of sums due to a minor to an appropriate person.	Yes
49	Discretion as to recipient or application of payments due to a person incapable of managing his/her own affairs.	Part 14, Rule 5, Paragraph 2	This discretion allows the consideration of payment of an award to an appropriate person where the recipient is deemed incapable of managing their affairs.	Yes
50	Discretion, following the death of a person as to recipient(s) of sums less than the amount specified in the Administration of Estates (Small Payments) Act 1965.	Part 14, Rule 6, Paragraph 1	This discretion deals with awards less than £5,000 and allows decisions to be made of who should receive this amount.	Yes
51	Discretion to withhold sums due in respect of an award to a firefighter where there has been a loss to the funds of the Fire & Rescue Authority as a result of fraud, theft or negligence on the part of that person in connection with his/her employment.	Part 14, Rule 6 Paragraphs 4 to 6	This discretion allows the Authority to reclaim sums lost as a result of fraud, theft or negligence on the part of that person in connection with their employment.	Yes
52	Discretion to require a person who is or may be entitled to a pension or a lump sum under the NFPS to provide the Fire & Rescue Authority with supporting evidence as to identity, and to continuing entitlement to any payment under the Scheme, and discretion to withhold the whole or part of any amount due where a person fails to comply with this requirement.	Part 15, Rule 3	This discretion gives the Authority the ability to require confirmation of identity when making an award.	Yes
53	Decision as to date of issue of annual benefit statements and relevant date for the pension illustration.	Part 15, Rule 4		No – ABS must be legally provided by the 31 <sup>st</sup> August each year
54	Discretion to extend 28 day time limit in which a person must lodge a medical appeal to a period	Annex 2 Paragraph 1(2)	This discretion allows consideration of an extension to	Yes

	not exceeding 6 months from the date of issue of the documents under Part 8, Rule 4, Paragraph 4, provided the Authority are of the opinion that the person's failure to lodge the appeal within the 28 days was not due to his/her own default.		the time limit to make a medical appeal.	
55	Discretion to decide Fire & Rescue Authority's representative at Medical Appeal Board interview.	Annex 2 Paragraph 6(5)		Yes – delegated to Head of HR
56	Discretion to decide whether or not to submit written evidence or a written statement to Medical Appeal Board.	Annex 2 Paragraph 7(1)		Yes – delegated to Head of HR
57	Discretion, where Medical Appeal Board decide that a person's appeal was 'frivolous, vexatious or manifestly ill-founded', to require the appellant to pay to the Fire & Rescue Authority such sum as the Authority think fit, not exceeding the total amount of fees and allowances payable by the Authority to the Board under Annex 2, Paragraph 9(1).	Annex 2 Paragraph 10(2)	This discretion allows the Authority to require the appellant to pay a sum to the Authority where the appeal board decide that the appeal was frivolous, vexatious, or manifestly ill-founded.	Yes
58	Discretion, where appellant withdraws appeal less than 22 working days before the date appointed for interview or medical examination, to require the appellant to pay to the Fire & Rescue Authority such sum as they think fit, not exceeding the Medical Appeal Board's total amount of fees and allowances payable to the Board by the Authority under Annex 2, Paragraph 9(1).	Annex 2 Paragraph 10(3)	This discretion allows the Authority to require the appellant to pay a sum to the Authority where the appellant withdraws their appeal at short notice.	Yes
59	Discretion to reduce compensation for death or permanent incapacity while on duty if the Firefighter's serious and culpable negligence or misconduct contributed in any material respect	Part 2, Rule 3, Paragraph 6	This discretion allows consideration of the reduction of compensation where serious and culpable negligence or misconduct	Yes

	to the circumstances in which the injury was sustained; the reduction may be of such amount as the Fire & Rescue Authority consider appropriate.		contributed in any material respect to the circumstances in which the injury was sustained.	
60	Discretion to commute small compensatory pension for a lump sum.	Part 2, Rule 4	As described	Yes
61	Discretion to pay augmented award to spouse or civil partner where specific conditions of eligibility are not met.	Part 3, Rule 2, Paragraph 2(b) and (c)	This discretion allows some flexibility on whether to pay an award if it would be considered inequitable to do so.	Yes
62	Discretion to increase for such period as the Fire & Rescue Authority see fit, the level of spouse's or civil partner's special or augmented award where Firefighter and spouse or civil partner were living apart at the date of death, and the normal level of benefit is reduced under FSC rules.	Part 3, Rule 4, Paragraphs 6 and 7	This discretion allows consideration of payment of such an award. This does not apply to members of the NFPS 2006, nor to Firefighters appointed on or after 6.4.2006, who have opted out of the NFPS – because the 'living apart' limitation would not apply. No payment would normally be due for all other Firefighters.	No
63	Discretion to reinstate all or part of a spouse's or civil partner's special or augmented award for such period as the Authority see fit following the termination of award on marriage, remarriage, formation of a civil partnership or subsequent civil partnership.	Part 3, Rule 5, Paragraphs 1 and 2	This discretion allows consideration of payment of such an award. This does not apply to members of the NFPS 2006, nor to Firefighters appointed on or after 6.4.2006 who have opted out of the NFPS – because the post-retirement marriage/civil partnership limitation would not apply. No payment would normally be due for all other Firefighters.	No longer a discretion, recent legislative changes dictate that payments cannot be stopped due to remarriage etc.

64	Decision to cease payment of a child's pension where the Fire & Rescue Authority are satisfied that the child is no longer permanently disabled or the child's pension should not have been awarded.	Part 4, Rule 3 Paragraph 5(c)	This discretion allows the review of a child's pension on change of circumstances.	Yes
65	Discretion to award an adult dependent relative's special pension for such period(s) as the Fire & Rescue Authority may determine.	Part 5, Rule 1	As described	Yes
66	Discretion to award a dependent relative's gratuity.	Part 5, Rule 2, Paragraph 3	As described	Yes
67	Discretion with the consent of the person entitled to the award, to commute for a lump sum a small pension awarded to a surviving spouse or civil partner.	Part 5, Rule 3	This discretion allows the consideration of substitution of a lump sum for a small pension.	Yes
68	Discretion, with the consent of the child's, surviving parent or guardian, to commute for a lump sum a small pension awarded to a child.	Part 5, Rule 4	This discretion allows the consideration of substitution of a lump sum for a small pension.	Yes
69	Determination, in the first instance of entitlement to, and type of, award under FCS.	Part 6, Rule 1	This is the general power to determine payments under the scheme.	Yes – delegated to Head of HR
70	Requirement to use, but right to select independent qualified medical practitioner for providing a medical opinion.	Part 6, Rule 1	This is the general provision to obtain medical evidence so injury compensation can be determined.	Yes – delegated to Head of HR
71	Discretion to decide award without an independent qualified medical practitioner's opinion if a person wilfully or negligently refuses to submit to medical examination.	Part 6, Rule 1	As described.	Yes – delegated to Head of HR
72	Requirement to reconsider at person's request his/her claim to an award where the Fire &	Part 6, Rule 3	Requirement to reconsider an award IDR procedure is appropriate.	Yes – By way of IDR process

	Rescue Authority do not admit the claim at all, or to its full extent.			
73	Discretion to increase an award for a serviceman who at the end of his/her forces period is permanently disabled by a qualifying injury or injury received during his/her forces period.	Part 7, Rule 2	This discretion allows the consideration of increasing the award for a serviceman injured during his/her forces period.	Yes
74	Discretion to increase dependents' benefits under the FPS 1992 to the level of a flat-rate award if a serviceman dies from the effects of an injury received during his/her forces period or a qualifying injury.	Part 7, Rule 3	This applies in respect of those covered by the FPS 1992.	Yes
75	Discretion to increase an award to a reservist who is permanently disabled as a result of an injury received during his/her forces period or a qualifying injury.	Part 7A, Rule 2 <i>This applies in respect of those covered by the NFPS 2006</i>	This discretion allows the consideration of increasing the award for a reservist injured during his/her forces period.	Yes – on a case by case base. Head of HR/Scheme Manager
76	Discretion to increase dependents' benefits if a reservist dies from the effects of an injury received during his/her forces period or a qualifying injury. This applies in respect of those covered by the NFPS 2006.	Part 7A, Rule 3	This discretion allows the consideration of increasing the award for a reservist injured during his/her forces period.	Yes – on a case by case base. Head of HR/Scheme Manager
77	Discretion to pay an injury award to or in respect of an employee of a Fire & Rescue Authority who is not a Firefighter but who has to retire, or dies, as a result of an injury received without his/her own default while in attendance at a fire in the execution of duties as an employee of the Authority.	Part 8, Rule 1	This discretion is the general discretion to pay an award to an employee of the Fire Authority who is injured while in attendance at a fire.	Yes – only to be considered if no compensation from other pension scheme e.g. LGPS by Scheme Manager
78	Discretion to decide intervals at which a person's degree of disablement should be reviewed.	Part 9, Rule 1, Paragraph 1	This discretion allows the Authority to set timescales for review of payments under the scheme.	Yes

79	Discretion, 5 years after an injury pension first becomes payable to resolve that no further review of degree of disablement should take place.	Part 9, Rule 1 Paragraph 3	This discretion allows the Authority to decide to make no further reviews of degree of disablement.	Yes
80	Discretion to reduce the level of an injury award to not less than half of the full amount where a person contributed to the infirmity by his/her own default.	Part 9, Rule 2	This discretion allows the Authority to reduce an award where a person contributed to the infirmity by his/her own default.	Yes
81	Discretion to withdraw the whole or part of a person's pension (other than a spouse's or civil partner's award) during any period of re-employment as a Firefighter with a Fire & Rescue Authority.	Part 9, Rule 3	This discretion allows the Authority to withdraw a pension if the person is re-employed as a Firefighter.	Yes under abatement principles
82	Discretion to withdraw a pension in whole or in part, permanently or temporarily, on a person's conviction of certain offences.	Part 9, Rule 4 Paragraphs 1 to 3	This discretion allows the withdrawal of a pension if the pensioner is convicted of an act of treason, or a serious offence under the Official Secrets Act.	Yes
83	Discretion to restore at any time and to such extent as the Fire & Rescue Authority think fit, a pension withdrawn under Part 9, Rule 4, Paragraphs 1 to 3, to the pensioner or to apply it for the benefit of any dependent of the pensioner.	Part 9, Rule 4, Paragraph 4	This discretion allows the consideration of reinstatement of a pension withdrawn above.	Yes
84	Discretion to decide to what extent an award should be forfeited by a person who has been convicted of an offence under section 34(6) of the Fire & Rescue Services Act 2004 (acts or omissions for the purposes of obtaining awards or other sums). Section 34(6) of the Fire & Rescue Services Act 2004 states that a person commits an offence if he does an act or makes	Part 9, Rule 5	This discretion allows consideration to what extent an award should be forfeited in the circumstances described.	Yes – By Head of HR

	<p>an omission as a result of which he is injured or becomes ill, for the purpose of obtaining for himself or another person:-</p> <p>(a) An award under a scheme brought into operation under this section, or</p> <p>(b) A sum in respect of the repayment or application of contributions made under such a scheme.</p>			
85	Decision as to responsibility for payment of awards in respect of a qualifying injury where person employed by more than one Fire & Rescue Authority and injury relates to more than one employment.	Part 10, Rule 1 and Rule 3	This discretion allows the concept of split liability for payment of an award.	Yes – By Head of HR
86	Determination of intervals at which instalments of injury pension should be paid.	Part 10, Rule 2, Paragraph 1	This requirement is to determine the frequency of pension payments	Yes – Pension paid monthly by elected administrators
87	Discretion to delay payment of an award to the extent necessary for determining any questions of the Fire & Rescue Authority's liability.	Part 10, Rule 2, Paragraph 1	This discretion allows the Authority to delay payment of the sum until satisfied as to the eligibility for an award.	Yes
88	Discretion to pay a gratuity in instalments rather than as a lump sum, of such reasonable amounts and over such reasonable period as the Fire & Rescue Authority think fit.	Part 10, Rule 2, Paragraph 7	This discretion allows the consideration of paying regular payments instead of a lump sum gratuity.	Yes
89	Discretion to extend the 14 day time limit in which a person must lodge a medical appeal, to a period not exceeding 6 months from the date of issue of the medical opinion to the person, provided the Fire & Rescue Authority are of the opinion that the person's failure to lodge the appeal within 14 days was not due to his/her own default.	Schedule 5, Paragraph 1(2)	As described	Yes – by Head of HR

90	Discretion to decide Fire & Rescue Authority's representation at Medical Appeal Board interview.	Schedule 5, Paragraph 5(5)	As described	Yes – By Head of HR
91	Discretion to decide whether or not to submit written evidence or a written statement to Medical Appeal Board.	Schedule 5, Paragraph 6(1)	As described	Yes
92	Discretion, where Medical Appeal Board decide that a person's appeal was 'frivolous, vexatious or manifestly ill-founded' to require the appellant to pay the Fire & Rescue Authority such sum as the Authority think fit, not exceeding the fees and allowances of the specialist member of the Board.	Schedule 5, Paragraph 9	This discretion allows the Authority to require the appellant to pay a sum of the Authority, where the Appeal Board decide that the appeal was frivolous, vexatious, or manifestly ill-founded.	Yes
93	Discretion where appellant withdraws appeal within 21 working days before the date appointed for interview or medical examination, to require the appellant to pay to the Fire & Rescue Authority such sum as the Authority think fit, not exceeding the Board's total fees and allowances.	Schedule 5 Paragraph 9(3)	This discretion allows the Authority to require the appellant to pay a sum to the Authority where the appellant withdraws their appeal at short notice.	Yes

## APPENDIX 3

## SOUTH WALES FIRE &amp; RESCUE SERVICE

## DISCRETIONS UNDER THE FIREFIGHTERS PENSION SCHEME 2015

	<b>DISCRETIONS</b>	<b>REGULATION</b>	<b>EXPLANATION/PROCESS FOR EXERCISING DISCRETION</b>	<b>SWFRS statement on whether the discretion is to be exercised or not (the individual/body exercising the discretion is stated where appropriate)</b>
1	<b>Power to Delegate – Delegation</b> The Scheme Manager must ensure that delegated powers are current.	Regulation 5 (2)	Delegated to Head of Finance	Yes
2	<b>Opting Out – Opting into this scheme</b> An optant-in will become an active member of the scheme with effect from the beginning of the first pay period following the date on which the option is exercised. There is an option for the scheme manager to vary the date on which the person becomes an active member to such other time as the scheme manager considers appropriate.	Regulation 12 (5)	Opting in from the first day only.	No – discretion to use most appropriate date applicable
3	<b>Opting Out after first three months</b> An optant-out ceases to be in pensionable service with effect from the first day of the first pay period following the date on which the option is exercised. If the scheme manager considers that day to be inappropriate it may vary the date to the first day of any later pay	Regulation 16 (2) (b)	Retain discretion to vary date.	Yes – discretion to use most appropriate date applicable

	period as the scheme manager does consider appropriate.			
4	<b>Pensionable Pay</b> The scheme manager has discretion to determine if continual professional development payments are to be treated as pensionable pay.	Regulation 17(1) (d)		No – pensionable pay is determined by scheme regulations
5	<b>Membership – Active membership</b> A person who is on unpaid authorised absence can count the period as active membership if the scheme manager permits them to be treated as an active member during that (linked to regulation 111(4) and subject to the member paying the appropriate contributions.	Regulation 19 (c)		Yes
6	<b>Pension Accounts – Establishments of pension accounts: general</b> The Scheme Manager must establish and maintain pension accounts for scheme members, but they may be kept in such form as the scheme manager considers appropriate.	Regulation 28(2)		Yes
7	<b>Closure and re-establishment of active member's account</b> If a member has more than two active member's account and ceases pensionable service with less than three months' qualifying service in respect of one account, that account must be closed and benefits aggregated with one of the others; the member may select which one. If the member fails to choose, the scheme manager has the discretion to choose.	Regulation 37(3), (4) and (5)		Yes

8	<p><b>Closure of deferred member's accounts after gap in pensionable service not exceeding five years</b></p> <p>If a deferred member re-enters pensionable employment after a gap of five years or less, the scheme manager must close the deferred member's account and re-establish the active member's account, transferring entries from the deferred account. If the person had more than one relevant deferred member's account, they must select – within three months of re-entering scheme employment, which one should close. If they fail to make a selection the scheme manager must make the choice for them.</p>	Regulation 49 (3) and (4)		Yes
9	<p><b>Retirement benefits – Employer Initiated Retirement</b></p> <p>An employer can determine that an active member age 55 or over but under age 60 who on the grounds of business efficiency is dismissed or has their employment terminated by mutual consent can receive immediate payment of pension without the early payment reduction. An employer may only use this discretion if the employer determines that a retirement pension awarded on this basis would assist the economical, effective and efficient management of its functions having taken account of the costs likely to be incurred in the particular case.</p>	Regulation 62(1) and (2)	Delegated authority is with Chief Fire Officer who may wish to refer the matter to the Fire Authority. In the case of a Principal Officer this decision would be taken to the Fire Authority.	Yes
10	<p><b>Exercise of partial retirement option</b></p> <p>An active member aged at least 55 who would be entitled to immediate payment of pension if they leave pensionable service, and who claims payment of the pension, may opt to claim the whole of their accrued pension but continue in pensionable service. The person concerned must give appropriate notice to the scheme</p>	Regulation 63 (5)		No

	manager and the partial retirement option is taken to be exercised on a date agreed between the member and the scheme manager.			
11	<p><b>Ill Health Benefits – Review of ill health award of early payment of retirement pension</b></p> <p>The scheme manager <b>must have a policy</b> for reviewing at such intervals as it considers appropriate, the award of ill-health pensions where the recipient is under deferred pension age, and has been receiving the award for less than 10 years, and for reviewing the early payment of deferred pensions on ill health grounds for so long as the recipient is below deferred pension age.</p>	Regulation 68(1) and (2)		Yes if retirement is less than 10 years
12	<p><b>Consequences of review</b></p> <p>If following the review of a lower tier ill-health pension under Regulation 68, the scheme manager determines that the recipient is capable of performing the duties appropriate to the role from which the person retired on grounds of ill-health; the employer must consider whether or not to make an offer of re-employment.</p>	Regulation 69(3)		Yes
13	<p><b>Commencement of pensions</b></p> <p>If a deferred member requests, and is entitled to the early payment of retirement pension on grounds of ill health, the scheme manager must determine the date of payment as being the date on which the person became incapable of undertaking regular employment because of infirmity of mind or body, or if that date cannot be ascertained, the date of the members request for early payment.</p>	Regulation 70(7)	Scheme Manager would make this decision on the basis of advice from Occupational Health Practitioner	Yes

	If a deferred member requests deferral of payment of a deferred pension beyond deferred pension age or requests early payment with an early payment reduction before deferred pension age, the scheme manager will decide the payment date after the claim for payment has been made.	Regulation 70(8)		Yes
14	<b>Allocation – Allocation election</b> The scheme manager must give consent for the allocation of a portion of pension to a dependant who is not the spouse, civil partner or cohabiting partner of an active or deferred member. (Consent can be withheld if the scheme manager is not satisfied that the person nominated is not substantially dependent of the active member).	Regulation 72(3) (b) and (4)		Yes
15	<b>Adjustment of allocated benefit</b> If a member who has made an allocation election dies after reaching age 75, and the amount of allocated pension does not qualify as a dependant’s scheme pension under section 167 of the Finance Act 2004 (Pension death benefit rules), the amount may be adjusted in a manner determined by the scheme manager.	Regulation 75(1) and (2)		Yes
16	<b>Death benefits – Meaning of ‘surviving partner’</b> A cohabiting partner may be considered a ‘surviving partner’ and potentially for a pension provided they meet certain conditions, one of which is that they must have been in a ‘long term relationship’ – a continuous period of at least two years – at the date at which entitlement needs to be considered. The scheme manager has discretion to allow the person to qualify where the period is less than two years.	Regulation 76 (1) (b) (v) and (2)		Yes

17	<p><b>Person to whom lump sum death benefit payable</b> The scheme manager has absolute discretion as to the recipient of any lump sum benefit payable.</p>	Regulation 95		Yes
18	<p><b>Payment of pensions under Part 6 'Death Benefits'</b> If a child's pension is due in respect of an eligible child under age 18, the scheme manager will determine to whom it should be paid and will give directions to that person as to how the payment should be applied for the eligible child's benefit.</p>	Regulation 100 (2)		Yes
19	<p><b>Surviving partner's pensions and eligible child's pensions; suspension and recovery</b> A scheme manager has the right to cease paying a surviving partner's pension and/or eligible child's pension, and recover any payment made in respect where it appears to the scheme manager that the recipient made a false declaration, or deliberately suppressed a material fact in connection with the award. (This does not affect the scheme manager's right to recover a payment or overpayment under any other provision where the scheme manager considers it appropriate to do so.)</p>	Regulation 101 (2) and 93)		Yes
20	<p><b>Provisional awards of eligible child's pensions: later adjustments</b> If children's pensions have been made to certain persons on the basis that they were eligible children and there were no others, and subsequently it appears that any of those children were not eligible, or there was a further eligible child to whom no payment has been made, or that a child born after the member's death is an eligible child, the scheme manager</p>	Regulation 102 (2) and (3)		Yes

	has discretion to adjust the amount of pensions as required in view of the facts as they subsequently appear. The adjustments may be made retrospectively (This does not affect the scheme manager's right to recover a payment or overpayment under any other provision where the scheme manager considers it appropriate to do so.)			
21	<p><b>Adjustments of benefits to comply with FA2004 where members die over 75</b></p> <p>If a member dies after reaching age 75 and any part of a pension to which a person becomes entitled on the death would not qualify as a dependant's scheme pension for the purposes of section 167 of the Finance Act 2004 (the pension death benefit rules), the scheme manager has discretion to adjust the benefit payable to the person so that it would qualify under that section of the Act.</p>	Regulation 104 (1) (a) and (2)		Yes
22	<p><b>Contributions – Member Contributions</b></p> <p>Where there is a change in scheme employment or a material change which affects the member's pensionable pay in the course of a financial year, and the revised amount falls into a different contribution rate band, the scheme manager must determine that this rate should be applied, and inform the member of the new contribution rate and the date from which it is to be applied.</p> <p>When identifying the appropriate contribution rate, a reduction in pay in certain circumstances as listed in Regulation 110, are to be disregarded. In addition, the scheme manager can specify the circumstances in a particular case where a reduction in pensionable pay will be disregarded.</p>	Regulation 110 (5)		Yes
		Regulation 110 (7) (h)	Scheme Manager to consider on a case by case basis.	Yes

23	<p><b>Contributions during absence from work due to illness, injury, trade dispute or authorised absence</b> Where an active member is absent from scheme employment because of illness or injury, and not entitled to receive pensionable pay, or because of an employment dispute or authorised unpaid absence, they may pay member contributions; if they do, the scheme employer may require that they should also pay employer contributions.</p>	Regulation 111(2), (3) and (4)	<p>For illness, injury scheme employer will pay employer contribution.</p> <p>For employment disputes the employee will pay both Employee and Employer contributions</p>	<p>Yes</p> <p>Yes</p>
24	<p><b>Deduction and Payment of Contributions</b> Member contributions due under Regulation 110 may be deducted by the scheme employer from each instalment of pensionable pay as it becomes due, unless another method of payment has been agreed between the scheme manager and the member.</p> <p>Contributions due in respect of absence from work on reserve forces services leave may be deducted from any payment made under Part 5 of the Reserve and Auxiliary Forces (protection of Civil Interests Act 1951).</p> <p>Contributions which the member is required to pay, or has elected to pay, or has elected to pay under Regulations 111 and 113 may be paid by a lump sum or by deduction from instalments of pensionable pay as agreed between the member and the scheme manager.</p>	<p>Regulation 114(1)</p> <p>Regulation 114(2)</p> <p>Regulation 114(3)</p>		<p>Yes</p> <p>Yes</p> <p>Yes</p>
25	<p><b>Transfers – Statement of entitlement</b> The scheme manager must specify in a statement of entitlement the ‘guarantee date’ date by reference to which the cash equivalent or club transfer is calculated; this date must fall</p>	Regulation 135(4)		Yes

	<p>within the three months beginning with the date of the member's application for the statement of entitlement and within ten days ending with the date on which the member is provided with the statement. The scheme manager has discretion, if it believes reasonable, to extend this date to within six months of the date of the member's application if, for reasons beyond the scheme manager's control, the information needed to calculate the transfer value cannot be obtained before the end of the three month period.</p>			
26	<p><b>Request for acceptance of a transfer payment</b> There is a time limit of one year from becoming an active member in which a person can request a transfer payment from a non-occupational pension scheme. The scheme manager has the discretion to extend this period.</p>	Regulation 141(3)	Case by case basis	No – maximum 1 year for receipt of application
27	<p><b>Transfer statement</b> The scheme manager can require an active member to ask the scheme manager of a previous non-club pension scheme to provide a statement of the amount of transferred pension that the member would be entitled to count provided that the transfer date falls within two months of the date of the statement.</p>	Regulation 142(2)		Yes
28	<p><b>Club transfer value statement</b> The scheme manager can require an active member to ask the scheme manager of a previous club pension scheme to provide a statement of the amount of transferred pension that the member would be entitled to count provided that the transfer date falls within two months of the date of the statement.</p>	Regulation 144(2)		Yes



	scheme manager thinks fit, or without medical evidence.			
32	<p><b>Review of medical opinion</b> Where a member requests a review of an IQMP's opinion in the light of new evidence received by the scheme manager within 28 days of the member having received the opinion, the scheme manager may agree to give the IQMP the opportunity of reviewing the opinion.</p> <p>Upon receiving the IQMP's response the scheme manager must confirm or revise its original determination and advise the member accordingly.</p>	<p>Regulation 153(1)</p> <p>Regulation 153 (4) and (5)</p>		<p>Yes</p> <p>Yes</p>
33	<p><b>Notice of appeal</b> If a member wishes to appeal against a determination made by the scheme manager, and their grievance lies in the medical opinion upon which the determination was based, they can appeal to a board of medical referees. The appeal must be made within 28 days of the date on which the member receives the relevant documents under Regulation 154(4). If the appeal is not made within this time limit and the scheme manager is of the opinion that the person's failure to give notice within the required period was not due to the person's own default, the scheme manager has a discretion to extend the time limit for such period as the scheme manager considers appropriate, not exceeding six months from the date the Regulation 154(4) documents were supplied.</p>	Regulation 155(2)		Yes

34	<p><b>Reference of appeal to the board</b> Where a member has given notice of appeal to a board of medical referees, before the board arranges a time and place for the interview and medical examination a member of the board will review the documents supplied to the board in accordance with Regulation 156. If the board member is of the opinion that the board may regard the appeal as frivolous, vexatious or manifestly ill-founded, board member will notify the Secretary of State accordingly. This will be copied to the scheme manager who must in turn send a copy of it to the scheme member, advising that if their appeal is unsuccessful, the member may be required to pay the scheme manager's and requesting notification from the member as to whether, in the circumstances, they wish to continue with or withdraw the appeal.</p>	Regulation 156(8) to (12)		Yes
35	<p><b>Procedure where appeal to be pursued</b> The scheme manager must decide which persons will attend the interview as its representatives. The scheme manager must also decide whether or not to submit written evidence or a written statement (and must decide a response to any written evidence or written statement from the appellant).</p>	Regulation 157(6) to (9)		Yes
36	<p><b>Expenses of each party</b> If the medical appeal board determines in favour of the scheme manager, and states that in its opinion the appeal was frivolous, vexatious or manifestly ill-founded, the scheme manager can require the appellant to pay a sum not exceeding the total amount of the fees, and allowances payable to the board under Regulation 160(1), as the scheme manager considers appropriate.</p>	Regulation 161(2)		Yes

	<p>If the appellant withdraws the appeal requesting cancellation, postponement or adjournment of the date appointed for interview, and/or medical examination less than 22 working days before the date appointed, the scheme manager can require the member to pay a sum not exceeding the total amount of the fees and allowances payable to the board under Regulation 160(1), as the scheme manager considers appropriate.</p> <p>If the appellant's acts or omissions cause the board to cancel, postpone or otherwise adjourn the date appointed or interview and/or medical examination less than 22 days before the date appointed, the scheme manager can require the member to pay a sum not exceeding the total amount of the fees and allowances payable to the board under Regulation 160(1) as the scheme manager considers appropriate.</p>	<p>Regulation 161 (3) (a)</p> <p>Regulation 161 (3) (b)</p>		<p>Yes</p> <p>Yes</p>
37	<p><b>Appeals on other issues</b></p> <p>If a member disagrees with a scheme manager's determination of award under Regulation 151, and the disagreement does not involve an issue of a medical nature, the member can require the scheme manager to deal with the disagreement under requirements which the scheme manager must have in place in accordance with section 50 of the Pensions Act 1995 (requirement for dispute resolution arrangements), and the Occupational Pension Schemes (Internal Dispute Resolution Procedures Consequential and Miscellaneous Amendments) Regulations 2008.</p>	Regulation 163	In line with IDR procedure Stage 1 dealt with by ACO HR and Stage 2 by the Fire Authority	Yes

38	<p><b>Payment of pensions – Commutation of small pensions</b></p> <p>If the pension entitlement of a member of the scheme, or the pension entitlement of a member's beneficiary does not exceed the small pensions commutation maximum the scheme manager may pay the entitlement as a lump sum. This would, however, be subject to the consent of the recipient and must comply with the commutation provisions that apply in the circumstances.</p>	Regulation 167(3)		Yes
39	<p><b>Payments for persons incapable of managing their affairs</b></p> <p>If it appears to the scheme manager that a person other than an eligible child who is entitled to benefits under the scheme, is by reason of mental incapacity or otherwise, incapable of managing his or her affairs, the scheme manager may pay the benefits or any part of them to a person having the care of the person entitled, or such other person as the scheme manager may determine, to be applied for the benefit of the person entitled. If the scheme manager does not pay the benefits in this way, the scheme manager may apply them in such manner as it may determine for the benefit of the person entitled, or any beneficiaries of that person.</p>	Regulation 168		Yes
40	<p><b>Payments due in respect of deceased persons</b></p> <p>If, when a person dies, the total amount due to that person's personal representatives under the scheme (including anything due at the person's death) does not exceed the limit specified in the Administration of Estates (Small Payments) Act 1965, the scheme manager can pay the whole or part of the amount due to the</p>	Regulation 169		Yes

	personal representatives or any person or persons appearing to the scheme manager to be beneficially entitled to the estate, without requiring the production of grant of probate or letters of administration.			
41	<p><b>Forfeiture – offences committed by members, surviving partners or eligible children</b></p> <p>If a member, surviving partner or eligible child is convicted of a relevant offence, the scheme manager can withhold pensions payable under the scheme to a member, any person in respect of the member, a surviving partner or an eligible child, to such extent and for such duration as it considers appropriate. ‘Relevant offence’ is defined in this Regulation. The definition includes offences injurious to the State (including treason) or likely to lead to a serious loss of confidence in the public service. There are certain conditions set out in the Regulation, e.g. it is only the part of the pension that exceeds any guaranteed minimum pension that can be withheld.</p> <p>Where a pension is withheld the scheme manager can at any time, and to such extent, and for such duration as the manager thinks fit, apply the pension for the benefit of any dependant of the member or restore it to the member</p>	<p>Regulation 171(1), (2), (3) and (5)</p> <p>Regulation 171(4)</p>		<p>Yes</p> <p>Yes</p>
42	<p><b>Forfeiture of pensions: offences committed by other persons</b></p> <p>If a surviving partner or eligible child is convicted of the murder of a scheme member from whose benefits their pension would be derived, the scheme manager must withhold all of the survivor’s or child’s pension otherwise</p>	Regulation 172(1) to (5)		Yes

	<p>payable. However, if a surviving partner or eligible child is convicted of the manslaughter of the member or any other offence, apart from murder, of which the unlawful killing of the member is an element, the scheme manager has discretion as to whether or not to withhold the pension to which they would otherwise be entitled. The amount withheld must only be that part of the pension which exceeds any guaranteed minimum pension. If the conviction is subsequently quashed, the pension must be restored with effect from the day after the date on which the member died. If, after the conviction has been quashed, the person is again convicted of murder, manslaughter or an associated offence as outlined above, any restoration is cancelled.</p>			
43	<p><b>Forfeiture of lump sum death benefit offences committed by other persons</b>          If a person is convicted of a relevant offence, i.e. The murder or manslaughter of the member, or any other offence of which the unlawful killing of the member is an element, the scheme manager must withhold all of any lump sum death benefit payable to that person. If, however, the conviction is subsequently quashed on appeal, the scheme manager may, to such extent, and for such duration as it thinks fit, restore to the person the amount of benefit withheld. If, after the conviction has been quashed, the person is again convicted of murder, manslaughter or an associated offence as outlined above, any restoration is cancelled.</p>	Regulation 173		Yes

44	<p><b>Forfeiture: relevant monetary obligations and relevant monetary losses</b></p> <p>If a member has a relevant monetary obligation or has caused a relevant monetary loss, the scheme manager may, to such extent, and for such duration as it considers appropriate, withhold benefits payable to that person under the scheme 'Relevant monetary obligation', and 'relevant monetary loss', are defined in the Regulation. There are certain limits, e.g. the amount withheld may only be that which exceeds the person's guaranteed minimum pension and the scheme manager may only withhold it if there is no dispute about the amount, or if there is a court order or the award of an arbitrator. The monetary obligation must have been incurred to the employer after the person became an active member and arising out of or connected with the scheme employment in respect of which the person became a member of the scheme, and arising out of the person's criminal, negligent or fraudulent act or omission. The procedure is set out in Regulation 176.</p>			Yes
45	<p><b>Set off</b></p> <p>A scheme manager has discretion to set off a 'relevant monetary obligation' against a member's entitlement to benefits under the scheme, subject to certain conditions which are similar to those contained in Regulation 174 (Forfeiture). The procedure is set out in Regulation 176.</p>	Regulation 175		Yes
46	<p><b>Payment and Deduction of Tax – Payment on behalf of members of lifetime allowance charge</b></p> <p>At a scheme member's request, the scheme manager may pay on the member's behalf any</p>	Regulation 178		Yes

	amount that is payable by way of the lifetime allowance charge under section 214 of the Finance Act 2004. The scheme manager may only comply with the request if the member pays it the amount in question on or before the date on which the event occurs or the member authorises the deduction of the amount from a lump sum becoming payable to the member under the scheme at the same time as the event occurs.			
47	<p><b>Evidence of entitlement</b> The scheme manager can require any person who is in receipt of a pension or may have entitlement to a pension or lump sum under the scheme to provide such supporting evidence as the scheme manager may reasonable require so as to establish the person's identity and their continuing or future entitlement to the payment of any amount under the scheme.</p> <p>If a person fails to comply with the scheme manager's requirements in this respect, the scheme manager can withhold the whole or part of any amount that it otherwise considers to be payable under the scheme.</p>	<p>Regulation 184(1) and (2)</p> <p>Regulation 184(3)</p>		<p>Yes</p> <p>Yes</p>
48	<p><b>Added pension – Amount of accrued added pension may not exceed overall limit of extra pension</b> The total amount of accrued added pension must not exceed a certain limit. If it appears to be scheme manager that a member who has elected to make periodical contributions will exceed the limit the scheme manager may cancel the election (by written notice to the member).</p>	Schedule 1 Part 1 Paragraph 4		Yes

49	<p><b>Member's election to make periodical contributions for added pension</b> If a scheme member wishes to make periodical payments for added pension, the scheme manager can set a minimum amount which must be paid.</p>	Schedule 1 Part 1, Paragraph 9(3)	Scheme Manager determined minimum figure of £25 per month.	Yes
50	<p><b>Periodical payments</b> If a scheme member wants to make periodical payments for added pension, but does not want them to be deducted from pensionable pay, the scheme manager may agree another method of payment.</p>	Schedule 1 Part 2, Paragraph 8(3)	Due to tax implications and the appropriate recording of contributions over a period of time	No
51	<p><b>Periodical payments during periods of assumed pensionable pay</b> After a period of assumed pensionable pay or a period of reduced pay, the member may give written notice to the scheme manager authorising the employer to deduct the aggregate of payments – which would have been made but for the leave – from the member's pay during the period of six months from the end of the period of reduced pay. The scheme manager can extend this period of six months.</p>	Schedule 1 Part 2, Paragraph 10(4)		Yes
52	<p><b>Tapered Protection – Meaning of 'tapered protection closing date'</b> The tapered protection closing dates for tapered protection members are given in the 1992 scheme tables in Schedule 2 Part 4. In most cases the appropriate closing date can be ascertained by reference to the band of dates in which the Firefighter's birthday falls. The tapered protection date for a tapered protection member of FPS 2006 to whom Paragraph 9(5) or 21 applies (members returning to</p>	Schedule 2 Part 1 Paragraph 3(3); Schedule 2 Part 2, Paragraph 9(5); and Schedule 2 Part 3, Paragraph 21		<p>No – taper dates set out in regulations</p> <p>This discretion will only apply until the remedy is put in place after the Sergeant ET determination</p>

	pensionable service), is determined by the scheme manager.			
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## APPENDIX 5

## ENQUIRIES TO THOSE CHARGED WITH GOVERNANCE

**From:** Chapman, Sally  
**Sent:** 19 May 2020 15:03  
**To:** Members of the Fire Authority  
**Subject:** Wales Audit Office Enquiries to 'Those Charged with Governance' – Draft Response  
 Appendix  
**Importance:** High

Dear Members

Further to my update on Monday, I have attached a report for your consideration.

As you will be aware, we are trying to adhere to the closure and finalisation of our year end accounts in line with the statutory guidelines. One of the aspects of the Statement of Accounts is the consideration and assurance provided by both Members and the Senior Management Team on various governance aspects. The attached statement has been considered by the Services Senior Management Team yesterday and approved and now requires consideration and approval / amendments by FRA Members. I am therefore requesting that Members confirm whether they are in agreement with the report and statement or not, so that we can finalise matters with the financial accounts. I will of course, as with other reports circulated during this pandemic, bring these to our first virtual FRA meeting for formal approval and noting of the use of emergency delegated powers.

Please could I also request for those that haven't already done so, that members, where they are able to, provide an indication of whether they are happy or not to continue on the committees they were appointed to at last year's AGM. This would assist in streamlining this meeting as far as possible.

Should you have any queries, please do not hesitate to contact me.

Kind regards  
 Sally

**Sally Chapman**  
**Dirprwy Brif Swyddog**

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## FINANCE AUDIT AND PERFORMANCE MANAGEMENT COMMITTEE

## REPORT OF THE TREASURER

**WALES AUDIT OFFICE ENQUIRIES TO 'THOSE CHARGED WITH GOVERNANCE' – DRAFT RESPONSE****SUMMARY**

This report details a draft response to the Wales Audit Office paper on 'Those Charged with Governance' when approving financial statements.

**RECOMMENDATIONS**

That the Fire & Rescue Authority confirms its response to the Wales Audit Office questions, as detailed in Appendix 1 attached.

**1. BACKGROUND**

1.1 The Wales Audit Office (WAO) has requested a response from the Fire & Rescue Authority to a series of questions based on the draft paper 'Audit Enquiries to those Charged with Governance'. Paragraphs 2.1 to 2.8 detail the rationale provided by the WAO behind their enquiry.

**2. ISSUE**

2.1 Those charged with governance are accountable for the quality of the Authority's financial reporting. The respective responsibilities towards the financial statements are set out in the Statement of Responsibilities of Auditors and of Audit Bodies, which states that:

2.1.1 *"The financial statements, which comprise the published accounts of the audited body, are an essential means by which it accounts for its stewardship of the resources at its disposal and its financial performance in the use of those resources. It is the responsibility of the audited body to:*

- *put in place systems of internal control to ensure the regularity and lawfulness of transactions;*
- *maintain proper accounting records; and*
- *prepare financial statements that give a true and fair view of the financial position of the body and its expenditure and income and that are in accordance with applicable laws, regulations and accounting policies."*

- 2.2 The responsibilities of the Authority in respect of the financial statements are also summarised as part of those statements in the Statement of Responsibilities for the Statement of Accounts. This is signed on the Authority's behalf by the Treasurer.
- 2.3 The Statement of Responsibilities of Auditors and of Audited Bodies goes on to say that:
- 2.3.1 *“Auditors audit the financial statements and give their opinion, including:*
- *whether they give a true and fair view of the financial position of the audited body and its expenditure and income for the year in question; and*
  - *whether they have been prepared properly in accordance with relevant legislation and applicable accounting standards.*
- In carrying out their audit of the financial statements, auditors will have regard to the concept of materiality.”*
- 2.4 The WAO approach to enable them to give their opinion on the Authority's financial statements is guided by the International Standards of Auditing (ISAs). A number of these ISAs require the WAO to make specific enquiries of those charged with governance.
- 2.5 This paper focuses on the requirement of four key ISAs:
- ISA 240 – auditor's responsibility to consider fraud in an audit
  - ISA 250 – consideration of laws and regulations in an audit of financial statements
  - ISA 570 – going concern
  - ISA 580 – management representations
- 2.6 The WAO approach also takes into account the Auditing Practices Board Practice Note 10, Audit of Financial Statements of Public Sector Bodies in the UK (PN10).
- 2.7 The enquiry paper is structured by each of the above ISAs, briefly summarising the requirements, then setting out a series of questions to those charged with governance.
- 2.8 Towards the end of the audit, they will be asking that a Letter of Representation is provided. This letter will include reference to the consideration of a number of the issues contained in this paper, in addition to any specific assertions required as a result of the audit work carried out on the financial statements.

### 3. FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications arising directly from this report. However, the WAO is seeking an assurance that it can rely on the statements within the Letter of Representation in respect of all financial matters relating to fraud issue.

### 4. RECOMMENDATION

- 4.1 That the Fire & Rescue Authority confirms its response to the Wales Audit Office questions, as detailed in Appendix 1 attached.

<b>Contact Officer:</b>	<b>Background Papers:</b>
Geraint Thomas Head of Finance & Procurement	Audit Enquiries to those Charged with Governance

**SOUTH WALES FIRE & RESCUE AUTHORITY**AGENDA ITEM NO 6.ii  
13 JULY 2020

## REPORT OF THE TREASURER

**TREASURY MANAGEMENT STRATEGY 2020/21****SUMMARY**

To request approval the Authority's Annual Treasury Management Strategy.

**RECOMMENDATION**

That the Fire & Rescue Authority approve the following;

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

**1. BACKGROUND**

- 1.1 The Fire & Rescue Authority is required to approve in advance of each financial year its governance arrangements for treasury management activities for the year. Detailed explanations of what these are, are contained in Appendix 1 below.
- 1.2 All Local Authority bodies are required by statute to approve the treasury management strategy and associated policies annually.

**2. ISSUE**

- 2.1 The purpose of this report is for Members to 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 3 years.

**3. EQUALITY RISK ASSESSMENT**

- 3.1 There are no Equality implications resulting directly from this report. Each element of both the capital and revenue budgets will have undergone Equality Risk Assessments by the responsible project lead. The Treasury Management Strategy determines our counter parties in accordance with Member appetite for risk and return and in the context of affordability.

#### 4. FINANCIAL IMPLICATIONS

- 4.1 The approval of the Treasury Management Strategy provides the control framework within which officers can operate to ensure that as far as possible the costs of borrowing are minimised, and investment opportunities are maximised, whilst ensuring risk is kept to a minimum.
- 4.2 The capital prudential indicators show the financial impact of capital investment decisions to assess if those decisions are affordable, prudent and sustainable.
- 4.3 The treasury management indicators set constraints to ensure decisions are made in accordance with good practice.
- 4.4 The MRP policy determines how the Authority will determine the amount that must be set aside from revenue each year to repay external debt.

#### 5. RECOMMENDATION

- 5.1 That the Fire & Rescue Authority approve the following;
- The Treasury Management Strategy Statement (TMSS);
  - Capital prudential indicators and Minimum Revenue Provision (MRP) policy;
  - Borrowing policy and treasury indicators / limits;
  - Annual Investment Strategy (AIS);
  - The Treasurer to update strategies and policies as necessary throughout the year.

<b>Contact Officer:</b>	<b>Background Papers:</b>
Geraint Thomas Head of Finance & Procurement	<ul style="list-style-type: none"> <li>- Local Government Act 2003</li> <li>- CIPFA Treasury Management Code</li> <li>- CIPFA Prudential Code</li> <li>- WG MRP &amp; Investment Guidance</li> <li>- 2019 / 2020 Capital budget working papers</li> </ul>

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# 1 INTRODUCTION

## 1.2.1 Background

The Authority is required to operate a balanced budget, which broadly means that cash raised during the year will meet cash expenditure. Part of the treasury management operation is to ensure that this cash flow is adequately planned, with cash being available when it is needed. Surplus monies are invested in low risk counterparties or instruments commensurate with the Authority's low risk appetite, providing adequate liquidity initially before considering investment return.

The second main function of the treasury management service is the funding of the Authority's capital plans. These capital plans provide a guide to the borrowing need of the Authority, essentially the longer-term cash flow planning, to ensure that the Authority can meet its capital spending obligations. This management of longer-term cash may involve arranging long or short-term loans, or using longer-term cash flow surpluses. On occasion, when it is prudent and economic, any debt previously drawn may be restructured to meet Authority risk or cost objectives.

The contribution the treasury management function makes to the authority is critical, as the balance of debt and investment operations ensure liquidity or the ability to meet spending commitments as they fall due, either on day-to-day revenue or for larger capital projects. The treasury operations will see a balance of the interest costs of debt and the investment income arising from cash deposits affecting the available budget. Since cash balances generally result from reserves and balances, it is paramount to ensure adequate security of the sums invested, as a loss of principal will in effect result in a loss to the General Fund Balance.

CIPFA defines treasury management as:

*“The management of the Authority's borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”*

Revised reporting is required for the 2019/20 reporting cycle due to revisions of the Welsh Government (WG) Investment Guidance, the WG Minimum Revenue Provision (MRP) Guidance, the CIPFA Prudential Code and the CIPFA Treasury Management Code. The primary reporting changes include the introduction of a capital strategy, to provide a longer-term focus to the capital plans, and greater reporting requirements surrounding any commercial activity undertaken under the Localism Act 2011. The capital strategy is being reported separately.

This authority has not engaged in any commercial investments and has no non-treasury investments.

## 1.3 Reporting requirements

### 1.3.1 Capital Strategy

The CIPFA 2017 Prudential and Treasury Management Codes require all local authorities to prepare a capital strategy report which will provide the following:

- a high-level long term overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of services
- an overview of how the associated risk is managed
- the implications for future financial sustainability

The aim of this capital strategy is to ensure that all elected members on the full Authority fully understand the overall long-term policy objectives and resulting capital strategy requirements, governance procedures and risk appetite.

The capital strategy is reported separately from the Treasury Management Strategy Statement.

### 1.3.2 Treasury Management reporting

The Authority is currently required to receive and approve, as a minimum, three main treasury reports each year, which incorporate a variety of policies, estimates and actuals.

- Prudential and treasury indicators and treasury strategy** (this report) - The first, and most important report is forward looking and covers:
  - the capital plans, (including prudential indicators);
  - a minimum revenue provision (MRP) policy, (how residual capital expenditure is charged to revenue over time);
  - the treasury management strategy, (how the investments and borrowings are to be organised), including treasury indicators; and
  - an investment strategy, (the parameters on how investments are to be managed).
- A mid-year treasury management report** – This is primarily a progress report and will update members on the capital position, amending prudential indicators as necessary, and whether any policies require revision.
- An annual treasury report** – This is a backward looking review document and provides details of a selection of actual prudential and treasury indicators and actual treasury operations compared to the estimates within the strategy.

#### Scrutiny

The above reports are required to be adequately scrutinised before being recommended to the Authority. This role is undertaken by the Finance, Audit & Performance Management (FAPM) committee.

### 1.4 Treasury Management Strategy for 2020/21

The strategy for 2020/21 covers two main areas:

#### Capital issues

- the capital expenditure plans and the associated prudential indicators
- the minimum revenue provision (MRP) policy.

#### Treasury management issues

- the current treasury position;

- treasury indicators which limit the treasury risk and activities of the Authority;
- prospects for interest rates;
- the borrowing strategy;
- policy on borrowing in advance of need;
- debt rescheduling;
- the investment strategy;
- creditworthiness policy; and
- the policy on use of external service providers.

These elements cover the requirements of the Local Government Act 2003, the CIPFA Prudential Code, WG MRP Guidance, the CIPFA Treasury Management Code and WG Investment Guidance.

### **1.5 Training**

The CIPFA Code requires the responsible officer to ensure that members with responsibility for treasury management receive adequate training in treasury management. The Authority trusts Members to attend appropriate training as provided by their 'home Authority'.

The training needs of treasury management officers are periodically reviewed.

### **1.6 Treasury management consultants**

The Authority uses Link Asset Services, Treasury solutions as its external treasury management advisors.

The Authority recognises that responsibility for treasury management decisions remains with the organisation and works to ensure that undue reliance is not placed on the services of our external service providers. All decisions will be undertaken with regards to all available information, including, but not solely, our treasury advisers.

It also recognises that there is value in employing external providers of treasury management services in order to acquire access to specialist skills and resources. The Authority will ensure the terms of their appointment and the methods by which their value will be assessed are properly agreed and documented, and subjected to regular review.

## 2 THE CAPITAL PRUDENTIAL INDICATORS 2020/21 – 2022/23

The Authority's capital expenditure plans are the key driver of treasury management activity. Capital expenditure plans are reflected in the prudential indicators and are designed to provide Members' with an overview and to confirm capital expenditure plans.

### 2.2 Capital expenditure, the Authority's borrowing need (the Capital Financing Requirement - CFR) & MRP

This prudential indicator is a summary of the Authority's capital expenditure plans, both those agreed previously, and those forming part of this budget cycle. Members are required to approve the capital expenditure forecasts below.

The table below summarises capital expenditure plans and how these are financed. Any shortfall in financing (CFR) results in a need to borrow.

£000	2018/19 Act	2019/20 Est	2020/21 Est	2021/22 Est	2022/23 Est
Capital Expenditure	4,667	6,638	7,705	7,810	4,100
<b>Financing;</b>					
Capital grants	92	143	23	0	0
Reserves	3,345	2,994	111	0	0
Third party contributions	189	206			
Revenue	200	249	250	250	250
Capital receipts		857			
<b>Net financing requirement</b>	<b>841</b>	<b>2,189</b>	<b>7,321</b>	<b>7,560</b>	<b>3,850</b>
Less MRP	2,802	2,945	3,268	3,693	3,733
<b>CFR at 31 March</b>	<b>42,184</b>	<b>41,428</b>	<b>45,481</b>	<b>49,348</b>	<b>49,464</b>
<b>Movement in CFR</b>	<b>-1,961</b>	<b>-756</b>	<b>4,053</b>	<b>3,867</b>	<b>117</b>

The second prudential indicator is the Authority's Capital Financing Requirement (CFR). The CFR is simply the total historic outstanding capital expenditure which has not yet been paid for from either revenue or capital resources. It is a measure of the Authority's indebtedness and so, its underlying borrowing need. Any capital expenditure that has not immediately been paid for through a revenue or capital resource, will increase the CFR and the Authority's need to borrow.

The CFR does not increase indefinitely, the minimum revenue provision (MRP) is a statutory annual revenue charge that reduces indebtedness in line with asset lifecycles.

The CFR also includes any other long-term liabilities e.g. PFI schemes. Whilst these increase the CFR, they also include a borrowing facility and so the Authority is not required to borrow for it. The Authority currently has a PFI asset of £4.9m and liability of £4.7m within the CFR.

The Authority is required to approve the CFR projections presented above.

### 2.3 Minimum revenue provision (MRP) policy statement

The Authority is required to pay off an element of indebtedness annually via the MRP that is charged to the revenue budget.

Welsh Government regulations have been issued which require the full Authority to approve an **MRP Statement** in advance of each year. There are various options

available to make a 'prudent provision'. The Authority is recommended to approve the following MRP Statement:

For capital expenditure incurred before 1 April 2008 or which in the future will be Supported Capital Expenditure, the MRP policy will be:

- **Existing practice** - MRP will follow the existing practice outlined in Welsh Government regulations, i.e. option 1;

An approximate 4% reduction in the borrowing need (CFR) each year.

From 1 April 2008 for all unsupported borrowing (including PFI and finance leases), the MRP policy adopted by this Authority will be:

- **Asset life method** – MRP will be based on the estimated useful life of assets i.e. option 3.

## **3 BORROWING**

The capital expenditure plans set out in Section 2 provide information of the service activity of the Authority. The treasury management function ensures that the Authority's cash is organised in accordance with the relevant professional codes, so that sufficient cash is available to meet this service activity and the Authority's capital strategy. This will involve both the organisation of cash flow and, where capital plans require, the organisation of appropriate borrowing facilities. The strategy covers the relevant treasury / prudential indicators, the current and projected debt positions and the annual investment strategy.

### **3.2 Current portfolio position**

The overall treasury management portfolio as at 31 December 2019 is detailed below for both borrowing and investments;

The first two tables below relate to borrowing and provide details of the various loans outstanding and repayable by the Authority.

## Debt Maturity Details (PWLB)

	HRA or GF	Loan Reference	Start Date	Maturity Date	Principal	Coupon	Current Principal Balance	Repayment Rate	Premium or Discount	Years to Maturity
PWLB > Maturity	GF	496946	24/03/2010	26/09/2020	£2,000,000	4.180%	£2,000,000			0.53
	GF	497782	31/08/2010	31/08/2021	£500,000	3.220%	£500,000	0.050%	£23,069	1.46
	GF	498806	01/08/2011	31/07/2022	£1,000,000	4.270%	£1,000,000	0.040%	£100,477	2.37
	GF	498807	01/08/2011	01/08/2023	£1,000,000	4.420%	£1,000,000	0.030%	£148,271	3.38
	GF	483674	08/12/1999	31/03/2025	£1,031,000	4.375%	£1,031,000	0.020%	£226,159	5.04
	GF	484680	09/11/2000	30/09/2025	£1,042,000	4.875%	£1,042,000	0.020%	£280,080	5.54
	GF	485618	17/01/2001	30/06/2026	£750,000	5.250%	£750,000	0.030%	£245,965	6.29
	GF	485858	28/08/2001	30/06/2026	£702,000	4.875%	£702,000	0.030%	£213,684	6.29
	GF	501402	05/07/2012	02/07/2027	£1,000,000	3.410%	£1,000,000	0.040%	£245,534	7.29
	GF	496947	24/03/2010	26/09/2028	£2,000,000	4.620%	£2,000,000	0.070%	£773,670	8.53
	GF	501403	05/07/2012	02/07/2029	£1,000,000	3.570%	£1,000,000	0.090%	£322,122	9.30
	GF	502789	21/01/2014	23/01/2032	£2,000,000	4.230%	£2,000,000	0.190%	£946,712	11.85
	GF	502790	21/01/2014	23/01/2033	£2,000,000	4.280%	£2,000,000	0.230%	£1,020,347	12.86
	GF	502791	21/01/2014	23/01/2034	£1,000,000	4.280%	£1,000,000	0.270%	£544,951	13.86
	GF	492842	29/01/2007	30/09/2036	£2,000,000	4.550%	£2,000,000	0.380%	£1,335,727	16.54
	GF	494280	24/01/2008	31/12/2036	£4,100,000	4.410%	£4,100,000	0.380%	£2,685,352	16.79
PWLB > EIP	GF	481585	06/10/1998	30/06/2023	£954,000	4.750%	£133,560	0.040%	£11,248	3.29
	GF	487013	09/09/2002	31/03/2027	£1,500,000	4.750%	£450,000	0.030%	£75,123	7.04
	GF	487547	04/03/2003	31/12/2027	£536,000	4.400%	£171,520	0.030%	£30,268	7.79
	GF	487909	23/06/2003	31/03/2028	£1,488,000	4.300%	£505,920	0.030%	£87,190	8.04
	GF	490551	09/09/2005	30/06/2029	£3,678,000	4.350%	£1,455,875	0.020%	£301,691	9.29
	GF	488829	26/04/2004	30/09/2029	£1,773,000	5.250%	£695,294	0.020%	£174,051	9.54

## Debt Payment Schedule

HRA or GF	Loan Type	Loan Reference	Start Date	Maturity Date	Principal	Under 12 months	12 months to 2 years	2 years to 5 years	5 years to 10 years	10 years to 20 years
GF						£2,000,000	£500,000	£2,133,560	£10,803,609	£11,100,000

The following table relates to investments and provides information on cash balances held with banks and investment counterparties at various dates over the 6 months between June 2019 and January 2020.

## Portfolio Analysis Matrix

Organisation Type	Counterparty	Jan/2020	Dec/2019	Nov/2019	Oct/2019	Sep/2019	Aug/2019	Jul/2019	Jun/2019
Banks	Total	£3,779,617	£4,229,208	£8,059,679	£10,893,989	£11,994,535	£10,885,302	£12,708,808	£18,253,614
Total		£3,779,617	£4,229,208	£8,059,679	£10,693,989	£11,994,535	£10,665,302	£12,706,606	£16,253,614

The cash position as at 31 March 2020 sits at £2,991,492 and is split as follows;

Lloyds            £1,940,212

Barclays        £1,051,280

The Authority has two current accounts in operation at year end as banking services transitioned from Barclays to Lloyds as a result of a competitive tender process.

The Authority's forward projections for borrowing are summarised below. The table shows the actual external debt, against the CFR, highlighting the over or under borrowing position.

£000	2018/19 Actual	2019/20 Estimate	2020/21 Estimate	2021/22 Estimate	2022/23 Estimate
<b>External Debt</b>					
Debt at 1 April	33,903	30,987	26,477	27,061	28,145
Expected change in Debt	(2,916)	(4,510)	584	1,084	(1,409)
Other long-term liabilities	4,700	4,691	4,462	4,097	3,678
Expected change in OLTL	(81)	(89)	(229)	(365)	(419)
Gross debt at 31 March	<b>35,687</b>	<b>31,168</b>	<b>31,523</b>	<b>32,242</b>	<b>30,415</b>
The CFR	<b>42,184</b>	<b>41,428</b>	<b>45,481</b>	<b>49,348</b>	<b>49,464</b>
Under/(over) borrowing	<b>6,497</b>	<b>10,260</b>	<b>13,958</b>	<b>17,106</b>	<b>19,050</b>

There are a number of key indicators to ensure that the Authority operates its activities within well-defined limits. One of these is that the Authority needs to ensure that its gross debt does not, except in the short term, exceed the total of the CFR in the preceding year plus the estimates of any additional CFR for 2019/20 and the following two financial years. This allows some flexibility for early borrowing, but ensures this is not undertaken to support revenue activities or speculative purposes.

The Treasurer reports that the Authority complied with this prudential indicator in the current year and does not envisage difficulties for the future. This view takes into account current commitments, existing plans, and the proposals in this budget report.

### 3.3 Treasury Indicators: limits to borrowing activity

#### 3.3.1 The operational boundary

This is the limit beyond which external debt is not normally expected to exceed. In most cases, this would be a similar figure to the CFR, but may be lower or higher depending on the levels of actual debt and the ability to fund under-borrowing by other cash resources.

<b>Operational boundary £000</b>	<b>2019/20 Actula</b>	<b>2020/21 Estimate</b>	<b>2021/22 Estimate</b>	<b>2022/23 Estimate</b>
Debt	40,000	37,000	38,000	38,000
Other long term liabilities	8,000	8,000	8,000	8,000
<b>Total</b>	<b>48,000</b>	<b>45,000</b>	<b>46,000</b>	<b>46,000</b>
<b>Authorised limit £000</b>				
Debt	42,000	40,000	40,000	40,000
Other long term liabilities	9,000	10,000	10,000	10,000
<b>Total</b>	<b>51,000</b>	<b>50,000</b>	<b>50,000</b>	<b>50,000</b>

#### 3.3.2 The authorised limit for external debt

This is a key prudential indicator and represents a control on the maximum level of borrowing. This represents a legal limit beyond which external debt is prohibited, and this limit needs to be set or revised by the full Authority. It reflects the level of external debt which, while not desired, could be afforded in the short term, but is not sustainable in the longer term.

- This is the statutory limit determined under section 3 (1) of the Local Government Act 2003. The Government retains an option to control either the total of all Authorities plans, or those of a specific Authority, although this power has not yet been exercised.
- The Authority is asked to approve the above limit:

#### 3.3.3 Affordability prudential indicators

The previous sections cover the overall capital and control of borrowing prudential indicators, but within this framework prudential indicators are required to assess the affordability of the capital investment plans. These provide an indication of the impact of the capital investment plans on the Authority's overall finances. The Authority is asked to approve the following indicator:

<b>Ratio of financing costs to revenue streams</b>	<b>2018/19 Actual</b>	<b>2019/20 Estimate</b>	<b>2020/21 Estimate</b>	<b>2021/22 Estimate</b>	<b>2022/23 Estimate</b>
<b>Total %</b>	6.2	6.02	6.62	7	6.71

This indicator identifies the trend in the cost of capital, (borrowing and other long term obligation costs net of investment income), against the net revenue stream.

The Authority has set a limit on this ratio at 10% with an operational boundary of 9%. The estimates of financing costs include current commitments and the proposals in this budget report.

### 3.4 Prospects for interest rates

The Authority has appointed Link Asset Services as its treasury advisor and part of their service is to assist the Authority to formulate a view on interest rates. The following table provides this.

Link Asset Services Interest Rate View													
	Mar-20	Jun-20	Sep-20	Dec-20	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23
Bank Rate View	0.75	0.75	0.75	0.75	0.75	1.00	1.00	1.00	1.00	1.25	1.25	1.25	1.25
3 Month LIBID	0.70	0.70	0.80	0.80	0.90	1.00	1.00	1.10	1.20	1.30	1.30	1.30	1.30
6 Month LIBID	0.80	0.80	0.90	1.00	1.00	1.10	1.20	1.30	1.40	1.50	1.50	1.50	1.50
12 Month LIBID	0.90	0.90	1.00	1.10	1.20	1.30	1.40	1.50	1.60	1.70	1.70	1.70	1.70
5yr PWLB Rate	2.30	2.30	2.40	2.40	2.50	2.60	2.70	2.80	2.90	2.90	3.00	3.00	3.10
10yr PWLB Rate	2.50	2.50	2.60	2.60	2.70	2.80	2.90	3.00	3.10	3.10	3.20	3.20	3.30
25yr PWLB Rate	3.00	3.00	3.10	3.20	3.30	3.40	3.50	3.60	3.70	3.80	3.80	3.90	3.90
50yr PWLB Rate	2.90	2.90	3.00	3.10	3.20	3.30	3.40	3.50	3.60	3.70	3.70	3.80	3.80

During a special meeting of the Bank's Monetary Policy Committee on 10 March 2020, the Bank of England decided to cut the interest down from 0.75% to 0.25% to counter the "economic shock" resulting from the coronavirus outbreak. The above table represents an optimistic view as a result of these events and Members will note that the March 2020 rate is inaccurate, at 0.75%.

The above forecasts were based on an assumption that there is an agreed deal on Brexit, including agreement on the terms of trade between the UK and EU, at some point in time. The result of the general election has removed much uncertainty around this major assumption. However, it does not remove uncertainty around whether agreement can be reached with the EU on a trade deal within the short time to December 2020, as the prime minister has pledged.

### Investment and borrowing rates

- Investment returns are likely to remain low with increased risk during 2020/21 and potential for a small increase in the following two years as the economy suffers the impact of coronavirus.
- The authority will borrow to finance new capital expenditure, to replace maturing debt and the rundown of reserves, there will be a cost of carry, (the difference between higher borrowing costs and lower investment returns), to any new short or medium-term borrowing that causes a temporary increase in cash balances as this position will, most likely, incur a revenue cost.

### 3.5 Borrowing strategy

The Authority is currently maintaining an under borrowed position. This means that the Capital Financing Requirement has not been fully funded with loan debt as cash supporting the Authority's reserves, balances and cash flow has been used as a temporary measure. This strategy is prudent as investment returns are low and counterparty risk remains an issue.

Against this background and the risks within the economic forecast, caution will be adopted with the 2020/21 treasury operations. The Treasurer will monitor interest rates in financial markets and adopt a pragmatic approach to changing circumstances:

Any decisions will be reported to the appropriate decision making body at the next available opportunity.

### **3.6 Policy on borrowing in advance of need**

The Authority will not borrow more than or in advance of its needs purely in order to profit from the investment of the extra sums borrowed. Any decision to borrow in advance will be within forward approved CFR estimates, and will be considered carefully to ensure that value for money can be demonstrated and that the Authority can ensure the security of such funds.

Risks associated with any borrowing in advance will be subject to prior appraisal and subsequent reporting through the mid-year or annual reporting mechanism.

### **3.7 Debt rescheduling**

The average rate of the current debt book is reasonable at 4.37% and from this view point debt re-scheduling will not take place this coming financial year.

### **3.8 Municipal Bond Agency**

It is possible that the Municipal Bond Agency will be offering loans to local authorities in the future. The Agency hopes that the borrowing rates will be lower than those offered by the Public Works Loan Board (PWLb). This Authority may make use of this new source of borrowing as and when appropriate.

## 4 ANNUAL INVESTMENT STRATEGY

### 4.2 Investment policy – management of risk

The Authority's investment policy has regard to the following: -

- The Welsh Government's Guidance on Local Government Investments ("the Guidance")
- CIPFA Treasury Management in Public Services Code of Practice and Cross Sectoral Guidance Notes 2017 ("the Code")
- CIPFA Treasury Management Guidance Notes 2018

The Authority's investment priorities will be security first, portfolio liquidity second and then yield, (return).

- a. The above guidance from the Welsh Government and CIPFA place a high priority on the management of risk. This authority has adopted a prudent approach to managing risk and defines its risk appetite by the following means: -
- b. Minimum acceptable **credit criteria** are applied in order to generate a list of highly creditworthy counterparties. This also enables diversification and thus avoidance of concentration risk. The key ratings used to monitor counterparties are the short term and long-term ratings.
- c. **Other information:** ratings will not be the sole determinant of the quality of an institution; it is important to continually assess and monitor the financial sector on both a micro and macro basis and in relation to the economic and political environments in which institutions operate. The assessment will also take account of information that reflects the opinion of the markets. To achieve this consideration the Authority will engage with its advisors to maintain a monitor on market pricing such as "**credit default swaps**" and overlay that information on top of the credit ratings.
- d. **Other information sources** used will include the financial press, share price and other such information pertaining to the banking sector in order to establish the most robust scrutiny process on the suitability of potential investment counterparties.
- e. This authority has defined the list of **types of investment instruments** that the finance team are authorised to use.
  - **Specified investments** are those with a high level of credit quality and subject to a maturity limit of one year. All such investments will be sterling denominated.
- f. This authority has engaged **external consultants**, (see paragraph 1.5), to provide expert advice on how to optimise an appropriate balance of security, liquidity and yield, given the risk appetite of this authority in the context of the expected level of cash balances and need for liquidity throughout the year.
- g. As a result of the change in accounting standards for 2019/20 under IFRS 9, this authority will consider the implications of investment instruments which could result in an adverse movement in the value of the amount invested and resultant charges at the end of the year to the General Fund.

However, this authority will also pursue **value for money** in treasury management and will monitor the yield from investment income against budget.

### 4.3 Creditworthiness policy

This Authority applies the creditworthiness service provided by Link Asset Services. This service employs a sophisticated modelling approach utilising credit ratings from the three main credit rating agencies - Fitch, Moody's and Standard & Poor's. The credit ratings of counterparties are supplemented with the following overlays:

- credit watches and credit outlooks from credit rating agencies;
- CDS spreads to give early warning of likely changes in credit ratings;
- sovereign ratings to select counterparties from only the most creditworthy countries.

This modelling approach combines credit ratings, credit Watches and credit Outlooks in a weighted scoring system which is then combined with an overlay of CDS spreads for which the end product is a series of colour coded bands which indicate the relative creditworthiness of counterparties. These colour codes are used by the Authority to determine the suggested duration for investments. The Authority will therefore use counterparties within the following durational bands:

- Yellow            5 years \*
- Dark pink       5 years for Ultra-Short Dated Bond Funds with a credit score of 1.25
- Light pink       5 years for Ultra-Short Dated Bond Funds with a credit score of 1.5
- Purple            2 years
- Blue              1 year (only applies to nationalised or semi nationalised UK Banks)
- Orange           1 year
- Red               6 months
- Green            100 days
- No colour        not to be used

The Link Asset Services' creditworthiness service uses a wider array of information other than just primary ratings. Furthermore, by using a risk weighted scoring system, it does not give undue preponderance to just one agency's ratings.

Typically the minimum credit ratings criteria the Authority use will be a Short Term rating (Fitch or equivalents) of F1 and a Long Term rating of A-. There may be occasions when the counterparty ratings from one rating agency are marginally lower than these ratings but may still be used. In these instances, consideration will be given to the whole range of ratings available, or other topical market information, to support their use.

The Authority is alerted to changes to ratings of all three agencies through its use of the Link Asset Services' creditworthiness service.

- if a downgrade results in the counterparty / investment scheme no longer meeting the Authority's minimum criteria, its further use as a new investment will be withdrawn.
- in addition to the use of credit ratings the Authority will be advised of information in movements in credit default swap spreads against the iTraxx benchmark and other market data on a daily basis via its Passport website, provided exclusively to it by Link Asset Services. Extreme market movements may result in downgrade of an institution or removal from the Authority's lending list.

Sole reliance will not be placed on the use of this external service. In addition this Authority will also use market data and market information to help support its decision making process.

#### **4.4 Country limits**

**Country limit.** The Authority has determined that it will only use approved counterparties from the UK.

#### **4.5 Investment strategy**

**In-house funds.** Investments will be made with reference to the core balance and cash flow requirements and the outlook for short-term interest rates i.e. rates for investments up to 12 months. Greater returns are usually obtainable by investing for longer periods while most cash balances are required in order to manage the ups and downs of cash flow. Where cash sums can be identified that could be invested for longer periods, the value to be obtained from longer term investments will be carefully assessed.

#### **Investment returns expectations**

Bank Rate is unlikely to rise from 0.1% (at 20.3.20) for a considerable period. It is very difficult to say when it may start rising so it may be best to assume that investment earnings will not be enjoyed for the foreseeable and investments decisions are based on security of principle as risks increase in line with the decline of UK credit ratings.

#### **4.6 End of year investment report**

At the end of the financial year, the Authority will report on its investment activity as part of its Annual Treasury Report.

## 5 TREASURY MANAGEMENT SCHEME OF DELEGATION

### (i) Full Authority

- receiving and reviewing reports on treasury management policies, practices and activities;
- approval of annual strategy.

### (ii) Finance Audit & Performance Management Committee (FAPM)

- approval of/amendments to the organisation's adopted clauses, treasury management policy statement and treasury management practices;
- budget consideration and approval;
- approval of the division of responsibilities;
- receiving and reviewing regular monitoring reports and acting on recommendations;
- approving the selection of external service providers and agreeing terms of appointment.

### (iii) Treasurer (S112)

reviewing the treasury management policy and procedures and making recommendations to the responsible body.

## 5.2 THE TREASURY MANAGEMENT ROLE OF THE TREASURER

### 6 The S112 officer

- recommending clauses, treasury management policy/practices for approval, reviewing the same regularly, and monitoring compliance;
- submitting regular treasury management policy reports;
- submitting budgets and budget variations;
- receiving and reviewing management information reports;
- reviewing the performance of the treasury management function;
- ensuring the adequacy of treasury management resources and skills, and the effective division of responsibilities within the treasury management function;
- ensuring the adequacy of internal audit, and liaising with external audit;
- recommending the appointment of external service providers.
- preparation of a capital strategy to include capital expenditure, capital financing, and treasury management, with a long term timeframe
- ensuring that the capital strategy is prudent, sustainable, affordable and prudent in the long term and provides value for money
- ensuring that due diligence has been carried out on all investments and is in accordance with the risk appetite of the authority

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**CARBON REDUCTION PLAN 2020****SUMMARY**

The purpose of this report is to outline the first Carbon Reduction Plan for South Wales Fire and Rescue Service and to seek formal approval for the Plan and proposed actions for the period 2020 – 2023.

**RECOMMENDATION**

That Members approve and adopt the Carbon Reduction Plan 2020 - 2023 attached.

**1. BACKGROUND**

- 1.1 The Environment Act (Wales) 2016 places a duty in the Welsh government to ensure net Welsh emissions are 80% lower than the baseline by 2050.
- 1.2 Welsh Government has communicated ambitions for the Public Sector to be carbon neutral by 2030. This is ahead of the remaining sectors in Wales as the Public Sector is expected to take a leadership role in carbon reduction.
- 1.3 One of the Service's strategic themes in the Strategic Plan is 'Protecting the Environment' and outlines "**Executing our activities in a manner that helps sustain the planet for our future generations**". We are therefore committed to developing a plan of actions and targets to reduce our carbon emissions and minimise the impacts we have on the environment.

**2. ISSUE**

- 2.1 This Carbon reduction plan has been developed by the Head of Finance, Procurement and Property but will be need to be delivered by all Departments across the Service and progress will be monitored and reported annually to Members.
- 2.2 The previous successes of carbon reductions were mainly delivered by energy efficiency schemes in a bid to reduce energy consumption and in turn deliver cashable efficiencies contributing to the medium term financial plans.

- 2.3 Welsh Government has announced the ambition for the Welsh public Sector to be carbon neutral by 2030 which exceeds the ambitions set out in the Environment Act.
- 2.4 Currently planned projects which reduce energy consumption will deliver a significant proportion of the energy savings in the plan.
- 2.5 The current planned projects will not achieve the ambitions for carbon neutrality therefore it is anticipated that additional schemes will have to be added to the plan in future years.
- 2.6 The plan had been designed to deliver a range of schemes to reduce CO<sub>2</sub> emissions over the plan period and suggest ways in which further reductions can be made.

### **3. FINANCIAL IMPLICATIONS**

- 3.1 There are no direct financial implications outlined in the plan, however individual projects and schemes are likely to require up-front investment to enable carbon reduction targets to be achieved.
- 3.2 It is however anticipated that in addition to achieving carbon reduction there will be efficiencies delivered resulting in budget savings, cost avoidance and recirculation of finances.

### **4. LEGAL IMPLICATIONS**

- 4.1 The plan sets out actions which will ensure we meet our statutory requirements to comply with the Climate Change Act 2008 and the Environment (Wales) Act 2016.

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

- 5.1 There are no specific equality and diversity implications associated with this report, however individual schemes and projects identified within the action plan will require equality risk assessments to be undertaken prior to commencement.

### **6. RECOMMENDATION**

- 6.1 That Members approve and adopt the Carbon Reduction Plan 2020 - 2023 attached.

<b>Contact Officer:</b>	<b>Background Papers:</b>
Geraint Thomas Head of Finance, Procurement and Property	South Wales Fire and Rescue Authority Biodiversity Forward Plan

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Gwasanaeth Tân ac Achub  
De Cymru

South Wales  
Fire and Rescue Service

# Carbon Reduction Plan 2020-2023

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## Carbon Reduction Plan 2020 -2023

### Foreword

South Wales Fire and Rescue Service recognises how important it is for us to make sure we are committed to reducing our carbon emissions and the impact we have on the environment in everything we do. This Carbon Reduction Plan (2020-2023) sets out how we will continue to improve the ways in which we use our resources to ensure the least harm to our environment. Each year this grows in importance as our awareness is raised on the critical importance of changing our behaviours with regard to climate change and sustainability. Legislation and regulation reflect this priority and we are committed to ensuring we meet our requirements and where possible exceed expectations.

Whether we are thinking of how to travel to work, what cup to drink from, how we design a new service, where we hold a meeting and the myriad of choices we make in our daily life, having sustainability underpinning every choice we make and every action we take must be integral to us delivering our vision, mission and strategic goals.

This year we have calculated our carbon footprint and the engagement with our staff has proved very useful in helping us to identify where we need to change our behaviour and how to do it. This has helped us to prioritise the key areas we want to focus on for the next year as outlined in the detailed action plan. We also recognise that many of the measures we plan to take to cut our carbon footprint will also help us operate more efficiently, cut costs and go some way to protecting us from the inevitable future increases to fuel and energy costs.

Using the information gathered and working with our dedicated staff, we will be able to set challenging targets and report our progress on the journey to become a carbon neutral organisation.

## **Introduction**

It cannot be stated strongly enough that to meet the ambition of Welsh Government to be carbon neutral by 2030 will be incredibly challenging. It is not yet clear whether it is an achievable goal, however, it is an ambition that South Wales Fire and Rescue Service is prepared to pursue and in endeavouring to achieve the goal will take us further forward and improve the Service rather than choose to ignore the challenge. The evidence available shows that the scale of change is unprecedented, global and national system change will be needed to support local system change.

Therefore, this is not another service performance goal for members and officers, where control and accountability is clear, this is a challenge where the totality of the solutions needed is not clear and the approach taken will be emergent. We will need to put in place appropriate governance arrangements to ensure accountability, scrutiny and support through existing decision making processes.

Climate change is already upon us. While there are visible impacts of this in increased flooding, wind, rain and storm intensities, there are also hidden impacts such as droughts, biosecurity with the risk of invasive species, and seasonal changes to the food chains for species. The summer of 2018 was the joint hottest ever recorded in Wales, and summer temperatures could increase by up to 10 degrees centigrade in parts of the UK if the current trajectory global warming continues.

While certain parts of the world will have more severe and imminent impacts (such as low lying areas in South East Asia), Wales and the wider UK are not immune. These impacts only highlight the need to act now on reducing our emissions. The details set out in the Action Plan require us to make good decisions about what to invest in, therefore we must understand the consequences of climate change with and without action.

The World Health Organisation identifies climate change as the greatest threat to global health in the 21st century. The impacts for South Wales, although less than for some other parts of the world, will still be significant. There will be an increase in heat wave days and a longer heat wave season, resulting in greater risk of wildfires and there will also be periods of heavier rainfall increasing the likelihood of widespread flooding. Such events will have significant impact on our Service therefore it is important that we act and set an important example by reducing our impacts on the environment.

## Context

Climate change is a real and immediate threat for us all. Carbon dioxide (CO<sub>2</sub>) levels have already reached their highest level for almost half a million years and are rising faster than ever. Like all public sector organisations, South Wales Fire and Rescue Service has a key role to play in mitigating the effects of climate change – both as a community leader and through the services we provide. The Service is a considerable consumer of energy and a direct source of CO<sub>2</sub> emissions arising from our activities and buildings. South Wales will not be immune to the impacts of climate change and therefore we need to act now to adapt and manage risks to service delivery, local communities, infrastructure, businesses and the natural environment. The Authority's climate change challenge falls into:

- Cutting the Service's carbon footprint;
- Preparing for the impacts of a changing climate.

Aside from the moral and environmental case for taking action to tackle climate change there are many other drivers for the Service to address this issue.

These include:

- ❖ the considerable scope for more efficient use of energy to realise cost savings
- ❖ the future impact of the increase in energy and fuel prices

Specifically these will have three main impacts on the Service:

- Service delivery;

Climate change has a significant effect on the services we provide and how we provide them. We have already seen the impacts of prolonged periods of grass fires during the summer of 2018 and the severe flooding across many parts of South Wales early in 2020. Therefore we need to ensure that the way we deliver our services has the least impact on the environment.

- Financial;

Projects to reduce carbon will more often than not come with the requirement of financial investment. However, the majority of schemes, especially those that target energy and fuel efficiency lead to savings which very often outweigh the initial costs.

- Reputational and the Service's role as a community leader.

As a community leader with an outstanding reputation with the Service has a significant role to play in ensuring all of our communities lead lower carbon lifestyles. The Service recognises that it cannot do this in isolation but by promoting best practice and working with others in all sectors we can make positive impacts for the future.

### **Size of the Challenge**

For us to truly know the size of the challenge we face as an organisation we have calculated our Carbon footprint for the first time. We have previously fallen below Welsh Government thresholds for reporting but with this threshold being removed we must now calculate our impact and therefore take appropriate actions to reduce our impact.

Carbon footprint is expressed as CO<sub>2</sub>e – Carbon Dioxide Equivalent.

The Services' carbon footprint is based on the energy use and fuel use from our estate, activities undertaken in our service provision and the waste we generate. It also includes an estimate of the emissions from our supply chain and staff business and commute mileage, a proportion of business travel on public transport.

Figure 1, below, gives a breakdown of the CO<sub>2</sub> emissions for 2018/19 of the various different areas included

Fleet 2,655 tonnes CO<sub>2</sub>e

Energy 1,848 tonnes CO<sub>2</sub>e

Procurement Supply chain 5,283 tonnes CO<sub>2</sub>e

Business Mileage 154 tonnes CO<sub>2</sub>e

**What have we done already?**

We have already started our journey towards becoming net carbon neutral by focusing on reducing our energy consumption since 2011. Our electricity consumption has reduced by 20% and gas consumption by 25% (April 2011 to March 2019). There has also been a transformation of our energy sector, the Welsh National Procurement Service contract for electricity confirms 100% of our electricity is from renewable energy supply from 2018/19.

We have also undertaken the following projects to support further energy reductions.

- Installed LED lighting at our HQ site and the majority of our stations
- Installed Building Management Systems to monitor and control energy usage across our estate
- A programme of boiler replacements has been completed to remove outdated, inefficient systems.
- Appliance bay doors have been linked to heating controls to automatically switch off when doors are open.

## **Strategic Approach**

The Wellbeing of Future Generation (Wales) Act 2015 is at the heart of the decision making across the service. Our service priorities are aligned to the seven wellbeing goals and the five ways of working. One of our main strategic themes is 'Protecting the Environment' and outlines **“Executing our activities in a manner that helps sustain the planet for our future generations”** therefore to highlight our commitment to mainstreaming carbon reduction and protecting the environment we aim to inform our staff and our communities of our commitment and allocate sufficient resources to we deliver our objectives and achieve the challenging targets.

The objectives which have been identified for 2020/21 are

- **Reduce our energy use and explore alternative methods**
- **Reduce our usage of single use materials**
- **Explore the use of electric vehicles**
- **Reduce the amount of waste produced**
- **Conserving and enhancing our biodiversity and habitats**
- **Consider how our activities impact on the environment**
- **Leading our Communities by demonstrating and promoting good environmental practices**

To ensure sustainability is embedded into the Service and strategies and projects should support environmental impacts by considering energy efficiency, waste reduction, less travel and reuse and recycle products whenever possible.

### **How are we planning to deliver these priorities and reach our targets?**

We will draw up action plans to address these key priorities and progress towards them will be measured annually.

### **How will we measure our success?**

- Carbon emissions will reduce – reaching or exceeding our targets.
- Renewable and low carbon energy sources will increase reaching or exceeding our targets.
- Critical adaptation measures will be implemented.
- New planned developments/equipment/supplies will have minimal environmental impact.

### **The following principles will guide us on our journey through carbon reduction**

Learn from others and become an example of best practice

Develop Carbon Reduction Projects that are effectively programme managed

Identify any risks and opportunities from carbon reduction plans

Embed Environmental implications into our decision making

Ensure sustainable procurement practices apply to all areas of the Service.

Encourage, engage and support others in reducing their carbon footprints

Raise awareness and commitment

Regular monitoring and reporting of our performance

Economy and efficiency will be achieved through our carbon reduction actions

### **Areas of Focus**

#### **Property**

A large proportion of the opportunities for the Service to reduce the carbon footprint will come from how we operate and maintain our estate.

#### **Fleet**

The Service operates a fleet of over 367 vehicles of varying sizes to cover all the activities undertaken across the organisation. The majority of our vehicles are diesel fuelled engines but are modern and maintained to high standards ensuring the lowest possible emissions.

#### **Travel**

In undertaking our duties there are times when business travel is an essential requirement. The Service runs officers cars, a fleet of pool vehicles and 'grey travel' where personnel utilise their personal vehicle for business purposes. The Service will review the current requirements for business travel and seek to reduce the level of travel but also explore low carbon methods of transport.

#### **Technology**

New technology will play a significant role in developing and streamlining working practices, which will ultimately have a positive effect to reduce our carbon footprint. The ability for home and remote working supports less travel.

#### **Procurement**

The Service spends approximately £22m on goods and services each year. As highlighted in the carbon footprint of the service, many of our procurement decisions have the potential to reduce the CO<sub>2</sub> emissions. A sustainable procurement strategy, where environmental considerations are mandatory, is being implemented which will enable us to drive forward environmental improvements and use our buying power to influence improvements across the markets that we use. Our procurement team will work with our suppliers and partner bodies such as the National

Procurement Service and other Framework providers to ensure we embed improved environmental impacts.

### **Waste**

Waste production adds to the level of carbon emissions and therefore our waste practices are influenced by the carbon reduction agenda. We need to reduce the volume of waste which is sent to landfill but also increase the volume of waste currently recycled.

### **Supplies and Equipment**

The replacement of all supplies and equipment purchased by the service in future will need to ensure that a Whole life approach is taken. This ensures that all costs from purchase, use of the items through to disposal considerations are captured in the initial decision making process. Where possible recycled products will be used and at the end of life consideration given to reuse or recycle.

### **Water**

Climate change is likely to increase water demand while shrinking water supplies. This shifting balance would challenge water managers to simultaneously meet the needs of growing communities, sensitive ecosystems, farmers, ranchers, energy producers, and manufacturers.

In some areas, water shortages will be less of a problem than increases in runoff, flooding, or sea level rise. These effects can reduce the quality of water and can damage the infrastructure that we use to transport and deliver water.

### **Finance**

The economic climate has proved challenging for the whole of the public sector especially when considering the requirements to fulfil the potential to address environmental impacts. However with appropriate planning carbon reduction opportunities can be used in cost effective ways. Therefore we will seek opportunities for external funding streams, prioritise spend on measure which give high return (carbon and financial) and embed the principles of invest to save and the circular economy.

### **Behaviour Change**

The majority of plans to reduce the Service's carbon footprint are viewed from an organisation level, individual behavioural changes from all of our personnel can make huge impacts on reducing our carbon emissions. Raising awareness of the scale of the challenge will act as a catalyst to encourage all personnel to support the organisation efforts by making small changes where they can to reduce energy, reduce travel, reduce waste and recycle more.

**Delivery Targets**

The proposed targets for reducing our CO<sub>2</sub> emissions are from a baseline of 2018/19

**2023** To reduce our carbon emissions by 25%

**2030** To reduce our carbon emissions by 50%

**2040** To reduce our carbon emissions by 65%

**2050** To reduce our carbon emissions by 80%

## **Action Plan**

<b><u>ACTION</u></b>	<b><u>OWNER</u></b>	<b><u>DATE</u></b>
Service Wide engagement and communication to raise awareness and encourage ideas for carbon reduction	<b>Head of Finance, Procurement &amp; property</b>	July 2020
Improve recording, monitoring and reporting of all carbon impacts across the service	<b>Head of Finance, Procurement &amp; property</b>	July 2020
Establish environmental champions for all departments and stations	<b>Head of Finance, Procurement &amp; property</b>	September 2020
Include environmental impact awareness on induction and development programmes	<b>Director of People Services</b>	September 2020
Introduce an annual awards to recognise and reward greatest positive impact and most innovative solution	<b>Deputy Chief Fire Officer</b>	July 2021
Develop partnerships with Wales Energy Service, Cynnal Cymru and Centre for Climate Change and Social Transformation Centre (CAST) to raise awareness and develop further schemes to support the plan	<b>Head of Finance, Procurement &amp; property</b>	December 2020
Complete the programme of LED light installation across all of our sites	<b>Head of Finance, Procurement &amp; property</b>	September 2020
Work with the Carbon Trust to undertake energy audits on our site to identify most suitable alternative power supplies e.g. Solar panels	<b>Head of Finance, Procurement &amp; property</b>	October 2020
Complete the programme of smart meters for all of our sites	<b>Head of Finance, Procurement &amp; property</b>	March 2021
Expand the trial for drying rooms technology to reduce energy on station	<b>Head of Operations</b>	July 2020
Review and improve our current waste/recycling collection provisions	<b>Head of Finance, Procurement &amp; property</b>	September 2020
Explore the use of electric vehicles for the service light vehicle fleet	<b>Head of Fleet &amp; Engineering</b>	December 2020
Provide electric vehicle charging points where possible on our sites	<b>Head of Finance, Procurement &amp; property</b>	December 2020
Reduce the frequency of car journeys for work purposes	<b>Director of People Services</b>	September 2020
Promote and support car sharing opportunities	<b>Director of People Services</b>	September 2020
Develop a workplace travel plan, to include home working, remote working and usual place of work	<b>Director of People Services</b>	September 2020
Embed whole life cycle approach to all equipment and supplies purchased	<b>Director of Technical Services</b>	July 2020
Include environmental impact considerations into our procurement processes	<b>Deputy Chief Fire Officer</b>	July 2020

Move towards a paper free environment	<b>Deputy Chief Fire Officer</b>	July 2020
Maximise external funding opportunities to facilitate carbon reduction/environmental projects	<b>Head of Finance, Procurement &amp; property</b>	March 2021
Revise our Asset Strategy for estates to include greater energy efficiency and CO <sub>2</sub> reductions	<b>Head of Finance, Procurement &amp; property</b>	September 2021
Implement grey water harvesting system at HQ fleet for vehicle wash facility	<b>Head of Fleet &amp; Engineering</b>	December 2021
All personnel to be issued with reusable aluminium water bottles to reduce single use plastic	<b>Head of Ops Risk Management</b>	July 2020
Allocate specified reserves for use on carbon reduction projects	<b>Treasurer</b>	September 2020
Evaluate further use of technology to support efficient processes which will reduce the Services' carbon footprint	<b>Head of ICT</b>	March 2021
Encourage greater use of video conferencing for meetings	<b>Head of ICT</b>	July 2020

### **Next Steps**

The carbon reduction plan and identified actions are a very good starting point on our journey to becoming carbon neutral. The plan will continue to be a live document over the coming years and updated as new information and ideas emerge. The following areas will be the next steps for the coming year.

- Fire and Rescue Authority approval of the Carbon Reduction plan 2020-2023
- Publication of our carbon footprint and progress against actions taken so far
- Comply with the Welsh Government's Carbon Neutral ambitions
- Create a cadre of Green Champions across all areas of the Service to promote behaviour change
- Carry out climate impact assessments for all of our functions
- Support our supply chain to better understand their carbon footprint and the impact that has on our Service

The carbon reduction plan will be reviewed and reported on at least annually and refreshed regularly if necessary to ensure inclusion of the latest information and that the targets set remain valid.

## **Ownership of Carbon Reduction Plan**

**The service Senior Management Team will**

- **Champion and provide leadership on climate change**
- **Set and review the reduction targets**
- **Prioritise projects and measures**
- **Monitor progress towards targets**
- **Remove obstacles to the successful implementation of carbon reduction projects**
- **Review and champion plans which require financial investment**
- **Ensure a coordinated approach to projects to deliver our carbon reduction objectives and targets**

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**SOUTH WALES FIRE & RESCUE AUTHORITY**

AGENDA ITEM NO 6.iv

13 JULY 2020

**REPORT OF THE ACFO TECHNICAL SERVICES****SWFRA VEHICLE LEASE SCHEME****SUMMARY**

There have been recent significant changes in the taxation regulations regarding the provision of Emergency Response Vehicles. The SWFRA Vehicle Lease scheme requires updating to ensure its continued tax compliance and sustainability.

This paper identifies the necessary changes to ensure the continued fairness, transparency and sustainability of the scheme, but also to address concerns raised by Representative Bodies.

**RECOMMENDATIONS****It is recommended that:**

1. From the 1<sup>st</sup> September 2020, the minimum individual scheme member contribution criteria of £804 per annum be removed.
2. From the 1<sup>st</sup> September 2020, existing freedom of movement and on call business commute payments for responding officers of Station Manager and Group Manager roles be removed. This will be compensated for by increasing the Employer contribution by £380 p.a. for the group of employees affected.
3. From the 1<sup>st</sup> September 2020, individual employee lease contributions will be assessed by reference to the specific vehicle's annual lease cost to the Service.
4. From 1<sup>st</sup> September 2020, the Employer's contribution for each individual on the Lease Scheme be increased by £500 p.a. for all lease vehicle holders other than for Area Managers, Directors and Brigade Managers.
5. From April 2021, Employer contribution rates across the whole lease scheme are uplifted in line with NJC grey book salary increases to avoid the need for future one off increases in Employer contribution levels. The Employer contribution rate which is in force at the date a lease agreement is signed will remain unchanged for the full term of that lease unless the individuals terms and conditions change.

## **1. BACKGROUND**

- 1.1 To ensure the immediate and efficient provision of operational response Officers across our Service area the Authority has run an Emergency Vehicle Lease Scheme for the past 20 years. This scheme ensures that individuals have access to an effective, controlled scheme to cover all business use, emergency response and private use.
- 1.2 The first documentation relating to the scheme dates back to 2000. This is the first official mention of some of the key issues that will be discussed in this paper namely the Employer contribution rates, the reclaim charges and the minimum contribution rate.
- 1.3 An independent review of the Service provision of light vehicles was conducted by the Fleet Transport Association in 2014. The review considered how SWFRS provide vehicles to satisfy its varied business needs.
- 1.4 There are clearly a myriad of different options for providing vehicles including the use of fully provided vehicles, spot hire and essential user schemes. A cost evaluation showed that the current lease scheme demonstrated efficiency for those incurring substantial business mileage. It also recognised the significant benefits of the current scheme in terms of corporate risk.
- 1.5 In considering the suitability of the emergency vehicle lease scheme it is important to consider why the scheme is in place. It is clear that operating such a scheme provides value for money however, its benefits go far further for SWFRA and the public it protects. Having immediate access to a variety of specialist Officers enables the Authority to comply with its duties under a range of legislation including the Fire and Rescue Services Act, Health and Safety at Work Act 1974 and Civil Contingencies Act. These facts are recognised by HMRC who concede the public benefit of having financially sustainable and operationally efficient schemes to assist in emergency response times.

## **2. ISSUE**

### **2.1 Changes to the scheme**

- 2.1.1 In the past 20 years there have been several minor amendments to the lease scheme, which have centred on vehicle colour, type and specifications of vehicles. The reason being to ensure those vehicles used for response purposes are suitable for their intended functions and comply with up to date safety expectations. Both sets of

changes were the subject of full consultation with Representative Bodies

2.1.2 Recent changes to the treatment of emergency vehicles for tax purposes means that it is pertinent to review the costs of providing such assets.

## **2.2 Minimum Employee contribution payment**

2.2.1 The current scheme provides for a minimum employee contribution of £804 per annum. This was introduced in 2000 when Emergency Service Vehicles were completely tax exempt.

2.2.2 Due to recent tax changes, the financial restraints of the current Lease Scheme are becoming a financial barrier for those considering joining the scheme. Additionally, the fixed minimum contribution payment individuals are required to pay is resulting in some staff effectively subsidising the Employer contribution and the cost of the scheme.

## **2.3 Tax treatment of vehicles**

2.3.1 Taxation changes that came into force from April 2020 will result in a substantial increase to an individual's personal cost of a lease car, despite the primary use of the vehicle being for essential business journeys and responding to emergencies.

2.3.2 This has the potential to undermine the scheme and result in a large number of officers moving from lease cars to provided cars.

2.3.3 The current scheme allows operational individuals to claim 50 miles per day freedom of movement for essential on-call journeys. An unintended consequence of the new tax regulations would mean that if this on call arrangement for freedom of movement were to continue, individuals would then be taxed on all journeys, including business journeys and fire calls in addition to private mileage.

2.3.4 Under the previous tax regime, employee contributions were split between contributions to maintenance and lease costs. The revised tax compliant scheme does not require this split and as such employees will in future contribute a single sum towards the leasing cost of the vehicle.

## 2.4 Maintenance of vehicles

2.4.1 From 1<sup>st</sup> September 2020, only lease costs will be used for the calculation. The Scheme on this basis will remain tax compliant and employees will no longer pay contributions specifically towards maintenance.

## 2.5 Employer contribution rates

2.5.1 It should be noted that over the past 20 years there have been no inflationary increases to the Employer contribution towards lease vehicles although clearly the costs of providing vehicles have been subject to significant inflationary increases.

2.5.2 The Employer contribution of £2115 per annum was set in 2000 which was then the base cost of providing a suitable vehicle. During this period the costs of providing a response vehicle have increased.

2.5.3 Current quotes for the leasing of two standard pool vehicles are £3,213 and £3,423 and do not include maintenance or associated VAT costs (10% for the Service). It can be seen such costs are considerably higher than the current £2115 basic Employer contribution.

2.5.4 There are a number of approaches that could be used to determine a suitable methodology to determine what an appropriate Employer contribution would be had it been increased by inflation since it was originally set. The most common are detailed in the chart below:

<b>Comparative data</b>	<b>% increase (2000-2020)</b>	<b>As applied to £2,115</b>
CPI	47.11%	£3,111
RPI	67.54%	£3,543
NJC Grey Book Salary settlements	48.7%	£3,145

## 2.6 Benchmarking with other Fire and Rescue Services

2.6.1 In order to determine a reasonable contribution level for the Authority a comparison with adjoining Services has been conducted.

2.6.2 One Authority currently provide contributions towards lease vehicles at a rate of 8% of the individual's salary. In effect this provides a range of contributions from a minimum of £3,969.

- 2.6.3 Another Authority contribute £3,000 towards lease vehicles for staff below Principal Officer level and provide the full costs for those on continuous duty.
- 2.6.4 A further Authority contribute £3,100 to Station Manager and Group Managers, and £4,350 towards Principal Officers' lease vehicles. This Authority also pays an additional 5p per mile on top of the HMRC rate for carrying fire kit. This is a local agreement made with representative bodies.
- 2.6.5 It is clear that not including a formal mechanism to automatically uplift Employer contributions for the past 20 years has resulted in a lease scheme with individual members absorbing the inflationary pressures and effectively subsidising the Employer contribution.
- 2.6.6 Given all the factors listed above the Fire Brigades Union have requested that consideration be given to increasing the Employer contributions and also linking future contributions to NJC Grey Book pay settlements.

### **3. FINANCIAL IMPLICATIONS**

- 3.1 To ensure that each of the costs associated with changes to the scheme can be understood, these are broken down individually in the following paragraphs.

#### **3.2 Removal of Minimum Employee contribution payment**

- 3.2.1 Due to the extremely small numbers of individuals affected by this condition, the removal of this element would cost around £2k per annum.

#### **3.3 Removal of the contribution to maintenance**

- 3.3.1 The removal of the requirement to contribute towards maintenance represents a cost to the Authority of £27k.

#### **3.4 Removal of the 50 mile Freedom of Movement / On Call Commute payments and an increase in Employer contribution of £380 p.a. to reflect tax regulation changes**

- 3.4.1 As the Authority would be removing expenditure on travelling expenses and replacing with an additional Employer lease contribution, this element would be broadly cost neutral. The costs and savings are around £24k.

### 3.5 Employer contribution levels increase

3.5.1 Whilst being cognisant of the financial pressures facing the Authority it is considered that an appropriate Employer contribution increase of £500 p.a. be made. This is below the level of change noted in paragraph 2.5.5 above.

3.5.2 The financial impact of this change would be in the region of £33k per annum.

### 3.6 Total financial increase of all proposed changes

3.6.1 Taking into account all the recommended changes, the total increase in costs would be in the region of £86k offset by savings of £24k making a net cost of £62k. The actual impact on the Service's budget will be slightly less as there are a number of seconded officers whose costs are met by other agencies currently.

3.6.2 There is no specific budget to accommodate this increase in costs and as such, it would represent a call on the Authority's base budget. The current year implication would be for a 7 month period so around £36k. The full year effect would need to be considered as part of the budget development for 2021/22.

3.6.3 The changes proposed to the Employer contribution levels is summarised below as:

Staff Group	Revised Employer Contribution Rates	Change
Green Book (exc. Directors)	Increase from £2,115 to £2,615 p.a.	£500 p.a. increase towards inflationary uplift
Station Managers & Group Managers	Increase from £2,115 to £2,995 p.a.	£500 p.a. increase towards inflationary uplift + £380 p.a. to offset mileage allowance reductions.
Area Manager; Directors & Chief Fire Officer	No increase	

## 4. RECOMMENDATIONS

It is RECOMMENDED THAT:

4.1 From the 1<sup>st</sup> September 2020, the minimum individual scheme member contribution criteria of £804 per annum be removed.

- 4.2 From the 1<sup>st</sup> September 2020, existing freedom of movement and on call business commute payments for responding officers of Station Manager and Group Manager roles be removed. This will be compensated for by increasing the Employer contribution by £380 p.a. for the group of employees affected.
- 4.3 From the 1<sup>st</sup> September 2020, individual employee lease contributions will be assessed by reference to the specific vehicle's annual lease cost to the Service.
- 4.4 From 1<sup>st</sup> September 2020, the Employer's contribution for each individual on the Lease Scheme be increased by £500 p.a. for all lease vehicle holders other than for Area Managers, Directors and Brigade Managers.
- 4.5 From April 2021, Employer contribution rates across the whole lease scheme are uplifted in line with NJC grey book salary increases to avoid the need for future one off increases in Employer contribution levels. The Employer contribution rate which is in force at the date a lease agreement is signed will remain unchanged for the full term of that lease unless the individuals terms and conditions change.

<b>Contact Officer:</b>	<b>Background Papers:</b>
Name <b>Richard Prendergast</b> Title <b>Assistant Chief Fire Officer</b>	None

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**REPORT ON DRAFT PROPOSED STRATEGIC THEMES AND OBJECTIVES  
2021/2022****SUMMARY**

To approve the draft proposed objectives for 2021/2022 and long term Strategic Themes for publication in the Service's Annual Improvement Plan Stage 2 for formal consultation.

**RECOMMENDATION**

It is recommended that Members:

1. Approve the proposed draft Strategic Themes and Objectives for engagement events and publication in the "Consultation Document" - Stage 2 of the Annual Improvement Plan on the SWFRS Internet site by 31 October 2020.
2. Approve delegation to Deputy Chief Officer and Head of Corporate Support to review and refine the draft Strategic Themes and Objectives as necessary for the public consultation.

**1. BACKGROUND**

- 1.1 The purpose of this report is to propose the long term Strategic Themes and Objectives for the upcoming year 2021/2022 that we can formally consult upon.
- 1.2 Members will be aware of the requirement to publish the second stage of the Annual Improvement Plan by the statutory deadline of October 31<sup>st</sup>, in accordance with the requirements of the Local Government (Wales) Measure 2009. The final document will take the same style and format as previous years.
- 1.3 While reporting on performance for the preceding financial year 2019/2020, the Annual Improvement Plan is also a consultation vehicle for updating the long term Strategic Themes for the Service as well as the Objectives for the upcoming financial year 2021/2022. The document will outline how these Themes and Objectives support the achievement of Wellbeing Goals as part of the Wellbeing of Future Generations (Wales) Act 2015. It will also meet our statutory obligations as per the Local Government (Wales) Measure 2009 and the Welsh Governments Fire & Rescue National Framework 2015.

## **2. ISSUE**

- 2.1 To ensure that the content for the upcoming 12 week statutory consultation, which will take place from October 2020 to December 2020, will be approved by members and they will help shape the long term Strategic Themes and identify the Objectives we should consult upon for the upcoming year.
- 2.2 For clarification, within this document, Strategic Themes are our top level plan and have been considered in accordance with our contribution toward the Wellbeing of Future Generations (Wales) Act 2015 and the Welsh Governments Fire & Rescue National Framework 2015. These are supported by the delivery of Objectives. These Objectives meet our statutory obligations under the Local Government (Wales) Measure 2009 and provide greater clarity and focus on what we will do as a Service.
- 2.3 Due to the challenges our response to the COVID-19 pandemic has posed to the organisation, delegation to review and refine the draft Strategic Themes and Objectives as necessary, between July 2019 and October 2019, is being sought for the Deputy Chief Officer and Head of Corporate Support. This will enable member's views and the final views from the pre-consultation and engagement exercise to be incorporated.
- 2.4 The results of the 12 week public consultation will be reported to the Fire Authority in February 2021.

## **3. FINANCIAL IMPLICATIONS**

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

## **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. In determining relevant team actions to deliver the objectives and themes, equalities and wellbeing outcomes will also be considered.

## **5. RECOMMENDATION**

- 5.1 It is recommended that Members:
  1. Approve the draft Strategic Themes and Objectives for engagement events and publication in the "Consultation Document" - Stage 2 of the

Annual Improvement Plan on the SWFRS Internet site by 31 October 2019

2. Approve delegation to Deputy Chief Officer and Head of Corporate Support to review and refine the draft Strategic Themes and Objectives as necessary for the public consultation.

<b>Contact Officer:</b>	<b>Background Papers:</b>
Jon Carter Planning, Performance and Risk Manager	Appendix 1 Draft Proposed Strategic Themes and Objectives

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## **Appendix 1 – Draft Proposed Strategic Themes and Objectives**

The below 8 Strategic Themes were proposed and approved for the long-term Strategic Plan 2020-2030.

- Keeping You Safe
- Responding To Your Emergency
- Using Technology Well
- Working with Our Partners
- Engaging and Communicating
- Valuing Our People
- Protecting Our Environment
- Continuing To Work Effectively

The above themes have been developed with reference to the chapters of the Fire and Rescue National Framework for Wales 2016 and closely align to the Wellbeing Goals published under The Wellbeing of Future Generations of Wales Act 2015.

Below the proposed Strategic Themes a set of Objectives have been developed to capture the key priorities for the coming years and have been influenced by key priorities identified during the launch of our Strategic Plan 2020-2030, our ongoing response to the COVID-19 pandemic and priorities outlined in local community risk management plans.

Proposed Strategic Themes	Proposed Objectives
<b>Keeping You Safe</b>	<ul style="list-style-type: none"> <li>• Reduce the impact of false alarms on our resources</li> <li>• Reduce the number of fires in the home and understand the behaviours and cause of them</li> <li>• Reduce the number of Road Traffic Collisions</li> <li>• Reduce the number of deliberate fires</li> <li>• Improve safety in and around the water</li> <li>• Improve fire safety in buildings in our communities</li> </ul>
<b>Responding To Your Emergency</b>	<ul style="list-style-type: none"> <li>• Respond effectively when you need us</li> <li>• Do all we can to make sure that our On Call Duty System (OCDS) is available</li> <li>• Train our firefighters to respond to current and future risks in our communities</li> </ul>
<b>Using Technology Well</b>	<ul style="list-style-type: none"> <li>• Use the most suitable technology and equipment to improve our services</li> <li>• Review the standard and use of technology and equipment across the Service</li> </ul>
<b>Working With Our Partners</b>	<ul style="list-style-type: none"> <li>• Work with our PSBs to support our communities.</li> <li>• Work with our partners to deliver our services where they are needed</li> <li>• Review and evaluate our existing partnerships</li> </ul>
<b>Engaging and Communicating</b>	<ul style="list-style-type: none"> <li>• Deliver on the recommendations of the Investors in People report</li> <li>• Involve our communities and make sure they have their say in what we do</li> <li>• Help keep our communities safe through safety education and attending community events</li> </ul>
<b>Valuing Our People</b>	<ul style="list-style-type: none"> <li>• Attract a workforce that reflects and represents our communities</li> <li>• Develop our people by identifying training and development opportunities</li> <li>• Support our people to feel well, healthy and happy at work</li> </ul>

<b>Protecting Our Environment</b>	<ul style="list-style-type: none"><li>• <b>Reduce our usage of single use materials</b></li><li>• <b>Explore the use of electric vehicles</b></li><li>• <b>Reduce our energy use and our carbon footprint</b></li><li>• <b>Consider how our activities impact on the environment</b></li></ul>
<b>Continuing To Work Effectively</b>	<ul style="list-style-type: none"><li>• <b>Be clear and publicly accountable</b></li><li>• <b>Maximise value for money while improving our service</b></li><li>• <b>Developing our plans and way forward for a new normal way of working</b></li></ul>

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AGENDA ITEM NO 7

**Reports for Information**

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**SOUTH WALES FIRE & RESCUE AUTHORITY**

AGENDA ITEM NO 7.i

13 JULY 2020

## REPORT OF THE ASSISTANT CHIEF OFFICER PEOPLE SERVICES

**FINAL DETERMINATION FROM THE PENSIONS OMBUDSMAN IN RELATION TO THE PROTECTED PENSION AGE (PPA): FIRE AUTHORITY LIABILITY****SUMMARY**

This report updates Members on the final determination made by the Pensions Ombudsman in relation to the Protected Pension Age (PPA) for three individuals who were previously employed by the Service. The compensation payment has already been made.

**RECOMMENDATIONS**

That Members note the final determination from the Pensions Ombudsman. Arrangements are now being made to pay the tax liability for the three individuals.

**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 Officer, relating to Protected Pension Age (PPA) case returns.
- 1.2 The letter identified where a regular firefighter retires from a Wholetime Duty (WDS), takes their pension and lump sum (1992 Scheme), and continues in employment as a Retained Duty System (RDS Firefighter), they 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 HMRC's view is that where an employee has more than one employment with either the same or different employers under the same registered pension 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. 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. The report 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 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 agreed that the three individuals should pay their own tax charge. The Finance, Audit & Performance Management Committee minutes and determinations were formally confirmed by the whole of the Fire & Rescue Authority on 13 July, 2015. 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.

## **2. ISSUES**

- 2.1 Subsequently to the Fire & Rescue Authority's decision on the three cases, each individual took their case to the Pensions Ombudsman. On 13 April, 2017, the Fire & Rescue Authority's response and documents bundle for each of the individual cases were submitted, and confirmed the Authority did not agree with the claims presented by each individual.
- 2.2 The Pensions Ombudsman has delivered its final determination on the three cases which was issued in two parts due to the fact that one individual had already paid the tax liability direct to HMRC. The first determination was issued on 27 March, 2020, and relates to the two individuals who had not paid monies to HMRC. The second determination was issued on 21 May, 2020. This determination was issued later due to the need to finalise a number of elements of detail including a request made to the Service to fund additional and non-associated costs. This request was refused by the Service on the basis that there was no evidence that the costs were directly associated with the individual and, therefore, could not be justified. The Ombudsman accepted this.

- 2.3 The determinations from the Ombudsman are based on the view that each individual had reasonable grounds to rely on the statements made in their pension's paperwork regarding the tax free nature of their lump sums, even though these statements did not specifically address the issue of PPA.
- 2.4 A copy of the final determinations from the Pensions Ombudsman are attached to the report at Appendix 1.

### **3. FINANCIAL IMPLICATIONS**

- 3.1 In all three cases the Service has been instructed to pay the total tax liability. In addition, and in recognition of the stress and inconvenience caused, the Service has been instructed to pay the individuals the amount of £2,000 each.
- 3.2 The Service has appointed PSTax to finalise matters on its behalf, and this involves working with HMRC on a potential overall settlement. All three individuals have received the stress and inconvenience payment of £2,000, and PSTax are working directly with HMRC to resolve the tax liability element. Based on the initial calculations, the estimated final liability is likely to be in the region of £168,000-£200,000, but this figure is subject to final confirmation from PSTax.

### **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 related 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.
- 4.2 There are positive impacts to the extent that Welsh speaking individuals from within all of the Protected Characteristic groups will benefit from having the option to access and receive most of the Authority's services in Welsh.

### **5. RECOMMENDATIONS**

- 5.1 That Members note the final determination from the Pensions Ombudsman. Arrangement are now being made to pay the tax liability for the three individuals.

<b>Contact Officer:</b>	<b>Background Papers:</b>
ACO Alison Reed Director of People Services	Appendix 1 – Pensions Ombudsman Determinations in relation to PPA

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## Ombudsman's Determination

Applicants	Mr S
Scheme	Firefighters' Pension Scheme ( <b>the Scheme</b> )
Respondents	Rhondda Cynon Taff ( <b>RCT</b> ) South Wales Fire & Rescue Service ( <b>SWFRS</b> )

### Complaint Summary

Mr S has complained that he was not informed by either RCT or SWFRS that if he retired from employment as a Wholetime Duty Firefighter (**WDF**), taking advantage of a protected pension age (**PPA**), undertaking other linked employment within 30 days of retirement would invalidate the PPA.

As a result, his ongoing employment as a Retained Duty Firefighter (**RDF**) forfeited his entitlement to a PPA, and the pension payments received up until age 55, were deemed unauthorised payments, and subject to unauthorised payment tax charges.

### Summary of the Ombudsman's Determination and reasons

The complaint is upheld against SWFRS because it misinformed Mr S of his entitlement to tax free cash.

## Detailed Determination

### Background to PPA

1. From 6 April 2006, under provisions of the Finance Act 2004 (**the 2004 Act**), an individual who accesses pension benefits prior to reaching the statutory normal minimum pension age is liable to an unauthorised payment tax charge, unless they are in ill-health.
2. On 5 April 2010, the normal minimum pension age was increased from age 50 to age 55. However, if a member had an unqualified right, as at 6 April 2006, to take a pension before normal minimum pension age, they become entitled to a PPA and could retire prior to the normal minimum pension age without the tax consequences of the 2004 Act.
3. This right to a PPA comes with various restrictions. Of relevance here is the requirement that the member must cease all employment with the employer at the time they take their benefits. If they remain in employment, they will lose the PPA entitlement and any pension paid until normal minimum pension age is reached is classed as an unauthorised payment.
4. The individual may retain the benefit of the PPA if they have a break in employment of at least one month and the re-employment is materially different.

### Material facts

5. Mr S was employed as a WDF from September 1985. As a result of his membership of the 1992 Firefighters Pension Scheme and period of service he was entitled to retire from the age of 50.
6. On 4 December 2007, Mr S was employed as a RDF.
7. On 15 January 2013, HMRC wrote to SWFRS reminding it of its obligation to disclose any unauthorised payments made to members of the Scheme. This letter made reference to individuals with a PPA retiring prior to age 55 and said:

“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.”
8. The letter confirmed that failure to cease any linked employment would result in any pension payments or lump sum benefits paid being classed as unauthorised payments.
9. This letter was provided to The Pensions Ombudsman by RCT on the understanding that RCT had received it from SWFRS.
10. On 23 September 2013, SWFRS wrote to Mr S informing him of his pension entitlement in a pre-retirement pension estimate. Included in this was the following information:

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“By commuting a quarter of your pension you will be in breach of your personal allowance please see attached figures below outlining the maximum you can commute without going over your personal allowance. If you wish to commute an alternative amount please contact me.”

“Calculation factor for maximum commutation without incurring any tax liability...”

11. The letter provided Mr S with the option of commuting the maximum pension entitlement without incurring a tax liability or a quarter of his pension, but in doing so, he would incur a 55% tax liability. The letter made no reference to the rules relating to PPA.
12. On 14 October 2013, Mr S retired from his employment as a WDF but continued employment as a RDF.
13. On 8 November 2013, HMRC wrote to SWFRS again, highlighting the issues raised in the January 2013 letter and inviting it to provide reports relating to any unauthorised payment made. In the event of an unauthorised payment occurring, there would be an unauthorised payment charge applied to the member's pension and a Scheme Sanction Charge to be paid by SWFRS.
14. On review, SWFRS identified Mr S as having lost his PPA and, as a result, any pension or lump sum paid prior to age 55, was deemed an unauthorised payment and subject to a 55% tax charge.
15. In December 2013, SWFRS met with Mr S and informed him of the situation.
16. In the following months SWFRS sought tax and legal advice and liaised with HMRC. HMRC maintained that the payments were unauthorised and would be subject to a tax charge.
17. On 11 May 2015, SWFRS Finance, Audit & Performance Management Committee met and concluded that the liability for the unauthorised payment tax charges should be paid by Mr S.
18. On 15 May 2015, this decision was communicated to Mr S.
19. On 16 July 2015, SWFRS paid the outstanding Scheme Sanction Charge to HMRC.
20. In October 2015, Mr S paid the unauthorised tax charge of £47,299.12, including interest of £1,004.52.
21. In June 2016, the Fire Brigades Union complained to SWFRS on behalf of Mr S.
22. The matter was considered further by SWFRS but the decision not to meet the tax liability remained the same. This was confirmed on 1 November 2016. No further right of appeal was provided.
23. On 11 July 2019, Mr Justice Morgan issued a judgment in the case of *Corsham & Ors v Essex & Ors* [2019] EWHC 1776 (Ch) (**the judgment**), in relation to an appeal of a

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previous Determination that I issued. This related to a similar breach of PPA rules for members of the Police Pension Scheme. That Judgment upheld the appeal and determined that the Police Authority in question was responsible for the tax liability incurred by the members.

### **Summary of Mr S' position**

24. The Department for Communities and Local Government (**DCLG**) released FPS Guidance Note 1/2010 – Protected Pension Age – Implications for Re-employment of FPS Pensions from 6 April 2010 (**the 2010 Guidance**), which explained how this issued could be avoided. The 2010 Guidance was intended to inform employers and should have been acted upon or used to inform employees of the situation. SWFRS had failed to act on this guidance.
25. I had previously ruled, in the case of Cherry (PO-7096), that the employer of an individual with a PPA should inform the member about the possible adverse tax consequences of re-employment following the payment of pension benefits. In this respect the employer had a duty of care towards the employee. While the employer was not required to provide tax or pension advice, providing the information within the 2010 Guidance would not have been advice.
26. On the basis of Cherry, SWFRS should agree to pay the tax liability that had arisen.
27. Other fire authorities had reached settlements with members in similar circumstances.
28. The information regarding PPA is now being provided to members retiring and should have been provided when Mr S retired.
29. It is clear from HMRC's letter, dated 15 January 2013, that SWFRS and RCT were aware of this situation long before Mr S retired. Had this information been acted upon, Mr S would not now be in this situation.
30. It has been custom and practice for SWFRS to re-employ retired firefighters for some time, it should have been aware of this risk and mitigated it to avoid detriment to the employee. It is SWFRS that benefits hugely from RDF with previous WDF experience, and it should look after its employees' interests. SWFRS is not a small employer and has thousands of staff.
31. The information and rules regarding PPA are difficult to find and extremely complex. It is not reasonable to have expected Mr S to know of them.
32. SWFRS was acting disgracefully towards a loyal and dedicated employee.
33. SWFRS had managed to reduce its tax liability but left Mr S without support.

### **Summary of SWFRS' position**

34. SWFRS is the Scheme Manager, not the owner of the Scheme. Responsibility for the Scheme falls to the Welsh Ministers.

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35. The Welsh Government ought reasonably to have informed SWFRS and RCT on tax issues such as this through the existing mechanisms, but the 2010 Guidance was never provided to SWFRS.
36. HMRC's position is that it is the individual's personal responsibility to understand the tax implications of their actions and the source documents are technically complex.
37. Membership of the Fire Brigades Union (**the FBU**) among SWFRS' employees is 98%. The FBU has mechanisms for the distribution of information to its members, including circulars and its website. Thus, the information was readily available to 98% of its members. The Fire Brigades Union Circular 2010HOC0158SS (**the FBU Circular**), dated 9 March 2010, shows Mr S should have been made aware of the issue complained of by the FBU.
38. It is administratively and financially impractical for SWFRS to introduce a 'failsafe' mechanism to stop these circumstances coming about.
39. SWFRS has no record of HMRC's letter, dated 15 January 2013, being received and it bears none of the typical signs that it was received, such as a date stamp. The letter, dated 8 November 2013, is clearly date stamped as having been received.
40. SWFRS highlighted the Pensions Ombudsman's determination PO-7511, and the judgment in the case of Scally v Southern Health Board (1992), to show it had no liability where members could reasonably be expected to be aware of PPA implications by other means.
41. SWFRS also highlighted the judgments in the name of Crossley v Faithful and Gould Holdings Ltd [2004], and Andrews v Kings College NHS Foundation Trust [2014]. These cases show that there is "no general implied duty on an employer to take reasonable care of an employee's economic well-being" and an employer is not under a duty to "do everything possible or take steps which were not unreasonable".
42. The case put forward by Mr S to support his claim (PO-7096), was different in that there was no offer of retirement and re-engagement made to him. Mr S merely resigned from one of the two contracts he was employed under. Thus the liability claimed, stemming from PO-7096, does not exist.
43. It is not a proper use of public funds to pay Mr S' tax bill, as it was not responsible for it.
44. RCT, as the administrator, has a far greater responsibility in this matter than the Authority.
45. In response to the Judgment, SWFRS added:
  - The Judgment differs from the circumstances here on a number of points, in particular, it relates to the re-employment of police officers, either before the decision to retire was taken or immediately thereafter. In the case of Mr S, there was no re-employment, he merely remained employed through his RDF contract.

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- Additionally, the Judgment refers to the “settled practice” of the police forces of re-employing members after retirement. There is no such practice in the case of SWFRS and re-employment and abatement provisions have only been used on two occasions in the last 14 years. They were actively discouraged by earlier Fire Authorities.
- Finally, the police forces in the Judgment encouraged retirement and re-employment to retain expertise at a reduced cost. That is not the case here.
- SWFRS disputes that the Judgment has similarities to the circumstances of these complaints.

### **Summary of RCT’s position**

46. As the outsourced administrator, it provides the relevant information for the annual HMRC Event Report to SWFRS, which then provides it to HMRC. Correspondence from HMRC is sent on to it by SWFRS.
47. The HMRC letter, dated 8 November 2013, had been forwarded to RCT by SWFRS and it had highlighted to SWFRS the need to identify any members who may have lost their PPA to be included in the HMRC Event Report. It was at this point that SWFRS identified the Applicants.
48. On reviewing the situation, RCT had identified the earlier letter, dated 15 January 2013, addressed to SWFRS from HMRC. This letter specifically explained the implications in the event of retirement if both RDF and WDF posts were held, and that both employments must stop.
49. RCT only maintains records of firefighters who are contributing to the Scheme and so could not have been aware that Mr S held a RDF post.
50. Both RCT and SWFRS receive updates on the Scheme from the Welsh Government and, before 2013, the DCLG. None of the circulars have mentioned the loss of PPA so it was unaware of the implications.

### **Conclusions**

51. There is no dispute that a tax liability was due. However, Mr S complains that either, RCT, or SWFRS, was obliged or ought to have informed him, of the tax consequences of retiring from his WFD contract while continuing in RDF employment. Had he been informed he would have taken action to mitigate the tax liability that has arisen.
52. Before addressing SWFRS’ position and possible liability, in the case of RCT there was clearly reason for it to know of the risk of loss of the PPA by way of the letter, sent by HMRC on 15 January 2013 to SWFRS, and apparently forwarded on to RCT. However, as I understand it, RCT had no way of knowing Mr S’ contractual situation and so, it cannot have communicated the fact that the PPA would be invalidated by

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continuing the RDF contract. I find that RCT is not responsible for informing Mr S of the tax liability that would arise in these circumstances.

53. With regard to SWFRS, the situation is different. SWFRS should have been aware of Mr S' employment situation and the tax implications of the PPA rules being breached, either by way of the letter from HMRC, dated 15 January 2013, and if not explicitly by that letter, then by its general obligation to know the relevant legislation.
54. SWFRS has argued that there is no evidence that the January 2013 letter was received by it and it had not received any wider guidance relating to the PPA rules. It highlights that the letter from HMRC was not date stamped as received by SWFRS. Its position is that at the point Mr S retired, it was not aware of the circumstances of when PPA would be lost. It only became aware when the letter, dated 8 November 2013, was received.
55. I do not accept the argument that there is no evidence that the letter was received by SWFRS. It was addressed to SWFRS specifically, and without having been received by SWFRS, I cannot see how it could have then been passed to RCT. SWFRS is responsible for providing reports to HMRC and should have sought to understand the implications of this letter, particularly, as it highlights the Scheme Sanction Charge which SWFRS would be liable to pay.
56. However, regardless of whether the January 2013 letter was received by SWFRS, it has a general obligation to know relevant law.
57. The Firefighters' Pension Scheme is treated as a split scheme under The Registered Pension Schemes (Splitting of Schemes) Regulations 2006, and divided into sub-schemes, of which SWFRS is listed as one. It does not appear that SWFRS was specifically appointed as the Administrator of the sub-scheme for the purposes of the 2004 Finance Act. But SWFRS has nevertheless been treated as such by HMRC, as it was liable for the Scheme Sanction Charge and the deduction of other pension tax liabilities.
58. On the understanding that SWFRS was the Scheme Administrator, I find that regardless of the receipt of the January 2013 letter, it should have been aware of the tax consequences of breaching the rules relating to the PPA. It had a duty to notify HMRC of such breaches and there were serious tax consequences for the rules being breached. Additionally, information was issued by HMRC and the Home Office relating to these changes; there is no justification for SWFRS to say it was unaware of the circumstances in which the PPA would be breached or the implications of such a breach.
59. I note that SWFRS has argued that irrespective of the knowledge it had or ought to have had, Mr S was made aware of the implications through the FBU, which had issued an announcement on this issue in a circular dated March 2010. I do not agree that this circular implies Mr S knew or ought to have known of the implications of taking pension benefits whilst still under a RDF contract. I would consider the contents of the circular to be of niche interest to FBU members, and I would not

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expect typical members to have read the Circular at the time it was issued, unless they were actively in the process of taking benefits. Mr S was more than two years away from retirement, and I do not think it can be reasonable to say that when he came to retire, and without any indication of the risk of an unauthorised payment being made that time, he should be expected to have searched historical FBU Circulars for this specific information.

60. I am satisfied that SWFRS knew of Mr S' employment situation, and if it did not know, then it ought to have known, the implications of his employment in the event of exercising his right to a PPA.
61. In the Judgment, Mr Justice Morgan highlights that the applicants in that case were informed of the availability of a tax-free lump sum at retirement, when in fact, because of their re-employment and the loss of PPA, the tax-free lump sum would be an unauthorised payment and taxed as such. Mr Justice Morgan concluded that the employers in that case ought to have been aware of the implications of the 2004 Act, the fact that re-employment without a break would invalidate the PPA, and therefore that the reference to a tax-free lump sum amounted to negligent misstatement.
62. Mr S received a pre-retirement pension estimate which referred to tax-free cash whilst he was under contract as an RDF. Unless SWFRS had reason to think the RDF employment was going to end, which it did not, reference to tax-free cash at the point of retirement, was materially wrong, and SWFRS ought to have known that it was wrong. I consider it was reasonable for Mr S to rely on the letter received to understand that a tax-free lump sum would be payable and it was foreseeable that this information would be relied upon.

Mr Justice Morgan's application of the law of negligent misstatement, is applicable to this complaint, as SWFRS knew of the concurrent employment and ought to have known of the implications of concurrent employment in the context of the 2004 Act, I find that it was responsible for providing accurate information, which it failed to do. This misstatement gave rise to a financial loss for Mr S, which was foreseeable, and SWFRS is liable for the financial losses that have arisen.

63. I uphold the complaint against SWFRS on the basis that the content of the pre-retirement pension estimate issued constitutes negligent misstatement.
64. The failures on the part of SWFRS will no doubt have caused Mr S severe distress and inconvenience. He has been deprived of the enjoyment of his full pension entitlement for many years and these circumstances will have caused severe worry and loss of expectation. I consider this warrants a severe distress and inconvenience award.

### **Directions**

65. Within 28 days of the date of this Determination SWFR shall pay Mr S a sum equivalent to the tax liability he paid HMRC in 2015.

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66. In recognition of the severe distress and inconvenience caused, additionally, SWFRS shall pay Mr S £2,000 within 28 days of this Determination.



**Anthony Arter**

Pensions Ombudsman  
21 May 2020



## Ombudsman's Determination

Applicants	Mr H & Mr N ( <b>the Applicants</b> )
Scheme	Firefighters' Pension Scheme ( <b>the Scheme</b> )
Respondents	Rhondda Cynon Taff ( <b>RCT</b> ) South Wales Fire & Rescue Service ( <b>SWFRS</b> )

### Complaint Summary

The Applicants have complained that they were not informed by either RCT or SWFRS that if they retired from their employment as a Wholetime Duty Firefighter (**WDF**), taking advantage of their protected pension age (**PPA**), undertaking other linked employment within 30 days of retirement would invalidate their PPA.

As a result, their ongoing or subsequent employment as Retained Duty Firefighters (**RDF**) forfeited their entitlement to a PPA, and the pension payments received up until age 55, were deemed unauthorised payments, and subject to unauthorised payment tax charges.

### Summary of the Ombudsman's Determination and reasons

The complaint brought by Mr N is upheld against SWFRS because it misinformed him of his entitlement to tax free cash.

The complaint brought by Mr H is upheld because SWFRS failed to act with reasonable care and skill when informing him of his pension entitlement.

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## Detailed Determination

### Background to PPA

1. From 6 April 2006, under provisions of the Finance Act 2004 (**the 2004 Act**), an individual who accesses pension benefits prior to reaching the statutory normal minimum pension age is liable to an unauthorised payment tax charge, unless they are in ill-health.
2. On 5 April 2010, the normal minimum pension age was increased from age 50 to age 55. However, if a member had an unqualified right, as at 6 April 2006, to take a pension before normal minimum pension age, they become entitled to a PPA and could retire prior to the normal minimum pension age without the tax consequences of the 2004 Act.
3. This right to a PPA comes with various restrictions. Of relevance here is the requirement that the member must cease all employment with the employer at the time they take their benefits. If they remain in employment, they will lose the PPA entitlement and any pension paid until normal minimum pension age is reached is classed as an unauthorised payment.
4. The individual may retain the benefit of the PPA if they have a break in employment of at least one month and the re-employment is materially different.

### Material facts

5. On 15 January 2013, HMRC wrote to SWFRS reminding it of its obligation to disclose any unauthorised payments made to members of the Scheme. This letter made reference to individuals with a PPA retiring prior to age 55 and said:
 

“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.”
6. The letter confirmed that failure to cease any linked employment would result in any pension payments or lump sum benefits paid being classed as unauthorised payments.
7. This letter was provided to this Office by RCT on the understanding that RCT had received it from SWFRS.
8. Below, I outline the circumstances of each Applicant’s retirement.

### Mr H

9. Mr H was employed as a WDF from 4 August 1978. As a result of his membership of the 1992 Firefighters Pension Scheme and his period of service, he was entitled to retire at the age of 50.
10. On 18 September 2013, Mr H had an interview for employment as a RDF.

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11. On 20 September 2013, when aged 54, Mr H contacted the Human Resources department of SWFRS to inform it that he wished to retire on 30 October 2013.
12. On 23 September 2013, SWFRS wrote to Mr H informing him of his pension entitlement in a pre-retirement pension estimate. Included in this was the following information:

“By commuting a quarter of your pension you will be in breach of your personal allowance please see attached figures below outlining the maximum you can commute without going over your personal allowance. If you wish to commute an alternative amount please contact me.”

“Calculation factor for maximum commutation without incurring any tax liability...”
13. The letter provided Mr H with the option of commuting the maximum pension entitlement without incurring a tax liability or a quarter of his pension, but in doing so, he would incur a 55% tax liability. The letter made no reference to the rules relating to PPA.
14. On 25 September 2013, SWFRS requested a RDF contract be completed by Mr H.
15. On 7 October 2013, Mr H commenced his duties as a RDF.
16. On 31 October 2013, Mr H retired from his employment from SWFRS as a WDF.
17. On 6 November 2013, Mr H’s RDF employment with SWFRS was formalised in writing.

### **Mr N**

18. Mr N was employed as a WDF from April 1984. As a result of his membership of the 1992 Firefighters Pension Scheme and period of service he was entitled to retire from the age of 50.
19. On 17 April 2012, Mr N was employed as a RDF.
20. On 8 October 2013, Mr N informed SWFRS’ HR department of his intention to retire and gave notice as of 16 October 2013.
21. On 24 October 2013, SWFRS issued a pre-retirement pension estimate to Mr N containing the same information, as set out in paragraph 12 above.
22. On 16 November 2013, Mr N retired from his WDF contract but continued employment as a RDF.
23. On 8 November 2013, HMRC wrote to SWFRS again, highlighting the issues raised in the January 2013 letter and inviting it to provide reports relating to any unauthorised payment made. In the event of an unauthorised payment occurring, there would be an unauthorised payment charge applied to the members’ pensions and a Scheme Sanction Charge to be paid by SWFRS.

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24. On review, SWFRS identified the Applicants as having lost their PPA and, as a result, any pension or lump sum paid to them, prior to age 55, was deemed an unauthorised payment and subject to a 55% tax charge.
25. In December 2013, SWFRS met with the Applicants and informed them of the situation.
26. In the following months SWFRS sought tax and legal advice and liaised with HMRC. HMRC maintained that the payments were unauthorised and would be subject to a tax charge.
27. On 11 May 2015, SWFRS Finance, Audit & Performance Management Committee met and concluded that the liability for the unauthorised payment tax charges should be paid by the members.
28. On 15 May 2015, this decision was communicated to the Applicants.
29. On 16 July 2015, SWFRS paid the outstanding Scheme Sanction Charge to HMRC.
30. In June 2016, the Fire Brigades Union complained to SWFRS on behalf of the Applicants.
31. The matter was considered further by SWFRS but the decision not to meet the members' tax liability remained the same. This was confirmed on 1 November 2016. No further right of appeal was provided.
32. On 11 July 2019, Justice Morgan issued a judgment in the case of *Corsham & Ors v Essex & Ors* [2019] EWHC 1776 (Ch) (**the judgment**), in relation to an appeal of a previous Determination that I issued. This related to a similar breach of PPA rules for members of the Police Pension Scheme. That Judgment upheld the appeal and determined that the Police Authority in question was responsible for the tax liability incurred by the members.

### **Summary of the Applicants' position**

33. The Department for Communities and Local Government (**DCLG**) released FPS Guidance Note 1/2010 – Protected Pension Age – Implications for Re-employment of FPS Pensions from 6 April 2010 (**the 2010 Guidance**), which explained how this issued could be avoided. The 2010 Guidance was intended to inform employers and should have been acted upon or used to inform employees of the situation. SWFRS had failed to act on this guidance.
34. I had previously ruled, in the case of *Cherry* (PO-7096), that the employer of an individual with a PPA should inform the member about the possible adverse tax consequences of re-employment following the payment of pension benefits. In this respect the employer had a duty of care towards the employee. Whilst the employer was not required to provide tax or pension advice, providing the information within the 2010 Guidance would not have been advice.
35. On the basis of *Cherry*, SWFRS should agree to pay the tax liability that had arisen.

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36. Other fire authorities had reached settlements with members in similar circumstances.
37. The information regarding PPA is now being provided to members retiring and should have been provided when the Applicants retired.
38. It is clear from HMRC's letter, dated 15 January 2013, that SWFRS and RCT were aware of this situation long before the Applicants retired. Had this information been acted upon, the Applicants would not now be in this situation.
39. It has been custom and practice for SWFRS to re-employ retired firefighters for some time, it should have been aware of this risk and mitigated it to avoid detriment to the employee. It is SWFRS that benefits hugely from RDF with previous WDF experience, and it should look after its employees' interests. SWFRS is not a small employer and has thousands of staff.
40. The information and rules regarding PPA are difficult to find and extremely complex. It is not reasonable to have expected the Applicants to know of them.
41. SWFRS was acting disgracefully towards loyal and dedicated employees.
42. SWFRS had managed to reduce its tax liability but left the Applicants without support.
43. Specific to Mr H, he says he had been actively encouraged to re-engage as a RDF and was discouraged from taking a break when attending the interview on the basis that his skills were needed and SWFRS would have to pay for retraining if he took a break. He believed he was doing the community a service by working as a RDF, using his vast firefighting experience, and was encouraged to do so.

#### **Summary of SWFRS' position**

44. SWFRS is the Scheme Manager, not the owner of the Scheme. Responsibility for the Scheme falls to the Welsh Ministers.
45. The Welsh Government ought reasonably to have informed SWFRS and RCT on tax issues such as this through the existing mechanisms, but the 2010 Guidance was never provided to SWFRS.
46. HMRC's position is that it is the individual's personal responsibility to understand the tax implications of their actions and the source documents are technically complex.
47. Membership of the Fire Brigades Union (**the FBU**) among SWFRS' employees is 98%. The FBU has mechanisms for the distribution of information to its members, including circulars and its website. Thus, the information was readily available to 98% of its members. The Fire Brigades Union Circular 2010HOC0158SS (**the FBU Circular**), dated 9 March 2010, shows the Applicants should have been made aware of the issue complained of by the FBU.
48. It is administratively and financially impractical for SWFRS to introduce a 'failsafe' mechanism to stop these circumstances coming about.

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49. SWFRS has no record of HMRC's letter, dated 15 January 2013, being received and it bears none of the typical signs that it was received, such as a date stamp. The letter, dated 8 November 2013, is clearly date stamped as having been received.
50. SWFRS highlighted the Pensions Ombudsman's determination PO-7511, and the judgment in the case of Scally v Southern Health Board (1992), to show it had no liability where members could reasonably be expected to be aware of PPA implications by other means.
51. Further, SWFRS highlighted the judgments in the name of Crossley v Faithful and Gould Holdings Ltd [2004], and Andrews v Kings College NHS Foundation Trust [2014]. These cases show that there is "no general implied duty on an employer to take reasonable care of an employee's economic well-being" and an employer is not under a duty to "do everything possible or take steps which were not unreasonable".
52. The case put forward by Mr H to support his claim (PO-7096), was different in that there was no offer of retirement and re-engagement made to him. Mr H merely resigned from one of the two contracts he was employed under. Thus the liability claimed, stemming from PO-7096, does not exist.
53. It is not a proper use of public funds to pay the Applicants' tax bills, as it was not responsible for them.
54. RCT, as the administrator, has a far greater responsibility in this matter than the Authority.
55. In response to the Judgment, SWFRS added:
  - The Judgment differs from the circumstances here on a number of points, in particular, it relates to the re-employment of police officers, either before the decision to retire was taken or immediately thereafter. In the case of the Applicants, there was no re-employment, the Applicants merely remained employed through their RDF contract.
  - Additionally, the Judgment refers to the "settled practice" of the police forces of re-employing members after retirement. There is no such practice in the case of SWFRS and re-employment and abatement provisions have only been used on two occasions in the last 14 years. They were actively discouraged by earlier Fire Authorities.
  - Finally, the police forces in the Judgment encouraged retirement and re-employment to retain expertise at a reduced cost. That is not the case here.
  - SWFRS disputes that the Judgment has similarities to the circumstances of these complaints.

**Summary of RCT's position**

56. As the outsourced administrator, it provides the relevant information for the annual HMRC Event Report to SWFRS, which then provides it to HMRC. Correspondence from HMRC is sent on to it by SWFRS.
57. The HMRC letter, dated 8 November 2013, had been forwarded to RCT by SWFRS and it had highlighted to SWFRS the need to identify any members who may have lost their PPA to be included in the HMRC Event Report. It was at this point that SWFRS identified the Applicants.
58. On reviewing the situation, RCT had identified the earlier letter, dated 15 January 2013, addressed to SWFRS from HMRC. This letter specifically explained the implications in the event of retirement if both RDF and WDF posts were held, and that both employments must stop.
59. RCT only maintains records of firefighters who are contributing to the Scheme and so could not have been aware that the three members held retained RDF posts as well as WDF posts.
60. Both RCT and SWFRS receive updates on the Scheme from the Welsh Government and, before 2013, the DCLG. None of the circulars have mentioned the loss of PPA so it was unaware of the implications.

**Conclusions**

61. There is no dispute that a tax liability has arisen and that there is a requirement that it be paid. However, the Applicants complain that either, RCT, or SWFRS, was obliged or ought to have informed them, of the tax consequences of retiring from their WFD contract while continuing in RDF employment. Had they been informed they would have taken action to mitigate the tax liability that has arisen.
62. Before addressing SWFRS' position and possible liability, in the case of RCT there was clearly reason for it to know of the risk of loss of the PPA by way of the letter, sent by HMRC on 15 January 2013 to SWFRS, and apparently forwarded on to RCT. However, as I understand it, RCT had no way to know of the Applicant's contractual situation and so, it cannot have communicated the fact that the PPA would be invalidated by continuing the RDF contract. I find that RCT is not responsible for informing the Applicants of the tax liability that subsequently arose.
63. With regard to SWFRS, the situation is different. SWFRS should have been aware of the Applicants' employment situation and the tax implications of the PPA rules being breached, either by way of the letter from HMRC, dated 15 January 2013, and if not explicitly by that letter, then by its general obligation to know the relevant legislation.
64. SWFRS has argued that there is no evidence that the January 2013 letter was received by it and it had not received any wider guidance relating to the PPA rules. It highlights that the letter from HMRC was not date stamped as received by SWFRS. Its position is that at the point that the Applicants' retired, it was not aware of the

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circumstances of when PPA would be lost. It only became aware when the letter, dated 8 November 2013, was received.

65. I do not accept the argument that there is no evidence that the letter was received by SWFRS. It was addressed to SWFRS specifically, and without having been received by SWFRS, I cannot see how it could have then been passed to RCT. SWFRS is responsible for providing reports to HMRC and should have sought to understand the implications of this letter, particularly, as it highlights the Scheme Sanction Charge which SWFRS would be liable to pay.
66. However, regardless of whether the January 2013 letter was received by SWFRS, it has a general obligation to know relevant law.
67. The Firefighters' Pension Scheme is treated as a split scheme under The Registered Pension Schemes (Splitting of Schemes) Regulations 2006, and divided into sub-schemes, of which SWFRS is listed as one. It does not appear that SWFRS was specifically appointed as the Administrator of the sub-scheme for the purposes of the 2004 Finance Act. But SWFRS has nevertheless been treated as such by HMRC, as it was liable for the Scheme Sanction Charge and the deduction of other pension tax liabilities.
68. On the understanding that SWFRS was the Scheme Administrator, I find that regardless of the receipt of the January 2013 letter, it should have been aware of the tax consequences of breaching the rules relating to the PPA. It had a duty to notify HMRC of such breaches and there were serious tax consequences for the rules being breached. Additionally, information was issued by HMRC and the Home Office relating to these changes; there is no justification for SWFRS to say it was unaware of the circumstances in which the PPA would be breached or the implications of such a breach.
69. I note that SWFRS has argued that irrespective of the knowledge it had or ought to have had, the Applicants were made aware of the implications through the FBU, which had issued an announcement on this issue in a circular dated March 2010. I do not agree that this circular implies the Applicants knew or ought to have known of the implications of taking pension benefits whilst still under a RDF contract. I would consider the contents of the circular to be of niche interest to FBU members, and I would not expect typical members to have read the Circular at the time it was issued, unless they were actively in the process of taking benefits. The Applicants were more than two years away from retirement, and I do not think it can be reasonable to say that when they came to retire, and without any indication of the risk of an unauthorised payment being made that time, they should be expected to have searched historical FBU Circulars for this specific information.
70. I am satisfied that SWFRS knew of the Applicants' employment situation as their employer, and if it did not know, then it ought to have known, the implications of their employment in the event of exercising their right to a PPA.

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71. In the Judgment, Justice Morgan highlights that the applicants in that case were informed of the availability of a tax-free lump sum at retirement, when in fact, because of their reemployment and the loss of PPA, the tax-free lump sum would be an unauthorised payment and taxed as such. Justice Morgan concluded that the employers in that case ought to have been aware of the implications of the 2004 Act, the fact that re-employment without a break would invalidate the PPA, and therefore that the reference to a tax-free lump sum amounted to negligent misstatement.
72. At this point I must make a distinction between Mr H and Mr N. Mr H was not appointed as an RDF until after he had received the pre-retirement pension estimate which referred to tax free cash. Therefore, at the point the quote was issued to Mr H, it was correct. I will consider Mr H's circumstances further in paragraphs 75 – 79; 81 and 85 below.
73. For Mr N, he received a pre-retirement pension estimate which referred to tax-free cash whilst he was under contract as an RDF. Unless SWFRS had reason to think the RDF employment was going to end, which it did not, reference to tax-free cash at the point of retirement, was materially wrong, and SWFRS ought to have known that it was wrong. I consider it was reasonable for Mr N to rely on the letter received to understand that a tax-free lump sum would be payable and it was foreseeable that this information would be relied upon.
74. As per Justice Morgan's application of the law of negligent misstatement, as SWFRS knew of the concurrent employment and ought to have known of the implications of concurrent employment in the context of the 2004 Act, I find that it was responsible for providing accurate information, which it failed to do. This misstatement gave rise to a financial loss for Mr N, which was foreseeable, and SWFRS is liable for the financial losses that have arisen.
75. With regard to Mr H, his circumstances are different. At the time the pre-retirement pension estimate was issued, on 23 September 2013, he was not formally an RDF. He had undertaken an interview five days before the quote was issued, and a contract was offered to him two days after receiving the quote. But he did not begin his RDF work until 7 October 2013, and did not sign the contract until 6 November 2013. This means the pre-retirement pension estimate was accurate at the point that it was issued to Mr H and there was no negligent misstatement.
76. However, given that SWFRS ought to have known the tax implications, I consider this should have been a consideration at the point of offering Mr H the RDF contract. SWFRS was prepared to inform Mr H of the tax implications of accepting maximum commutation of his pension and so, it clearly was not averse to providing Mr H with relevant tax information and ways in which to mitigate it. I consider this principle ought also to have been extended to individuals who were at risk of breaching the rules on PPA and I understand that this information is now provided to other members at the point of retirement.

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77. I also note that Mr H was encouraged to ensure a continuity of service to avoid the need for retraining at a later date, placing an additional expectation that relevant information such as information concerning the PPA would have been taken into account and provided.
78. Given SWFRS' actions in the lead up to Mr H's retirement and RDF employment, I consider it was reasonable for it to have provided Mr H with sufficient information concerning the tax consequences to make an informed decision on whether to accept RDF employment, or to retire at that point.
79. This would seem a particularly reasonable step given that SWFRS ought to have known it would incur a Scheme Sanction Charge because of Mr H's circumstances. It should have looked at ways to avoid this by raising the possible risk with Mr H. Had it done so, and taking account of the severity of the unauthorised payment tax charge, Mr H would no doubt have taken steps to avoid the PPA rules being breached.
80. In respect of Mr N's complaint, I uphold the complaint against SWFRS on the basis that the content of the pre-retirement pension estimate issued constitutes negligent misstatement.
81. In respect of Mr H's complaint, I uphold it on the basis that SWFRS failed in its basic duty to act with reasonable care and skill in the process of informing him of relevant information at the point of accepting the RDF contract.
82. The failures on the part of SWFRS will no doubt have caused the Applicants severe distress and inconvenience. They have been deprived of the enjoyment of their full pension entitlement for many years and these circumstances will have caused severe worry and loss of expectation. I consider this warrants a severe distress and inconvenience award.

### **Directions**

83. In respect of both Applicants, SWFRS shall calculate the total tax liability that arose between the ages of 50 and 55, in respect of the breach of HMRC rules pertaining to PPA, including any interest due to HMRC, and pay this to the Applicants, or directly to HMRC on behalf of the Applicants, within 28 days of the date of this Determination.
84. In recognition of the severe distress and inconvenience caused, SWFRS shall pay the Applicants £2,000 each within 28 days of this Determination.



**Anthony Arter**

Pensions Ombudsman  
27 March 2020

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# STRATEGIC RISK REGISTER REPORT

2019/20 Quarter 4

Updated 31<sup>st</sup> May 2020



Gwasanaeth Tân ac Achub  
De Cymru

South Wales  
Fire and Rescue Service

Produced in

**BMIS**  
Business Management  
Information System

# Introduction

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This report details progress made on the management of risks identified on the Strategic Risk Register as at Quarter 4 (January - March) 2020.

Once risks are identified, they along with any tasks to mitigate their risk are assigned to an officer and loaded onto the Business Management Information System (BMIS) for monitoring.

Each quarter officers provide an update commentary for each risk along with a Red, Amber or Green (RAG) status and review the risk scores based on the current likelihood and impact for each risk. Risk control tasks are also updated at the same time.

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. Currently only service-wide risks that impact upon the achievement of a strategic objective or delivery of core business are recorded as strategic risks on the Risk Register.

The Senior Management Team formally reviews the Risk Register on a regular basis and endorses the inclusion of any new or emerging strategic risks identified.

## **Recommendation:**

It is recommended that Members view these risks along with the latest update information as at Quarter 4 on the following pages.

**Contact Officer:** Jon Carter (Planning Performance and Risk Manager)

Please note that the information contained within this Report has been extracted directly from our Business Management Information System.

## New Strategic Risks

One new strategic risks was identified by SMT.

### Pandemic influenza (COVID-19)

IF we do not take all appropriate actions in order to mitigate the threats posed by a Pandemic Influenza (COVID-19) then it is highly likely that we will experience a reduced capacity to meet our statutory duties, deliver objectives and, therefore, result in increased risk to the community.

Risk Likelihood	3
Risk Impact	16
Risk Score	<b>48</b>

To mitigate this risk 14 risk control tasks have been agreed and delegated to appropriate officers. These are to be reported on a monthly basis within our Business Management Information System (BMIS).

## Risk Score

The table below shows the risk score and RAG status based on the current likelihood and impact of each Strategic Risk.

▲ Red = high risk      ● Amber = medium risk      ★ Green = low risk

	Current Risk Score		
	31/03/20		
	Performance	Actual▼	Owner
250 Covid-19	▲	48	Sally Chapman
211 Health & Wellbeing	▲	40	Andrew Jones
204 Pensions Challenge	▲	24	Alison Reed
009 Industrial action	▲	16	Huw Jakeway
101 Emergency Services Network	▲	16	Richie Prendergast
210 Equality & Diversity	▲	16	Andrew Jones
019b Liability	●	12	Huw Jakeway
110 GDPR	●	8	Sally Chapman
190 Terrorism	●	8	Richie Prendergast
202 Brexit	●	8	Sally Chapman
203 Cyber Risk	●	8	Chris Williams
205 Pensions Negativity	●	8	Alison Reed
220 High Rise	●	8	Jason Evans
140 OCDS	★	6	Alison Kibblewhite

## The following pages show details of the strategic risks and associated control tasks in descending order of risk score

### COVID-19 - Risk details and latest update

IF	we do not take all appropriate actions in order to mitigate the threats posed by a Pandemic Influenza (COVID-19)
THEN	it is highly likely that we will experience a reduced capacity to meet our statutory duties, deliver objectives and, therefore, result in increased risk to the community
Owner	Sally Chapman
Risk Update	Current risk likelihood based on currently good staffing levels.

### COVID-19 Risk Likelihood / Impact

	Dec 2019		Jan 2020		Feb 2020		Mar 2020	
	Current Risk Impact	Current Risk Likelihood						
Actual	n/r	n/r	n/r	n/r	n/r	n/r	16	3
RAG Status	»	»	»	»	»	»	▲	●

### COVID-19 - Risk Score & Direction of Travel

	Dec 2019	Jan 2020	Feb 2020	Mar 2020
Current Risk Score				48
RAG Status	»	»	»	▲
Direction of Travel	»	»	»	?

### COVID-19 - Control Task Summary

250 COVID-19				
▲	●	★	Unknowns	Total
0	3	11	0	14

Owner	Department	Task ID	Task Description	RAG
Alison Kibblewhite	Operations	✓ 250.06	Review and update Operational Standard Operating Procedures in the light of any updated government or sector advice and issue appropriate operational bulletins as appropriate	★

Alison Reed	People Services	✔ 250.12	Provide easy to access HR advice and guidance to staff on amended working practices, safety information and welfare and testing arrangements	●
Chris Williams	ICT	✔ 250.09	Ensure that staff are equipped with appropriate ICT equipment to undertake their roles efficiently and effectively and that suitable infrastructure is in place to support remote working	★
Gareth Davies	ORM	✔ 250.05	Review and update Business Continuity Plans in the light of any updated government or sector advice and guidance and sickness data	★
		✔ 250.15	Engage with partner organisations to provide assistance in accordance with sector agreements	★
Geraint Thomas	Finance & Procurement	✔ 250.08	Ensure that staff are equipped with the appropriate PPE to undertake their roles effectively	★
		✔ 250.10	Ensure appropriate supply chains and stock levels for essential PPE and equipment	●
		✔ 250.13	Ensure effective mechanisms are put in place to track additional expenditure incurred by the Service in response to the Covid 19 pandemic	★
Huw Jakeway	Corporate Services	✔ 250.02	Maintain close links with NFCC, WG, Public Health Wales & England and other relevant bodies in relation to ensure the most up to date government and sector advice and guidance in relation to the pandemic is obtained	★

Richie Prendergast	Technical Services	✓ 250.03	Develop clear Strategic Intentions for the Service and keep these under review to take account of the most up to date government and sector advice and guidance and sickness data	★
Sally Chapman	Corporate Services	✓ 250.01	Instigate an appropriate command structure and Critical Incident Team for the Service with clear lines of responsibility	★
		✓ 250.07	Review and update Corporate Standard Operating Procedures in the light of any updated government or sector advice and issue appropriate corporate bulletins as appropriate	★
		✓ 250.14	Ensure Fire Authority Members are regularly briefed on key issues affecting the Service	★

Sarah Watkins	Corporate Services	<input checked="" type="checkbox"/> 250.04	Introduce regular reporting on key datasets to enable effective decision making	
		<input checked="" type="checkbox"/> 250.11	Provide regular and timely communication to staff on key issues affecting the Service and arising as a consequence of the pandemic	

### Health and Wellbeing - Risk details and latest update

IF	we do not maintain the Health and Wellbeing of all our workforce
THEN	we may incur excessive staff absence with potential degradation in service to our communities
Owner	Andrew Jones
Risk Update	New risk set up at last Risk Review meeting. On-going work to ensure that support mechanisms are in place and readily available to staff.

### Health and Wellbeing - Risk Score & Direction of Travel

	Jun 2019	Sep 2019	Dec 2019	Mar 2020
Current Risk Score	n/r	n/r	40	40
RAG Status	Ⓢ	Ⓢ	▲	▲
Direction of Travel	Ⓢ	Ⓢ	?	➔

### Health and Wellbeing - Control Task Summary

201 Pension Legislation				
▲	●	★	Unknowns	Total
0	2	0	0	2

### Health and Wellbeing - Risk control tasks

Owner	Department	Task ID	Task Description	RAG
Karen Davies	Human Resources	✓ 211.01	211.01 Actively promote health and well-being initiatives across the Service for all staff.	●
		✓ 211.02	211.02 Ensure the Service's Occupational Health provision continues to adapt its offer in line with increasing demands and changing expectations.	●

### Pensions Challenge - Risk details and latest update

IF	Scheme members are successful in challenging the Authority's IDRPs decisions
THEN	the authority may face increased costs of pensions and/or compensation and associated reputational damage.
Owner	Alison Reed
Risk Update	All decisions are ratified with a qualified lawyer. IDRPs panels comprised Fire Authority members who have strong knowledge of the IDRPs process. Separately a programme of upskilling continues to ensure members have the requisite knowledge in pensions matters and also in the IDRPs process.

### Pensions Challenge - Risk Score & Direction of Travel

	Jun 2019	Sep 2019	Dec 2019	Mar 2020
Current Risk Score	n/r	n/r	24	24
RAG Status	»	»	▲	▲
Direction of Travel	»	»	?	➔

### Pensions Challenge - Control Task Summary

203 Cyber Risk				
▲	●	★	Unknowns	Total
0	0	2	0	2

### Pensions Challenge - Risk control tasks

Owner	Department	Task ID	Task Description	RAG
Alison Reed	People Services	✓ 204.01	Ensure that all IDRPs decisions are reached with the support of a qualified lawyer	★
		✓ 204.02	Structure all Pensions Board meetings to ensure that time is provided for relevant up-skilling of relevant staff with the required knowledge and expertise.	★

### Industrial Action - Risk details and latest update

IF	national pay and pension negotiations are seen as adverse
THEN	there is a risk of industrial action by staff
Owner	Huw Jakewav
Risk Update	Throughout this period of COVID19 the FBU have reached tripartite agreements with the NFCC and NJC for temporary additional duties within existing role maps for operational personnel

### Industrial Action - Risk Score & Direction of Travel

	Jun 2019	Sep 2019	Dec 2019	Mar 2020
Current Risk Score	16	16	16	16
RAG Status	▲	▲	▲	▲
Direction of Travel	↘	→	→	→

### Industrial Action - Control Task Summary

009 INDUSTRIAL ACTION				
▲	●	★	Unknowns	Total
0	0	4	0	4

### Industrial Action - Risk control tasks

Owner	Department	Task ID	Task Description	RAG
Alison Kibblewhite	Operations	✓ P009.05	Continue dialogue with representative bodies and tasks	★
Huw Jakewav	Corporate Services	✓ P009.06	Professional relations between management and the representative bodies is being maintained	★
		✓ M009.01	Auxiliary Reserve in place to cover industrial action.	✓
		✓ P009.01	Regular dialogue with the representative bodies.	✓
		✓ P009.02	Recognised Industrial relations mechanism in place.	✓
		✓ P009.03	Increased dialogue and dissemination direct to workforce through line management functions.	✓

Richie Prendergast	Technical Services	✓ P009.04	Review comms strategy as and when tensions rise.	★
		✓ P009.07	Maintain professional relationship with Securitas	★
Gareth Davies	ORM	✓ ORM1A	Review Operation "ATEGOL" in light of IA planning assumptions, Securitas SOP's, training regime fro Aux staff and concept of operations agreed	✓
Steve Cole	ORM	✓ ORM08.03	Set up an annual testing exercise for Operation Ategol and the Auxiliary Reserve.	✓

### ESN - Risk details and latest update

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
Owner	Richie Prendergast
Risk Update	The ESN project continues to progress however timescales for implementation and casts are subject to a significant degree of uncertainty. The internal ESN implementation group has been established. The JESG strategic ESN group continues to meet regularly.

### ESN - Risk Score & Direction of Travel

	Jun 2019	Sep 2019	Dec 2019	Mar 2020
Current Risk Score	8	8	16	16
RAG Status				
Direction of Travel				

### ESN - Risk control tasks

Owner	Department	Task ID	Task Description	Performance
Richie Prendergast	Technical Services	<input checked="" type="checkbox"/> M101.01	Shadow management structure being developed to prepare for transition.	✓
		<input checked="" type="checkbox"/> M101.02	Continued engagement with ESN project board.	✓
		<input checked="" type="checkbox"/> M101.03	Business Case to Welsh government being developed to continue funding until 2020 or when ESN is delivered	✓
		<input checked="" type="checkbox"/> P101.01	Extension of Airwave contract to 2020.	✓
		<input checked="" type="checkbox"/> P101.02	Fleet mapping of communication channels about to comence	✓

**Equality and Diversity - Risk details and latest update**

IF	we do not develop a diverse workforce representative of our communities
THEN	we may not communicate effectively and deliver effective services to all sectors of our communities
Owner	Andrew Jones
Risk Update	Risk was set up at last Risk Review meeting. Intention to review our recruitment procedures, Gender Pay Gap action plan to ensure their effectiveness in this area.

**Equality and Diversity - Risk Score & Direction of Travel**

	Jun 2019	Sep 2019	Dec 2019	Mar 2020
Current Risk Score	n/r	n/r	16	16
RAG Status	Ⓜ	Ⓜ	▲	▲
Direction of Travel	Ⓜ	Ⓜ	?	➔

**Equality and Diversity - Control Task Summary**

201 Pension Legislation					
▲	●	★	Unknowns	Total	
0	0	2	0	2	

**Equality and Diversity - Risk control tasks**

Owner	Department	Task ID	Task Description	RAG
Deborah Doel	Human Resources	☑ 210.01	Continue to engage with under-represented groups in order to encourage applications to join the Service.	★
		☑ 210.02	Continue to review our recruitment procedures in order to ensure that the needs of specific groups are catered for.	★

### Liability - Risk details and latest update

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.
Owner	Huw Jakeway
Risk Update	Throughout this COVID19 national pandemic and public health emergency we have had to amend our priorities and the way that we work. A command and control structure has been implemented and PHW advice has been used to determine the appropriate PPE requirements.

### Liability - Risk Score & Direction of Travel

	Jun 2019	Sep 2019	Dec 2019	Mar 2020
Current Risk Score	24	24	12	12
RAG Status	▲	▲	●	●
Direction of Travel	→	→	↕	→

### Liability - Control Task Summary

019b Liability				
▲	●	★	Unknowns	Total
0	1	2	0	3

### Liability - Risk control tasks

Owner	Department	Task ID	Task Description	RAG
Martin Hole	ORM	<input checked="" type="checkbox"/> H&S03	Review and refresh the full suite of risk assessments (some 2500 records).	★
		<input checked="" type="checkbox"/> H&S01	Devise and implement a H&S Training plan for relevant groups of staff (new entrants, Supervisory Manager, Middle Manager, Strategic Manager) and specialisms including accident investigation.	✓
		<input checked="" type="checkbox"/> H&S12	Review Team Structure and Skill Set Requirements in order to provide the most efficient H&S Service to SWFRS.	✓
Richie Prendergast	Technical Services	<input checked="" type="checkbox"/> P019b.09	Monitoring of national events involving major incidents and any subsequent investigatory report. This will enable the service to deal with issues and ensure that a lessons learnt approach is taken	★
Sean Jenkins	Operations	<input checked="" type="checkbox"/> OPS11.03	Mitigate Risk - Working in collaboration with the ODRT and Training in order to ensure that all debriefs generated as a result of simulation and operations are collated into a shared depository in order to identify, learn and improve. Using the BMIS system in order to record data on Lessons Identified and articulate the planning process to prove Lessons Learnt. To place the subsequent lesson on the JESIP Joint Operational Learning site on Resilience Direct.	●
		<input checked="" type="checkbox"/> OPS2.1	Ensure exercises are delivered as per the Service's exercise programme	✓

Chris Temby	Fleet & Engineering	<input checked="" type="checkbox"/> FE011.01	To maintain a legally compliant Fleet of Appliances and Equipment	✓
		<input checked="" type="checkbox"/> FE011.02	Ensure that the information that Tranman provides is monitored daily and acted upon with the information being entered onto the BMIS KPI Dashboard in order to record workshop output against targets.	✓
Dewi Rose	Service Delivery	<input checked="" type="checkbox"/> P019b.12	Review of recent Rule 28 coroner's letters being undertaken by OCG.	✓
Gareth_I Evans	Training & Development	<input checked="" type="checkbox"/> P019b.10	Review PDRPro Training Software and training program.	✓
Huw Jakeway	Corporate Services	<input checked="" type="checkbox"/> P019b.01	ODART collects and analyses experiences from incidents, as well as information from debriefs and health and safety to ensure that the service can learn and where necessary initiate changes to improve training, equipment and procedures.	✓
		<input checked="" type="checkbox"/> P019b.02	Additional safe systems of control include maintenance of competence, suitable, sufficient and realistic training, SOPs, equipment availability and suitability, adequate ridership factor, incident command procedures, appliance availability, operational plans and intelligence.	✓
		<input checked="" type="checkbox"/> P019b.03	Additional resources invested in ops intelligence and review of SOPS and tactical plans.	✓
		<input checked="" type="checkbox"/> P019b.04	Investment by Fire & Rescue Authority into new PPE, helmets and BA sets to ensure crews in optimum protective clothing and equipment.	✓
		<input checked="" type="checkbox"/> P019b.05	Fire ground radios and information available to crews via data to cabs and firelink. 4000 plans now available to operational fire fighters via mobile data terminals.	✓
		<input checked="" type="checkbox"/> P019b.06	Investment in training centre to ensure competence maintained to high level.	✓
		<input checked="" type="checkbox"/> P019b.07	Review ongoing on generic risk assessments and their adoption within standard operating procedures. (Text change)	✓
		<input checked="" type="checkbox"/> P019b.08	A revised promotion process has been developed and agreed with the RBs which recognises technical competence and safe systems of work.	✓
		<input checked="" type="checkbox"/> P019b.11	Present HSE consolidated report to the FRA.	✓

Knill Baird-Murray	Training & Development	<input checked="" type="checkbox"/> CMD01	Develop Incident Command resources to deliver effective training and assessments, aligned to Skills for Justice levels 1-4.	✔
		<input checked="" type="checkbox"/> ODR01	Maintain effective monitoring of operational events, measuring performance against SOPs.	✔
		<input checked="" type="checkbox"/> ODR02	Work with the H&S department to further develop ODRT's role in safety event investigation and Operational H&S training.	✔
		<input checked="" type="checkbox"/> ODR03	Ensure operational learning is analysed to highlight performance trends. Report findings relevant operational forums.	✔
		<input checked="" type="checkbox"/> T&D01.01	Provide 24/7 cover to attend operational incidents to fulfil role as detailed in OP-08.005	✔
		<input checked="" type="checkbox"/> T&D01.02	Develop & implement Operational Mentoring & Support Officer process & procedures.	✔
		<input checked="" type="checkbox"/> T&D04.01	To develop the ORDT's assistance to operational incident accident investigation procedure.	✔
Martin Hole	ORM	<input checked="" type="checkbox"/> H&S01	Devise and implement a H&S Training plan for relevant groups of staff (new entrants, Supervisory Manager, Middle Manager, Strategic Manager) and specialisms including accident investigation.	✔
		<input checked="" type="checkbox"/> H&S03	Review and refresh the full suite of risk assessments (some 2500 records).	★
		<input checked="" type="checkbox"/> H&S12	Review Team Structure and Skill Set Requirements in order to provide the most efficient H&S Service to SWFRS.	✔
Nick Corrigan	Finance & Procurement	<input checked="" type="checkbox"/> F&P10.02	Properties safe for use: Develop a compliance management tool to effectively manage our statutory duty	✔
		<input checked="" type="checkbox"/> F&P10.03	Assets fit for purpose: Use condition survey data to inform the planned maintenance schedule	✔
		<input checked="" type="checkbox"/> F&P10.04	Assets fit for purpose: Update condition survey data to deliver a five year rolling programme	★
Richie Prendergast	Technical Services	<input checked="" type="checkbox"/> P019b.09	Monitoring of national events involving major incidents and any subsequent investigatory report. This will enable the service to deal with issues and ensure that a lessons learnt approach is taken	★

### GDPR - Risk details and latest update

IF	Provision is not put in place to address the new EU Data regulations
THEN	we will be in breach of the regulations
Owner	Sally Chapman
Risk Update	Work procedures continue to be updated and reviewed as appropriate. Updated guidance from the ICO has been noted about the current position on sharing and disclosing personal and/or sensitive data during the Covid19 pandemic and we continue to try to adhere to principles and timelines as closely as reasonably practicable. Risk has not reduced, especially given the significant number of staff working remotely at present, which is necessitated by current circumstances. All reasonable precautions are being implemented to safeguard relevant data.

### GDPR - Risk Score & Direction of Travel

	Jun 2019	Sep 2019	Dec 2019	Mar 2020
Current Risk Score	8	8	8	8
RAG Status				
Direction of Travel				

### GDPR - Control Task Summary

110 GDPR				
			Unknowns	Total
0	2	0	0	2

### GDPR - Risk control tasks

Owner	Department	Task ID	Task Description	RAG
Andrew Jones	Human Resources	<input checked="" type="checkbox"/> HUR09.01	Review People Services preparedness for the introduction of GDPR across all of its activities and any external links with other partner organisations e.g. RCT Pensions.	
Jackie Evans	Corporate Services	<input checked="" type="checkbox"/> CS01.05	Gaps EU Data Regs - Review regulations and updates including legislation when passed	
		<input checked="" type="checkbox"/> P110.04	Consent forms, already utilised in certain departments, to be rolled out across all departments.	
Jon Carter	Planning, Performance & Risk	<input checked="" type="checkbox"/> SP&C22.2	To ensure that all data sent to customers is compliant with Data Protection Law	
		<input checked="" type="checkbox"/> SP&C22.3	To ensure that all data obtained from external sources is done so securely if necessary, in compliance with law. The storage, access and use of this data should be documented.	

Rachel Trusler	Corporate Services	<input checked="" type="checkbox"/> CS01.01	Share data with partners - Review our Data sharing policies and address gaps in Data Regulations	★
		<input checked="" type="checkbox"/> CS01.04	Gaps EU Data Regs - Review the policies	✔
		<input checked="" type="checkbox"/> CS04.10	Raise further awareness of data protection and GDPR	●
		<input checked="" type="checkbox"/> CS04.12	Implement an information retention schedule	★
		<input checked="" type="checkbox"/> P110.05	Put in place proper storage and filing system for data CLOSED AS MERGED WITH P110.06	✔
		<input checked="" type="checkbox"/> P110.06	Put in place proper destruction / retention and storage procedures for data.	●
		<input checked="" type="checkbox"/> P110.07	Education of appropriate staff.	✔
		<input checked="" type="checkbox"/> P110.08	Amendment of appropriate policies and procedures.	✔
		<input checked="" type="checkbox"/> SP&C22.1	Undertake a gap analysis and prepare our current policies and practices to identify gaps with new EU Data Regulations in order to prepare for 18/19 implementation	✔
Sally Chapman	Corporate Services	<input checked="" type="checkbox"/> P110.01	Gap analysis of data regs and current practices.	✔
		<input checked="" type="checkbox"/> P110.02	Information Management policies and procedures already in place, but do not go far enough to deal with new issues arising under regs.	✔
		<input checked="" type="checkbox"/> P110.03	Data protection procedures already in place.	✔
Wayne Thomas	Corporate Services	<input checked="" type="checkbox"/> CS01.02	Share data with partners - Fact finding of information sharing undertaken by service	✔
		<input checked="" type="checkbox"/> P110.09	Liaison with other bodies for best practice / innovative solutions to issues.	✔

### Terrorism - Risk details and latest update

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.
Owner	Richie Prendergast
Risk Update	The Service remain fully prepared to respond to national incidents and any terrorist related incidents. A full exercise schedule is maintained although due to the social distancing requirements posed by the Coronavirus pandemic such events have been placed on hold. It is not envisaged that this will affect our preparedness as responders continue to maintain underpinning knowledge and skills at a local station based level.

### Terrorism - Risk Score & Direction of Travel

	Jun 2019	Sep 2019	Dec 2019	Mar 2020
Current Risk Score	8	8	8	8
RAG Status				
Direction of Travel				

### Terrorism - Risk control tasks

Owner	Task ID	Task Description	31/03/20
Richie Prendergast	<input checked="" type="checkbox"/> M190.01	National Resilience programme.	
	<input checked="" type="checkbox"/> M190.02	NILO supervision.	
	<input checked="" type="checkbox"/> M190.03	Development of MTFA capability and a multi agency training programme.	
	<input checked="" type="checkbox"/> M190.04	SOPs for scenario types established.	
	<input checked="" type="checkbox"/> P190.01	Contest strategies discharged through Welsh Government and local resilience forums and other agencies	
Steve Cole	<input checked="" type="checkbox"/> ORM08.01	Review and improve all BCMs modules to ensure that they are in line with current methodology	
	<input checked="" type="checkbox"/> ORM08.02	Take a full and active part as a Category 1 responder member of the two LRF.	
	<input checked="" type="checkbox"/> R&P01	Develop MTFA Fire Hazards capability based on new planning assumptions	

### Brexit - Risk details and latest update

IF	Our preparedness for the outcome of Brexit negotiations are not in place
THEN	we will see implications in areas such as procurement, Health and Safety, Employment law, public order and technology.
Owner	Sally Chapman
Risk Update	This risk has reduced considerably, in the main part due to the current Covid 19 pandemic. The predicted implications in key areas have now been overtaken by events, as workforces are forced to work differently, supplies are increasingly difficult to get hold of via normal routes and public order is affected by lockdowns. As a consequence the Covid 19 risk score has been increased significantly. This will be reassessed once some normality resumes and government is able to focus upon exit terms.

### Brexit - Risk Score & Direction of Travel

	Jun 2019	Sep 2019	Dec 2019	Mar 2020
Current Risk Score	40	40	40	8
RAG Status	▲	▲	▲	●
Direction of Travel	➔	➔	➔	➕

### Brexit - Control Task Summary

202 Brexit				
▲	●	★	Unknowns	Total
0	0	16	0	16

### Brexit - Risk control tasks

Owner	Department	Task ID	Task Description	RAG
Alison Kibblewhite	Operations	<input checked="" type="checkbox"/> 202.11	BREXIT - Develop contingency plans to deal with any potential civil unrest	★
		<input checked="" type="checkbox"/> 202.12	BREXIT - Implement contingency plans to deal with any potential civil unrest as required	★
Andrew Jones	Human Resources	<input checked="" type="checkbox"/> 202.07	BREXIT - Identify necessary changes to Contracts etc. where Employment Law differs.	★
		<input checked="" type="checkbox"/> 202.08	BREXIT - Implement any changes to Employment Law as required	★
Chris Williams	ICT	<input checked="" type="checkbox"/> 202.09	BREXIT - Identify any technological changes that affect SWFRS	★
		<input checked="" type="checkbox"/> 202.10	BREXIT - Implement any identified technological changes as required	★
Lee Bunkham	Finance & Procurement	<input checked="" type="checkbox"/> 202.03	Research potential effect of Brexit on our procurement supply chain	★
		<input checked="" type="checkbox"/> 202.04	Maintain an effective procurement supply chain post Brexit	★
Martin Hole	ORM	<input checked="" type="checkbox"/> 202.05	Identify changes to Health & Safety standards	★
		<input checked="" type="checkbox"/> 202.06	Implement any changes to Health & Safety Standards as required	★

Rachel Trusler	Corporate Services	<input checked="" type="checkbox"/> 202.15	Identify any Information Governance impacts of Brexit	★
		<input checked="" type="checkbox"/> 202.16	Implement any changes to Information Governance as required as a consequence of BREXIT	★
Richie Prendergast	Technical Services	<input checked="" type="checkbox"/> 202.01	Ensure that we are fully involved in the Local Resilience Forum (LRF) preparations for BREXIT	★
		<input checked="" type="checkbox"/> 202.02	Implement appropriate actions as a result of BREXIT issues discussed at the LRF	★
		<input checked="" type="checkbox"/> 202.13	Identify any changes to technical standards requiring action as a consequence of BREXIT	★
		<input checked="" type="checkbox"/> 202.14	Implement any changes to technical standards as required as a consequence of BREXIT	★

### Cyber Security - Risk details and latest update

IF	our ICT services are affected by a cyber attack
THEN	we will not be able to carry out key operational and/or back office functions leading to an increased risk to community and staff members
Owner	Chris Williams
Risk Update	Following testing in January 2020 we have implemented the National Cyber Security Centre (NCSC) Protective Domain Name Service. This is a reliable internet accessible DNS service for the public sector and is one of the NCSC's widely deployed Active Cyber Defence capabilities the key benefit is that PDNS prevents access to domains known to be malicious, by simply not resolving them. Preventing access to malware, ransomware, phishing attacks, viruses, malicious sites and spyware at source makes the network more secure. In addition, PDNS provides organisations that use it with metrics about the health of their networks and gives them NCSC outreach support to resolve any issues. The data from PDNS is also used to inform and support UK government cyber incident response functions in the event of a cyber-attack.

### Cyber Security - Risk Score & Direction of Travel

	Jun 2019	Sep 2019	Dec 2019	Mar 2020
Current Risk Score	8	8	8	8
RAG Status				
Direction of Travel				

### Cyber Security - Control Task Summary

203 Cyber Risk				
			Unknowns	Total
0	0	5	0	5

### Cyber Security - Risk control tasks

Owner	Department	Task ID	Task Description	RAG
Chris Williams	ICT	 203.01	Ensure our Corporate ICT network is well protected from Cyber attack by appropriate measures including up to date hardware and software.	
		 203.02	Ensure that consistent levels of security access to business critical systems are in place irrespective of user location.	
		 203.03	Ensure that all our web-enabled applications are protected from Cyber attack by appropriate measures including up to date hardware and software	
		 203.04	Ensure our email services are protected from Cyber attack by appropriate measures including up to date hardware and software	
Steve Cole	ORM	 203.06	Ensure that Business Continuity Plans are in place, tested and proven on a regular basis.	
Tim Gilberts	ICT	 203.05	Ensure that Incident Response Plans are in place for all business critical services.	

### Pension Negativity - Risk details and latest update

IF	Employees respond negatively to changes made to Pension Schemes
THEN	the Authority may face increased staff turnover/loss of expertise.
Owner	Alison Reed
Risk Update	All Pensions Boards meetings are scheduled for the year ahead and have now been structured so that an element of upskilling forms part of the formal agenda. This has worked well so far however, the COVID pandemic may affect our ability to run the meetings this way in the future.

### Pension Negativity - Risk Score & Direction of Travel

	Jun 2019	Sep 2019	Dec 2019	Mar 2020
Current Risk Score	n/r	n/r	8	8
RAG Status	Ⓜ	Ⓜ	●	●
Direction of Travel	Ⓜ	Ⓜ	?	➔

### Pension Negativity - Control Task Summary

201 Pension Legislation				
▲	●	★	Unknowns	Total
0	3	0	0	3

### Pension Negativity - Risk control tasks

Owner	Department	Task ID	Task Description	RAG
Alison Reed	People Services	☑ 205.01	Assess the profile of the workforce that may be impacted by pension scheme changes.	●
		☑ 205.02	Further develop our recruitment processes to attract wider potential workforce in the future.	●
		☑ 205.03	Develop positive engagement campaign for our operational staff.	●

### High Rise - Risk details and latest update

IF	the outcomes of the Grenfell Tower Inquiry (GTI) are not embedded into service planning
THEN	persons who live and work in High Rise premises may be at greater risk of being affected by fire.
Owner	Jason Evans
Risk Update	A review of the Grenfell Outcomes has been undertaken and 78 different objectives have been identified for action. These objectives have been assigned to lead persons in Departments across the Service; Operations, Training, Business Fire Safety, Operational Risk Management, Community Safety and Partnerships and Fire Control. A reporting structure for progress against the actions has been created on BMIS and leads within each Department are required to provide updates on a monthly basis. A number of the actions have already been completed and a full report on the Service's position will be presented at the end of June.

### High Rise - Risk Score & Direction of Travel

	Jun 2019	Sep 2019	Dec 2019	Mar 2020
Current Risk Score	n/r	n/r	8	8
RAG Status	Ⓜ	Ⓜ	●	●
Direction of Travel	Ⓜ	Ⓜ	?	➔

### High Rise - Control Task Summary

220 High Rise				
▲	●	★	Unknowns	Total
7	15	14	1	37

### High Rise - Risk control tasks

Owner	Department	Task ID	Task Description	RAG
Keith Meredith	Operations	✓ OPS01	Review the need for building specific PDA's	★
		✓ OPS02	Operational staff currently use the MDT 'follow me' feature as a Sat Nav and are not using them to access actionable intel en-route to incidents to brief crews.	★
		✓ OPS03	Ensure a BFS Officer is available at all times on the flexible rota to act as a SMA at incidents involving high rise or complex premises	★

Knill Baird- Murray	Training & Development	<input checked="" type="checkbox"/> TRG01	That the Service Reviews policies and training to ensure that better information is obtained from crews returning from deployments and that the information is recorded in a form that enables it to be made available immediately to the incident commander (and thereafter to the command units and the control room).	★
		<input checked="" type="checkbox"/> TRG02	Review all courses to incorporate input on high rise incidents where appropriate	★
		<input checked="" type="checkbox"/> TRG03	The West Midlands training finishes in April - The need to identify a means of providing ongoing visual and practical training through other methods	●

Matt Guerin	ORM	<input checked="" type="checkbox"/> ORM01	That the Service reviews and considers options for a communication system to enable direct communication between the control room and the incident commander and improve the means of communication between the incident commander and the bridgehead.	★
		<input checked="" type="checkbox"/> ORM02	Tha the Service considers options for use of modern communication techniques to provide a direct line of communication between the control room and the bridgehead, allowing information to be transmitted directly between the control room and the bridgehead and providing an integrated system of recording FSG information and the results of deployments.	★
		<input checked="" type="checkbox"/> ORM03	That the LFB develop policies and training to ensure better control of deployments and the use of resources	▲
		<input checked="" type="checkbox"/> ORM08.1	All fire and rescue services should be equipped to receive and store electronic plans and make them available to incident commanders and control room managers	★
		<input checked="" type="checkbox"/> ORM09.1	PN633 is LFB poilcy for high rise firefighting - found to be not as comprehensive as GRA 3.2. it does not spell out what LFB officers shouls do to prepare and initiaite a contingency plan for evacuation	★

Natalie Pearce	Fire Control	<input checked="" type="checkbox"/> CON04	That all CROs of Assistant Operations Manager rank and above receive training directed to the specific requirements of communication with the incident commander	★
		<input checked="" type="checkbox"/> CON01	The Services policies to be reviewed and amended to draw a clearer distinction between callers seeking advice and callers who believe they are trapped and need rescuing	★
		<input checked="" type="checkbox"/> CON02	That the LFB review its policies on communications between the control room and the incident commander	★
		<input checked="" type="checkbox"/> CON03	That a dedicated communication link be provided between the senior officer in the control room and the incident commander.	★
		<input checked="" type="checkbox"/> CON05	Ensure the Service provides regular and more effective refresher training to CROs at all levels, including supervisors	★
		<input checked="" type="checkbox"/> CON06	That all fire and rescue services develop policies for handling a large number of FSG calls simultaneously	★
		<input checked="" type="checkbox"/> CON07	That all fire and rescue services develop policies for handling a large number of FSG calls simultaneously	★
		<input checked="" type="checkbox"/> CON08	That policies be developed for managing a transition from "stay put" to "get out";	▲
		<input checked="" type="checkbox"/> CON09	Steps be taken to investigate methods by which assisting control rooms can obtain access to the information available to the host control room.	★
		<input checked="" type="checkbox"/> CON10	To review ours and WAST's protocols and policies to ensure that their operators can identify FSG calls (as defined by the LFB) and pass them to the LFB as soon as possible.	▲
Steve Cole	ORM	<input checked="" type="checkbox"/> 220.01	220.Ensure the tasks assigned to the High Rise Working Group are delivered effectively and on time.	●
		<input checked="" type="checkbox"/> ORM06.1	That the Service, South Wales / Gwent Police, WAST and all local authorities all investigate ways of improving the collection of information about survivors and making it available more rapidly to those wishing to make contact with them	★
		<input checked="" type="checkbox"/> ORM07.1	That steps be taken to investigate the compatibility of the SWFRS Service with those of South Wales/ Gwent Police and WAST with a view to enabling all three emergency services' systems to read each other's messages.	▲

	<input checked="" type="checkbox"/> BFSE01	<p>That the owner and manager of every high-rise residential building be required by law to provide their local fire and rescue service with information about the design of its external walls together with details of the materials of which they are constructed and to inform the fire and rescue service of any material changes made to them</p>	
	<input checked="" type="checkbox"/> BFSE02	<p>That the government develop national guidelines for carrying out partial or total evacuations of high-rise residential buildings, such guidelines to include the means of protecting fire exit routes and procedures for evacuating persons who are unable to use the stairs in an emergency, or who may require assistance (such as disabled people, older people and young children);</p>	
	<input checked="" type="checkbox"/> BFSE03	<p>That the owner and manager of every high-rise residential building be required by law to draw up and keep under regular review evacuation plans, copies of which are to be provided in electronic and paper form to their local fire and rescue service and placed in an information box on the premises</p>	
	<input checked="" type="checkbox"/> BFSE04	<p>That all high-rise residential buildings (both those already in existence and those built in the future) be equipped with facilities for use by the fire and rescue services enabling them to send an evacuation signal to the whole or a selected part of the building by means of sounders or similar devices;</p>	
	<input checked="" type="checkbox"/> BFSE05	<p>That the owner and manager of every high-rise residential building be required by law to prepare personal emergency evacuation plans (PEEPs) for all residents whose ability to self-evacuate may be compromised (such as persons with reduced mobility or cognition)</p>	
	<input checked="" type="checkbox"/> BFSE06	<p>That the owner and manager of every high-rise residential building be required by law to include up-to-date information about persons with reduced mobility and their associated PEEPs in the premises information box;</p>	
	<input checked="" type="checkbox"/> BFSE07	<p>That the owner and manager of every residential building containing separate dwellings (whether or not they are high-rise buildings) be required by law to carry out checks at not less than three-monthly intervals to ensure that all fire doors are fitted with effective self-closing devices in working order.</p>	

Simon Roome	Risk Reduction	<input checked="" type="checkbox"/> BFSE08	That all those who have responsibility in whatever capacity for the condition of the entrance doors to individual flats in high-rise residential buildings, whose external walls incorporate unsafe cladding, be required by law to ensure that such doors comply with current standards	●
		<input checked="" type="checkbox"/> BFSE09	In all high-rise buildings floor numbers be clearly marked on each landing within the stairways and in a prominent place in all lobbies in such a way as to be visible both in normal conditions and in low lighting or smoky conditions.	●
		<input checked="" type="checkbox"/> BFSE10	The owner and manager of every residential building containing separate dwellings (whether or not it is a high-rise building) be required by law to provide fire safety instructions (including instructions for evacuation) in a form that the occupants of the building can reasonably be expected to understand, taking into account the nature of the building and their knowledge of the occupants.	●
		<input checked="" type="checkbox"/> BFSE11	That the owner and manager of every high-rise residential building be required by law to carry out regular inspections of any lifts that are designed to be used by firefighters in an emergency and to report the results of such inspections to their local fire and rescue service at monthly intervals	●
		<input checked="" type="checkbox"/> BFSE12	That the owner and manager of every high-rise residential building be required by law to carry out regular tests of the mechanism which allows firefighters to take control of the lifts and to inform their local fire and rescue service at monthly intervals that they have done so.	●
				<input checked="" type="checkbox"/> BFSE12
		<input checked="" type="checkbox"/> BFSE13	That the owner and manager of every high-rise residential building be required by law: to provide their local fire and rescue services with up-to-date plans in both paper and electronic form of every floor of the building identifying the location of key fire safety systems	●
		<input checked="" type="checkbox"/> BFSE14	That the owner and manager of every high-rise residential building be required by law: to ensure that the building contains a premises information box, the contents of which must include a copy of the up-to-date floor plans and information about the nature of any lift intended for use by the fire and rescue services	●
		<input checked="" type="checkbox"/> BFSE15	That the owner and manager of every residential building containing separate dwellings (whether or not they are high-rise buildings) carry out an urgent inspection of all fire doors to ensure that they comply with applicable legislative standards	●
		<input checked="" type="checkbox"/> BFSI1	We do not currently have up to date CAD plans for all high rise residential buildings	●

### OCDS - Risk details and latest update

IF	We do not maintain high levels of On Call Firefighters working in a Retained Duty system
THEN	We will have lower levels of RDS appliance availability, which will make it difficult to fulfill our statutory obligation.
Owner	Alison Kibblewhite
Risk Update	Due to Covid – 19 there has been an increase in contracts of existing OCDS personnel and an increase in the number of WDS/OCDS on a temporary basis. Recruitment events on hold due to social distancing rules. An initial training course is due to start at the end of April to increase numbers on station closely followed by a Breathing apparatus course.

### OCDS - Risk Score & Direction of Travel

	Jun 2019	Sep 2019	Dec 2019	Mar 2020
Current Risk Score	8	12	12	6
RAG Status				
Direction of Travel				

### OCDS - Control Task Summary

140 OCDS				
			Unknowns	Total
0	0	2	0	2

### OCDS - Risk control tasks

Owner	Department	Task ID	Task Description	RAG
Alison Kibblewhite	Operations	M140.03	The delivery team will be tasked with identifying further mitigation actions in support of reducing this risk.	
Andy Thomas	Service Delivery	M140.01	We monitor appliance availability on a daily basis and ensure appliance cover moves are made to ensure fire cover is balanced across the service area.	
		M140.02	To improve OCDS appliance availability a team of WDS firefighters provide a strategic reserve for OCDS stations who have low levels of establishment.	
		P140.01	We currently have a plan to recruit attract and train OCDS initial firefighters within 2016-17.	
		P140.02	We intend to create a delivery team to implement the recommendations contained within the review SOF of OCDS (2016) and focus the more coordinated approach across all departments to improve recruitment, attraction and training activities associated with OCDS personnel.	

Dean Loader	Operations	✓ OPS5.1	Identify and support RDS recruitment needs of each Station.	✓
		✓ OPS5.2	Support the ongoing work of the RDS Delivery Team	✓
		✓ OPS5.3	Deliver actions in support of the Workforce progression framework document.	✓
		✓ OPS5.4	Monitor and manage availability to ensure best use of resources	✓
		✓ SOF05.01	Implement recruitment strategy across all OCDS stations.	✓
		✓ SOF05.02	Continue to develop social media strategy of recruitment.	✓
		✓ SOF05.03	Review recruitment, attraction and retention of on call duty system strategy.	✓
Mark Bowditch	Operations	✓ T&D05.34	Establish process to deliver water awareness training into initial on call courses	✓
		✓ OPS13.01	In Order to increase On Call Availability across SWFRS by 5% we will utilise a range of percentage contracts for our On Call staff allowing a wider range of commitment. This will be further supported by the introduction of overtime payments for existing On Call staff. The use of Strategic Reserve will continue to be utilised where shortfalls are identified in key areas. A recruitment and attraction event planner for 2018/19 will provide key focus in priority areas where establishment figures are low.	✓
		✓ OPS13.02	In order to increase recruitment of On Call firefighters within SWFRS we will plan and facilitate one On Call recruits course per month for 2018/19. This will be a significant increase on previous years. Operations will support Training & Development with the use of Abercarn fire Station as a training venue and provide staff to compliment the required training resources.	✓

Tim Davies	Operations	<input checked="" type="checkbox"/> OPS13.03	<p>In order to Reduce FF in charge mobilisations across SWFRS On Call establishments by 5% we will ensure that Initial Incident Command level 1 courses are populated by On Call firefighters throughout 2018/19, we will also ensure that the workforce Progression framework is supported by facilitating On Call Promotion processes for both WM &amp; CM where needed.</p>	★
		<input checked="" type="checkbox"/> OPS13.04	<p>In order to support a timely application process for On Call candidates we will ensure to complete suitability interviews for On Call candidates within a 4 week timeline and undertake applicant selection interviews on local fire stations with the station management team.</p>	★
		<input checked="" type="checkbox"/> OPS13.05	<p>In order to support On Call establishments with recruitment and attraction plans we will ensure each On Call establishment formulates a local recruitment and attraction plan, this will be further supported by a structured recruitment planner targeting establishments by priority. Local plans and recruitment activities will be monitored on a quarterly basis.</p>	★

# BUSINESS PLAN ACTIONS REPORT

Health Check

2019/20 Quarter 4

Report Date 31<sup>st</sup> May 2020



Gwasanaeth Tân ac Achub  
De Cymru

South Wales  
Fire and Rescue Service

Produced in

**BMIS**  
Business Management  
Information System

## Summary

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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 Objectives and performance of the Strategic Performance Indicators for the period 01 April 2019 – 31 March 2020.

## Background

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- 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 Strategic Plan, implementing actions and measuring indicators to enable the Service to achieve these organisational goals.
- 1.2 All departments link actions within their annual department plans to the appropriate Strategic Objectives. 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 Business Management Information System (BMIS), and staff within the Planning, Performance and Risk Team monitor the information and extract reports accordingly.
- 1.4 To further support the performance management framework, 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 Members and Officers with a health check on performance against the Strategic Objectives and Strategic Indicators for the period 01 April 2019 – 31 March 2020.

## Issue

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2.1 For Members' information going forward, 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 one or more Priority Actions that the Service has monitored progress against during 2019/20.

2.3 Appendix 1 attached is a summary of the Performance Monitoring Report, which reviews the period 01 April 2019 – 31 March 2020 performance against agreed targets for the seven National Strategic Performance Indicators. It also includes a summary comment for each indicator.

2.4 Appendix 1 identifies that one indicator has not met their target and performed worse than last year, one indicator has not met their target but was within 0-5% of doing so and is performing better than last year, one indicator has not achieved the target but was within 0-5% of doing so and has performed worse than last year and four indicators are achieving their target.

2.5 The one indicator that is not meeting its target and has performed worse than last year is:

1. Other Special Services Calls Attended

2.6 The one indicator that is not meeting its target but is within 0% to 5% of the target and has performed better than last year is:

1. False Alarms Attended

2.7 The one indicator that is not meeting the target but is within 0% to 5% of the target and has performed worse than last year is:

1. % of Dwelling Fires confined to the room of origin

2.8 The four indicators that have achieved their targets are:

1. Total Fires Attended
2. Total Road Traffic Collisions Attended
3. Total Deaths and Injuries in Fires
4. Accidental Deaths and Injuries in Fires

## Equality Risk Assessment

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1. This report, the accompanying appendices and the targets themselves have no Equality Risk Assessment impact. The Service Performance and Communications 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.
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.

## Recommendations

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- 4.1 That Members review the performance details and statistical data for the period 01 April 2019 – 31 March 2020 contained within this report.

## Scorecard

The scorecard below lists the number of tasks in progress relating to each Priority Action along with a breakdown by RAG status.

PA1: Provide an efficient, effective and relevant response to our communities.				
▲	●	★	Unknowns	Total
1	1	7	0	9
PA2: Working with others to provide education to prevent harm / risk of harm				
▲	●	★	Unknowns	Total
5	10	9	0	24
PA3: Developing efficient and effective ways of engaging and communicating with our communities				
▲	●	★	Unknowns	Total
0	0	9	0	9
PA4: Attract, develop, retain workforce reflecting communities and deliver services				
▲	●	★	Unknowns	Total
0	10	19	0	29
PA5: Reducing our Service's impact on the environment to ensure future sustainability.				
▲	●	★	Unknowns	Total
0	0	6	0	6
PA6: Ensuring we use technology to enable efficient and improved service delivery.				
▲	●	★	Unknowns	Total
1	12	15	0	28
PA7: Working with our Public Service Boards and partners to support local communities.				
▲	●	★	Unknowns	Total
0	4	0	0	4

## Priority Action Commentary

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### **PA01 Ensure we provide an efficient, effective and relevant response to our communities.**

1. Rollout of new Breathing Apparatus and associated digital radios has been completed.
2. 32 Operational Skills Presentation (OSP) packages have now been updated and uploaded to Coursemill. A number are in the final stages of updating. Several areas are still with subject matter experts.
3. The Operations department continue to collaborate with the Operational Development and Review Team and the Training and Development department in order to ensure that all debriefs generated as a result of simulation and operations are collated into a shared depository in order to identify, learn and improve.
4. Operations have developed and evaluated a new audit process. This will ensure accuracy of critical information ensuring a more proactive method of evaluating risks identified at audits, then sharing and rectifying the issues.
5. Water awareness training is now being delivered on all wholetime and on call courses.
6. All breathing apparatus courses have been created for the new Compartment Fire Behaviour Training (CFBT) facility including lesson plans and course profiles
7. The Flexible Rostering System has been updated and published with the aim of increasing engagement and understanding across Operations and Representative Bodies and is to be reviewed quarterly.

### **PA02 Work with others to provide education to our communities to prevent harm, and protect against the risk of harm.**

1. Community Safety and Business Fire Safety continue to ensure the effective and efficient use of our resources by targeting our highest risk premises, including responding to identified internal and external trends as appropriate.
2. As the COVID-19 health emergency continues, Business Fire Safety has amended its Risk Based Inspection Programme (RBIP), however the focus is still to allocate suitable resources to continue its risk reduction activities. A vast amount of effort and resources has been dedicated towards the development of temporary healthcare buildings and field hospitals. Additionally, a desktop audit programme is being developed to ensure we continue to assess the risk from fire in a premises via a telephone approach to keep

attendance at premises to a minimum in line with National Fire Chiefs Council (NFCC) guidance.

3. Enhanced Home Safety Check (EHSC) training has been completed for Cardiff & the Vale of Glamorgan stations. When normal business returns stations in Caerphilly, Torfaen, Blaenau Gwent & Monmouthshire will be trained.

4. Resilience has continued to be built in the Business Fire Safety department with additional officers attending Primary Authority Scheme (PAS) meetings with partners. A suite of SWFRS PAS forms and associated procedural guidance is now in the BFS library for all in the department to view and follow.

5. SWFRS's Primary Authority Schemes continue to run well with no detrimental effect on Business Fire Safety's day-to-day service delivery. However COVID-19 has affected our partners' businesses and the scheme has been very useful for housing associations, with the close relationship forged by the PAS facilitating better communication channels. This has ensured that important questions regarding fire safety have been quickly and effectively addressed. Community Housing Cardiff (CHC) and its members have been very positive regarding the value of the co-ordinated Primary Authority Scheme with SWFRS and this closer relationship has meant that several housing associations have now 'signed up' to Local Service Agreements which strengthen SWFRS's partnership working.

6. A revised Primary Authority partnership agreement has been 'signed off' by Castle Leisure Limited and SWFRS. Liberty Living have merged with the Unite Group and it is unsure as to the effect on SWFRS's Primary Authority Scheme with Liberty Living. SWFRS is still looking to develop the existing scheme with SA Brain and will meet up with their representatives later in the year to review this partnership.

7. The draft development programme in readiness for the outcomes of the Dame Hackett review (Buildings & Fire safety) and the public enquiry from the Grenfell Tower fire is still being evaluated and amended as changes are made following consultations by the National Fire Chiefs Council.

8. The cost to run a Fire Safety Level 5 course 'in house' has been received from Xact and it is anticipated that the course will run late summer 2020. However, due to COVID-19, it is likely that the course will be delayed.

9. Joint Fire Control continue to gather and share information with South Wales Police, Welsh Ambulance Service and mental health teams within the Joint Public Service Centre. Information sharing has also commenced with North Wales FRS.

10. Joint Fire Control continue to seek opportunities for collaborative training with South Wales Police.

**PA03 Develop efficient and effective ways of engaging and communicating with our communities to involve them in how we deliver our services.**

1. A forum with business leads to improve how we engage and consult is still scheduled to go ahead in May. However, due to COVID-19, it is likely that the meeting will be delayed.
2. The Parc Prison youth offender intervention programme was successfully delivered and an evaluation and review has been undertaken between Parc Prison staff and SWFRS.
3. The refuse fire working group continues to build on its remit in reducing deliberate refuse fires, there are a number of partners collaborating on the group i.e. Local Authorities, Natural Resources Wales (NRW) and <http://flytippingactionwales.org/en> - a partnership initiative, sponsored by the Welsh Government & coordinated by Natural Resources Wales to tackle fly-tipping wales.
4. Fire Crime are continuing to work with partners and local stations in identifying and responding to incidents of deliberate fire setting.
5. The Fire Crime Unit continue to support victims of domestic abuse via the Momentum Project. Three courses were run in 2019/20.

**PA04 Ensure we attract, develop and retain a workforce that reflects our communities and is capable of delivering effective services today and in the future.**

1. The Compartment Fire Behaviour Training facility at Cardiff Gate Training and Development Centre had a successful launch in February. It is now being embedded as essential Breathing Apparatus training for all operational staff and links directly to our service training delivery strategy.
2. Following collaboration with the National Fire Chiefs Council, the Business Fire Safety Competency Framework has now been sent to the Fire Standards Board for formal adoption in England. The expectation by NFCC is that the document will be adopted in Wales. The three Welsh Services are working towards meeting the requirements of the document, however, until Welsh Government endorsement/guidance has been received the development work and evaluations in SWFRS will continue.
3. The build of the new Learning Management System (LMS), to host our existing training presentations, is progressing with the next phase is to upload the packages onto the system. A new user interface is required to be established by ICT. Longer term options for LMS system details are being reviewed.

4. Job evaluation, to review all Corporate Staff structures to ensure pay equality and address any equal pay and gender pay gaps, plans have been developed. Job Evaluation meetings were initially scheduled for April but have been cancelled due to COVID-19. Plans will be reinstated when it is safe to do so.
5. All training delivery within SWFRS and across all three Welsh FRS' is in line with National Operational Guidance. There is currently ongoing work streams between the Training and Operational Risk Management departments in each of the three Services to ensure correlation and synergy is made and maintained.
6. An assessment phase for all incident commanders was due to commence the first week in April with dates populated in the training planner. However this has been delayed due to COVID-19.
7. The Health and Safety 24/7 page is working well and the team are happy with progress to date. Further exploration needs to be done to identify further opportunity for automation of health and safety at work documentation.
8. A structured programme of finance, budgetary and procurement training is to be offered at various key points throughout the financial year.

#### **PA05 Reducing our Service's impact on the environment to ensure future sustainability.**

1. An order has been placed for three fully electric vans. Delivery of the vans has been delayed due to COVID-19.
2. Fleet and Engineering and Property Services continue to work on the installation of the electric vehicle charging infrastructure. A meeting has taken place with an installation company and they have provided a possible specification and cost. Due to COVID-19 it is difficult to engage with other manufacturers.
3. Business Support have reviewed the requirement for paper agendas, minutes and reports for internal meetings, The majority of these are now being accessed electronically.
4. Procurement have postponed a review of fuel tank efficiency post Brexit to ensure the Service maintains its fuel stocks.
5. A project is ongoing in order to comply with future Welsh Government legislation with regards to waste management.

**PA06 Ensuring we use technology to enable efficient and improved service delivery.**

1. Finance and Procurement continue to work with ICT to refine the new contracts management system to ensure it meets all requirements.
2. Information Governance, in collaboration with ICT and Human Resources, has hosted virtual sessions around flexible working, data protection and security. Further guidance has been posted on the SWFRS intranet around working from home and particularly the need for vigilance with regard to an increased risk of cyber threats during this time.
3. ICT are progressing the Mobile Data Terminal software upgrade. The original planned completion date has been moved back three months dependent upon the COVID-19 restrictions being lifted.
4. Statistics and Risk continue to review the Incident Recording System (IRS) quality assurance process.
5. ICT continue to provide support for the Systems Integration Project. Core Training Planner and Flexible Rostering Projects will no longer be pursued. Implementation of the Recruitment Module by Mid and West Wales FRS (already implemented by SWFRS) has highlighted potential issues with "shared" elements of the system. A meeting was held on 18th February 2020 between Heads of Human Resources from the two Services in relation to separation. MAWWFRS are perusing this, Andrew Jones to present proposal to SWFRS Executive Leadership Team for approval.
6. Business Fire Safety are happy with the trial of Tymly, a standards-based vocabulary capable of describing any digital service. Due to COVID-19 the original go live date of April 2020 has been postponed in order to wait until the teams are working normally again. In the meantime, additional housekeeping and data matching, to improve the Risk Matrix e.g. Food Hygiene Standards and schools data, will be carried out.
7. Statistics and Risk have created an assurance metrics dashboard and access has been granted to all members of SMT. A further presentation for SMT has been postponed due to COVID-19. The dashboard has continued to be shaped to meet the initial specification of the Senior Management Team with further enhancements made to dashboard under the areas of Assets and Response. Measures under Prevention are also being drafted. An email update to SMT will be provided early in April with a further presentation to be scheduled depending on the availability to meet.
8. Statistics and Risk have prepared a presentation for the Senior Management Team outlining the current use of the Fire Service Emergency Cover (FSEC) model and whether it is considered to be fit for purpose. Market research into other models is being conducted as well as details of what other Fire and Rescue Services are using to predict risk.

9. Statistics and Risk continue to design a Home Safety dashboard for the management and monitoring of all home safety checks. Community Safety are providing feedback on reports developed which will then be replicated in BMIS. Background tables are built and the structure within the Business Management Information System is to be developed.

10. The tri service data sharing Executive Board met on 3rd February 2020. Terms of reference and a Memorandum of Understanding have been devised but are yet to be signed. Some work streams have been identified and discussions between the data analysts from each of the organisations continue.

### **PA07 Work with our Public Service Boards and partners to support local communities.**

1. Statistics and Risk are working with Operations to design and implement a Public Service Board (PSB) area within our Business Management Information System (BMIS) for the collation and reporting of evidence of how we are supporting the nine PSB wellbeing objectives. Discussions are ongoing with Duffryn Fire Station with regards to transferring its Community Risk Management Plan (CRMP) to BMIS and incorporating alignment with the PSB objectives.

2. Operations department Group Managers continue to attend their respective Public Service Board (PSB) Groups to ensure that the statutory responsibility conveyed under the Act is supported.

3. Station Commanders, supported by Business Fire Safety liaison officers, continue to engage with key external stakeholders, including health boards and local education authorities with the aim of reducing false alarms received from automatic fire alarms. Joint Fire Control staff continue to call challenge and intelligently mobilise to support the drive to reduce attendance to this type of incident and contact premises, following mobilisations to unwanted fire signals, to discuss proactive management of premises to comply with responsible person duties.

4. The Information Governance and Compliance team continue to rationalise our policies to enable effective data sharing with our partners and for ease of access internally. A plan is in place to ensure that all forms of data sharing within areas such as investigation interviews are managed robustly.

5. Joint Fire Control continue to work with South Wales Police to develop partnerships between mental health, social workers and ambulance staff within the Joint Public Service Centre. Opportunities continue to be identified for collaborative training with South Wales Police, e.g. health and safety, Marauding Terrorist Firearms Attack (MTFA), etc.

6. Our Statistical Analysts continue to build relationships with the analysts from both South Wales Police and the Welsh Ambulance Service Trust as work progresses towards more tri service data sharing. Unfortunately the majority of scheduled meetings set for the tri service data sharing group during Quarter 3 have been cancelled by the meeting organisers. The significant issues highlighted during Quarter 1, data sharing, work streams and ultimate location of analysts, still remain.

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**SOUTH WALES FIRE & RESCUE AUTHORITY**

AGENDA ITEM NO 7.iv

13 JULY 2020

**REPORT OF THE ASSISTANT CHIEF OFFICER PEOPLE SERVICES****WELSH LANGUAGE STANDARDS UPDATE – JUNE 2020****SUMMARY**

This report provides Members with an overview of the current position with regards to meeting the legal requirements contained within the Welsh Language Standards Compliance Notice issued to the Fire & Rescue Authority by the Welsh Language Commissioner on 30 September, 2016.

**RECOMMENDATIONS**

That Members note the information contained within the report.

**1. BACKGROUND**

- 1.1 As Members will be aware, under the Welsh Language (Wales) Measure 2011, Welsh Language Standards have been placed upon Unitary Authorities, Fire & Rescue Authorities, and many other named public sector bodies.

**2. ISSUES**

- 2.1 A total of 150 standards were specified in the Authority's Compliance Notice. A full breakdown of each standard is attached at Appendix 1.
- 2.2 A bespoke monitoring framework that was introduced to ensure the Authority has a robust mechanism to evaluate its compliance with the Welsh Language Standards. This framework is currently being developed for integration in the BMIS System by the Statistics Unit. This will provide real time reporting and owners to update their entries in real time.
- 2.3 Analysis of all the current standards using the traffic light system is presented below:-

Number of standards scoring in a Green category		<b>142</b>
Number of standards scoring in an Amber category		<b>7</b>
Number of standards scoring in a Red category		<b>1</b>
<b>Total:</b>		<b>150</b>

## Key

● = compliant

● = resources/procedures yet to be allocated

● = non-compliant

- 2.4 A full review of the Authority's compliance with the Welsh Language Standards was carried out during 2019, following which an update was submitted to the Fire & Rescue Authority in July 2019 by ACO Alison Reed, Director of People Services. Most of the scores currently recorded as amber relate to translation work that is still in progress or changes to internal procedures that are in the process of being finalised. The score recorded as red (Standard 55) is in relation to resourcing this standard.
- 2.5 The Fire & Rescue Authority is required to produce and publish an Annual Monitoring report containing information explaining what the Authority has achieved during the 2019/2020 financial year. The report is currently being updated and will be published on the Service's website in September 2020, along with our Compliance Notice and Implementation Plan.
- 2.6 Appendix 2 attached to the report provides a high level snapshot showing the public's interactions with our website and social media pages.

## 3. FINANCIAL IMPLICATIONS

- 3.1 The Service currently employs two Welsh Language translator, one fulltime and one part-time.
- 3.2 Having previously removed the role of the Welsh Language Officer, the Service is presently considering its longer term staffing arrangements to address the ongoing requirements of the Welsh Language Standards.
- 3.3 The Service also provides support for employees to enrol on courses to learn Welsh. In July 2019 the Service placed an advert on its intranet site for employees who are interested in applying to study Welsh for the 2019-2020 academic year, as a result four members of staff applied to study Welsh.

## 4. EQUALITY RISK ASSESSMENT

- 4.1 An Equality Risk Assessment has been undertaken and no adverse impacts on any other Protected Characteristics have been identified.

- 4.2 There are positive impacts to the extent that Welsh speaking individuals from within all of the Protected Characteristic groups will benefit from having the option to access and receive most of the Authority's services in Welsh.

## 5. RECOMMENDATIONS

- 5.1 That Members note the information contained within the report.

<b>Contact Officer:</b>	<b>Background Papers:</b>
ACO Alison Reed Director of People Services	<p>Welsh Language Standards (No 5) Regulations  <a href="http://senedd.assembly.wales/documents/s49297/CLA690%20-The%20Welsh%20Language%20Standards%20No.%205%20Regulations%202016.pdf">http://senedd.assembly.wales/documents/s49297/CLA690%20-The%20Welsh%20Language%20Standards%20No.%205%20Regulations%202016.pdf</a></p> <p>Welsh Language (Wales) Measure 2011  <a href="http://www.legislation.gov.uk/mwa/2011/1/contents/enacted">http://www.legislation.gov.uk/mwa/2011/1/contents/enacted</a></p>

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## Appendix 1

## South Wales Fire and Rescue Authority Welsh Language Standards Compliance Review and Action Plan January 2020

This action plan has been compiled against the Welsh Language Standards (No 5) Regulations 2016 laid down for the three Fire and Rescue Authorities in Wales and other named bodies. The purpose of this review is to determine the extent to which SWFRS has achieved compliance with the standards and to identify any actions that need to be taken in order to achieve full compliance. Where possible, indicative costs are included.

The standards are grouped into 4 areas as described below:

- a **service delivery** standard
- a **policy making** standard
- an **operational** standard
- a **record keeping** standard

Under these areas, **150** individual standards have be imposed upon SWFRA by the Welsh Language Commissioner. Next to each individual standard is shown a simple “traffic light” system of green/amber/red to denote SWFRSA’s current level of compliance against the standards.

	Compliance achieved.
	Not compliant but work in progress to meet compliance.
	Non-compliant and no action plan in place to achieve compliance.

## Service delivery standards

1 Standards relating to correspondence sent by a body.	Status	Comment
<p><b>(1) When a body replies to correspondence</b></p> <p><b>Standard 1</b> If you receive correspondence from a person in Welsh you must reply in Welsh (if an answer is required), unless the person has indicated that there is no need to reply in Welsh.</p>	●	Covered in Guidance for Staff
<p><b>(2) When a body initiates correspondence</b></p> <p><b>(c) When a body corresponds with several persons (for example, when it issues a circular, or sends the same letter to a number of homes).</b></p>		
<p><b>Standard 4</b> When you send the same correspondence to several persons, you must issue a Welsh language version of the correspondence at the same time as you send any English language version.</p>	●	Covered in Guidance for Staff
<p><b>(3) General standards relating to correspondence sent by a body.</b></p>		
<p><b>Standard 5</b> If you don't know whether a person wishes to receive correspondence from you in Welsh, when you correspond with that person you must provide a Welsh language version of the correspondence.</p>	●	Covered in Guidance for Staff

<b>(3) General standards relating to correspondence sent by a body.</b>	<b>Status</b>	<b>Comment</b>
<b>Standard 6</b> If you produce a Welsh language version and a corresponding English language version of correspondence, you must not treat the Welsh language version less favourably than the English language version (for example, if the English version is signed, or if contact details are provided on the English version, then the Welsh version must be treated in the same way).	●	Covered in Guidance for Staff
<b>Standard 7</b> You must state – (a) in correspondence, and (b) in publications and official notices that invite persons to respond to you or correspond with you, that you welcome receiving correspondence in Welsh, that you will respond to correspondence in Welsh, and that corresponding in Welsh will not lead to delay.	●	Covered in Guidance for Staff
<b>2 Standards relating to telephone calls made and received by a body.</b>  <b>(1) Telephone calls made to a body’s main contact number and to any helplines or call centres.</b>		
<b>Standard 8</b> When a person contacts you on your main telephone number (or numbers), or on any helpline numbers or call centre numbers, you must greet the person in Welsh.	●	Covered in Guidance for Staff

<b>2 Standards relating to telephone calls made and received by a body.</b>  <b>(1) Telephone calls made to a body's main contact number and to any helplines or call centres.</b>	<b>Status</b>	<b>Comment</b>
<b>Standard 9</b> When a person contacts you on your main telephone number (or numbers), or on any helpline numbers or call centre numbers, you must inform the person that a Welsh language service is available.	●	Not applicable to 999 or 112
<b>Standard 10</b> When a person contacts you on your main telephone number (or numbers), or on any helpline numbers or call centre numbers, you must deal with the call in Welsh in its entirety if that is the person's wish (where necessary by transferring the call to a member of staff who is able to deal with the call in Welsh).	●	Covered in Guidance for Staff
<b>Standard 12</b> When you advertise telephone numbers, helpline numbers or call centre services, you must not treat the Welsh language less favourably than the English language.	●	Covered in Guidance for Staff
<b>Standard 13</b> If you offer a Welsh language service on your main telephone number (or numbers), on any helpline numbers or call centre numbers, the telephone number for the Welsh language service must be the same as for the corresponding English language service.	●	Compliant
<b>Standard 14</b> When you publish your main telephone number, or any helpline numbers or call centre service numbers, you must state (in Welsh) that you welcome calls in Welsh.	●	Covered in Guidance for Staff

<b>2 Standards relating to telephone calls made and received by a body</b> <i>continued.</i>	<b>Status</b>	<b>Comment</b>
<b>(1) Telephone calls made to a body's main contact number and to any helplines or call centres.</b>		
<b>Standard 15</b> If you have performance indicators for dealing with telephone calls, you must ensure that those performance indicators do not treat telephone calls made in Welsh any less favourably than calls made in English.	●	N/A
<b>Standard 16</b> Your main telephone call answering service (or services) must inform persons calling, in Welsh, that they can leave a message in Welsh.	●	N/A
<b>Standard 17</b> When there is no Welsh language service available on your main telephone number (or numbers), or on any helpline numbers or call centre numbers, you must inform persons calling, in Welsh (by way of an automated message or otherwise), when a Welsh language service will be available.	N/A	
<b>(2) Telephone calls made to departments and to members of a body's staff.</b>		
<b>Standard 18</b> If a person contacts one of your departments on a direct line telephone number (including on staff members' direct line numbers), and that person wishes to receive a service in Welsh, you must provide that service in Welsh in its entirety (if necessary by transferring the call to a member of staff who is able to deal with the call in Welsh).	●	Covered in Guidance for Staff

<b>(2) Telephone calls made to departments and to members of a body's staff <i>continued</i>.</b>	<b>Status</b>	<b>Comment</b>
<b>Standard 20</b> When a person contacts you on a direct number (whether on a department's direct line number or on the direct line number of a member of staff), you must ensure that, when greeting the person, the Welsh language is not treated less favourably than the English language		Covered in Guidance for Staff
<b>(3) Telephone calls made by a body.</b>		
<b>Standard 21</b> When you telephone an individual ("A") for the first time you must ask A whether A wishes to receive telephone calls from you in Welsh, and if A responds to say that A wishes to receive telephone calls in Welsh you must keep a record of that wish, and conduct telephone calls made to A from then onwards in Welsh. This is in the process of being reviewed.		Evidence required
<b>(4) A body dealing with telephone calls using an automated system.</b>		
<b>Standard 22</b> Any automated telephone systems that you have must provide the complete automated service in Welsh. Work is ongoing to establish a list of Departmental Phone lines and Help lines throughout the Service so that the use of Welsh in responding to calls can be monitored fully.		0800 number Welsh to be first

<b>3 Standards relating to a body holding meetings that are not open to the general public.</b>	<b>Status</b>	<b>Comment</b>
<b>(1) Meetings between a body and one other invited person.</b>		
<b>Standard 23</b> If you invite one person only ("P") to a meeting, you must offer to conduct the meeting in Welsh; and if P informs you that P wishes for the meeting to be conducted in Welsh, you must conduct the meeting in Welsh (without the assistance of a simultaneous or consecutive translation service).	●	Covered in Guidance to Staff
<b>(2) Meetings between a body and more than one invited person.</b>		
<b>Standard 25</b> If you invite more than one person to a meeting, you must ask each person whether they wish to use the Welsh language at the meeting.	●	Covered in Guidance to Staff
<b>Standard 25A</b> If you have invited more than one person to a meeting, and at least 10% (but less than 100%) of the persons invited have informed you that they wish to use the Welsh language at the meeting, you must arrange for a simultaneous translation service from Welsh to English to be available at the meeting.	●	Covered in Guidance to Staff
<b>Standard 25CH</b> If you have invited more than one person to a meeting, and all of the persons invited have informed you that they wish to use the Welsh language at the meeting, you must conduct the meeting in Welsh (without the assistance of a simultaneous or consecutive translation service).	●	Covered in Guidance to Staff

<b>4 Standards relating to a body holding interviews that are not open to the general public.</b>	<b>Status</b>	<b>Comment</b>
<p><b>(1) Interviews between a body and a person.</b></p> <p><b>Standard 26</b> If you invite or require a person ("P") to attend an interview –            (a) to assist you with an enquiry (for example as a witness to an event); or            (b) if P has been arrested            you must ask P whether P wishes to use the Welsh language at the interview, and inform P that you will, if necessary, provide a translation service from Welsh to English for that purpose.</p>	●	Covered in Guidance to Staff
<p><b>Standard 26A</b> If you have invited or required a person "P" to attend an interview –            (a) to assist you with an enquiry (for example as a witness to an event); or            (b) if P has been arrested            and P has informed you that P wishes to use the Welsh language at the interview, you must arrange for a simultaneous translation service from Welsh to English to be available at the interview (unless you conduct the interview in Welsh without the assistance of a translation service).</p>	●	Covered in Guidance to Staff
<p><b>(2) Interviews between a body and more than one person.</b></p>		
<p><b>Standard 27</b> If you invite or require more than one person to attend an interview –            (a) to assist you with an enquiry (for example as a witness to an event); or            (b) if one or more of those persons has been arrested            you must ask each person whether they wish to use the Welsh language at the interview, and inform them that you will, if necessary, provide a translation service from Welsh to English for that purpose.</p>	●	Covered in Guidance to Staff

<b>(2) Interviews between a body and more than one person <i>cont'd.</i></b>	<b>Status</b>	<b>Comment</b>
<p><b>Standard 27A</b> If you invite or require more than one person to attend an interview –</p> <p>(a) to assist you with an enquiry (for example as a witness to an event); or</p> <p>(b) if one or more of those persons has been arrested</p> <p>and if one or more of those persons has informed you that they wish to use the Welsh language at the interview you must arrange for a simultaneous translation service from Welsh to English to be available at the interview (unless you conduct the interview in Welsh without the assistance of a translation service).</p>	●	Covered in Guidance to Staff
<p><b>5 Standards relating to meetings arranged by a body that are open to the public.</b></p>		
<p><b>Standard 28</b> If you arrange a meeting that is open to the public you must state on any material advertising it, and on any invitation to it, that anyone attending is welcome to use the Welsh language at the meeting.</p>	●	Covered in Guidance to Staff
<p><b>Standard 29</b> When you send invitations to a meeting that you arrange which is open to the public, you must send the invitations in Welsh.</p>	●	Covered in Guidance to Staff

<b>5 Standards relating to meetings arranged by a body that are open to the public <i>continued</i>.</b>	<b>Status</b>	<b>Comment</b>
<p><b>Standard 30</b> If you invite persons to speak at a meeting that you arrange which is open to the public you must –</p> <p>(a) ask each person invited to speak whether he or she wishes to use the Welsh language, and</p> <p>(b) if that person (or at least one of those persons) has informed you that he or she wishes to use the Welsh language at the meeting, provide a simultaneous translation service from Welsh to English for that purpose (unless you conduct the meeting in Welsh without a translation service).</p>	●	Covered in Guidance to Staff
<p><b>Standard 31</b> If you arrange a meeting that is open to the public, you must ensure that a simultaneous translation service from Welsh to English is available at the meeting, and you must orally inform those present in Welsh –</p> <p>(a) that they are welcome to use the Welsh language, and</p> <p>(b) that a simultaneous translation service is available</p>	●	Covered in Guidance to Staff
<p><b>Standard 32</b> If you display any written material at a meeting that you arrange which is open to the public, you must ensure that that material is displayed in Welsh, and you must not treat any Welsh language text less favourably than the English language text.</p>	●	Covered in Guidance to Staff

<b>6 Standards relating to public events organised or funded by a body.</b>	<b>Status</b>	<b>Comment</b>
<b>Standard 33</b> If you organise a public event, or fund at least 50% of a public event, you must ensure that, in promoting the event, the Welsh language is treated no less favourably than the English language (for example, in the way the event is advertised or publicised).	●	Covered in Guidance to Staff
<b>Standard 34</b> If you organise a public event, or fund at least 50% of a public event, you must ensure that the Welsh language is treated no less favourably than the English language at the event (for example, in relation to services offered to persons attending the event, in relation to signs displayed at the event and in relation to audio announcements made at the event).	●	Covered in Guidance to Staff
<b>7 Standards relating to a body's publicity and advertising.</b>		
<b>Standard 35</b> Any publicity or advertising material that you produce must be produced in Welsh, and if you produce the advertising material in Welsh and in English, you must not treat the Welsh language version less favourably than you treat the English language version.	●	Covered in Guidance to Staff
<b>8 Standards relating to a body displaying material in public.</b>		
<b>Standard 36</b> Any material that you display in public must be displayed in Welsh, and you must not treat any Welsh language version of the material less favourably than the English language version.	●	Covered in Guidance to Staff

<b>9 Standards relating to a body producing and publishing documents.</b>	<b>Status</b>	<b>Comment</b>
<p><b>Standard 38</b> Any documents that you produce for public use must be produced in Welsh.</p> <p>You must comply with standard 38 in every circumstance, except:</p> <ul style="list-style-type: none"> <li>• Other papers which are available to the public which relate to board or authority meetings. [See standard 45]</li> </ul>	●	Covered in Guidance to Staff
<p><b>Standard 45</b> If you produce a document which is available to the public, and no other standard has required you to produce the document in Welsh, you must produce it in Welsh –</p> <p>(a) if the subject matter of the document suggests that it should be produced in Welsh, or</p> <p>(b) if the anticipated audience, and their expectations, suggests that the document should be.</p>	●	Covered in Guidance to Staff
<p><b>Standard 46</b> If you produce a document in Welsh and in English, (whether separate versions or not) you must not treat any Welsh language version less favourably than you treat the English language version.</p>	●	Covered in Guidance to Staff
<p><b>Standard 47</b> If you produce a Welsh language version and a separate English language version of a document, you must ensure that the English language version clearly states that the document is also available in Welsh.</p>	●	Covered in Guidance to Staff
<b>10 Standards relating to a body producing and publishing forms.</b>		
<p><b>Standard 48</b> Any form that you produce for public use must be produced in Welsh.</p>	●	Covered in Guidance to Staff
<p><b>Standard 48A</b> If you produce a Welsh language version and a separate English language version of a form, you must ensure that the English language version clearly states that the form is also available in Welsh.</p>	●	Covered in Guidance to Staff

<b>10 Standards in relation to a body producing and publishing forms <i>continued.</i></b>	<b>Status</b>	<b>Comment</b>
<b>Standard 48B</b> If you produce a form in Welsh and in English (whether separate versions or not), you must ensure that the Welsh language version is treated no less favourably than the English language version, and you must not differentiate between the Welsh and English versions in relation to any requirements that are relevant to the form (for example in relation to any deadline for submitting the form, or in relation to the time allowed to respond to the content of the form).	●	Covered in Guidance to Staff
<b>11 Standards relating to a body's websites and on-line services.</b>  <b>(1) Websites published by a body.</b>		
<b>Standard 49</b> You must ensure that – (a) the text of each page of your website is available in Welsh, (b) every Welsh language page on your website is fully functional, and (c) the Welsh language is not treated less favourably than the English language on your website.	●	Covered in Guidance to Staff
<b>Standard 52</b> If you have a Welsh language web page that corresponds to an English language web page, you must state clearly on the English language web page that the page is also available in Welsh, and you must provide a direct link to the Welsh page on the corresponding English page.	●	Compliance verified 06.11.17

<b>11 Standards relating to a body's websites and on-line services</b> <i>continued.</i>	<b>Status</b>	<b>Comment</b>
<b>(1) Websites published by a body</b> <i>continued.</i>		
<b>Standard 53</b> You must provide the interface and menus on every page of your website in Welsh.	●	Compliance verified 06.11.17
<b>(2) Apps published by a body.</b>		
<b>Standard 54</b> All apps that you publish must function fully in Welsh, and the Welsh language must be treated no less favourably than the English language in relation to that app.	●	Compliant SWFRS does not produce apps
<b>12 Standards relating to a body's use of social media</b>		
<p><b>Standard 55</b> When you use social media you must not treat the Welsh language less favourably than the English language.</p> <p>The Service uses Facebook, Twitter and Instagram regularly. As a Service we strive to deliver all posts bilingually, on the same page with Instagram or on separate Welsh and English pages for Facebook and Twitter. See Appendix 2 Social Media Analysis 2019/2020.</p> <p>We face some challenges with content due to a limited number of Welsh speaking staff across the Service. We are developing a network of Welsh speaking operational staff to help us in developing content such as our recent bank of virtual station visits and risk reduction messaging.</p> <p>The need for bilingual content at all times has become a difficult barrier for stations to overcome, especially when we all recognise that these kind of social platforms are key in developing close, trusted relationships between stations and their local communities.</p>	●	Covered in social media policy published on Intranet
<b>Standard 56</b> If a person contacts you by social media in Welsh, you must reply in Welsh (if an answer is required).	●	Embedded in current practice

<b>14 Standards relating to signs displayed by a body</b>	<b>Status</b>	<b>Comment</b>
<b>Standard 58</b> When you erect a new sign or renew a sign (including temporary signs), any text displayed on the sign must be displayed in Welsh (whether on the same sign as you display corresponding English language text or on a separate sign); and if the same text is displayed in Welsh and in English, you must not treat the Welsh language text less favourably than the English language text.	●	Covered in Guidance to Staff
<b>Standard 59</b> When you erect a new sign or renew a sign (including temporary signs), which conveys the same information in Welsh and in English, the Welsh language text must be positioned so that it is likely to be read first.	●	Covered in Guidance to Staff
<b>Standard 60</b> You must ensure that the Welsh language text on signs is accurate in terms of meaning and expression.	●	Compliant through translation procedure
<b>15 Standards relating to a body receiving visitors at its buildings.</b>		
<b>Standard 61</b> Any reception service you make available in English must also be available in Welsh, and any person who requires a Welsh language reception service must not be treated less favourably than a person who requires an English language reception service.	●	Compliant Welsh essential posts cover reception
<b>Standard 64</b> You must display a sign in your reception area which states (in Welsh) that persons are welcome to use the Welsh language at the reception.	●	Compliant Signs purchased and placed

<b>15 Standards relating to a body receiving visitors at its buildings.</b>	<b>Status</b>	<b>Comment</b>
<b>Standard 65</b> You must ensure that staff at the reception who are able to provide a Welsh language reception service wear a badge to convey that.	●	Compliant
<b>16 Standards relating to official notices made by a body</b>		
<b>Standard 66</b> Any notice that you publish or display must be published or displayed in Welsh, and you must not treat any Welsh language version of a notice less favourably than an English language version.	●	Covered in Guidance to Staff
<b>Standard 67</b> When you publish or display a notice that contains Welsh language text as well as English language text, the Welsh language text must be positioned so that it is likely to be read first.	●	Compliant
<b>17 Standards relating to a body awarding contracts</b>		
<b>Standard 73</b> Any invitations to tender for a contract that you publish must be published in Welsh, and you must not treat a Welsh language version of any invitation less favourably than an English language version. You must comply with standard 73 in the following circumstance (a) If the subject matter of the invitation to tender suggests that it should be produced in Welsh, or (b) If the anticipated audience, and their expectations, suggests that the text should be produced in Welsh.	●	Covered in Guidance to Staff
<b>Standard 74</b> When you publish invitations to tender for a contract, you must state in the invitation that tenders may be submitted in Welsh, and that a tender submitted in Welsh will be treated no less favourably than a tender submitted in English.	●	Covered within Invitation to Tender documentation

<b>17 Standards relating to a body awarding contracts</b>	<b>Status</b>	<b>Comment</b>
<b>Standard 74A</b> You must not treat a tender for a contract submitted in Welsh less favourably than a tender submitted in English (including, amongst other matters, in relation to the closing date for receiving tenders, and in relation to the time-scale for informing tenderers of decisions).	●	Covered in Guidance to Staff
<b>Standard 76</b> If you receive a tender in Welsh and it is necessary to interview a tenderer as part of your assessment of the tender, you must – (a) Offer to provide a translation service from Welsh to English to enable the tenderer to use the Welsh language at the interview and, (b) If the tenderer wishes to use the Welsh language at the interview, provide a simultaneous translation service for that purpose (unless you conduct the interview in Welsh without a translation service).	●	Covered in Guidance to Staff
<b>Standard 77</b> When you inform a tenderer of your decision in relation to a tender, you must do so in Welsh if the tender was submitted in Welsh.	●	Covered in Guidance to Staff
<b>17 Standards for raising awareness about Welsh language services provided by a body.</b>		
<b>Standard 78</b> You must promote any Welsh language service that you provide, and advertise that service in Welsh.	●	Covered in Guidance to Staff
<b>Standard 79</b> If you provide a service in Welsh that corresponds to a service you provide in English, any publicity or document that you produce, or website that you publish, which refers to the English service must also state that a corresponding service is available in Welsh.	●	Covered in Guidance to Staff

<b>19 Standard relating to a body's corporate identity.</b>	<b>Status</b>	<b>Comment</b>
<b>Standard 80</b> When you form, revise or present your corporate identity, you must not treat the Welsh language less favourably than the English language.	●	Covered in Guidance to Staff
<b>20 Standards relating to courses offered by a body.</b>		
<b>Standard 81</b> If you offer an education course that is open to the public, you must offer it in Welsh.	●	Covered in Guidance to Staff

## Policy Making Standards

<b>1 Standards relating to considering the effects of a body's policy decisions on the Welsh language.</b>	<b>Status</b>	<b>Comment</b>
<p><b>Standard 85</b> When you formulate a new policy, or review or revise an existing policy, you must consider what effects, if any (whether positive or adverse), the policy decision would have on –</p> <p>(a) opportunities for persons to use the Welsh language, and</p> <p>(b) treating the Welsh language no less favourably than the English language.</p>	●	Completed
<p><b>Standard 86</b> When you formulate a new policy, or review or revise an existing policy, you must consider how the policy could be formulated (or how an existing policy could be changed) so that the policy decision would have positive effects, or increased positive effects, on –</p> <p>(a) opportunities for persons to use the Welsh language, and</p> <p>(b) treating the Welsh language no less favourably than the English language.</p>	●	Added to new ERA procedure, but new ERA procedure and forms not yet published
<p><b>Standard 87</b> When you formulate a new policy, or review or revise an existing policy, you must consider how the policy could be formulated (or how an existing policy could be changed) so that the policy decision would not have adverse effects, or so that it would have decreased adverse effects, on-</p> <p>(a) opportunities for persons to use the Welsh language, and</p> <p>(b) treating the Welsh language no less favourably than the English language.</p>	●	Added to new ERA procedure, but new ERA procedure and forms not yet published

<b>Standards relating to considering the effects of a body's policy decisions on the Welsh language <i>continued</i>.</b>	<b>Status</b>	<b>Comment</b>
<p><b>Standard 88</b> When you publish a consultation document which relates to a policy decision, the document must consider, and seek views on, the effects (whether positive or adverse) that the policy decision under consideration would have on –</p> <p>(a) opportunities for persons to use the Welsh language, and</p> <p>(b) treating the Welsh language no less favourably than the English language.</p>	●	Covered in Guidance to Staff
<p><b>Standard 89</b> When you publish a consultation document which relates to a policy decision, the document must consider, and seek views on, how the policy under consideration could be formulated or altered so that it would have positive effects, or increased positive effects, on –</p> <p>(a) opportunities for persons to use the Welsh language, and</p> <p>(b) treating the Welsh language no less favourably than the English language.</p>	●	Covered in Guidance to Staff
<p><b>Standard 90</b> When you publish a consultation document which relates to a policy decision, the document must consider, and seek views on, how the policy under consideration could be formulated or altered so that it would not have adverse effects, or so that it would have decreased adverse effects, on –</p> <p>(a) opportunities for persons to use the Welsh language, and</p> <p>(b) treating the Welsh language no less favourably than the English language.</p>	●	Covered in Guidance to Staff

<b>1 Standards relating to considering the effects of a body's policy decisions on the Welsh language <i>continued</i>.</b>	<b>Status</b>	<b>Comment</b>
<p><b>Standard 92</b> When you commission or undertake research that is intended to assist you to make a policy decision, you must ensure that the research considers what effects, if any (and whether positive or adverse), the policy decision under consideration would have on –</p> <p>(a) opportunities for persons to use the Welsh language, and</p> <p>(b) treating the Welsh language no less favourably than the English language.</p>	●	Covered in Guidance to Staff
<p><b>Standard 93</b> When you commission or undertake research that is intended to assist you to make a policy decision, you must ensure that the research considers how the policy decision under consideration could be made so that it would have a positive effect, or so that it would have increased positive effects, on –</p> <p>(a) opportunities for persons to use the Welsh language, and</p> <p>(b) treating the Welsh language no less favourably than the English language.</p>	●	Covered in Guidance to Staff
<p><b>Standard 94</b> When you commission or undertake research that is intended to assist you to make a policy decision, you must ensure that the research considers how the policy decision under consideration could be made so that it would not have adverse effects, or so that it would have decreased adverse effects, on –</p> <p>(a) opportunities for persons to use the Welsh language, and</p> <p>(b) treating the Welsh language no less favourably than the English language.</p>	●	Covered in Guidance to Staff

## Operating Standards

<b>1 Standards relating to the use of the Welsh language within a body's internal administration.</b>	<b>Status</b>	<b>Comment</b>
<b>Standard 95</b> You must develop a policy on using Welsh internally for the purpose of promoting and facilitating the use of the language, and you must publish that policy on your intranet.	●	Compliant, policy produced and published on the Intranet.
<b>Standard 96</b> When you offer a new post to an individual, you must ask that individual whether he or she wishes for the contract of employment or contract for services to be provided in Welsh; and if that is the individual's wish you must provide the contract in Welsh.	●	Compliance verified
<b>Standard 97</b> You must – (a) ask each employee whether he or she wishes to receive any paper correspondence that relates to his or her employment, and which is addressed to him or her personally, in Welsh, and (b) if an employee so wishes, provide any such correspondence to that employee in Welsh.	●	Compliance verified
<b>Standard 98</b> You must ask each employee whether he or she wishes to receive documents that outline his or her training needs or requirements in Welsh; and if that is the employee's wish you must provide any such documents to him or to her in Welsh.	●	Compliance verified
<b>Standard 99</b> You must ask each employee whether he or she wishes to receive documents that outline his or her performance objectives in Welsh; and if that is the employee's wish you must provide any such documents to him or to her in Welsh.	●	Compliance verified

<b>1 Standards relating to the use of the Welsh language within a body's internal administration <i>continued</i>.</b>	<b>Status</b>	<b>Comment</b>
<b>Standard 100</b> You must ask each employee whether he or she wishes to receive documents that outline or record his or her career plan in Welsh; and if that is the employee's wish you must provide any such documents to him or to her in Welsh.	●	Compliance verified
<b>Standard 101</b> You must ask each employee whether he or she wishes to receive application forms that record and authorise – (a) annual leave, (b) absences from work, and (c) flexible working hours, in Welsh; and if that is an employee's wish, you must provide any such forms to him or to her in Welsh.	●	Compliance verified
<b>Standard 102</b> If you publish a policy relating to behaviour in the workplace, you must publish it in Welsh.	●	Compliance verified
<b>Standard 103</b> If you publish a policy relating to health and well-being at work, you must publish it in Welsh.	●	Compliance verified
<b>Standard 104</b> If you publish a policy relating to salaries or workplace benefits, you must publish it in Welsh.	●	Compliance verified
<b>Standard 105</b> If you publish a policy relating to performance management, you must publish it in Welsh.	●	Awaiting translation

<b>1 Standards relating to the use of the Welsh language within a body's internal administration <i>continued</i>.</b>	<b>Status</b>	<b>Comment</b>
<b>Standard 106</b> If you publish a policy about absence from work, you must publish it in Welsh.	●	Awaiting translation
<b>Standard 107</b> If you publish a policy relating to working conditions, you must publish it in Welsh.	●	Compliance verified
<b>Standard 108</b> If you publish a policy regarding work patterns, you must publish it in Welsh.	●	Compliance verified
<b>2 Standards relating to complaints made by a member of a body's staff.</b>		
<b>Standard 109</b> You must allow each member of staff – (a) to make complaints to you in Welsh, and (b) to respond in Welsh to any complaint made about him or her.	●	Compliance verified
<b>Standard 109A</b> You must state in any document that you have that sets out your procedures for making complaints that each member of staff may – (a) to make a complaint to you in Welsh, and (b) to respond to a complaint made about him or about her in Welsh; and you must also inform each member of staff of that right.	●	Compliance verified
<b>Standard 110</b> When you receive a complaint from a member of staff or a complaint about a member of staff, and a meeting is required with that member of staff, you must – (a) offer to conduct that meeting in Welsh, and (b) if the member of staff wishes for the meeting to be conducted in Welsh, conduct the meeting in Welsh (without the assistance of a simultaneous or consecutive translation service).	●	Compliance verified

<b>2 Standards relating to complaints made by a member of a body's staff <i>continued</i>.</b>	<b>Status</b>	<b>Comment</b>
<p><b>Standard 112</b> When you inform a member of staff of a decision you have reached in relation to a complaint made by him or by her, or in relation to a complaint made about him or about her, you must do so in Welsh if that member of staff –</p> <p>(a) made the complaint in Welsh,</p> <p>(b) responded in Welsh to a complaint about him or about her,</p> <p>(c) asked for a meeting about the complaint to be conducted in Welsh, or</p> <p>(ch) asked to use the Welsh language at a meeting about the complaint.</p>	●	Compliance verified
<b>3 Standards relating to a body disciplining staff.</b>		
<p><b>Standard 113</b> You must allow all members of staff to respond in Welsh to allegations made against them in any internal disciplinary process.</p>	●	Compliance verified
<p><b>Standard 113A</b> You must –</p> <p>(a) state in any document that you have which sets out your arrangements for disciplining staff that any member of staff may respond in Welsh to any allegations made against him or against her, and</p> <p>(b) if you commence a disciplinary procedure in relation to a member of staff, inform that member of staff of that right.</p>	●	Compliance verified

<b>3 Standards relating to a body disciplining staff <i>continued</i>.</b>	<b>Status</b>	<b>Comment</b>
<p><b>Standard 115</b> If you organise a meeting with a member of staff regarding a disciplinary matter that relates to his or to her conduct you must –</p> <p>(a) ask the member of staff whether he or she wishes to use the Welsh language at the meeting, and</p> <p>(b) explain that you will provide a translation service for that purpose if it is required;</p> <p>and, if the member of staff wishes to use the Welsh language, you must provide a simultaneous translation service from Welsh to English at the meeting (unless you conduct the meeting in Welsh without a translation service).</p>	●	Compliance verified
<p><b>Standard 116</b> When you inform a member of staff of a decision you have reached following a disciplinary process, you must do so in Welsh if that member of staff –</p> <p>(a) responded to allegations made against him or against her in Welsh,</p> <p>(b) asked for a meeting regarding the disciplinary process to be conducted in Welsh, or</p> <p>(c) asked to use the Welsh language at a meeting regarding the disciplinary process.</p>	●	Compliance verified

<b>4 Standards relating to a body's information technology and about support material provided by a body, and relating to the intranet.</b>	<b>Status</b>	<b>Comment</b>
<b>Standard 117</b> You must provide staff with computer software for checking spelling and grammar in Welsh, and provide Welsh languages interfaces for software (where an interface exists).	●	Covered in Guidance to Staff
<b>Standard 119</b> You must ensure that – (a) the text of the homepage of your intranet is available in Welsh, (b) any Welsh language text on your intranet's homepage (or where relevant, your Welsh language intranet homepage is fully functional and (c) the Welsh language is treated no less favourably than the English language in relation to the homepage of your intranet.	●	Replaces Standard 118. Imposition Day 30 September 2018
<b>Standard 121</b> If you have a Welsh language page on your intranet that corresponds to an English language page, you must state clearly on the English language page that the page is also available in Welsh, and must provide a direct link to the Welsh language page on the corresponding English language page. We have an exemption for all our Intranet pages having to be in the Welsh Language other than the 'Home page' which is bilingual.	●	Most pages are bilingual
<b>Standard 122</b> You must designate and maintain a page (or pages) on your intranet which provides services and support material to promote the Welsh language and to assist your staff to use the Welsh language. We have five Welsh Language pages for different functions.	●	Compliant
<b>5 Standards relating to a body developing Welsh language skills through planning and training its workforce.</b>		
<b>Standard 124</b> You must assess the Welsh language skills of your employees. A Welsh language Proficiency Report was carried out in March 2020 through the CoreHR System. The data collated was reported to the Welsh Language Commissioner's Office. Some work is needed to encourage more Staff to self-assess their language skills and complete this page within their personal core Portal.	●	In progress



<b>5 Standards relating to a body developing Welsh language skills through planning and training its workforce <i>continued</i>.</b>	<b>Status</b>	<b>Comment</b>
<p><b>Standard 125</b> You must provide training in Welsh in the following areas, if you provide such training in English –</p> <ul style="list-style-type: none"> <li>(a) recruitment and interviewing;</li> <li>(b) performance management;</li> <li>(c) complaints and disciplinary procedures;</li> <li>(ch) induction;</li> <li>(d) dealing with the public;</li> <li>(dd) health and safety</li> </ul>	●	Strategies in place with Welsh speakers in the Service. Can offer simultaneous translation
<p><b>Standard 126</b> You must provide training (in Welsh) on using Welsh effectively in –</p> <ul style="list-style-type: none"> <li>(a) meetings;</li> <li>(b) interviews;</li> <li>(c) complaints and disciplinary procedures.</li> </ul>	●	In design stage
<p><b>Standard 127</b> You must provide opportunities during working hours –</p> <ul style="list-style-type: none"> <li>(a) for your employees to receive basic Welsh language lessons, and</li> <li>(b) for employees who manage others to receive training on using the Welsh language in their role as managers.</li> </ul>	●	Compliant for (a), package to meet compliance for (b) in design stage

<b>5 Standards relating to a body developing Welsh language skills through planning and training its workforce <i>continued</i>.</b>	<b>Status</b>	<b>Comment</b>
<p><b>Standard 128</b> You must provide opportunities for staff who have completed basic Welsh language training to receive further training free of charge, to develop their language skills. Staff are offered the opportunity annually to apply for funding for further training with 'Learn Welsh Cymru' at a venue of their choice.</p>	●	Compliant through Welsh Language Skills Training Strategy
<p><b>Standard 129</b> You must provide training courses so that your staff can develop –</p> <p>(a) awareness of the Welsh language (including awareness of its history and its role in Welsh culture);</p> <p>(b) an understanding of the duty to operate in accordance with the Welsh language standards;</p> <p>(c) an understanding of how the Welsh language can be used in the workplace.</p> <p>Since 2018 work has been carried out to raise awareness of Welsh Language and Culture within the Service by promotion of important dates in the Welsh Calendar, some historical and others introduced in recent years. During 2019/2020 the following dates and events were observed and promoted:-</p> <ul style="list-style-type: none"> <li>• Diwrnod Shwmae – 15 October 2019</li> <li>• Welsh Language Rights – 6 December 2019</li> <li>• St Dwynwen's Day – 25 January 2020</li> <li>• Dydd Miwsig Cymraeg – 7 February 2020</li> <li>• St David's Day – 1 March 2020</li> </ul>	●	In design stage
<p><b>Standard 130</b> When you provide information to new employees (for example by means of an induction process), you must provide information for the purpose of raising their awareness of the Welsh language.</p>	●	Compliant through session on induction

<p><b>Standard 131</b> You must provide text or a logo for your staff to include in e-mail signatures which will enable them to indicate whether they speak Welsh fluently or whether they are learning the language.</p>	●	Covered in Guidance to Staff
<p><b>Standard 132</b> You must provide wording for your employees which will enable them to include a Welsh language version of their contact details in e-mail messages, and to provide a Welsh language version of any message which informs others that they are unable to respond to e-mail messages.</p>	●	Covered in Guidance to Staff

<b>6 Standards relating to a body recruiting and appointing</b>	<b>Status</b>	<b>Comment</b>
<b>Standard 133</b> You must make available to members of staff who are able to speak Welsh a badge for them to wear to convey that.	●	Compliant
<b>Standard 133A</b> You must promote to members of staff the wearing of a badge that conveys that a member of staff is able to speak Welsh.	●	Covered in Guidance to Staff
<b>Standard 134</b> When you assess the requirements for a new or vacant post, you must assess the need for Welsh language skills, and categorise it as a post where one or more of the following apply – (a) Welsh language skills are essential; (b) Welsh language skills need to be learnt when appointed to the post; (c ) Welsh language skills are desirable; or (ch) Welsh language skills are not necessary	●	Compliance verified
<b>Standard 134A</b> If you have categorised a post as one where Welsh language skills are essential, desirable or need to be learnt you must – (a) specify that when advertising the post, and (b) advertise the post in Welsh.	●	Compliance verified
<b>Standard 135</b> When you advertise a post, you must state that applications may be made in Welsh, and that an application submitted in Welsh will not be treated less favourably than an application submitted in English.	●	Compliance verified

<b>6 Standards relating to a body recruiting and appointing <i>continued</i>.</b>	<b>Status</b>	<b>Comment</b>
<p><b>Standard 135A</b> If you publish –</p> <ul style="list-style-type: none"> <li>(a) application forms for posts;</li> <li>(b) material that explains your procedure for applying for posts;</li> <li>(c) information about your interview process, or about other assessment methods when applying for posts;</li> <li>(ch) job descriptions;</li> </ul> <p>you must publish them in Welsh; and you must ensure that the Welsh language versions of the documents are treated no less favourably than any English language versions of those documents.</p>	●	Compliance verified
<p><b>Standard 135B</b> You must not treat an application for a post made in Welsh less favourably than you treat an application made in English (including, amongst other matters, in relation to the closing date you set for receiving applications and in relation to any time-scale for informing applicants of decisions).</p>	●	Compliance verified
<p><b>Standard 137</b> You must ensure that your application forms for posts –</p> <ul style="list-style-type: none"> <li>(a) provide a space for individuals to indicate that they wish to use the Welsh language at an interview or other method of assessment, and</li> <li>(b) explain that you will provide a translation service from Welsh to English for that purpose if it is required;</li> </ul> <p>and if the individual wishes to use the Welsh language, at the interview or assessment, you must provide a simultaneous translation service at the interview or assessment (unless you conduct the interview or assessment in Welsh without that translation service).</p>	●	Compliance verified

<b>6 Standards relating to a body recruiting and appointing <i>continued</i>.</b>	<b>Status</b>	<b>Comment</b>
<b>Standard 138</b> When you inform an individual of your decision in relation to an application for a post, you must do so in Welsh if the application was made in Welsh.	●	Compliance verified
<b>7 Standards relating to signs displayed in a body's workplace.</b>		
<b>Standard 139</b> When you erect a new sign or renew a sign in your workplace (including temporary signs), any text displayed on the sign must be displayed in Welsh (whether on the same sign as you display corresponding English language text or on a separate sign), and if the same text is displayed in Welsh and in English, you must not be treat the Welsh language text less favourably than the English language text.	●	Compliance verified
<b>Standard 140</b> When you erect a new sign or renew a sign in your workplace (including temporary signs) which conveys the same information in Welsh and in English, the Welsh-language text must be positioned so that it is likely to be read first.	●	Covered in Guidance for Staff
<b>Standard 141</b> You must ensure that the Welsh language text on signs displayed in your workplace is accurate in terms of meaning and expression.	●	Covered in Guidance for Staff
<b>8 Standard relating to audio announcements and messages in a body's workplace.</b>		
<b>Standard 142</b> When you make announcements in the workplace using audio equipment, that announcement must be made in Welsh, and if the announcement is made in Welsh and in English, the announcement must be made in Welsh first.	●	N/A SWFRS does not do this

## Record Keeping Standards

1 Standards relating to a body keeping records	Status	Comment
<b>Standard 143</b> You must keep a record, in relation to each financial year, of the number of complaints you receive relating to your compliance with standards.	●	Compliance verified
<b>Standard 144</b> You must keep a copy of any written complaint that you receive that relates to your compliance with the standards with which you are under a duty to comply.	●	Compliance verified
<b>Standard 145</b> You must keep a copy of any written complaint that you receive that relates to the Welsh language (whether or not that complaint relates to the standards with which you are under a duty to comply).	●	Compliance verified
<b>Standard 146</b> You must keep a record of the steps that you have taken in order to ensure compliance with the policy making standards with which you are under a duty to comply.	●	Compliance verified
<b>Standard 147</b> You must keep a record (following assessments of your employees' Welsh language skills made in accordance with standard 127), of the number of employees who have Welsh language skills at the end of each financial year and, where you have that information, you must keep a record of the skill level of those employees.	●	In progress

<b>1 Standards relating to a body keeping records <i>continued</i>.</b>	<b>Status</b>	<b>Comment</b>
<p><b>Standard 148</b> You must keep a record, for each financial year of –            (a) the number of members of staff who attended training courses offered by you in Welsh (in accordance with standard 125), and            (b) if a Welsh version of a course was offered by you in accordance with standard 125 the percentage of the total number of staff attending the course who attended that version.</p>	●	Compliance verified
<p><b>Standard 149</b> You must keep a record of the number of members of staff who wear a badge (made available to them in accordance with standard 133) at the end of each financial year.</p>	●	Compliance verified
<p><b>Standard 150</b> You must keep a copy of every assessment that you carry out (in accordance with standard 134) in respect of the Welsh language skills that may be needed in relation to a new or vacant post.</p>	●	Compliance verified
<p><b>Standard 151</b> You must keep a record, in relation to each financial year of the number of new and vacant posts which were categorised (in accordance with standard 134) as posts where –            (a) Welsh language skills are essential;            (b) Welsh language skills need to be learnt;            (c) Welsh language skills are desirable: or            (ch) Welsh language skills are not necessary</p>	●	Compliance verified

## Supplementary Matters

### Service Delivery Standards

1 A body publicising service delivery standards	Status	Comment
<p><b>Standard 152</b> You must ensure that a document which records the service delivery standards with which you are under a duty to comply, and the extent to which you are under a duty to comply with those standards, is available –</p> <p>(a) on your website, and</p> <p>(b) in each of your offices that are open to the public</p>	●	Compliant
<b>2 A body publishing a complaints procedure</b>		
<p><b>Standard 153</b> You must –</p> <p>(a) ensure that you have a complaints procedure that deals with the following matters –</p> <p style="padding-left: 20px;">i) how you intend to deal with complaints relating to your compliance with the service delivery standards with which you are under a duty to comply, and</p> <p style="padding-left: 20px;">ii) how you will provide training for your staff in relation to dealing with those complaints,</p> <p>(b) publish a document that records that procedure on your website, and</p> <p>(c) ensure that a copy of that document is available in each of your offices that are open to the public.</p>	●	Compliance verified

<b>3 A body publishing arrangements for oversight, promotion etc.</b>	<b>Status</b>	<b>Comment</b>
<p><b>Standard 154</b> You must –</p> <p>(a) ensure that you have arrangements for –</p> <ul style="list-style-type: none"> <li>i) overseeing the way you comply with the service delivery standards with which you are under a duty to comply,</li> <li>ii) promoting the services that you offer in accordance with those standards, and</li> <li>iii) facilitating the use of those services.</li> </ul> <p>(b) publish a document that records those arrangements on your website, and</p> <p>(c) ensure that a copy of that document is available in each of your offices that are open to the public.</p>	●	<p>Annual monitoring self-assessment to capture these and provide scrutiny through SMT and Fire and Rescue Authority</p>

<b>4 A body producing an annual report regarding service delivery standards.</b>	<b>Status</b>	<b>Comment</b>
<p><b>Standard 155</b></p> <p>(1) You must produce a report (an “annual report”), in Welsh, in relation to each financial year, which deals with the way in which you have complied with the service delivery standards with which you were under a duty to comply during that year.</p> <p>(2) The annual report must include the number of complaints that you received during that year which related to your compliance with the service delivery standards with which you were under a duty to comply.</p> <p>(3) You must publish the annual report no later than 30 June following the financial year to which the report relates. The submission date is 30<sup>th</sup> September.</p> <p>(4) You must publicise the fact that you have published an annual report.</p> <p>(5) You must ensure that a current copy of your annual report is available –</p> <p>(a) on your website, and</p> <p>(b) in each of your offices that are open to the public.</p>	●	Monitoring framework designed and awaiting approval

<b>5 A body publicising the way it intends to comply with service delivery standards</b>	<b>Status</b>	<b>Comment</b>
<b>Standard 156</b> You must publish a document on your website which explains how you intend to comply with the service delivery standards with which you are under a duty to comply.	●	Compliant
<b>6 A body providing information to the Welsh Language Commissioner</b>		
<b>Standard 157</b> You must provide any information requested by the Welsh Language Commissioner which relates to your compliance with the service delivery standards with which you are under a duty to comply.	●	Compliant

### Policy Making Standards

<b>7 A body publicising policy making standards</b>	<b>Status</b>	<b>Comment</b>
<b>Standard 158</b> You must ensure that a document which records the policy making standards with which you are under a duty to comply, and the extent to which you are under a duty to comply with those standards, is available – (a) on your website, and (b) in each of your offices that are open to the public	●	Compliant

<b>8 A body publishing a complaints procedure</b>	<b>Status</b>	<b>Comment</b>
<p><b>Standard 159</b> You must –</p> <p>(a) ensure that you have a complaints procedure that deals with the following matters –</p> <ul style="list-style-type: none"> <li>i) how you intend to deal with complaints relating to your compliance with the policy making standards with which you are under a duty to comply, and</li> <li>ii) how you will provide training for your staff in relation to dealing with those complaints</li> </ul> <p>(b) publish a document that records that procedure on your website, and</p> <p>(c) ensure that a copy of that document is available in each of your offices that are open to the public.</p>	●	Compliance verified

<b>9 A body publishing arrangements for oversight</b>	<b>Status</b>	<b>Comment</b>
<p><b>Standard 160</b> You must –</p> <p>(a) ensure that you have arrangements for overseeing the way you comply with the policy making standards with which you are under a duty to comply.</p> <p>(b) publish a document that records those arrangements on your website, and</p> <p>(c) ensure that a copy of that document is available in each of your offices that are open to the public.</p>	●	Annual monitoring self-assessment to capture these and provide scrutiny through SMT and Fire and Rescue Authority
<p><b>10 A body producing an annual report regarding policy making standards.</b></p>		
<p><b>Standard 161</b></p> <p>(1) You must produce a report (an “annual report”), in Welsh, in relation to each financial year, which deals with the way in which you have complied with the policy making standards with which you were under a duty to comply during that year.</p> <p>(2) The annual report must include the number of complaints you received during the year which related to your compliance with the policy making standards with which you were under a duty to comply.</p> <p>(3) You must publish the annual report no later than 30 June following the financial year to which the report relates.</p> <p>(4) You must publicise the fact that you have published an annual report.</p> <p>(5) You must ensure that a current copy of your annual report is available –</p> <p>(a) on your website, and</p> <p>(b) in each of your offices that are open to the public.</p>	●	Monitoring framework designed

<b>11 A body publicising the way it intends to comply with policy making standards</b>	<b>Status</b>	<b>Comment</b>
<b>Standard 162</b> You must publish a document on your website which explains how you intend to comply with the policy making standards with which you are under a duty to comply.	●	Compliant
<b>12 A body providing information to the Welsh Language Commissioner</b>		
<b>Standard 163</b> You must provide any information requested by the Welsh Language Commissioner which relates to your compliance with the policy making standards with which you are under a duty to comply.	●	Compliant

### Operational Standards

<b>13 A body publicising operational standards</b>	<b>Status</b>	<b>Comment</b>
<b>Standard 164</b> You must ensure that a document which records the operational standards with which you are under a duty to comply, and the extent to which you are under a duty to comply with those standards, is available – (a) on your website, and (b) in each of your offices that are open to the public	●	Compliant

<b>14 A body publishing a complaints procedure</b>	<b>Status</b>	<b>Comment</b>
<p><b>Standard 165</b> You must –</p> <p>(a) ensure that you have a complaints procedure that deals with the following matters –</p> <ul style="list-style-type: none"> <li>i) how you intend to deal with complaints relating to your compliance with the operational standards with which you are under a duty to comply, and</li> <li>ii) how you will provide training for your staff in relation to dealing with those complaints, and</li> </ul> <p>(b) publish a document that records that procedure on your intranet.</p>	●	Compliance verified
<b>15 A body publishing oversight arrangements, promotion etc.</b>		
<p><b>Standard 166</b> You must –</p> <p>(a) ensure that you have arrangements for –</p> <ul style="list-style-type: none"> <li>i) overseeing the way you comply with the operational standards with which you are under a duty to comply,</li> <li>ii) promoting the services that you offer in accordance with those standards, and</li> <li>iii) facilitate the use of those services, and</li> </ul> <p>(b) publish a document that records that procedure on your intranet.</p>	●	Annual monitoring self-assessment to capture these and provide scrutiny through SMT and Fire and Rescue Authority

<b>16 A body producing an annual report regarding operational standards.</b>	<b>Status</b>	<b>Comment</b>
<p><b>Standard 167</b></p> <p>(1) You must produce a report (an “annual report”), in Welsh, in relation to each financial year, which deals with the way in which you have complied with the operational standards with which you were under a duty to comply during that year.</p> <p>(2) The annual report must include the following information (where relevant, to the extent you are under a duty to comply with the standards referred to) –</p> <p>(a) the number of employees who have Welsh language skills at the end of the year in question (on the basis of records you kept in accordance with Standard 147);</p> <p>(b) the number of members of staff who attended training courses you offered in Welsh during the year (on the basis of records you kept in accordance with standard 148);</p> <p>(c) if a Welsh version of a course was offered by you during that year, the percentage of the total number of staff attending the course who attended the Welsh version (on the basis of the records you kept in accordance with standard 148);</p>	●	Annual monitoring self-assessment to capture these and provide scrutiny through SMT and Fire and Rescue Authority

<b>16 A body producing an annual report regarding operational standards <i>continued</i>.</b>	<b>Status</b>	<b>Comment</b>
<p><b>Standard 167 <i>continued</i></b>            (ch) the number of members of staff who wear a badge at the end of the financial year (on the basis of records you kept in accordance with standard 149);            (d) the number of new and vacant posts that you advertised during the year which were categorised as posts where –            (i) Welsh language skills were essential,            (ii) Welsh language skills needed to be learnt when appointed to the post,            (iii) Welsh language skills were desirable, or            (iv) Welsh language skills were not necessary            (on the basis of the records you kept in accordance with standard 151);            (dd) the number of complaints that you received during that year which related to your compliance with the operational standards with which you were under a duty to comply.            (3) You must publish the annual report no later than 30 June following the financial year to which the report relates. This is not the case for Fire and Rescue Services (the date is 30<sup>th</sup> September)            (4) You must publicise the fact that you have published an annual report.            (5) You must ensure that a current copy of your annual report is available –            (a) on your website; and            (b) in each of your offices that are open to the public.            Work on the Annual Report is currently being carried out for 2019/2020.</p>	●	Monitoring framework designed

<b>17 A body publicising the way it intends to comply with operational standards</b>	<b>Status</b>	<b>Comment</b>
<b>Standard 168</b> You must publish a document on your website which explains how you intend to comply with the operational standards with which you are under a duty to comply.	●	Compliant
<b>18 A body providing information to the Welsh Language Commissioner</b>		
<b>Standard 169</b> You must provide any information requested by the Welsh Language Commissioner which relates to your compliance with the operational standards with which you are under a duty to comply.	●	Compliant

### Record Keeping Standards

<b>21 A body publicising record keeping standards</b>	<b>Status</b>	<b>Comment</b>
<b>Standard 170</b> You must ensure that a document which records the record keeping standards with which you are under a duty to comply, and the extent to which you are under a duty to comply with those standards, is available – (a) on your website, and (b) in each of your offices that are open to the public	●	Compliant
<b>22 A body providing information to the Welsh Language Commissioner</b>		
<b>Standard 176</b> You must provide any records you kept in accordance with the record keeping standards with which you are under a duty to comply to the Welsh Language Commissioner, if the Commissioner asks for those records.	●	Compliant

**Based on the evidence above, the following is an overview of the position of SWFRS in relation to the 150 standards imposed:**

		<b>SWFRS</b>
Number of draft standards scoring in a Green category		<b>142</b>
Number of draft standards scoring in an Amber category		<b>7</b>
Number of draft standards scoring in a Red category		<b>1</b>

## Appendix 2

## Welsh Language Standards - analysis of interactions with SWFRS website &amp; social media pages (Apr 2019 – March 2020)

WEBSITE		
Criteria	Welsh Website:	English Website:
Unique page views	10,931	723,484
Predominant age group	Google does not have this data	25-34
Users	3,802	167,734
Time spent on Website (per session)	1 min 41 seconds	2 min 3 seconds
Most popular pages	Swyddi gwag diweddararf Rol Diffoddwr Tan Gweithio i ni	Latest vacancies On-call Firefighters WDS 2020

FACEBOOK		
Criteria	Welsh page	English page
Followers (between Apr 18 - Mar 19)	234 to 262	23,567 to 28,305
Extra followers for last 3 months	7	2115
New likes: January 2019 – March 2020	8	2010

TWITTER		
Criteria	Welsh page	English page
Followers	147	30,000
Tweets	2000	2500
Likes	361	26000

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**FORWARD WORK PROGRAMME FOR  
FIRE & RESCUE AUTHORITY 2020/21**

<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>
13 July 2020	Ratification of Various Emergency Decisions	To provide ratification of the following emergency decisions: <ul style="list-style-type: none"> <li>• Emergency Delegated Powers</li> <li>• Strategic Equality Plan</li> <li>• Firefighter Pension Discretions</li> <li>• Pay Policy</li> <li>• Report to those Charged with Governance</li> </ul>	DCO  Contact Officer: Sally Chapman	On agenda
13 July 2020	Treasury Management Strategy 2020/21	To seek Members' approval to the Treasury Management Strategy for the financial year.	Treasurer  Contact Officer: Geraint Thomas	On agenda
13 July 2020	Carbon Reduction Plan	To seek Members' observations and approval on the proposed plan and associated actions.	DCO  Contact Officer: Geraint Thomas	On agenda
13 July 2020	Lease Cars and Tax - Proposals to Amend Lease Scheme	To update the Lease Scheme to ensure it is tax compliant and to review contribution rates.	ACFO TS  Contact Officer: Richie Prendergast	On agenda
13 July 2020	Pension Ombudsman Decision	To advise Members of the outcome of a recent Pension Ombudsman decision affecting the Fire & Rescue Authority.	ACO PS  Contact Officer: Alison Reed	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>
13 July 2020	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
13 July 2020	End of year Health Check on Performance and Strategic Objectives 2019/20	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
13 July 2020	Welsh Language Standards	To update Members on compliance against the Welsh Language Standards.	ACO PS Contact Officer: Alison Reed	On agenda
13 July 2020	Report on Proposed Priority Actions 2021/22	To advise Members of the proposed Priority Actions 2021/22 and to seek authority to enter into public consultation on these.	DCO Contact Officer: Sarah Watkins	On agenda
28 Sept 2020	Health & Safety Annual Report 2019/20	To advise Members of Health & Safety performance of the organisation.	ACFO TS Contact Officer: Richie Prendergast	
28 Sept 2020	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 2021/22 Budget Setting Strategy.	Treasurer Contact Officer: Chris Barton	

<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>
28 Sept 2020	Budget Strategy 2021/22	To obtain clarification upon the political steer for the Budget Strategy for 2021/22 budget setting process.	Treasurer  Contact Officer: Chris Barton	
28 Sept 2020	Treasury Management Outturn 2019/20	To advise Members of the year end treasury management position.	Treasurer  Contact Officer: Chris Barton & Geraint Thomas	
28 Sept 2020	New Inn Fire & Rescue Station	To discuss options for the redevelopment or relocation of New Inn Fire & Rescue Station	DCO/ACFO SD  Contact Officer: Sally Chapman	
14 Dec 2020	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	
14 Dec 2020	Half Yearly Health Check of Performance and Review of Strategic Themes	To advise Members of performance against agreed performance indicator targets and achievement of Strategic	DCO  Contact Officer: Sarah Watkins	

<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>
		Themes at the mid-way point through the year.		
14 Dec 2020	Treasury Management Mid Term Report 2020/21	To advise Members of the mid-year position in relation to our treasury management.	Treasurer Contact Officer: Geraint Thomas	
14 Dec 2020	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	
8 Feb 2021	Estimated Revenue & Capital Budget determination for 2021/22	To consider consultation responses and to set the recommended budget determination for consideration by the Fire Authority.	Treasurer Contact Officer: Geraint Thomas	
8 Feb 2021	SPI Target Setting 2021/22	To set the targets for the following financial year.	ACFO SD Contact Officer: Sarah Watkins	
8 Feb 2021	Report on Responses to the Consultation of the draft rolling Strategic Plan and Priority Actions 2021/22	To advise Members of consultation responses and seek approval for a final version of the rolling Strategic Plan.	DCO Contact Officer: Sarah Watkins	
8 Feb 2021	Pay Policy Statement 2020/21	To consider the Authority's Pay Policy Statement in compliance with the Localism Act 2011 and associated guidance.	ACO PS Contact Officer: Alison Reed	

<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>
8 Feb 2021	Gender Pay Gap Statement	To update Members on the analysis of the gender pay gap across the Service.	ACO PS  Contact Officer: Alison Reed	
8 Feb 2021	WAO Certificate of Compliance	To advise Members of the WAO Certificate of Compliance received in relation to the publication of the 2020/21 Improvement Plan.	DCO  Contact Officer: Sally Chapman	
22 March 2021	Annual Report of the work of the Finance, Audit & Performance Management Committee & its scrutiny group during 2020/21	To advise Members of the work of the Committee.	DCO  Contact Officer: Sally Chapman	
22 March 2021	Annual Report of the work of the HR & Equalities Committee during 2020/21	To advise Members of the work of the Committee	ACO PS  Contact Officer: Alison Reed	
22 March 2021	Annual Report of the Work of the Local Pensions Board 2020/21	To advise Members of the work of the Board.	ACO PS  Contact Officer: Alison Reed	
22 March 2021	Annual Report of the 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	
22 March 2021	Treasury Management Strategy 2021/22	To secure Members' approval to the adoption of the Treasury Management Strategy 2021/22.	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>
22 March 2021	Fire Authority & Committee Meeting Dates for 2021/22	To present Members with proposed dates of Authority & Committee meetings for 2021/22.	DCO Contact Officer: Sally Chapman	
22 March 2021	Carbon Reduction Plan	To update Members on the Carbon Reduction Plan.	DCO Contact Officer: Geraint Thomas	
22 March 2021	Strategic Equality Plan	To provide Members with the current Strategic Equality Plan.	ACO PS Contact Officer: Andrew Jones	
22 March 2021	Review of Firefighter Pension Schemes	To provide Members with an update on the current position of the Firefighter Pension Schemes.	ACO PS Contact Officer: Alison Reed	
22 March 2021	Member Attendance	To review Member attendance 2020/21	DCO Contact Officer: Sally Chapman	

Huw Jakeway – CFO  
Sally Chapman – DCO  
Dewi Rose – ACFO Service Delivery  
Richie Prendergast – ACFO Technical Services  
Alison Reed – ACO People Services

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

## AGENDA ITEM NO 8

**To consider any items of business that the Chairperson 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.	Chairperson's Announcements	
4.	To receive the minutes of;	
	• Fire & Rescue Authority held on 10 February 2020	5
	• Annual General Meeting held on 8 June 2020	9
	• Finance, Audit & Performance Management Committee held on 25 November 2019	17
	• HR and Equalities Committee held on 11 November 2019	23
	• Local Pension Board Committee held on 20 January 2020	31
	• Finance, Audit & Performance Management Committee held on 2 March 2020	35
5.	Update on Actions	41
6.	<b>REPORTS FOR DECISION</b>	43
6.i.	Ratification of emergency decisions	45
6.ii.	Treasury Management Strategy 2020/21	155
6.iii.	Carbon Reduction Plan 2020	175

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6.iv.	SWFRA Vehicle Lease Scheme	193
6.v.	Report on draft proposed Strategic Themes and Objectives 2021/2022	201
7.	<b>REPORTS FOR INFORMATION</b>	209
7.i.	Final Determination from the Pensions Ombudsman in relation to the protected pension age (PPA): Fire Authority Liability	211
7ii.	Strategic Risk Register Report Quarter 4 2019/20	235
7.iii.	End of year Health Check on Performance and Strategic Objectives 2019/20	267
7.iv.	Welsh Language Standards update – June 2020	281
7.v.	Forward Work Programme for Fire & Rescue Authority 2020/21	335
8.	To consider any items of business that the Chairperson deems urgent (Part 1 or 2)	341