

# NORTHERN IRELAND FIRE & RESCUE SERVICE BOARD

## MINUTES OF A MEETING

18 AUGUST 2010

10.30 AM

PRESENT: Mr A Coleman, Chair presiding  
Mr P Craig, Acting Chief Fire Officer  
Mr J Barbour  
Mr N Birthistle  
Miss F Graham  
Mr A Hanna  
Mr S Leach  
Mrs E Mahood

IN ATTENDANCE: Mr T Wright, Acting Deputy Chief Fire Officer  
Mr E Doyle, Acting Assistant Chief Fire Officer  
Mr T McGonigal, Director of Finance & Performance Management  
Mrs H Ellis, Senior Human Resources Manager  
Mrs C McNally, Corporate Communications Manager  
Mr C Kerr, Area Commander, Eastern Area Command  
Mrs I Hill, Board Administrative Secretary  
Mr D Jordan, DHSSPS

### 1 Apologies

There were no apologies.

### 2 Minutes

The Minutes of the Meeting held on 24 June 2010, having been printed and circulated, were taken as read and signed as a true record.

Arising out of the Minutes:

#### **Sealing of Documents**

##### **Rent Review – NIFRS Training Centre at Boucher**

The Chair informed Members that the previous Board, at its Meeting on 24 June 2010, had approved the sealing of the document relating to the Rent Review of NIFRS Training Centre. He explained that he had asked that additional information to reinforce governance on the matter be presented to the Board Meeting.

The Acting Chief Fire Officer referred to the memorandum prepared by the Director of Planning & Corporate Affairs giving detailed background information regarding the Rent Review of the Training Centre at Boucher and gave Members a brief overview of same.

During discussion, Members were assured that Land & Property Services (LPS) had advised that the agreed rent review relating to the Boucher site was considered to represent the fair market value. It was noted that DHSSPS and NIFRS are aware of LPS advice on the potential future market value of the property and the need to maximise value on disposal of the interest.

Members also noted that discussion on the future of the Boucher site in line with progress on the new joint Training College at Desertcreat was now included at Strategic Investment Group Meetings between DHSSPS and NIFRS.

Following further discussion during which Officers answered Members' questions on various aspects of the information presented, the Board, on the motion of Miss Graham, seconded by Mr Birthistle, unanimously –

**Resolved:**                   **“to endorse the decision of the Board at its June Meeting and approved the Sealing of the Document pertaining to the Rent Review of NIFRS Training Centre at Boucher”.**

### **Disposal of Land at Lurgan**

The Chair informed Members that the previous Board, at its Meeting on 24 June 2010, had approved the sealing of the document relating to the disposal of land at Lurgan. He explained that given the decrease in the value of the asset and in terms of corporate governance, he had requested the matter be brought back to the Board. Members noted a memorandum prepared by the Director of Planning & Corporate Affairs pertaining to the transfer of land at Lurgan to South Ulster Housing Association.

The Acting Chief Fire Officer acknowledged that the selling price as compared to the original market value had changed significantly. He referred Members to the memorandum which sets out the process followed by NIFRS in the matter and its validation. He also highlighted that ministerial approval had been received in respect of the transfer of the land. The Acting Chief Fire Officer assured Members that a robust process had been followed and he was content for the transfer to proceed.

During detailed discussion Officers answered questions on various aspects of the information presented. Officers explained to Members that, although the adjoining land owners had expressed an interest in purchasing the site, NIFRS adhered to guidelines issued by DFP Central Advisory Unit for the Disposal of Surplus Public Sector Property in NI and initiated steps to dispose of the property through the public sector trawl process. Members noted that NIHE was the only public body to declare an interest in the property and nominated South Ulster Housing Association (SUHA) to acquire the land on their behalf. It was also noted that the delay in transferring the property was due to difficulties with SUHA securing the required funding.

Following further discussion, Members agreed that the matter be deferred to the September Meeting and requested the following information:

- Notice of Re-valuation to LPS;
- Explanation for drop in property value to be sought from LPS;
- Officers to identify if right of access is 'custom & practice';
- In the interim should the adjoining owners be advised of sale to Housing Association and that is likely to be finalised by September Meeting if they wish to comment.

The Chair stated that should the matter become time critical, he would convene a Special Meeting in order to progress the matter.

### 3 **Chairman's Business**

The Chair informed Members that there were a number of matters he wished to raise under the Chairman's Business.

The Chair thanked Miss Graham for her assistance during his leave and also those colleagues who had attended the Meeting on 16 July 2010.

The Chair explained that the first item for discussion was the Job Description for the Chief Fire Officer's post. He requested the Officers, with the exception of the Senior HR Manager, to leave the Meeting during this Item of Business.

#### **Appointment of Chief Fire Officer – Job Description**

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At this point,  
the Acting Chief Fire Officer, Acting Deputy Chief Fire Officer,  
Acting Assistant Chief Fire Officer, Area Commander, Director of Finance &  
Performance Management and the Corporate Communications Manager  
left the Meeting

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The Senior HR Manager gave Members a brief background explaining that the previous Job Description and Person Specification had been agreed by the previous Board in consultation with DHSSPS and the Fire Brigades' Union. She referred to the Code of Procedures on Recruitment & Selection, Section 2, which sets out the procedures for the recruitment and selection of Principal Officers.

Members noted in order to move the appointment of a Chief Fire Officer forward and as there was no Board Meeting in July, a copy of the Job Description and Person Specification had been forwarded to DHSSPS and FBU for review. The information had also been shared with Sir Ken Knight as Technical Adviser.

The Senior HR Manager referred Members to the email from the Chair attaching paperwork from Sir Ken Knight containing his comments, a copy of which was circulated to the Meeting for consideration. She gave a brief synopsis of those comments.

Members considered in detail Sir Ken Knight's comments on the Job Description for the post of Chief Fire Officer. Following a full discussion, Members decided that the proposed amendments would not be made for the following reasons:

- given the strategic imperative to maintain stability there was a need to move forward quickly;
- if the Job Description was amended, consultation would have to take place; the additional time this would take would go against the strategic imperative;
- the proposed amendments do not sit well in the Northern Ireland context;
- under Standing Orders to rescind the decision of the previous Board would be extremely torturous.

**Members unanimously approved the Job Description for the post of Chief Fire Officer as per that originally approved by the previous NIFRS Board.**

The Chair asked that a letter be forwarded to Sir Ken Knight explaining the Board's decision.

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At this point,  
the Acting Chief Fire Officer, Acting Deputy Chief Fire Officer,  
Acting Assistant Chief Fire Officer, Area Commander, Director of Finance &  
Performance Management and the Corporate Communications Manager  
re-joined the Meeting

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### **Pension – Former Acting Chief Fire Officer**

The Chair advised Members that an issue concerning the pension of the former Acting Chief Fire Officer had been resolved. Subsequently, DHSSPS had requested a report on the matter and he had asked the Acting Chief Fire Officer to conduct a review. Members noted that a report would be presented to Members at the September Board Meeting for consideration prior to forwarding to the Department.

### **Leading Firefighter J McCloskey (Deceased)**

Members noted a copy of the Fatal Accident Investigation. The Chair informed Members that himself and the Acting Chief Fire Officer would be meeting with the family on 20 August 2010 and he would report back to the September Board Meeting.

### **Ombudsman Report – Mr S Gault**

Members noted that the Chair and the Acting Chief Fire Officer would be meeting with Mrs A Foster MLA and Mr Gault on 31 August 2010. The Chair informed Members that he would report back at the September Meeting.

The Chair asked the Senior HR Manager to prepare a background paper relating to the Ombudsman Report for the information of Members.

**Draft Executive Budget 2010 Financial Planning – 2011/12 to 2014/15**

A copy of a letter, along with NIFRS draft proposals for CSR savings, in response to the financial planning exercise was circulated for the information of Members.

The Chair acknowledged that given the tight timescales for preparing the proposals, NIFRS did not have the opportunity to present the proposals to the Interim Board for approval, although he felt it was more appropriate for the new Board to take ownership of the matter.

The Acting Chief Fire Officer pointed out that NIFRS like all other public sector organisations had been given the opportunity to put forward draft proposals. He expressed his appreciation to the Acting Deputy Chief Fire Officer and the Director of Finance & Performance Management for all their work in preparing the draft proposals.

He stated that he would welcome the opportunity to discuss the draft proposals with the Unions and staff as soon as possible given the impact of such proposals.

**It was agreed that the Acting Chief Fire Officer engage with the entire Organisation commencing with the Representative Bodies.**

The Acting Chief Fire Officer gave Members a synopsis of the proposals emphasising that draft proposals were the worse case scenario. He pointed out the need for a communication strategy to help secure the commitment and support of senior managers and staff. **It was agreed that a communication strategy be developed.**

The Director of Finance & Performance Management and Acting Deputy Chief Fire Officer gave Members an overview of the information presented and answered Members' questions.

During further discussion, the Acting Chief Fire Officer emphasised the need to keep staff informed given the process had now commenced with the presentation of the proposals to the Board.

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At this point,  
the Acting Chief Fire Officer, Acting Deputy Chief Fire Officer,  
Acting Assistant Chief Fire Officer, Area Commander, Director of Finance &  
Performance Management, Senior HR Manager and the Corporate Communications  
Manager left the Meeting

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## **Staffing Issue**

The Chair informed Members that he was currently taking advice on a staffing issue which had arisen. He added that in the interests of corporate governance he could not discuss same, although he wished to advise Members that it may be necessary to convene a Panel to deal with the matter.

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At 12.55 pm the Meeting adjourned for lunch

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At 1.35 pm the Meeting reconvened with all Officers in attendance

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## **4 Chief Fire Officer's Report**

### **Operational Activities**

The Acting Deputy Chief Fire Officer gave Members an overview of the operational activities and incidents of note for the months June and July 2010 and answered Members' questions regarding aspects of the information presented.

### **Management Accounts**

The Director of Finance & Performance Management gave a positive overview of the revenue and capital positions for the period ending 31 July 2010. The Officers answered Members' questions on aspects of the information presented.

Members noted that in July 2010, the Department had informed NIFRS of a further reduction in funding for NIFRS in 2010-11 of £500,000.

### **Contracts Awarded for the Months of June and July 2010**

Members noted a list of Contracts Awarded for the months of June and July 2010.

## **5 Succession Planning**

The Chair explained that it may be necessary for Officers to leave the Meeting at this point.

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At this point,  
the Acting Assistant Chief Fire Officer and Area Commander, Western  
left the Meeting

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### **Appointment of Acting Assistant Chief Fire Officer (2 Posts)**

A submission paper relating to the current vacant posts of Assistant Chief Fire Officer (Community Development) and Assistant Chief Fire Officer (Technical Development) was circulated to Members for consideration.

The Acting Chief Fire Officer reminded Members that despite several attempts it was not possible to convene a quorate Meeting of the Board in July 2010. He explained to Members that as a result of an urgent operational need, it had been necessary to convene an informal Meeting of the Board on 16 July 2010 to discuss Principal Officer cover. This was in order to ensure that NIFRS met its obligation to provide an effective and efficient fire and rescue service and comply with Health & Safety legislation.

It was noted that the 4 Members in attendance had agreed that the Assistant Chief Fire Officer (Technical Development) be promoted to the position of Acting Deputy Chief Fire Officer, for the duration of the Acting Chief Fire Officer's period in post. It had also been agreed in order to maintain Principal Officer cover that, as per the previous Board's decision on 23 February 2010, the arrangement for a third Assistant Chief Fire Officer would remain in place until today's Board Meeting. The Acting Chief Fire Officer added that Members were being asked to give retrospective approval to these arrangements.

Referring to the need for 4 Principal Officers and the proposals contained within the submission paper, the Acting Chief Fire Officer outlined the proposed way forward with regard to the vacant posts of Assistant Chief Fire Officer, ie, to proceed with a competition to fill the 2 vacancies as the rotational acting-up arrangement was not sustainable.

He informed Members that the Appointment Panel would consist of the Chair plus 2 Members along with the Acting Chief Fire Officer and Acting Deputy Chief Fire Officer, who will address the technical aspects of the interview process. He drew Members' attention to the timeline for the appointments highlighting that it was hoped that the outcome of the Appointment Panel would be ratified at the Board Meeting on 28 September 2010.

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At this point,  
the Acting Deputy Chief Fire Officer  
left the Meeting

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Following discussion, the Board, on the motion of Mr Barbour, seconded by Mr Leach, unanimously –

**Resolved:** “to give retrospective approval for the promotion of the Assistant Chief Fire Officer (Technical Development) to the role of Acting Deputy Chief Fire Officer for the duration of the Acting Chief Fire Officer’s period in post”.

The Board, on the motion of Miss Graham, seconded by Mr Hanna, also unanimously –

**Resolved:** “to give retrospective approval for the arrangement for a third Assistant Chief Fire Officer to remain in place until 18 August 2010”.

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At this point,  
the Deputy Chief Fire Officer rejoined the Meeting

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With reference to the vacant Assistant Chief Fire Officer posts, the Board, on the motion of Mr Barbour, seconded by Mrs Mahood, unanimously –

**Resolved:** “that a competition be conducted to fill the vacant posts of Acting Assistant Chief Fire Officer (Community Development) and Acting Assistant Chief Fire Officer (Technical Development) for the duration of the Acting Chief Fire Officer’s period in post and agreed that the current rotation arrangement continue until the outcome of the competition was implemented”.

## 6 Business Cases

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At this point,  
the Acting Assistant Chief Fire Officer and Area Commander, Western re-joined the Meeting

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The Acting Chief Fire Officer explained to Members that due to a change in the procedure for approval of Business Cases introduced by DHSSPS in May 2010, endorsement was now also required by the Chair, in addition to the Director of Finance & Performance Management and the Chief Fire Officer.

He advised Members that, at its Meeting on 26 January 2010, the Service Support Committee considered a number of Business Cases which the NIFRS Board subsequently approved at its Meeting also held on 26 January 2010.

Members noted that the Business Case for replacement of Rapid Response Cars and Other Ancillary Cars & Vans and the Business Case for Omagh were presented for approval.

The Director of Finance & Performance Management explained that a Finance Review of the 2 Business Cases to consider key financial aspects of the investment decision had been conducted by his Directorate and presented to the Principal Officers & Directors for consideration. He informed Members that the Principal Officers & Directors had confirmed that both projects were considered a priority for NIFRS.

Following discussion, the Board, on the motion of Mr Barbour, seconded by Mr Birthistle, unanimously –

**Resolved:**                   **“to give approval for the Chairman to endorse and sign the relevant pro formas for the Business Case for Rapid Response Cars and Other Ancillary Cars and Vans and the Business Case for Omagh”.**

## 7       **Pension Case**

The Acting Chief Fire Officer explained to Members that a Panel of 3 Board Members had been established on 27 April 2010 to reconsider a decision in relation to the commutation of benefits payable to a retired Firefighter under the Firefighters' Pension Scheme. Members noted a copy of the Panel's determination.

The Director of Finance & Performance Management assured Members that due process had been followed. He confirmed that this had been a one-off payment and that there was no recurrent hidden financial impact. He also highlighted that advice had been sought throughout from DHSSPS.

**The Board, on the motion of Miss Graham, seconded by Mrs Mahood, accepted the decision of the Panel in what was an isolated set of circumstances which did not establish a precedent nor have hidden consequences.**

## 8       **DID Report**

Members noted a copy of the Delivery & Innovation Division Review of NIFRS, along with a copy of the draft Project Initiation Document for implementing the recommendations emanating from the Review.

Members acknowledged their status as an Interim Board but suggested that there was some work which could be undertaken which would be of value to the new Chair and the new NIFRS Board such as a review of Standing Orders and consideration of what should be Standing Items on the Agenda of Board Meetings.

The Acting Chief Fire Officer reported positively on an informal meeting with DHSSPS regarding the PID and stated that NIFRS are confident that it can move forward and deliver on recommendations within the Review.

**Following discussion, it was agreed that a Working Group, consisting of Miss Graham and Mr Leach, be established to undertake a review of Standing Orders.**

**It was also agreed that Members would forward any suggestions relating to Standing Agenda Items to the Board Administrative Secretary.**

## **9 Establishment of Interim Remuneration Committee**

The Chair explained that it was proposed to set Standing Order 38 aside and establish an interim Remuneration Committee to look at Additional Responsibility Allowances and Honoraria. He gave a brief outline of its terms of reference.

Following discussion, during which Miss Graham proposed that Standing Order 38 be varied, the Board, on the motion of Miss Graham, seconded by Mrs Mahood, unanimously –

**Resolved:** “to vary Standing Order 38 and establish an interim Remuneration Committee with delegated power to consider specific Additional Responsibility Allowances and Honoraria and report back to the Board”.

**It was agreed that Mrs E Mahood and Mr N Birthistle be elected to serve on the Interim Remuneration Committee, on the motion of Mr Barbour, seconded by Mr Leach.**

## **10 Sealing of Documents**

Members approved the undernoted documents for Sealing:

Northern Ireland Fire & Rescue Service with –

Cosalt International Limited – Wildland Firefighter Coveralls Contract for the period 1 May 2009 to 30 April 2012 with an option to extend for a further 2 years on an annual basis.

## **11 Meetings of the Board and its Committees**

It was noted that the next Board Meeting was scheduled to take place on 28 September 2010.

It was also noted that the Long Service & Good Conduct Medal Ceremony would be held on 25 September 2010 and the Acting Chief Fire Officer encouraged Members' attendance.

The Chair thanked Members for their attendance. He reminded them to advise the Board Administrative Secretary of their availability for the remainder of August and September and also to forward any suggestions for Standing Items for the Board Agenda.

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THIS CONCLUDED THE BUSINESS  
AND THE MEETING TERMINATED  
AT 4.00 PM

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