

NORTHERN IRELAND FIRE & RESCUE SERVICE BOARD

MINUTES OF A MEETING

23 FEBRUARY 2010

2.00 PM

PRESENT: Mr W F Gillespie, Chair presiding
Mr C Lammey, Chief Fire Officer/Chief Executive
Mr P Bradley
Mr J Campbell
Mrs B Gilliland
Mr K Harper
Mr R Pollock

APOLOGIES: Mrs P Tally

IN ATTENDANCE: Mr L Jones, Deputy Chief Fire Officer
Mr P Craig, Assistant Chief Fire Officer (Community Development)
Mr T Wright, Assistant Chief Fire Officer (Technical Development)
Ms A Conley, Director of Human Resources
Mr T McGonigal, Director of Finance & Performance Management
Dr D Michail, Director of Planning & Corporate Affairs
Mrs U McCambridge, Corporate Communications Officer
Mrs I Hill, Board Administrative Secretary
Mr D Jordan, DHSSPS

1 Apologies

Apologies were noted.

2 Minutes

The Minutes of the Meeting held on 26 January 2010, having been printed and circulated, were taken as read and signed as a true record, on the motion of Mr Campbell, seconded by Mr Pollock.

Arising out of the Minutes:

Review of Action Plan

The Chair sought clarification on the current position of the Tender for the provision of Job Evaluations. The Director of Human Resources informed Members that the Tender was ready for issue and that a press advertisement would be placed on 9 March.

Grievance Hearing

The Chair referred to the Grievance Appeal Hearing which had been rescheduled to 30 March 2010. He informed Members that the Board now had a second similar Grievance Appeal and enquired if the Board would be agreeable for the same Panel to hear both Appeals on the same day.

Members agreed that the Panel established to hear the Grievance Appeal on 30 March also hear the second Grievance Appeal the same day.

At this point, the Chair asked all the Officers, with the exception of the Director of Human Resources, to temporarily withdraw from the Meeting.

At this point,
the Deputy Chief Fire Officer, Assistant Chief Fire Officer Craig,
Assistant Chief Fire Officer Wright, Director of Planning & Corporate Affairs,
Director of Finance & Performance Management and
Corporate Communications Officer left the Meeting

Appointment of Chief Fire & Rescue Officer

The Chair referred to the agreed competition for Chief Fire Officer which had commenced and advertisements placed and the subsequent instruction from the Department, on 28 January 2010, to stop the process. He explained that the Department had received comments from the Fire Brigades' Union and the direction from the Department had been based on the legal advice that Trade Unions should have been consulted. He stated that this view was contrary to the advice given to NIFRS by the Secretary of the National Joint Council that consultation on the documentation for Chief Fire Officer is not subject to such consultation. He added that, in any case, the relevant Union with negotiating rights for Principal Officers is the Association of Principal Fire Officers.

The Chair highlighted that there is an agreed National protocol for resolving issues between the Fire Brigades' Union and Employer bodies but no approach had been made directly to NIFRS or any attempt to follow the Protocol. He also highlighted that NIFRS's own legal advice was similar to that received from the National Joint Council.

With respect to the Department's instruction from the Department to engage with the Fire Service Unions, Members noted that the Chief Fire Officer had sent details to all the Unions, inviting comments and offering a meeting to discuss, only the Fire Brigades' Union responded.

The Chief Fire Officer and Director of Human Resources met with the Fire Brigades' Union on 12 February 2010 and agreement was reached on some changes to the wording of the Person Specification. The Chair explained that these amendments were confirmed by letter to the Fire Brigades' Union who had since re-affirmed their acceptance of the revised documentation.

The Director of Human Resources circulated the original Person Specification, along with the revised Specification which the Fire Brigades' Union suggested be proposed to the Board. She highlighted the changes for the information of Members.

During discussion, Members expressed concern as to how matters had unfolded and particularly with respect to the Fire Brigades' Union not following agreement procedures and protocol in the matter. Mr Pollock suggested that it may be useful to advise the Department of the National Protocol and the Chair stated he would raise the matter with the Permanent Secretary at a future date.

Following further discussion, the Board unanimously agreed to approve the revised Person Specification for the post of Chief Fire & Rescue Officer.

The Chair suggested that, as the Board were not in a position to agree a new timetable as Departmental approval was required to proceed and in the interests of progress, the Director of Human Resources fix dates with Sir K Knight and Dr McCormick and then contact Members to establish a Panel. Members agreed to the Chair's proposal.

Acting-Up Arrangements

Referring to the Acting-Up arrangements, the Chair informed Members that the Department had confirmed that it had no objection to the Deputy Chief Fire Officer acting-up to Chief Fire Officer and that they intended to appoint him as Accounting Officer. Members noted that this acting-up arrangement had the support of the Fire Brigades' Union.

The Chair reminded Members that the previously agreed competition for Acting Principal Officers had been frozen, again at the request of the Department. He also reminded Members that this had been based on the merit principle as suggested by the Permanent Secretary and gave a brief outline of the process. He informed Members that the Fire Brigades' Union would prefer the traditional seniority route but after discussion with the Chief Fire Officer and Director of Human Resources agreed to go along with the merit principle provided that 3 Panel Members were assisted by the Chief Fire Officer as Technical Assessor. He added that the Union proposed 2 separate exercises instead of the Board's one process for both posts –

- For Acting Deputy Chief Fire Officer with competition limited to the 2 Assistant Chief Fire Officers; and
- For Acting Assistant Chief Fire Officer with competition limited to substantive Area Commanders.

The Chair stated that the Board needed to decide whether to proceed with the frozen process in the face of the Fire Brigades' Union's opposition or to start 2 new separate competitions.

At this point, the Chair circulated copies of 2 letters received from the Assistant Chief Fire Officer (Community Development) for the information of Members. He advised Members that it was his view that the letters should not influence the situation especially as the second letter really withdraws the first one.

The Chair then circulated a copy letter received from the Fire Brigades' Union. He highlighted the 3 key areas of concern expressed by the Union. He also referred to the Union's comments in relation to its confidence in the Human Resources Department and strongly refuted those comments.

During discussion with respect to the Union's letter, Members reaffirmed their confidence in the Board's recruitment process and in the Human Resources team. The Chief Fire Officer expressed his disappointment at the Union's letter and their continuing lack of regard to agreed protocols.

Mr Harper referred to the acting-up arrangements and suggested that the Board not appoint an Acting Deputy Chief Fire Officer, he further suggested that the Deputy Chief Fire Officer act-up as Chief Fire Officer and proposed a competition for an additional Assistant Chief Fire Officer.

Referring to Mr Harper's proposal to operate with 3 Assistant Chief Fire Officers, the Chair suggested that as there were only 2 competent Area Commanders, they could rotate the Acting Assistant Chief Fire Officer post monthly.

The Chief Fire Officer referred to the timeframe and stressed the need for a fourth Principal Officer by Friday.

Following further discussion and having taken into account all correspondence, the Board, on the motion of Mr Harper, seconded by Mr Pollock, unanimously –

Resolved: **“approved the revised Person Specification for the post of Chief Fire & Rescue Officer, that the Deputy Chief Fire Officer would be Acting Chief Fire Officer and, that, in order to meet NIFRS operational requirement of 4 Principal Officers, arrangements proceed to rotate the 2 competent Area Commanders in the role of Acting Assistant Chief Fire Officer”.**

Members also agreed that the issues raised by the Fire Brigades' Union be deferred to the Service Support Committee for consideration.

At this point,
the Deputy Chief Fire Officer, Assistant Chief Fire Officer Craig,
Assistant Chief Fire Officer Wright, Director of Planning & Corporate Affairs,
Director of Finance & Performance Management and
Corporate Communications Officer rejoined the Meeting
and Mr Harper left the Meeting

The Chair informed the Officers that the Board had had a very full discussion on the issues of recruiting a Chief Fire Officer and Acting-up in the interim. He explained that Members had taken account of the Reports from the Chief Fire Officer and Director of Human Resources on their meetings with the Fire Brigades' Union and had noted the agreement reached with respect to the revised wording of the Person Specification for Chief Fire & Rescue Officer.

He added that Members had also carefully considered all correspondence received in relation to the matter and reached the following decision –

From 0900 hours Friday, 26 February, the present Deputy Chief Fire Officer will become Acting Chief Fire Officer and, in order to maintain the required Principal Officer cover, there will be a third Assistant Chief Fire Officer drawn on a monthly basis from the eligible Area Commanders.

The Chair also advised the Officers that other aspects of the FBU correspondence would be considered at the next Meeting of the Service Support Committee.

LIFE Schemes

Members noted the Local Intervention Fire Education (LIFE) Scheme Evaluation Report which had been circulated for information.

The Chief Fire Officer reminded Members of the background to the Report which had been prepared in light of concerns raised during discussion on LIFE Schemes at the conclusion of the January Board Meeting.

Assistant Chief Fire Officer Craig gave Members an overview of the salient points from the Report. He highlighted that, to date, 89 LIFE Scheme Courses had been delivered in 19 locations across Northern Ireland. He also drew Members' attention to the monetary savings to NIFRS through Community Safety Youth Engagement and highlighted in particular the tangible benefits which had been achieved through the Kilkeel Scheme.

Assistant Chief Fire Officer Craig recommended that NIFRS continue to provide funding and resources to ensure the continuation of the LIFE Scheme programme.

The Chair thanked Assistant Chief Fire Officer Craig for his Report and referred to the Board's support for the Scheme which was widely recognised and valued in the community.

During discussion, Members acknowledged the measurements of success of the LIFE Scheme, ie, reduction in attacks, reduction in arson related crime and acknowledged that finance was a key issue along with the availability of resources.

Assistant Chief Fire Officer Craig pointed out that the Schemes were provided in accordance with the exigencies of the Service. He emphasised that he was working closely with Areas and Districts regarding the provision of Schemes.

The Chair reiterated the Board's continuing support for the LIFE Scheme programme and urged Members to use their influence in relation to opportunities for external funding.

Staffing Levels

The Chair referred to the discussion at January's Board Meeting in relation to a staffing issue which had arisen. He informed Members that he had received a letter from the Department, dated 8 February 2010, confirming the various discussions regarding staffing levels.

The Chair explained that the letter had accepted that there was no intention to hide numbers as they were openly declared in other documents. He stated that the Department had also accepted that there has been no formal definition of what the approved establishment is. Nevertheless, there had been a technical breach of the Memorandum Statement in that NIFRS had not formally requested an increase in levels. He hoped that the establishment figure would be approved in the near future and NIFRS can move on from there, ensuring in future that a formal request is made for any increase.

The Chair sought confirmation that the proposed figures for 2010/11 will be included in the Budget proposals to be presented to the Board in March. The Director of Finance & Performance Management explained that final notification of the Budget was still awaited. The Chief Fire Officer pointed out that it could be April before the Budget proposals were presented to the Board.

3 Audit Committee Meeting

Mr Campbell, Chairman of the Audit Committee, gave a verbal report from the Meeting held on 18 February 2010 advising Members of the Items of Business which had been discussed. He highlighted in particular the External Audit Plan for the audit of the Annual Accounts and the timeframe for completion of the Accounts.

4 **Remuneration Committee Meeting**

The Chair gave Members a verbal report of the Business discussed at the Remuneration Committee Meeting held that morning. He informed Members that the Committee had recommended that a letter be forwarded to the Department formally requesting that the Irregular Payments be written off. He also informed the Meeting that representatives from Deloitte had been in attendance to present their report and explained that a further Meeting will be held to decide on the way forward.

5 **National Joint Council Matters**

Report on Meetings

The Chair informed Members of the key items of note following his attendance at a meeting of the Fire Forum on 12 February, including reference to the revaluation of the 'old' pension fund which revealed a shortfall and progress with respect to pensions for Retained personnel. He referred to £1.1 billion going to Fire & Rescue Authorities in England to make ready for national emergencies and raised the question as to whether Northern Ireland would be getting similar funding as it appeared to be a UK-wide necessity.

Members noted that the next Meeting of the National Joint Council would be held on 16 March 2010.

At this point,
Mr Campbell left the Meeting

6 **Chair's Business**

The Chair gave the Meeting a synopsis of his activities since the January Board Meeting.

Retirement of Director of Human Resources

Members were aware that it was the Director of Human Resources' intention to retire on 30 April 2010. The Chair explained that he had asked Ms Conley to stay with NIFRS for a short time to assist with the filling of the Chief Fire Officer's vacancy.

The Chair sought Members' approval for the Director of Human Resources to commence preparation of the documentation for recruiting her successor. Members unanimously agreed.

7 Chief Fire Officer's Report

Operational Activities

The Deputy Chief Fire Officer gave Members a brief account of operational activities and incidents of note for the month of January.

Management Accounts

The Director of Finance & Performance Management gave the Meeting a detailed overview of the revenue and capital positions for the period ending 31 January 2010.

The Director of Finance & Performance Management explained that figures were very tight but that he hoped to have a break even by the end of March.

The Officers answered Members' questions regarding aspects of the information presented.

8 Relevant Correspondence

The following relevant correspondence was noted –

- Letter from Minister for Health, Social Services & Public Safety congratulating NIFRS on its success at the Northern Ireland Quality Awards.

Other relevant correspondence was noted during the Meeting.

9 Sealing of Documents

Members approved the undernoted documents for Sealing:

Northern Ireland Fire & Rescue Service with –

Bond Solon Training – PACE Investigative Training Course (01.02.10-21.01.12);

Dixon Contractors – Conversion of Lecture Theatre to Office Space at NIFRS Headquarters;

Revive Healthcare Training Limited – First Person on Scene (Intermediate) Programme;

John Lennon & Company Limited – Use of Ground at 46 Chapel Street, Cookstown, at rear of Cookstown Fire Station;

Misco UK (Systemax Europe Limited) – Tablet PCs and Associated Equipment; and

Excite Promotional Merchandise – Community Development Support Materials (Items 1 to 9).

10 Meetings of the Board and its Committees

Members noted a list of Meetings, etc, of the Board and its Committees for the month of March. The Chair reminded Members that a Meeting of the Remuneration Committee was scheduled to take place on 4 March 2010.

The Chair acknowledged that today's Board Meeting was the final Board Meeting for the Chief Fire Officer who was retiring on 26 February 2010. On behalf of the Board, the Chair thanked the Chief Fire Officer for all his work over the past 32 years, particularly the last 7 years as Chief Fire Officer, and extended best wishes for the future.

THIS CONCLUDED THE BUSINESS
AND THE MEETING TERMINATED
AT 4.30 PM
