

NORTHERN IRELAND FIRE & RESCUE SERVICE BOARD

MINUTES OF A MEETING

26 OCTOBER 2010

2.45 PM

PRESENT: Mr A Hanna, Vice-Chair presiding
Mr P Craig, Acting Chief Fire Officer
Mr D Barbour
Mr J Barbour
Mr M Carr
Mrs S Grant
Mr A Hatch
Mr M Kerr
Mr C Mack
Mrs G Rice
Mrs P Tally

IN ATTENDANCE: Mr T Wright, Acting Deputy Chief Fire Officer
Mr E Doyle, Acting Assistant Chief Fire Officer
(Community Development)
Mr C Kerr, Acting Assistant Chief Fire Officer
(Technical Development)
Mr T McGonigal, Director of Finance & Performance Management
Dr D Michail, Director of Planning & Corporate Affairs
Mrs H Ellis, Senior Human Resources Manager
Mrs I Hill, Board Administrative Secretary
Mr D Jordan, DHSSPS

1 Apologies

There were no apologies.

2 Introductions

The Acting Chief Fire Officer explained that each Director would give a presentation by way of introduction to the Board.

The Principal Officers and Directors each gave a presentation outlining briefly their functional remits, key business areas and the Board Committees they supported.

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

3 Minutes – 28 September 2010

The Minutes of the Meeting held on 28 September 2010, having been printed and circulated, were taken as read and signed as a true record, on the motion of Mr J Barbour, seconded by Mr Hanna.

Arising out of the Minutes:

Letter from Mrs A Foster MLA

The Vice-Chair informed Members that there was one matter arising out of the Minutes relating to the Enniskillen Memorial Montage issue which he proposed to take under Chairman's Business. This was agreed.

4 Minutes – 15 October 2010

The Minutes of the Meeting held on 15 October 2010, having been printed and circulated, were taken as read and signed as a true record, on the motion of Mrs Rice, seconded by Mr Carr.

Arising out of the Minutes:

Induction Training for Members

The Acting Chief Fire Officer referred to the list of training opportunities which had been circulated to Members at the Meeting on 15 October 2010. He reminded Members to advise the Board Administrative Secretary if they were interested in attending any of the courses.

With respect to the mandatory 'On Board' training course, the Acting Chief Fire Officer explained that NIFRS is working with CIPFA in order to organise an in-house course.

5 National Joint Council Matters

Report on Meetings

The Acting Chief Fire Officer reported on a meeting of the NJC Employers' Side which he had attended on 30 September 2010. He informed Members that the key items of business had been the Firefighters' Pay Award and Conditions of Service (Grey Book). He explained that the Employers' Side do not intend to offer a pay increase and were currently awaiting a response from the Fire Brigades' Union. He further explained that issues relating to Conditions of Service had been agreed and would appear as amendments to the Grey Book in due course.

NIFRS Representative

The Acting Chief Fire Officer explained that the Interim Board, at its Meeting on 28 September 2010, had given approval, as an interim measure, for the Acting Chief Fire Officer to represent NIFRS at National Joint Council (NJC) meetings until a permanent solution was agreed by the new NIFRS Board.

Members were informed that it was normal practice for the Chair of the Board to represent NIFRS at NJC meetings.

The Acting Chief Fire Officer asked Members to consider whether they wished to appoint a representative to the National Joint Council or for the current arrangement to continue until the new Chair of the Board takes up post in January 2010.

The Board, on the motion of Mrs Grant, seconded by Mr Hanna, unanimously –

Resolved: **“that the Acting Chief Fire Officer continue to represent NIFRS at NJC meetings until the new Chair of the Board takes up post.”**

Mr J Barbour stated that it was his understanding that NIFRS have the right for 2 people to attend NJC meetings. The Vice-Chair stated that if this was the case, he would be willing to represent NIFRS until the new Chair took up post.

The Acting Chief Fire Officer undertook to clarify the matter and report back.

6 Chairman’s Business

The Chair stated that there were a number of matters to be raised under Chairman’s Business and he would endeavour not to include as much Business in the future.

Enniskillen Memorial Montage

The Acting Chief Fire Officer assured Members that since the last Meeting of the Board, he and his Officers continued to address the Ombudsman Report and Mrs Foster’s letter. He stated that they were 2 key issues outstanding.

Referring to the letter received from Mrs Foster on 27 September 2010, he explained that as the letter had asked very specific questions and named individuals, legal advice had been sought. He informed Members that that legal advice had now been received. It recommended that NIFRS conduct a review of the existing file relating to the Enniskillen Memorial Montage to provide answers to the specific questions asked by Mrs Foster. He explained that he and the Senior HR Manager would be conducting the detailed review of the file and that a report would be presented to the Board in due course.

With respect to the individuals named within the letter, the Acting Chief Fire Officer stated that he would be informing those individuals that a detailed review of the file was being conducted and this may involve speaking to them in order to answer the questions raised by Mrs Foster.

The Vice-Chair informed Members that he had not had sight of the letter of 27 September 2010 and did not propose to discuss it in detail. He stated that the matter was being reported for governance purposes.

In response to a question from Mr Carr in relation to the timeframe for the review and for addressing the Ombudsman's recommendations, the Acting Chief Fire Officer emphasised that the review would be conducted and the matter brought back to the Board as quickly as possible.

The Acting Chief Fire Officer referred to the second key issue relating to the Enniskillen Memorial Montage and the Board's decision that he should engage and consult with the local Firefighters on the way forward. He informed Members that on 21 October he had met with the Enniskillen personnel supported by the Fire Brigades' Union. He explained that in order to obtain consensus on the way forward, the Enniskillen personnel had agreed to establish a group to address the issue and look at how to move the matter forward.

The Acting Chief Fire Officer acknowledged the assistance of the Fire Brigades' Union in this matter. He stated that it was a matter for the local Firefighters to decide on an appropriate memorial and explained that this would be done in conjunction with the Fire Brigades' Union to ensure compliance with Equality Legislation and NIFRS policy. He further explained that the solution would be presented to the Senior Management Team, and should the solution not be in line with current NIFRS policy, guidelines and procedures it would be presented to an independent third party for resolution. The proposed solution would be presented to the Board for consideration as appropriate.

The Acting Chief Fire Officer again emphasised the need for local Firefighters to agree a solution through consensus.

Extension of Sick Pay

The Acting Chief Fire Officer advised Members that staff Conditions of Service provided for personnel on sick leave to receive full pay for 6 months followed by 6 months half pay.

He informed Members of a request to extend an individual's period of full sick pay and gave a brief synopsis of the particular case. He stated that he had exercised his discretion as per the relevant Conditions of Service and had determined to extend the individual's full sick pay for a period of 3 months. Members noted that the case would be reviewed at the end of the 3-month period.

Mr Hatch raised concerns about creating a precedent and how this would be viewed by the Northern Ireland Audit Office. Following discussion, the Board agreed to note the Acting Chief Fire Officer's decision to extend the individual's period of sick leave on full pay for 3 months. The Acting Chief Fire Officer agreed to appraise the Board on the matter following the 3-month review.

Audit Commission/DID Report Update

Referring to the Report on the Delivery & Innovation Division Review of NIFRS, the Acting Chief Fire Officer informed Members that Officers had met with DHSSPS Officials to discuss the next stage in the process.

He also informed Members that NIFRS were preparing for the Audit Commission assessment of NIFRS, commissioned by the Northern Ireland Audit Office, week commencing 8 November 2010. He informed the Meeting that the Audit Commission Team had indicated that they wished to meet with Board Members and advised that the Board Administrative Secretary would make the necessary arrangements.

The Acting Assistant Chief Fire Officer (Technical Development) gave Members a brief overview of the 5 key areas which the Audit Commission would be assessing.

Business Case for Rathfriland Fire Station

At this point,
Mr Hatch left the Meeting

The Executive Summary of the Outline Business Case for Rathfriland Fire Station and the Finance Review of the Rathfriland Fire Station Business Case were circulated for the information of Members. The Acting Chief Fire Officer gave a brief background to the need to develop the Business Case for Rathfriland Fire Station and also the need to push the Business Case forward.

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

The Director of Finance & Performance Management gave Members a detailed overview of the Finance Review of the Rathfriland Business Case. He highlighted that the preferred option was option 4 – refurbish and modernise on the existing site. He advised Members that the Senior Management Team had confirmed that the Business Case for Rathfriland Fire Station was a priority for NIFRS and emphasised that it was imperative that the Business Case move forward in order to bring Rathfriland Fire Station back to full operational status.

In response to a question from Mrs Tally, the Acting Chief Fire Officer assured Members that since July 2009, fire cover had been maintained in Rathfriland using temporary accommodation.

During discussion, Mr J Barbour raised concerns regarding the current arrangements in relation to health & safety and also public safety. He emphasised the need to address these issues. Officers also acknowledged concerns expressed by Members especially with regard to funding given the current financial climate.

The Director of Planning & Corporate Affairs highlighted that all the issues had been considered during the development of the Business Case. He stated that Rathfriland was a busy Station and it was, therefore, important that NIFRS move forward and get the Station reinstated to its full operational status as soon as possible not only to allay the concerns raised in relation to the temporary arrangements but also in the interests of the safety of the personnel and the public.

The Board, on the motion of Mr J Barbour, seconded by Mrs Rice, unanimously –

Resolved: “to give approval for the Vice-Chair to endorse the Outline Business Case for Rathfriland Fire Station”.

The Acting Chief Fire Officer informed Members that the process for presenting Business Cases would change now that the Board’s Standing Committees had been established.

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

The Acting Chief Fire Officer referred to the Government’s CSR announcement the previous week and stated that NIFRS was awaiting the local response.

Members noted that the Senior Management Team continued to engage with staff at every opportunity regarding the budget issue and were also monitoring the situation.

The Acting Chief Fire Officer informed Members that Officers were scheduled to meet with DHSSPS on 17 November 2010 regarding a Capital Priorities Review. He stated that he would report back to the Board on this matter in line with CSR and its impact locally.

New Fire Safety Legislation

This matter was addressed within the presentation given by the Acting Assistant Chief Fire Officer (Community Development).

Appointment of Chief Fire Officer

The Vice-Chair informed the Meeting that he would be taking forward the recruitment of a Chief Fire Officer with the Senior HR Manager. Members noted that the vacancy had been advertised.

7 Election of Remuneration Committee

Members were reminded that, at the Meeting on 15 October 2010, it was agreed that, given the Chairs of the Service Delivery, Service Support and Audit Committees were Members of the Remuneration Committee, the election of the Remuneration Committee be deferred until after each of the Standing Committees had met and appointed their Chairs and Vice-Chairs.

It was noted that the Service Delivery, Service Support and Audit Committees met prior to the Board Meeting and had appointed their Chairs and Vice-Chairs, as follows:

Service Delivery Committee

Mr A Hatch – Chair;
Mr D Barbour – Vice-Chair.

Service Support Committee

Mrs P Tally – Chair;
Mrs G Rice – Vice-Chair.

Audit Committee

Mrs G Rice – Chair;
Mrs S Grant – Vice-Chair.

Mrs Rice explained that it was inappropriate for the Chair of the Audit Committee to be a Member of the Remuneration Committee.

Members were informed that a change in the membership of the Remuneration Committee would require a change to NIFRS Standing Orders. The Vice-Chair explained that the Interim Board had carried out a review of the Standing Orders which would be brought to a future Board Meeting for consideration.

The Director of Finance & Performance Management suggested that, in the meantime, Standing Order 38 pertaining to the membership of the Remuneration Committee could be set aside given there was an urgent need for the Committee to meet.

The Vice-Chair suggested that anyone in that position abstent from the Committee. Mrs Rice concurred and as Chair of the Audit Committee agreed to abstent from the Remuneration Committee.

The Vice-Chair subsequently sought nominations for 3 Members to serve on the Committee.

The Board, on the motion of Mrs Tally, seconded by Mrs Rice, unanimously –

Resolved: “that Mr M Carr, Mr C Mack and Mr M Kerr be appointed Members of the Remuneration Committee”.

8 Equality & Diversity Forum

Members noted that at a Meeting on 26 February 2008, the Board approved the formation of an Equality & Diversity Forum with a Board Member to be selected as Forum Chair.

The Vice-Chair invited nominations for the position of Forum Chair.

Mrs Tally proposed Mrs Rice as Forum Chair. Mrs Grant seconded the proposal. It was accordingly –

Resolved: “that Mrs G Rice be elected Chair of the Equality & Diversity Forum”.

9 Chief Fire Officer’s Report

Operational Activities

Members noted the Operational Activities Report and Incidents of Note for September 2010.

Management Accounts

The Director of Finance & Performance Management gave Members a brief overview of the revenue and capital positions for the period ending 30 September 2010. With respect to the potential £2.048 million slippage in the capital spending, Members noted that NIFRS were seeking approval from DHSSPS to reallocate this funding to other projects.

Contracts Awarded for the Month of September 2010

Members noted a list of Contracts awarded for the month of September 2010.

10 Relevant Correspondence

The following relevant correspondence was noted:

- (a) Letter from DHSSPS confirming Mr A Hanna’s appointment as Vice-Chair until 31 December 2010;
- (b) Chairpersons’ Forum Annual Report 2009-2010;
- (c) NIAS Health & Social Care Trust Annual Report 2009/10;

- (d) Mountain and Cave Rescue Co-ordinating Committee 2009 Annual Report;
- (e) Groundwork Northern Ireland Annual Review 2009-2010;
- (f) Equality Commission for NI – Effectiveness of the Disability Duties: Review Report;
- (g) Letter of appreciation from Assistant Chief Fire Officer, Merseyside Fire & Rescue Service, following NIFRS's participation in Exercise 'Orion';
- (h) Official confirmation that NIFRS Marine Response Team can operate alongside the national Marine Incident Response Group and also declaring the Team an asset to the Maritime & Coastguard Agency;

The Acting Chief Fire Officer expressed his appreciation to all involved at Eastern Area Command.

- (i) Letter of appreciation from a Mr G Thomas following NIFRS attendance at a house fire in Belfast on 24 September 2010.

The Acting Chief Fire Officer informed Members that a copy of the letter complimenting NIFRS on all its work had been forwarded to the relevant District.

11 Sealing of Documents

Members approved the undernoted documents for Sealing:

Northern Ireland Fire & Rescue Service with –

Mr D F Smyth – Lease of Office Accommodation at 30 Fairhill Road, Cookstown;

Mr A Malcolmson – Temporary License Agreement for Temporary use of Premises as Fire Station at Castle Hill, Rathfriland.

12 Meetings of the Board and its Committees

Members noted that the next Meeting of the Board would be held on 23 November 2010.

Members also noted that Meetings of the Service Delivery and Service Support Committees were scheduled to take place on 16 November 2010.

Referring to the Agenda for Board Meetings, Mrs Rice suggested the need for an Item 'Conflict of Interests' to be included as a regular Agenda Item.

The Director of Planning & Corporate Affairs explained that NIFRS were in the process of reviewing the Agenda for Board Meetings. He added that the Interim Board had carried out a review of NIFRS Standing Orders and had made useful comments for consideration of the new Board.

The Acting Chief Fire Officer thanked those Members who had attended a recent LIFE Scheme Graduation Ceremony. He stated that it was beneficial for Members to take the opportunity to attend such events.

The Vice-Chair reminded Members that any issues relating to Board business be directed to him; operational issues to be directed to the Acting Chief Fire Officer.

THIS CONCLUDED THE BUSINESS
AND THE MEETING TERMINATED
AT 5.55 PM
