

NORTHERN IRELAND FIRE & RESCUE SERVICE BOARD

MINUTES OF A MEETING (VIRTUAL MEETING)

22 FEBRUARY 2022

2.00 PM

PRESENT: Ms C McKinney, Chairperson presiding
Mr P O'Reilly, Chief Fire & Rescue Officer
Ms B Anley
Mr C Enright
Mr K Henning
Mr R Irvine
Mr T O'Hanlon
Mr J Quinn
Mrs H Singleton
Ms L Smith

APOLOGY: Mr J Craig

IN ATTENDANCE: Mr P Gallagher, Assistant Chief Fire & Rescue Officer (Service Delivery)
Mr A Jennings, Assistant Chief Fire & Rescue Officer (Service Support)
Mrs P White, Interim Director of Finance
Mrs D O'Connor, Interim Director of Human Resources
Miss D Reynolds, Head of Planning, Performance & Governance
Miss A Maguire, Personal Assistant
Mrs R Morgan, DoH Observer

The Chairperson welcomed everyone to the Meeting. She proposed that Adoption/Approval of Committee Minutes and adoption of Recommendations; and Noting of Committee Minutes - be taken in a bundle along with Item 3 – Minutes of Meetings, and proposed that consideration be given to this format in going forward. Members agreed to the proposal.

Item 1: Apologies

Apologies noted as detailed above.

Item 2: Conflicts of Interest

The Chairperson enquired as to whether any Members of the Board wished to declare any potential conflicts of interest with any of the business items on the Agenda.

Mr Quinn declared a potential conflict of interest with respect to Agenda Item 3 – Public Sector Pensions Update; and Agenda Item 4 – Retained Injury Pension – Legislative Issue. The Chairperson noted same and stated that if she considered it appropriate she would request Mr Quinn to leave the Meeting for these items of business.

There were no other apparent conflicts of interest declared.

Change in the Order of Business

Item 5: Items for Information/Noting Reports from Board Committees, including noting of Committee Minutes and adoption of Recommendations

Audit, Risk & Governance Committee - Minutes – 9 September 2021

The Minutes of the Meeting of the Audit, Risk & Governance Committee held on 9 September 2021 were noted. The recommendations contained therein were adopted by the Board at its Meeting on 29 September 2021.

Service & Delivery Committee - Minutes – 11 November 2021

The Minutes of the Meeting of the Service Delivery Committee held on 11 November 2021 were noted. There were no recommendations emanating from the Meeting.

People & Culture Committee - Minutes – 11 November 2021

The Minutes of the Meeting of the People & Culture Committee held on 11 November 2021 were noted. There were no recommendations emanating from the Meeting.

Item 3: Minutes of Board Meeting – 30 November 2021

The Minutes of the Board Meeting held on 30 November 2021, having been printed and circulated, were taken as read and signed as a true record, subject to amendment, on the motion of Ms McKinney, seconded by Mr O'Hanlon.

Minutes of Closed Special Board Meeting – 6 December 2021

The Minutes of the Special Board Meeting held on 6 December 2021, in closed session, having been printed and circulated, were taken as read and signed as a true record, on the motion of Ms McKinney, seconded by Mr Enright.

Minutes of Special Board Meeting – 6 December 2021

The Minutes of the Special Board Meeting held on 6 December 2021, having been printed and circulated, were taken as read and signed as a true record, on the motion of Ms McKinney, seconded by Mrs Singleton.

Minutes of Closed Special Board Meeting – 10 February 2022

The Minutes of the Special Board Meeting held on 10 February 2022, in closed session, having been printed and circulated, were taken as read and signed as a true record, on the motion of Ms McKinney, seconded by Mr Henning.

Item 4: Items for Adoption/Approval Reports from Board Committees, including noting of Committee Minutes and Adoption of Recommendations

Service Delivery Committee - Meeting – 13 January 2022

It was noted that a Meeting of the Service Delivery Committee had been held on 13 January 2022 and the Minutes of the Meeting will be presented at the next Meeting of the Board. There were no recommendations emanating from the Meeting.

People & Culture Committee - Meeting – 13 January 2022

It was noted that a Meeting of the People & Culture Committee had been held on 13 January 2022 and the Minutes of the Meeting will be presented at the next Meeting of the Board. There were no recommendations emanating from the Meeting.

Audit, Risk & Governance Committee - Meeting – 27 January 2022

It was noted that a Meeting of the Audit, Risk & Governance Committee had been held on 27 January 2022 and the Minutes of the Meeting will be presented at the next Meeting of the Board.

Mr Enright, Audit, Risk & Governance Committee Chairperson, noted the recommendations emanating from the Meeting.

Mr Enright proposed that the Committee's recommendations, as detailed below, be adopted by the Board.

Audit, Risk & Governance Committee – Recommendations

- Approval of the 2021/22 Audit Plan Progress Report, incorporating –
 - Payroll;
 - Procurement & Contract Management;
 - Operational Mandatory Training & Learning Management System;
 - Governance; and
 - Absence Management
- Approval of the Mid-Year Follow-Up Report; and
- Approval of the External Audit Strategy 2021-2022.

Change in the Order of Business

Item 3: Minutes of Board Meeting – 30 November 2021

Arising out of the Minutes:

Motor Insurance Business Case Update

The Chief Fire & Rescue Officer reported that he would follow-up with Belfast City Council with respect to clarity on the legal advice received. He stated that the information had not been readily available due to resourcing issues at Belfast City Council. Action - Members asked for an update to be presented to them as soon as the information was available.

Public Sector Pensions Update

The Interim Director of Finance provided an update on the Immediate Detriment and equality issue. She highlighted that on the back of HMT guidance most Services had paused the administration of Immediate Detriment until further legal advice is received.

The Interim Director of Finance outlined that the position in Northern Ireland remains unchanged and that the ruling is not applicable to Northern Ireland. She highlighted that a number of cases remain stayed pending the outcome.

Following a question from the Chairperson, the Interim Director of Finance confirmed that a Working Group had been set up consisting of Mr Enright, Mrs Singleton and Mr Quinn. Members agreed and asked that to be kept informed.

The Chairperson opened the floor to Members. There were no questions from Members.

Minutes of Special Board Meeting – 6 December 2021

Arising out of the Minutes:

Finance and HR Service Delivery Model

Further to Paul Marriner's presentation to the Board on 6 December 2021, Members had requested additional clarification on the costs provided. The Interim Director of Finance provided Members with a high level overview with respect to the options, including costings, to assist the Board to agree the strategic direction for the future provision of transactional finance and HR services within NIFRS. She highlighted that detailed discussion has taken place with BSO around the cost model which will help inform the Business Case.

The Interim Director of Finance drew Members' attention to the timelines, risks and benefits of each option.

The Interim Director of Finance outlined the recommendation for approval as a strategic direction of travel – Option 3 – that NIFRS retains transactional processing in-house using BSO's new system (Shared System).

The Chairperson opened the floor to Members for questions/comments.

Members acknowledged the timelines and noted that a decision is required to be taken today.

Following on from questions raised by Members in relation to the Business Case, the Interim Director of Finance outlined that approval of the Equip Business Case by the Department of Finance is expected in April 2022, but undertook to keep the Board apprised of any slippage.

The Board, on the motion of Mrs Singleton, seconded by Mr Irvine, unanimously agreed to recommend approval of Option 3 - NIFRS retains transactional processing in-house using BSO's new system (Shared System) as the strategic direction for the future provision of transactional finance & HR services within NIFRS. The Board to be kept fully informed on progress.

Members agreed to take Agenda Item 5 – COVID-19 Management as the next item of Business.

Change in the Order of Business

Item 5: Items for Information/Noting COVID-19 Management

The Interim Director of Human Resources provided Members with an update on the management of COVID-19 and noted that with the gradual relaxation of restrictions and with other public sector organisations moving toward a business as usual approach, it is timely to review NIFRS arrangements for the management of COVID-19 going forward. She outlined the proposed new arrangements which will move NIFRS towards a more business as usual approach which is more sustainable. It was noted these arrangements would be kept under review and amended as required. The Interim Director of Human Resources outlined that the proposed new arrangements have been benchmarked against Northern Ireland Civil Service, NFCC and LGA guidance.

The Interim Director of Human Resources confirmed that consultation on the proposed new arrangements would take place. She answered Members' questions on the information presented.

Item 4: Items for Adoption/Approval Reports from Board Committees, including noting of Committee Minutes and Adoption of Recommendations

Audit, Risk & Governance Committee Interim Chairperson

Under Standing Order 2.6, Members of the Board were asked to appoint, via round robin email, an Interim Chairperson to the Audit, Risk & Governance Committee.

On closing of the poll and through a majority vote, Mr Cadogan Enright who is a Chartered Accountant by profession has been nominated as the Audit, Risk & Governance Committee Chairperson, effective from 27 January 2022. Members were also advised that 2 new Non Executive Directors would join the Board in due course – one finance category, one lay.

Standalone Strategic Items
Retained Injury Pension – Legislative issue

The Interim Director of Finance gave an overview of the Retained Injury Pension legislative issue and stated that the purpose of the briefing paper is to provide the Board with the necessary information to make a decision in relation to a solution to the legislative issue affecting the calculation of Retained injury pensions under the Firefighters' Compensation Scheme.

The Interim Director of Finance highlighted NIFRS is currently paying injury pensions to Retained Firefighters which are significantly higher than those paid by English counterparts. The extent of the disparity between NIFRS methodology in comparison to the English methodology is stark with NI Retained injury pensions being up to 10 times greater than those paid in England.

She stated that while this is unavoidable for retirements under the Final Salary Scheme (NFPS) due to the current legislative provision, there is opportunity under the Career Average (CARE) Scheme to remedy this position following the discovery of a potentially unlawful provision in the legislation which could result in unfavourable treatment of part-time workers.

The Interim Director of Finance outlined there are 4 options for consideration, however, the recommended option is to align to the methodology used by English counterparts as this option removes the potential unfavourable treatment in the legislation while also acting prudently in the use of both public and member funds. She highlighted it is recommended that the change becomes effective on 1 April 2022 to coincide with the introduction of the new CARE Scheme.

The Interim Director of Finance outlined the issues, the current position and the Options. She answered Members' questions on the information presented.

Members drew attention to a governance piece around this matter and highlighted that the legislative framework must not be deviated from. They stated that they would not be content to make a decision without sight of the legal advice. Members asked for the legal advice, along with the quantum of costs and the number of cases involved to be presented to the Board for consideration; and for the views of DoH to be sought.

Action – Interim Director of Finance to obtain the Barrister's advice and seek DoH views on the matter and report back to the next Board Meeting.

The Meeting adjourned from 3.25-3.45 pm
for a comfort break

Business Cases - Business Case Addendum for Laundry Services

Members noted the Executive Summary pertaining to the Business Case Addendum for Laundry Services.

Assistant Chief Fire & Rescue Officer Jennings outlined the purpose of the project. He answered Members' questions relating to same.

Business Case for Flood Rescue Capability

Members noted the Executive Summary pertaining to the Business Case for Flood Rescue Capability.

Assistant Chief Fire & Rescue Officer Gallagher outlined the purpose of the project. He answered Members' questions relating to same.

Business Case for Client IT Devices

Members noted the Executive Summary pertaining to the Business Case for Client IT Devices.

The Interim Director of Finance outlined the purpose of the project. He answered Members' questions relating to same.

The Board, on the motion of Mrs Singleton, seconded by Ms Smith, unanimously approved the Business Case Addendum for Laundry Services; Business Case for Flood Rescue Capability; and Business Case for Client IT Devices.

Item 5: Standalone Strategic Items

Finance Report

The Finance Report updating Members on the financial position for the period ended 31 January 2022 was noted.

The Interim Director of Finance highlighted that NIFRS had a successful January monitoring round with additional funding of £2.1m being allocated. This has balanced the budget position for NIFRS with the exception of a pressure of £0.7m relating to the operational pay award of 1.5% which received Departmental approval at the end of January.

With respect to Revenue performance, the Interim Director of Finance reported a year to date over-spend of £52k. With respect to General Capital, it was noted that the budget is on target to breakeven at year end. The Interim Director of Finance reported that the ringfenced budget with respect to LDC Cookstown and the backlog maintenance budget are on target to be spent.

The Interim Director of Finance answered Members' questions on the information presented.

The Chairperson paid tribute to the Facilities & Assets Team for the great work undertaken with respect to the backlog maintenance programme.

Update on Independent Review into Issues around the Investigation Processes and Timescales

Members noted the Independent Review Action Plan Update as at 3 February 2022.

The Head of Planning, Performance & Governance provided a high level update on progress against actions.

Performance Management

Members noted the Performance Management Updates for the period up to 31 December 2021 including the Performance Reports from each of the Standing Committees.

The Head of Planning, Performance & Governance noted a level of slippage around the Strategic Performance Indicators.

Item 6: Chairperson's Business

Letter of Appreciation - Former Board Member, Mr Gordon Smyth

The Chairperson informed Members of a letter of appreciation received from former Board Member, Mr Gordon Smyth, following the Chairperson and Chief Fire & Rescue Officer's letter of congratulations on his recent award in the New Year's Honours List; and to wish the Organisation well for the future.

Women in Business Awards 2022

The Chairperson, on behalf of the Board, extended congratulations to Mrs OConnor the Organisational Development team for being shortlisted for the Women in Business Awards 2022. Members wished them well in the finals.

Item 7: Relevant Correspondence

Members noted correspondence issued on behalf of the Fire Brigades' Union Regional Officials NI relating to Emergency Medical Response.

Members also noted correspondence received from the Fire Brigades' Union Assistant General Secretary with respect to Persons Authorised by the FBU to Sign Collective Agreements in Respect of Fire Service Duty Systems, Working Hours, and in Respect of Matters Pertaining to Compliance/Non-Compliance with Working Time Regulations.

Item 8: Documents for Sealing

Members noted the undernoted documents for sealing:

Northern Ireland Fire & Rescue Service with –

- Felix O’Hare & Company Limited – the design and build of the Learning & Development Centre at Cookstown;
- CHC Group Limited – NIFRS Replacement/Upgrade of Fire Alarm Systems at Various Stations – Priority 2 – Lot 2 South (12 No); and
- BI Electrical Services (NI) Limited - NIFRS Replacement/Upgrade of Fire Alarm Systems at Various Stations – Priority 2 – Lot 1 North (14 No).

Item 9: Schedule of Future Meetings, etc

A Schedule of Meetings, etc, was noted.

Mr Quinn asked if the Board/Committee Meetings scheduled would be held in person or by Zoom. The Chairperson outlined that she and the Head of Planning, Performance & Governance would be looking at the format of Meetings. She stated that she would prefer to meet in the room, however, due to the current vulnerabilities associated with the pandemic, she recognised that a hybrid approach to Board and Committee Meetings would need to be considered. She respected that some Members would prefer to at this time to remain on Zoom but hoped that everyone would soon be able to meet together in the near future.

The Chief Fire & Rescue Officer highlighted that Assistant Chief Fire & Rescue Officer Gallagher is retiring and that today is his last Board Meeting. He wished to place on record his appreciation to Assistant Chief Fire & Rescue Officer Gallagher for his hard work and service to the Organisation.

The Chairperson, on behalf of the Board, also thanked Assistant Chief Fire & Rescue Officer Gallagher and wished him well on his retirement.

Assistant Chief Fire & Rescue Officer Gallagher thanked the Chief Fire & Rescue Officer and the Board for their good wishes and their support, and wished them well for the future.

The Chairperson thanked Members for their attendance at the Meeting.

THIS CONCLUDED THE BUSINESS
AND THE MEETING TERMINATED
AT 4.35 PM
