

# NORTHERN IRELAND FIRE & RESCUE SERVICE BOARD

## MINUTES OF A MEETING

28 FEBRUARY 2023

2.00 PM

**PRESENT:** Ms C McKinney, Chairperson  
Mr A Hearn, Interim Chief Fire & Rescue Officer  
Ms B Anley  
Mr C Enright  
Mr R Irvine  
Mr P Kennedy  
Mr J Lennon (*virtual*)  
Mr J Quinn (*virtual*)  
Mrs H Singleton  
Ms L Smith

**APOLOGIES:** Mr J Craig  
Mr T O'Hanlon

**IN ATTENDANCE:** Mr P Harper, Deputy Chief Fire & Rescue Officer  
(*in the room*) Mr A Jennings, Assistant Chief Fire & Rescue Officer  
Mr M Deeney, T/Assistant Chief Fire & Rescue Officer  
Mrs P White, Director of Corporate Services  
Mrs T Ramsay, Director of People & Culture  
Miss D Reynolds, Head of Planning, Performance & Governance  
Ms I Hill, Governance & Business Support Services Advisor  
Mr W Curry, Arthur Cox Solicitors  
Mrs K McKenna, DoH Observer (*virtual*)

The Chairperson welcomed everyone to the Meeting, in particular Mrs McKenna, DoH Observer. She apologised for the delay in the starting time noting it had been a very busy morning for the Board.

The Chairperson referred to the business on the Agenda and sought Members' approval to change the order of business and bring forward significant items of business first to allow time for full consideration of these items. Members agreed.

### **Item 1: Apologies**

Apologies from Members were noted.

### **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. There were no other apparent conflicts of interest declared.

### **Item 3: Minutes of Board Meetings**

#### **22 February 2022**

The Minutes of the Meeting held on 22 February 2022, having been printed and circulated, were taken as read and agreed as an accurate record on the motion of Mr Enright, seconded by Ms Smith.

#### **27 September 2022**

The Minutes of the Meeting held on 27 September 2022, having been printed and circulated, were taken as read and agreed as an accurate record on the motion of Ms Smith, seconded by Ms Anley.

#### **6 December 2022**

The Minutes of the Meeting held on 6 December 2022, having been printed and circulated, were taken as read and agreed as an accurate record on the motion of Ms McKinney, seconded by Ms Anley.

### **Item 4: Standalone Strategic Items**

#### **Standing Order 2.6 – Urgent/Emergent Issues**

Under Standing Order 2.6, Members unanimously agreed the following:

- the appointment of Mrs H Singleton as the Board representative on the CRMP Project Board;
- the extension of the temporary Principal Officer structure for an additional 6 months from 11 November 2022;
- the current Wholetime Firefighter Reserve List should be extended for 6 months from the current end date of 27 January 2023 to 27 August 2023.

**The Board, on the motion of Ms McKinney, seconded by Mr Enright, unanimously agreed to retrospectively approve the above.**

#### **Finance Report**

Members noted the Finance Report for the period ended 31 January 2023.

The Director of Corporate Services summarised the financial performance to date noting a year-to-date underspend of £1.8m which reflects the uncertainty of NIFRS' financial position in the early part of the financial year as spend was curtailed where possible. She assured Members, however, that NIFRS is working to ensure that the budget is fully utilised and the year-end breakeven target is achieved. She also noted that DoH has recognised our potential pressures with regard to costs of the IT staff TUPE which may now materialise in year as well as the retrospective Development to Competent payments. She stated there is a level of uncertainty for the timing and /or quantum of these and added that NIFRS continues to work closely with DoH to fund these pressures should they be realised.

Members noted the report and requested to be updated on progress as soon as available.

**Action: Director of Corporate Services to keep Members updated on progress.**

The Director of Corporate Services provided an overview of the variances impacting on the revenue position. She also noted the impact of the pay offer of 7% backdated to July 2022 which is currently being balloted by the FBU. She noted that DoH has budgeted for a 5% pay award and NIFRS is considering how it can contribute to the remaining 2% on a non-recurrent basis. Members asked to be kept informed on discussions.

**Action: Director of Corporate Services to keep Members updated on discussions.**

Referring to the capital budget, the Director of Corporate Services provided an overview of the current position noting that an easement of £250k had been declared to DoH.

The Director of Corporate Services noted the position with respect to Prompt Payment Performance and Business Case approvals.

The Director of Corporate Services answered Members' questions relating to the information presented particularising with regard to the impact in-year of the pay offer currently being balloted. Members emphasised their real concerns regarding the challenges associated with the lack of a 3-year budget.

### **Financial Planning Scenarios**

Members noted the draft NIFRS Scenario Planning 2023/24 paper.

The Director of Corporate Services explained that NIFRS has been asked to scenario plan for a 3% (£2.4m) and 5% (£4m) reduction to the 2022/23 opening allocation. The recurrent allocations made in 2022/23 will be rolled into 2023/24 opening budgets and have been added to the opening position for planning purposes.

The Director of Corporate Services noted that NIFRS prepared a financial plan for 2022/23 that clearly identified the ELT's view on the inability to break even against the opening allocation of £81m. She articulated NIFRS' need for sustained additional funding to support continued delivery of the service. Both recurrent and non-recurrent allocations were received in-year. She informed Members that a first iteration of a consolidated budget requirement for 2023/24 had been completed and provided an overview of the project pressures after scenario planning.

The Director of Corporate Services emphasised that the single largest contributor to break even is to place all recruitment on hold in 2023/24. She noted from previous years that the Board did not have an appetite to stop recruitment or degrade services any further than the current Interim Service Delivery Model. She advised this would increase an already identified critical risk.

She also noted that NIFRS is currently progressing a 5-year Community Risk Management Plan (CRMP) which will set the direction of travel, assist with identification and realisation of cash and non-cash releasing efficiencies, and support a move toward increased effectiveness. Members noted work underway with the CRMP and looked forward to a progress report coming into the Board in due course.

The Director of Corporate Services updated Members on discussions with DoH following submission of the first iteration. She reported that the discussions had been positive. She further explained that the planning scenarios will be revisited following receipt of the HMI Review Report. She added that it is recognised that NIFRS will require additional support from the DoH in the immediate term and over the coming years to implement the recommendations of the report and bring the Service on to a more sustainable, efficient and effective footing through these recommendations and delivery of the CRMP.

Mr Irvine referred to the impact of major projects on resources and suggested the need for the Interim Chief Fire & Rescue Officer and ELT to develop a 3-year projection to reshape the base resourcing needs. With respect to the risk profile of the organisation, he stated that this has shown changes and there was therefore a need to focus on Flexi Officers/Area and District staff to ascertain if there is potential to redirect these resources back into the centre. Members noted this suggestion.

Referring to Support processes and the level of manual and duplication within these processes, Mr Irvine pointed out the need to consider what the organisation needs now rather than await the development of a Data Warehouse. He accepted that these were additional tasks but stressed the need to focus and crystallise what resources NIFRS actually needs. Members agreed.

The Interim Chief Fire & Rescue Officer recommended guarding against moving away from the CRMP and its direction of travel. He accepted the comments regarding resources and the need to identify same against tasks and the need to streamline processes to free-up further resources. Members noted his comments and requested further discussions at Board level as soon as could this could be facilitated.

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At this point.  
Mr Curry joined the Meeting

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Mr Kennedy sought clarification regarding the timeframe for submitting the document to DoH. The Director of Corporate Services explained that the draft paper has already been submitted and discussions are ongoing with DoH. Members noted this.

### **Command & Control Project Update**

The Chairperson welcomed William Curry, Arthur Cox Solicitors, to the Meeting.

Members noted a Briefing Paper relating to the Command & Control Project. Assistant Chief Fire & Rescue Officer Jennings provided an update on the position with regard to Systel, the supplier of the Command & Control Mobilising Solution, being placed in administration following the paper presented to the Board on 12 January. He noted that in the intervening period, NIFRS has remained in contract with Systel and have been continuing to work towards the delivery of a Command & Control Mobilising solution.

Assistant Chief Fire & Rescue Officer Jennings also updated Members with respect to legal decisions and advising Members that Systel remain in administration, with a continuation of the observation period. The next hearing is scheduled for 28 March 2023. He added that NIFRS has kept the Department informed throughout and formalised the update in a briefing paper in January 2023. Discussions have also been ongoing with regard to funding for the impact of the possible options.

Assistant Chief Fire & Rescue Officer Jennings referred to the position with the current system and explained that the Business Case for ProCAD Support & Maintenance for 2023/24 (the legacy system) is being presented for consideration later in the Meeting. He stated his belief that there is a low risk to maintaining these systems, provided that NIFRS is still able to obtain support and maintenance for the legacy equipment. He further assured Members that NIFRS is content that it will have this support and maintenance the ProCAD supplier until at least January 2025.

Assistant Chief Fire & Rescue Officer Jennings noted that the total capital costs incurred to date are circa £2.1m, and explained that should legal opinion and NIFRS position support a termination of contract these costs will need to be written off in full by the Organisation.

Members noted that the most up-to-date supplier timeline for project delivery was provided in September 2022 and indicates a go live of October 2023. The NIFRS addendum which was being finalised at 14 November 2022 provides for contingency within this timeline to March 2024. Assistant Chief Fire & Rescue Officer Jennings advised Members that NIFRS does not believe this timeline will be achievable in the current circumstances.

Assistant Chief Fire & Rescue Officer Jennings outlined the 4 options available to NIFRS, along with the legal advice received and NIFRS next steps which will be determined by the approved direction of travel with regard to the delivery of a Command & Control System. He also noted other considerations including the jurisdiction issue and the procurement advice received from BSO PaLS regarding the position and potential future procurement.

Assistant Chief Fire & Rescue Officer Jennings drew Members' attention to the 'Conclusion' section of the Briefing Paper and provided a synopsis of the key points. He explained that there has been a significant breach of trust and NIFRS no longer has confidence in Systel's ability to deliver the project to completion and guarantee support for the life of the system and that it is recommended that the Board approve option 2 - to terminate the contract with Systel on the grounds of a supplier termination event. He added that any termination will require Departmental approval as NIFRS do not have the delegated authority for the level of write off that would be required. He also explained to Members the need for an expeditious decision which is critical. Members noted ACFRO Jennings' advice.

Assistant Chief Fire & Rescue Officer Jennings noted that NIFRS has been working through the legal issues and acknowledged the assistance of William Curry, Arthur Cox Solicitors.

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

During a full discussion, the Officers and Mr Curry answered Members' questions/provided clarification regarding the information presented, particularly with regard to costs for each of the options and any potential challenges and the current position within the Scottish Fire & Rescue Service with whom NIFRS had undertaken a joint procurement. Members, whilst acknowledging concerns with regard to going out to the open market for a new system, also expressed discomfort with regard to the use of a Direct Award Contract.

The Interim Chief Fire & Rescue Officer explained that there were 3 priorities in this matter, ie, 1 – to mitigate losses; 2 – speedily resolve the issue; 3 – certainty around costs and timelines. He noted that options 2 and 3 were under consideration otherwise NIFRS was looking at an elongated process delaying moving forward with the business of a new system.

Mr Quinn accepted that it was a complicated issue and asked if NIFRS can deliver a new system before the support for the current system is no longer available. He expressed his concern with regard to the potential impact of the issue on NIFRS' service to the public.

Assistant Chief Fire & Rescue Officer Jennings updated Members on the current position with respect to other Fire & Rescue Services a number of UKFRS were working with Home Office and NFCC around the position with Systel and that only Scottish FRS had exited their contract with Systel, but that this was for a different reason. He outlined the expectations of the Contract with Systel at the outset noting the impact of Covid and the difficulty with agreeing firm timelines with Systel and them providing cost certainty. He also updated Members on a recent meeting with the providers of the support and maintenance of the current mobilising system explaining that they have assured him that they could have a new system in place within 12-18 months from contract award for any new system.

Mr Curry highlighted the urgency of the issue and stressed the need for an informed decision to be taken and communicated within the next couple of weeks. He provided further clarification around the options for moving forward.

Following further detailed discussion, Members explained the need for more information regarding options 2 and 3; and also costs with respect to systems which could be procured alongside the support and maintenance of the current system. Members expressed the need for detail on such significant matter as this was. Mr Enright commented on his view of the need to move forward and to ensure the timely delivery of a new system.

The Director of Corporate Services assured Members that DoH had been informed and were being kept up-to-date with regard to the matter. Members noted this assurance. She explained that a Business Case will be required for submission to DoH. She also explained that should the decision be to terminate the contract, work can be progressed in parallel regarding the next stage. She noted the potential timelines for the approval of the Business Case were outwith NIFRS control. Members requested regular updates on this matter.

Mrs Singleton, whilst seeking further clarification regarding costs, acknowledged the need for the Board to be decisive, given the delay already, and therefore make an informed decision today. Mr Curry provided an explanation regarding potential costs. Members noted this explanation.

**Following further discussion, and on the assurances from ACFRO Jennings and the Director of Corporate Services on the options presented, the Board, on the motion of Ms Smith, seconded by Ms Anley, unanimously agreed to terminate the contract with Systel on the grounds of a supplier termination event. It was further agreed that, if necessary, this action be followed by a termination for convenience.**

Members stressed the need for prompt approval from the Department in respect of these decisions.

Interim Chief Fire & Rescue Officer Hearn stressed the need for complete confidentiality around this matter.

The Chairperson thanked Mr Curry for his attendance and Assistant Chief Fire & Rescue Officer Jennings and the Director of Corporate for their input today. She thanked Messrs Kennedy and Lennon for their professional input to the discussions.

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The Meeting adjourned at 3.48 pm for a comfort break  
The Meeting reconvened at 3.58 pm

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## **Item 6: Reports from Board Committees, Noting of Committee Minute and Adoption of Committee Recommendations**

### **Audit, Risk & Governance Committee – Minutes – 1 November 2022**

The Minutes of the Audit, Risk & Governance Committee Meeting held on 1 November 2022 were noted. It was also noted that the recommendation contained therein had been adopted by the Board at its Meeting on 6 December 2022.

### **Audit, Risk & Governance Committee – Minutes – 17 November 2022**

The Minutes of the Audit, Risk & Governance Committee Meeting held on 17 November 2022 were noted. It was also noted that the recommendations contained therein had been adopted by the Board at its Meeting on 6 December 2022.

### **Audit, Risk & Governance Committee - Meeting – 23 February 2023**

Members noted that a Meeting of the Audit, Risk & Governance Committee was held on 23 February 2023 and the Minutes of the Meeting will be presented at a future Meeting of the Board.

**The Board, on the motion of Mr Irvine, seconded by Mr Enright, adopted the following recommendations emanating from the Meeting.**

#### ***Audit, Risk & Governance Committee – Recommendations***

- **Approval of the 2022/23 External Audit Strategy;**
- **Approval of the Audit of Management and Maintenance of Fleet & Equipment;**
- **Approval of the Audit of Performance Management;**
- **Approval of the Audit of Non-Pay Expenditure;**
- **Approval of Audit of NIFRS Budgetary Control; and**
- **Approval of Audit of Risk Management.**

### **Service Delivery Committee - Minutes – 21 September 2022**

The Minutes of the Service Delivery Committee Meeting held on 21 September 2022 were noted. Members further noted that the recommendations contained therein had been adopted by the Board at its Meeting on 27 September.

### **Service Delivery Committee - Meeting – 22 February 2023**

Members noted that a Meeting of the Service Delivery Committee was held on 22 February 2023 and that the Minutes of the Meeting will be presented at a future Meeting of the Board. There were no recommendations emanating from the Meeting.

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At this point,  
Mr Quinn left the Meeting (4.00 pm)

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### **Item 6: Standalone Strategic Items Business Cases**

#### **Pro-CAD Support & Maintenance Business Case**

Members noted the Executive Summary relating to Pro-CAD Support & Maintenance Business Case.

Assistant Chief Fire & Rescue Officer Jennings explained that the purpose of the Business is to enable NIFRS to provide continued support for its current Command & Control (C&C) system. He also provided an overview of the costs of the Business Case.



**The Board, on the motion of Mr Irvine, seconded by Mrs Singleton, unanimously approved the Pro-CAD Support & Maintenance Business Case.**

### **Personal Protective Equipment Business Case**

The Executive Summary pertaining to the Personal Protective Equipment (PPE) Business Case was noted.

The Director of Corporate Service noted the purpose of the Business Case was the provision of all Personal Protective Equipment (PPE) for operational and non-operational staff. She highlighted that prior to this Business Case, there had been multiple PPE business cases approved over the last 5 years to cover all NIFRS PPE needs.

The Director of Corporate Services answered Members' questions relating to the information presented.

**The Board, on the motion of Mr Irvine, seconded by Ms McKinney, unanimously approved the Personal Protective Equipment (PPE) Business Case.**

### **Flexi Duty Officer (FDO) Cars Business Case Ancillary Vehicles Business Case.**

Members noted the Executive Summaries for Flexi Duty Officer (FDO) Cars and Ancillary Vehicles Business Cases.

The Director of Corporate Services explained that the purpose of these business cases is to gain approval to replace the minimum number of Flexi Duty Officer (FDO) cars and ancillary vehicle as an interim solution until completion of an overall strategic business case.

Mr Enright commented on his experience with regard to replacement vehicles pointing out that electric vehicles are more cost-effective. He suggested the need for NIFRS to be considering this option.

The Director of Corporate Services stated that NIFRS recognises the need to consider a new strategic fleet model aligning to future service need as well as enabling consideration of our responsibility to the environment and sustainability.

During discussion, the Director of Corporate Services answered Members' questions relating to the information presented. She noted that NIFRS has continued to utilise current FDO cars and ancillary vehicles beyond their normal useful life and explained that an analysis of the current fleet (mileage, condition and age) has identified 38 FDO cars and 41 ancillary vehicles that are at end of life and require replacement as an immediate need. It was further noted that the remaining NIFRS fleet will be functional and fit-for-purpose until the wider strategic business case considers the future delivery model.

**The Board, on the motion of Mr Irvine, seconded by Ms Smith, agreed to approve the Flexi Duty Officer (FDO) Cars and Ancillary Vehicles Business**

## **Cases.**

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Mr Enright requested that his dissent for this motion be recorded.

### **Performance Management**

This item was deferred to the next Board Meeting.

### **Property Asset Management Plan**

This item was deferred to the next Board Meeting.

## **Item 5: Chairperson's Business**

### **Industrial Action Update**

The Interim Chief Fire & Rescue Officer updated Members on the current position noting that the FBU ballot relating to the National Joint Council's (NJC) pay offer of an increase of 7% effective from 1 July 2022 and 5% effective from 1 July 2023 closes on 6 March 2023. He noted that indications were positive with respect to this pay offer.

The Interim Chief Fire & Rescue Officer stated that the notification of the result of the ballot will be prompt and along with the notification from NJC advising of the pay offer settlement. He stressed the need for the Pay Remit to support the increase in pay to be promptly progressed and, therefore, the need to convene a meeting of the Remuneration Committee.

Members were informed of the outcome of a recent NIPSA ballot relating to pay and conditions which resulted in members voting for strike action and industrial action short of strike action. Members were advised that this also included members of UNITE.

The Director of People & Culture informed Members that following discussions with Union Representatives, NIPSA had suspended industrial action. She explained that, in the meantime, Management continued to meet with NIPSA to resolve the 2 matters in dispute – 2 x £500 net cost of living/Covid recognition payments, the first to cover years 2021/2022, whilst the second is for 2022/23; and the uplift of NIFRS Pay Scales by 2 increments. The Director of People & Culture advised that she would bring a full brief to a future Meeting.

The Director of People & Culture provided a brief overview of discussions to date both with NIPSA and DoH. She noted that the one-off payments would require Ministerial approval as this payment was originally authorised at Ministerial level. With regard to the uplift of pay scales, she explained that, as it links with other issues around NIFRS being an employer of choice, it is proposed that NIFRS seek approval for a local pay and grading review to be undertaken in NIFRS in the new financial year. Members noted that should NIFRS require additional external support to conduct this review, approval should be sought accordingly.

**Action:**

- **Date for potential Remuneration Committee Meeting to be agreed – Ms Hill;**
- **iCFRO Hearn and ELT to seek approval from DoH to undertake a Pay and Grading Review of Support Staff roles.**

**SistersIN Initiative**

The Chairperson referred to the SistersIN Initiative and noted that NIFRS was hosting an event on 7 March at LDC Boucher. She highlighted that the Directors People & Culture and Corporate Services were participating as Mentors on the programme.

The Director of People & Culture outlined briefing the background to the Leadership Programme which has been developed specifically to help sixth form girls build their confidence and broaden their career perspectives.

**Collection – NI Hospice**

The Chairperson referred to the charity contributions made at the Christmas Fayre and informed the Meeting that a donation of £174 had been made to the NI Hospice. The Chairperson reiterated her thanks to Members and staff for their contributions.

**Remuneration Committee – Meeting – 28 February 2023**

The Chairperson informed Members that a Meeting of the Remuneration Committee had been held immediately prior to the Board Meeting. She invited the Director of People & Culture to present the recommendations emanating from the Meeting.

The Director People & Culture provided a high level overview of the business discussed at the Meeting with regard to the outcome of Job Evaluations (Green Book); requests for Flexible Retirement (Support staff); and a Business Case for the costs to transition weekly paid staff to monthly.

**The Board, on the motion of Ms McKinney, seconded by Ms Anley, unanimously agreed to adopt the following recommendations emanating from the Meeting.**

***Remuneration Committee Recommendations***

- **Approval, based on the assurances being given to the Committee, for the regrading of roles (as per Briefing Paper) that have been formally job evaluated in line with current policy; and approval to proceed with the job matching process in line with current policy and on a temporary basis until formal approval is sought from DoH for the amendment to the grade;**
- **Approval of the cost of £1,255.00, which they were assured can be supported within the Support Staff budget, for bringing pension benefits into payment early for a member of Support staff;**
- **Approval of the Business Case for costs to transition weekly paid staff to monthly.**

**Item 7: Relevant Correspondence**

There was no relevant correspondence.

**Item 8: Documents for Sealing**

There were no documents for sealing.

**Item 9: March/April 2023 Key Dates**

A provisional schedule of key dates for March/April 2023 was noted.

Chairperson drew Members' to the proposed programme for 18 and 25 April when it is anticipated the Board will be in a position to consider the draft HMI Report.

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THIS CONCLUDED THE BUSINESS  
AND THE MEETING TERMINATED  
AT 4.35 PM

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