

**MINUTES: 15 DECEMBER 2004**

**MINUTES OF A MEETING OF THE ROYAL BERKSHIRE FIRE AUTHORITY  
HELD IN THE COUNCIL CHAMBER, READING BOROUGH COUNCIL, CIVIC  
OFFICES, READING, BERKSHIRE ON WEDNESDAY 15 DECEMBER 2004  
COMMENCING AT 6.30PM AND CONCLUDED AT 9.05PM**

**Present:** Terry Mills (Chairman), Jeff C G Brooks (Vice-Chairman),  
Christine Borgars (Leader of the Labour Group), Mike Adams, Mrs  
Christine Bateson, Geoff S Findlay, John P Green,  
David Howes, Mrs Vicky Howes, Owen E Jeffery, Fred Pugh, Peter  
North, Barrie J S Patman, Rob Stanton, Derek J Wilson

**Apologies:** Mrs Prue Bray, Dr Paul Bryant, Tom Crisp, Jagit S Grewal,  
David MacIsaac, Chris Maskell, James E R Mole, Angus J Ross,  
Dexter J Smith

**5.01/04 MEMBERSHIP OF THE ROYAL BERKSHIRE FIRE AUTHORITY**

The Chairman welcomed Councillor Rob Stanton (Wokingham District Council) to the meeting.

**NOTED**

**5.02/04 DECLARATIONS OF INTEREST**

Having been reminded that in accordance with the Fire Authority's Code of Conduct, Members are required to declare interests which are Personal or Personal and Prejudicial, where appropriate it was noted that on this occasion there were no such declarations made. Members were reminded that they were required to sign the statutory Declaration of Acceptance of Office in the presence of the Clerk and Monitoring Officer.

**NOTED**

**5.03/04 PART I MINUTES: 13 OCTOBER 2004**

The Part I Minutes of the last meeting held on Wednesday 13 October 2004, having been previously circulated, were taken as read and signed by the Chairman as a correct record.

**5.04/04 PART I MINUTES OF COMMITTEES, WORKING PARTY'S AND  
OTHER GROUPS**

The Authority was advised (Agenda item 4 – not reproduced) of the Fire Authority's Committee's, Working Party's and other Group meetings that had taken place since the last meeting in October 2004. Members were advised that copies of the Part I Minutes were

available on request from the Committee Administrator (0118) 932 2288 or by e-mail on wellerd@rbfrs.co.uk.

**NOTED**

**5.05/04 CHAIRMAN'S COMMUNICATIONS**

The Chairman had nothing to report.

**NOTED**

**5.06/04 PETITIONS AND QUESTIONS FROM THE PUBLIC**

The Authority noted that no Petitions or Questions had been received from the Public under Standing Orders 8 and 9.

**5.07/04 QUESTIONS FROM FIRE AUTHORITY MEMBERS**

The Authority noted that no questions had been received from Fire Authority Members under Standing Order 10.

**5.08/04 NOTICES OF MOTION**

The Authority noted that no Notices of Motion had been received from Members under Standing Order 12.

**5.09/04 DATES FOR MEETINGS OF THE FIRE AUTHORITY – OCTOBER 2005 TO JUNE 2006**

The Authority's approval was sought (Agenda item 9 – not reproduced) to the list of dates for meetings of the Fire Authority for the period 1 October 2005 to 30 June 2006 proposed in accordance with the revised programme of meetings approved by the Fire Authority at its meeting on Wednesday 30 June 2004.

**RESOLVED: That meetings of the Royal Berkshire Fire Authority for the be held on the following dates in 2005/2006, commencing at 6.30pm, at venues to be determined:**

**Wednesday 12 October 2005**

**Wednesday 14 December 2005**

**Wednesday 8 February 2006 - Budget and Precept Setting**

**Wednesday 28 June 2006 – Annual Meeting**

**5.10/04 CHANGE OF DATE FOR THE FIRE AUTHORITY MEETING IN FEBRUARY 2005**

The Authority's approval was sought (Agenda item 10 – not reproduced) to a request from the Chairman that the date of the February 2005 Authority Meeting be changed from its original date of Wednesday 9 February to Monday 21 February 2005 commencing at 6.30pm.

**RESOLVED: That if the Printers are able to meet the deadline for the printing of the Authority's Precept Leaflet then Monday 21 February 2005 be confirmed as the alternative Fire Authority meeting date and the original date of Wednesday 9 February 2005 be cancelled, but in the event of the Printers not being able to meet the new deadline then the Authority Meeting revert back to its original date of 9 February 2005 at Wokingham District Council commencing at 6.30pm.**

**5.11/04 FIREMAN'S PENSION'S SCHEME INTERNAL DISPUTE RESOLUTION PROCEDURE – AMENDMENT TO CHIEF FIRE OFFICER'S DELEGATED POWERS AND TERMS OF REFERENCE FOR THE DISCIPLINARY, GRIEVANCE AND APPEALS COMMITTEE**

The Authority's approval was sought (Agenda item 11 – not reproduced) to a recommendation from the Executive Committee to amend the Chief Fire Officer's Delegated Powers and the Terms of Reference for the Disciplinary, Appeals and Grievance Committee in respect of the Fireman's Pension Scheme Internal Dispute Resolution Procedure which is a requirement under Section 50 of the Pensions Act 1995.

**RESOLVED: That amendments to the Chief Fire Officer's Delegated Powers and the Terms of Reference for the Disciplinary, Appeals and Grievance Committee in respect of the Fireman's Pension Scheme Internal Dispute Resolution Procedure, as set out in the report, be approved and adopted.**

**5.12.04 PRESENTATION FROM THE AUDIT COMMISSION ON COMPREHENSIVE PERFORMANCE ASSESSMENT (CPA)**

The Chairman welcomed and introduced Ken Lloyd from the Audit Commission who provided the Authority with a visual Presentation on the forthcoming Comprehensive Performance Assessment (CPA).

In thanking the Chairman for his welcome, Mr Lloyd advised that his role in the Audit Commission was one of Team Leader for the Authority's CPA review due next year and his Presentation would provide Members with an overview of what the Review will cover. He is part of a team of five and having provided members with a brief summary of how the team would work Mr Lloyd confirmed that the on-site activities within the Authority would consist of five days spread over two weeks and will involve document reviews and meeting Focus Groups.

The Presentation covered various aspects of the forthcoming review including how feedback during the Review would operate, expectations during the review Meetings and post on-site activities.

Once the Review is completed he would prepare a Draft report, copies of which would be sent to the Fire Authority for correction and the Audit Commission. After an initial period for comments has expired the report will be finalised and the Authority's Official Rating awarded.

Following the Presentation, Members/Officers were given the opportunity to ask questions or seek points of clarification and the following is a brief summary of the questions asked and answers provided:

**Question:** Will you require an Officer as a point of contact throughout your visit?

**Answer:** The Team would be very happy to have such a person.

**Question:** It is noted that the Member Peer is not a member of a Fire Authority?

**Answer:** All the Member Peers are provided through the IDA system and are fully aware of how a Fire Authority operates.

**Question:** Whilst all Members are happy to be involved in the process we may require your assistance to advise us of who we should be talking to?

**Response:** In explaining how this would work in practice, Ken Lloyd confirmed that overall it would be members of the Executive Committee who will have the biggest input.

**Question:** You stated that the reports would be issued as one batch after all the Fire Authority reviews have been completed – is this correct and if so are you able to say when that would be?

**Answer:** Whilst not being before the end of the process it will however be by 31 May 2005. It is anticipated however that the Draft Report for the RBFA will be issued during February 2005. As mentioned earlier when you have the Draft report the Authority will have the opportunity to seek clarification and comment on any inadequacies in the report.

The Chairman, on behalf of the Fire Authority, thanked Mr Lloyd for attending the meeting and for a very helpful presentation.

**NOTED**

#### **5.13/04 PRESENTATION FROM THE CHIEF FIRE OFFICER ON THE INCIDENT AT UFTON NERVET**

The Authority received a visual presentation from the Chief Fire Officer on the RBFRS role in the recent tragic rail accident on the level crossing at Ufton Nervet on Saturday 6 November when sadly six people lost their lives including the train driver and the driver of the car.

The first call was received in Control at approximately 18.13hrs and the first appliance from Dee Road arrived at the scene some eleven minutes later at 18.25hrs. At 18.29hrs a major incident was declared. The RBFRS plus appliances from Hampshire Fire and Rescue Service and AWE were at the scene from 18.25 to 23.07hrs working to free those passengers trapped in the wreckage. At 20.30hrs on Sunday 7 November the last appliance left the scene and the incident was declared closed at 14.21hrs on Monday 8 November 2004.

A debrief has been arranged for Friday 7 January 2005 involving all the emergency services and the other non-emergency organisations. Members also received a brief overview from the Corporate Communications Manager on how the press enquiries were dealt with.

Following the Presentation, Members were given the opportunity to ask questions or seek points of clarification and the following is a brief summary of the questions asked and answers provided by the CFO:

**Question:** Whilst we hope that a similar incident does not occur in Berkshire there does not appear to be information available on which to brief Members and what, if any, part they have to or could play. We need some guidelines?

**Answer:** As this is a very valid point I will investigate the part that members could play, produce guidelines and present a report with proposals to a future Fire Authority Meeting.

**Question:** Were the Unitary Authority Emergency Planning Departments ready and if so how did they cope?

**Answer:** West Berkshire Council having opened their Emergency Planning Centre coped extremely well and were very helpful. In addition Network Rail had arranged for coaches/taxi's to arrive to take passengers on to their final destinations.

The Chief Fire Officer was also asked to investigate the level of support that could be available from the Unitary Authorities Emergency Planning Departments across the County together with the associated funding requirements/availability and report back to a future Fire Authority Meeting.

The Chairman thanked the Chief Fire Officer for a very full and informative presentation.

## **NOTED**

### **5.14/04 PRESENTATION FROM THE CHIEF FIRE OFFICER ON THE PEER GROUP REVIEW AND CPA REVISION**

The Authority received a verbal presentation from the Chief Fire Officer (CFO) on the Peer Group Review and CPA Revision, including the submission of the Initial Improvement Plan (IIP), a copy of which was tabled at the meeting (not reproduced) and as indicated by the CFO required Member approval.

Having explained the background to the whole process including the extremely tight timescale imposed in which to get the information ready, the CFO suggested that whilst no changes are made to Peer Group Review changes are made to the way in which the Fire Authority submits its evidence. In referring to the Audit Commission's visit to the Brigade on 7/8 December 2004 the CFO wished to place on record his thanks to those Members who had made themselves available during the two days at very short notice.

In taking Members through the IIP, the CFO confirmed that what the RBFRS/Authority are doing and how we achieve it is based on the Risk Management Model and would therefore welcome any ideas that Members may have to improve the process in the future.

Consideration was therefore given to the IIP and the following is a summary of the comments made:

## 1 Corporate Governance

Second bullet point – Authority Treasurer to present Fraud and Corruption Policy to future Fire Authority meeting for consideration and approval.

Fourth bullet point – It was agreed that Elected Members involvement should be strengthened through discussions with Members and suitable text included in the New Members Handbook.

## 2 HR/IPDS Issues

First bullet point – It was suggested ways of achieving that target be sought through best practice by seeking information from other Brigades and/or Organisations.

## 3 IRMP

No further comments

## 4 Community Safety/Partnership Working

Third bullet point – It was agreed that there is the need for the RBFRS to be involved in all the Unitary Authorities LSP's.

**RESOLVED: That the Initial Improvement Plan (as amended) be approved and the further action suggested above implemented.**

### **5.15/04 PRESENTATION FROM GROUP MANAGER 'NEW DIMENSIONS' ON CIVIL RESILIENCE**

The Authority received a visual presentation from Mark Fuller, Group Manager, 'New Dimensions' on Civil Resilience covering what it is, why the Royal Berkshire Fire and Rescue Service are doing it and what it is going to mean to the Royal Berkshire Fire Authority.

In his introduction Mark Fuller advised that the definition of Resilience is "An inbuilt ability to suffer failure or damage, yet deliver a continuous service and sustainability. Within the legal framework the Civil Contingencies Bill emanated from the three F's, namely flooding, fuel crisis, foot and mouth but as this work was being started the 9/11 terrorist attack took place in the United States in 2001 and the emphasis altered.

Under this legislation Section 9 of the Fire and Rescue Service Act 2004 places a statutory duty on the Fire and Rescue Service (FR&S) to protect society from a range of potential risks. The Draft Fire and Rescue Service (Emergency) (England) Order 2004 is currently out for consultation.

The Civil Contingencies Bill will place a statutory duty on other Agencies and the FR&S to work together to protect society from a range of potential risk whilst the new Dimensions Programme will provide equipment and initial training to support a measured FR&S response

capability to both support public safety and assist other Agencies in the recovery from certain catastrophic events. This Bill will therefore require RBFRS to complete risk assessments for all risks within our field of operations and be cognisant of all affected responders including those in the voluntary sector.

Members were then shown a list of the many, but not all, resilience topics covered in the New Dimension programme which provided an idea of the scale of the national programme together with information on what will change such as the regional risks to be considered within RBRFS IRMP (introduction of regional assets), additional burdens (training, fleet costs etc) and convergence (operational procedures, IT, HR and the associated training).

There being no further questions the Chairman thanked Mark Fuller for attending the meeting and for a very full and informative presentation.

**NOTED**

#### **5.16/04 FUTURE ROLE OF ELECTED MEMBERS IN EMPLOYEE RELATIONS ISSUES**

The Authority's approval was sought (Agenda item 17 – not reproduced) to a recommendation from the Executive Committee relating to the future role of the Elected Members in employee relations issues following the introduction of the Sixth Edition of the National Joint Council (NJC) for Local Authorities' Fire and Rescue Services Scheme of Conditions of Service (New Grey Book).

Previously Fire Authority Members have participated directly in RBFRS employee relations through the Disciplinary, Appeals and Grievance Committee (DAG), which has dealt with employee grievances at the final stage of the Grievance Procedure and has also been available to consider appeals by employees against their dismissal.

Under Section 6 of the New Grey Book there is a 'model', jointly agreed Grievance, Disciplinary and Disputes procedures, which can be adopted by Fire Authorities if they so choose. Alternatively Fire Authorities can make local arrangements to deal with these issues, but in doing so agreement with local trade union representatives is required. The procedures in the New Grey Book include final internal appeals to a 'corporate' level but leave it open for each Fire Authority to determine whether, Officers or Elected Members undertakes that role.

In noting the advantages and implications of the previous and proposed procedure as set out in paragraphs 5,6 and 7 of the report (not reproduced), Members were advised of the need for an early decision to be made in relation to their future role in the Disciplinary Procedures as the new procedure must be in place by 1 January 2005. The Executive Committee having given full consideration to the options were of the opinion that Elected Members should continue to take a direct role on employee matters and therefore referred it on to the Fire Authority with a recommendation that it be approved and the terms of reference of DAG be amended as necessary to reflect this.

**RESOLVED: That, Elected Members maintain their existing involvement in the Royal Berkshire Fire and Rescue Service employee relations issues and that the Terms of**

**Reference for the Fire Authority’s Disciplinary, Appeals and Grievance Committee be amended as necessary to reflect this.**

#### **5.17/04 HUMAN RESOURCES STRATEGY**

The Fire Authority’s approval was sought (Agenda item 18 – not reproduced) to the Human Resources Strategy document, a copy of which was presented as Appendix A (not reproduced), and which sets out the Authority’s approach to the management of its people.

In speaking to the report the Director of Human Resources (DHR) advised that the Strategy is not new, but rather the confirmation and documentation behind the approach of previous policy and practice. In response to a question the DHR confirmed that if members were minded to approve the Strategy he would be checking its contents against those contained in the ODPM’s National Workforce Development Strategy and if necessary amend the RBFRS Strategy as required to comply with the National Strategy. In view of this and other possible changes in legislation/regulations it would be reviewed on an annual basis.

Having considered and approved the Strategy as presented in Appendix A, Members requested that a statement be included in the text confirming the RBFRS/RBFA will test themselves against applying for Investors in People Status in the future.

**RESOLVED: That the proposed Human Resources Strategy (as amended), presented in Appendix A, be approved and adopted and subsequently reviewed on an annual basis.**

#### **5.18/04 REVISED DIVERSITY AND EQUALITY STRATEGY AND ACTION PLAN**

The Authority’s approval was sought (Agenda item 19 – not reproduced) to the revised Diversity and Equality Strategy and Action Plan, which had been due for revision to ensure currency and progressive improvement.

In receiving a copy of the Strategy and Action Plan presented as Appendix B (not reproduced), Members were advised that the opportunity had been taken to shorten and simplify the Strategy, to strengthen focus on the key areas. There is also the Royal Berkshire Fire Authority’s Race Equality Scheme and a copy had been encompassed within the Strategy and was presented as Annex 1 (not reproduced). Members were advised that the Race Equality Scheme is currently being reviewed but remains unchanged at the moment.

Having considered the revised Strategy and Action Plan, Members agreed that it be approved subject to the following minor amendment:

In Section 4 (Strategic Aims) under paragraph 6.1 delete “to” and insert “with”

**RESOLVED: That the revised Diversity and Equality Strategy (as amended) and associated Action Plan, presented as Appendix B, be approved and adopted.**

#### **5.19/04 HALF YEARLY REPORT FOR MEDICAL RETIREMENTS, WORKPLACE ACCIDENTS AND SICKNESS ABSENCES**

The Authority received a report (Agenda item 20 – not reproduced) on the number of medical retirements, workplace accidents and sickness absences for the period 1 April to 30 September 2004.

During the period in question one operational employee was medically retired from the Brigade after 20 years service whilst fourteen personnel retired on normal grounds being six Wholetime, five Non-Uniformed, two Retained and one from Control. In noting the sicknesses during the same period as summarised in paragraph 3 of the report (not reproduced) Members were advised that this represented a total of 2,900 duty days, a decrease of 286 when compared with the previous period.

The Vice-Chairman in referring to the number of workplace accidents but more especially to the number of slips, trips and falls drew Members attention to a campaign organised by a company in Slough which has shown a significant reduction in the number of workplace accidents.

The Personnel Manager advised that the Brigade's Health and Safety Department have organised a slips and trips campaign and information will be available on the Department's Intranet. The campaign will concentrate on avoiding slips and trips accidents in the workplace, which has reported previously led to personnel suffering and days lost due to sickness. The campaign, which is seen as a means of tackling this, will be supported by the Health and Safety Department who will be conducting visits to assist workplace managers and safety representatives in the identification of potential hazards.

In addition a Stress Action Plan has been agreed and measures are being put in place to reduce cases of stress on the workplace.

Members were also advised that the Brigade has employed a Health and Fitness Advisor who will be working closely with Physical Training Instructors looking at rehabilitating those absent due to sickness and speeding up their full return to work. In addition she will also be arranging specific projects around how sport and fitness is undertaken in the Brigade.

**NOTED**

#### **5.20/04 BUDGET MONITORING**

The Authority was informed (Agenda item 21 – not reproduced) of the Revenue and Capital Expenditure against Budgets up to 31 October 2004 as presented in Appendices C and D respectively (not reproduced)

**NOTED**

#### **5.21/04 REPORT ON THIRD ANNUAL ASSEMBLY OF STANDARDS COMMITTEES 2004**

The Authority received a report (Agenda item 22 – not reproduced), prepared by Peter Harris, Chairman of the Standards Committee, on his attendance at the Third Annual Assembly of Standards Committee's 2004 held at the ICC, Birmingham on 13-14 September 2004.

A copy of his report together with a copy of a synopsis of a Presentation by David Prince, Chief Executive of the Standards Board for England, was presented as Appendices E and F respectively.

**NOTED**

#### **5.22/04          DATE OF NEXT MEETING**

It was noted that the next Fire Authority Meeting is scheduled to take place on either Wednesday 9 February or Monday 21 February 2005 at Wokingham District Council or a venue yet to be determined respectively commencing at 6.30pm.

**NOTED**

*(Post Meeting Note: - The meeting will be held on Wednesday 9 February 2005 in the Council Chamber, Wokingham District Council, Shute End, Wokingham commencing at 6.30pm)*

#### **5.23/04          EXCLUSION OF THE PUBLIC**

**RESOLVED:** That under Section 100(A)(4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the paragraphs of Part I of Schedule 12A of the said Act indicated:

	Agenda Item	Paragraph
25	Part II Minutes: Wednesday 13 October 2004	1, 7 & 8
26	Part II Minutes of Committees	7 & 8

*(Note: The following is a summary of the items considered in the Part II Agenda of the Fire Authority meeting held on Wednesday 13 October 2004)*

#### **5.24/04          PART II MINUTES:          13 OCTOBER 2004**

The Part II Minutes of the last meeting held on Wednesday 13 October 2004 were received and approved as a correct record.

#### **5.25/04          PART II MINUTES OF COMMITTEES**

Information on the Part II Minutes of Committee Meetings that have taken place since the last meeting of the Authority was received and noted.