

MINUTES OF THE MEETING OF THE ROYAL BERKSHIRE FIRE AUTHORITY



Held on Wednesday 30th September 2015 at 6.30pm

Brigade Headquarters, Lynda Kenyon Suite, Newsham Court, Pincents Lane, Calcot, Reading RG31 7SD

Members: (* present)	*	Councillor Frank Abe	Councillor Carol Jackson-Doerge
	*	Councillor David Absolom	Councillor John Lenton
		Councillor Alistair Auty	Councillor Chris Maskell
		Councillor Joginder Bal	* Councillor Tom McCann
	*	Councillor Christine Bateson	* Councillor Iain McCracken
	*	Councillor Phillip Bicknell	* Councillor Tina McKenzie-Boyle
	*	Councillor Paul Bryant	* Councillor Ian Pittock
	*	Councillor David Burbage (from 6.16pm)	* Councillor Edward Plenty
		Councillor Anthony Chadley	* Councillor Angus Ross
	*	Councillor Colin Dudley	Councillor Ishrat Shah
	*	Councillor Adrian Edwards	* Councillor Jane Stanford-Beale
	*	Councillor Paul Gittings	* Councillor Emma Webster (from 6.20pm)
	*	Councillor Pauline Helliard-Symons	

In Attendance:	Conor Byrne (Head of Finance, HOF)
	Trevor Ferguson (Deputy Chief Fire Officer, DCFO)
	Moira Fraser (Democratic Services Manager, DSM)
	Andy Fry (Chief Fire Officer, CFO)
	Simon Jefferies (Interim Head of Risk Management, IHRM)
	Becci Jefferies (Head of HR, HHR)
	Tracey Mitchell (Head of Health and Safety, HHS)
	Andy Parsons (Interim Head of IT)
	Linda Pye (Committee Officer, CO)
	Nikki Richards (Business Transformation Manager, BTM)
	Fayth Rowe (Committee Officer, CO)
	Anne-Marie Scott (Director of People and Organisational Development, DPOD)
	Paul Southern (Assistant Chief Fire Officer, ACFO)

Observers:	Officers, Royal Berkshire Fire and Rescue Service
	Members of Representative Bodies
	Members of the Public

30. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Alistair Auty, Anthony Chadley, John Lenton, Chris Maskell and Ishrat Shah.

31. DECLARATIONS OF INTEREST

In accordance with the provisions of the Fire Authority's Local Code of Conduct there were no declarations of interest received from Members.

Action

There were no Declarations of Interest received from Officers.

32. MINUTES OF THE MEETING HELD ON 24 JUNE 2015

Resolved:

That the Minutes of the meeting held on 24 June 2015 be approved as a true and correct record and signed by the Chairman.

33. QUESTIONS FROM THE PUBLIC UNDER STANDING ORDERS 19 AND 25

There were no questions from members of the public under Standing Orders 19 and 25.

34. RECEIPT OF ANNOUNCEMENTS

The Chairman made the following announcements:

Public Consultation on Emergency Service Collaboration

The Chairman confirmed that he and the Chief Fire Officer had received a letter from the Fire Minister on 11 September, confirming that a public consultation had opened on proposals for strengthening collaboration between fire, police and ambulance services in England. One of the proposals included a route for Police and Crime Commissioners to assume responsibility for fire and rescue services.

The consultation deadline was 23rd October 2015. The next Fire Authority was not until 16th December; therefore, the Chairman intended to assign responsibility for preparing a consultation response to the task-and-finish cross party group that had recently been set up to look at Fire Authority governance arrangements.

Notwithstanding the tight timescales for the consultation, it was important for all Members to have the opportunity to input into the final response. On that basis it was the Chairman's intention to circulate the draft response by e-mail for comment. Responses received would be given due consideration when preparing the final submission to Government in connection with this important matter. The Chairman stated that if he did not receive feedback from Members then he would assume that they were happy with the proposals.

Members Policy Workshop – 30 September 2015

Due to the cancellation of the Members Workshop on 20 July 2015, the Workshop had been rescheduled to be held following this meeting. Members should have received a workshop agenda and document entitled '*Enabling People to Lead Safe and Fulfilling Lives: A Vision for 2019*'.

Copies would be available following this meeting. The Chairman hoped that Members present would be able to stay for this important event.

Chief Fire Officer Andy Fry to become President of the Chief Fire Officers' Association

The Chairman was very pleased to advise that, with the full support of himself and the Vice-Chairman, Chief Fire Officer Andy Fry was recently elected onto the Presidential Team of the Chief Fire Officers' Association (CFOA).

As a result, Andy was installed as Vice-President elect at the CFOA Annual

General meeting earlier this month. He would serve in this role for a year before becoming Vice President for 12 months, and would commence his presidential year in September 2017.

For those who were unaware, CFOA was a membership organisation for senior fire and rescue service managers across the UK, which positioned itself as 'the professional voice of the UK fire and rescue Service'. As such, the Association provided professional advice to inform Government policy and was committed to developing a range of guidance, as well as sharing notable practice across the fire and rescue sector.

The Chairman was sure Andy was enormously proud to have been elected by his peers into a role that would see him lead CFOA as its President in 2017. What was more important, however, was that, as CFOA President, Andy would be in a position of significant influence – operating at the heart of the UK-wide FRS policy agenda. The fact that he would be doing so whilst continuing in the role of Chief Fire Officer in Royal Berkshire would provide an excellent opportunity to ensure that RBFRS's 'voice' was well heard in important circles – something that had to be a good thing for this Fire Authority and the fire and rescue service.

He asked all Members to join him in congratulating the CFO on this excellent achievement.

Newsham Court

The Chairman thanked Members, staff and all those that attended and were involved in the official opening of Newsham Court on 8th September 2015. Officially opened by HRH Earl of Wessex, his Royal Highness viewed a display of some of RBFRS's specialist appliances, including Animal Rescue, Water Rescue and also observed a vehicle extrication demonstration. Children from Calcot Junior School, who were involved in determining the name of the new Headquarters, were also among the special guests in attendance. The opening was a huge success and along with the Vice-Chairman and other Members present on the day, he had been very proud to be a representative of the Royal Berkshire Fire Authority. It had been a very special day and he officially thanked all staff.

Memorandum of Understanding (MOU)

The MOU between the three Thames Valley Fire Services, Thames Valley Police and the Police and Crime Commissioner had now been signed by all parties and work on collaboration was underway to identify long-term objectives, quick wins and principles of how to work together. A photo call was being organised to publicise the Fire Authority's commitment to collaboration across all of the Thames Valley services. The Chairman looked forward to reporting even more successes in the future.

Official Launch of the Co-Responding Scheme at Hungerford Fire Station

On the 3rd August 2015 the Chairman had attended Hungerford Fire Station to officially launch the co-responding scheme. The event was attended by local dignitaries, representatives from South Central Ambulance Service, RBFRS Officers and fire-fighters from Hungerford who crewed the co-responding unit. On average the crews were responding to one call per day so far and had already made a significant difference to the lives of some people living in the area. This was the first step in a wider collaboration that it was proposed to take across the Thames Valley and was a process which Hampshire had led on.

Wholetime Fire-fighter Recruitment

Members would be aware from recent reports that the Fire Authority had been out to recruit new fire-fighters to bring it up to the required establishment. As usual, there had been a fantastic response when the Fire Authority had gone to the market and through a series of recruitment tests it had identified the preferred candidates. The Fire Authority had also worked with Leicestershire FRS to help them avoid redundancies and would be taking a small number of their fire-fighters on a two year secondment. As there were 15 candidates who were already either wholetime or retained fire-fighters the Fire Authority would be running an initial conversion course of up to 4 weeks to get them operational as soon as possible. This training would be delivered internally and would commence on 1st October 2015. The full new recruits training would be run in January 2016 to help maintain the 328 wholetime establishment.

Retained Duty System Recruitment

Due to previous difficulties with RDS recruitment, RBFRS had tried a different approach by holding an event over a whole weekend at Mortimer Fire Station in a 'one stop shop'. This was where as many of the processes required to be an RDS fire-fighter were held at once, enabling a slicker process to be undertaken. Although being held at Mortimer Fire Station, the process was to recruit for all RBFRS RDS Stations.

The approach was different with higher media coverage, liaison with local businesses about the benefits and what the role of an RDS fire-fighter was about.

The Chairman was pleased to announce that from a total of 18 applicants RBFRS had achieved a total of 7 new RDS fire-fighters; 3 for Wargrave, 2 for Crowthorne and 2 for Hungerford. He congratulated the Officers involved as this had been a successful process.

NHS Data Sharing Agreement

RBFRS had signed a data sharing agreement with the NHS, which would enable information about vulnerable people to be shared between the organisations. The information would be used to ensure RBFRS provided appropriate support and interventions to keep them safe. He gave an assurance that confidential information would not be shared but it meant that vulnerable people could be highlighted and would enable the Fire Service to provide prevention advice.

Fire Safety Prosecution

A landlord of a house converted into flats in Zinzan Street, Reading had been sentenced to four months imprisonment for serious breaches of fire safety regulations, after pleading guilty to 12 charges brought under the Regulatory Reform (Fire Safety) Order 2005.

Reading Borough Council officers raised their concerns with Royal Berkshire Fire and Rescue Service about the serious lack of fire safety precautions. This was a very good example of partnership working and it gave a message to people who thought that they could flout the law in respect of fire safety. He thanked the Officers for their work on this issue.

Signing In/ Councillors Lanyards

For security purposes, Members and visitors to this building were being asked to

sign in at Reception. This was in addition to the Attendance Sheet, Members were required to sign.

Members would notice that Councillors lanyards and passes had been available at Reception, on signing out, Members were asked to return them.

35. ISSUES ARISING FROM THE AUDIT AND GOVERNANCE COMMITTEE

There were no matters referred by the Audit and Governance Committee.

36. QUESTIONS FROM MEMBERS UNDER STANDING ORDER 30

There were no questions from Members under Standing Order 30.

37. NOTICES OF MOTION UNDER STANDING ORDER 44

There were no Notices of Motion under Standing Order 44.

38. RECOMMENDATIONS OF COMMITTEES

It was noted that agenda items 10, 11, 12, 13 and 14 had been recommended from Audit and Governance Committee at their meetings on 29th June and 17th September 2015. Item 25 had been recommended from the IRMP Working Party on 22nd September 2015.

39. ANNUAL GOVERNANCE STATEMENT 2014/15

Trevor Ferguson, Deputy Chief Fire Officer (DCFO), presented the 2014/15 Annual Governance Statement which was based on the draft statement that had been published on the RBFRS website since July 2015.

The Royal Berkshire Fire Authority was responsible for ensuring that its business was conducted in accordance with the law and proper standards and that public money was safeguarded, properly accounted for and used economically, efficiently and effectively. It also had a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions were exercised, having regard to a combination of economy, efficiency and effectiveness. In discharging this overall responsibility, the Authority was responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions which included arrangements for the management of risk.

The Fire Authority had a duty to produce and publish an Annual Governance Statement in accordance with the Accounts and Audit (England) Regulations 2011. The Annual Governance Statement replaced the former Statement of Internal Control and the CIPFA statement of recommended practice required that the Annual Governance Statement should be scrutinised by an Audit Committee prior to presentation with the annual Statement of Accounts. The Annual Governance Statement enabled a local authority to report publicly on the extent to which they had complied with their code of governance on an annual basis, including how they had monitored the effectiveness of their governance arrangements in the year, and on any planned changes in the coming year.

Councillor Paul Bryant queried whether the activity in relation to fuel management had been completed. The DCFO confirmed that it had and that in addition spot

checks had also been introduced.

RESOLVED that:

The Annual Governance Statement be agreed.

40. SCHEME OF DELEGATION AND HANDBOOK

Trevor Ferguson, Monitoring Officer (MO), presented three updated sections of the Members' Handbook - the Constitution, the Scheme of Delegation and the Governance Standing Orders which were attached as appendices A-C to the report.

In December 2014 the then Monitoring Officer had recommended that Audit and Governance Committee should recommend a new constitution to the Fire Authority therefore replacing the existing Members' Handbook. In April 2015 the Fire Authority agreed to set up a Task and Finish Group to look at a number of areas relating to the administration of the Authority and its associated committees. The Task and Finish Group held its first meeting on 2nd September 2015. In light of the decision to set up the Task and Finish Group it was not felt to be sensible to take forward a new constitution at this stage as it would very likely be out of date by the time the Task and Finish Group reported back.

However, in order to ensure that the governance arrangements for the Fire Authority were legally compliant and robust it had been agreed to update those sections which were not current. The Audit and Governance Committee at their meeting on 29th June 2015 reviewed the suggested updates and determined to recommend the changes to the Fire Authority for approval. One minor amendment had been made since the Audit and Governance decision to reflect the change in Chief Financial Officer.

Councillor Paul Bryant referred to page 42 of the agenda, paragraph ASD20 highlighted that Officers would write off debts (a) up to the sum of £1,000 for a particular debtor; and (b) for a particular debtor, between the sums of £1,000 and £10,000. He queried why these had not been amalgamated into one point rather than two. The DCFO confirmed that he would look at that as a single recommendation might be preferable.

DCFO to Action

Councillor David Burbage stated that it would have been useful to have a section which summarised the changes that had been made to the document as without tracked changes it was difficult to see the changes. The DCFO confirmed that a tracked change version had been taken to Audit and Governance and he would let Councillor Burbage have a copy of that document.

DCFO to Action

Councillor Colin Dudley was pleased to see that the Handbook had been updated and he thanked the DCFO for seeing it through to a conclusion.

RESOLVED that:

The updated sections of the existing Members' Handbook be approved.

41. STATEMENT OF ACCOUNTS 2014/15

Conor Byrne, Head of Finance (HOF), presented the Statement of Accounts for 2014/15 and the proposal that in future the Statement of Accounts should be approved by the Audit and Governance Committee at the 17th September 2015

meeting.

The accounts had been submitted to the Audit and Governance Committee on 17th September 2015 where the Auditors had informed Members that there were no issues with the accounts and the Audit Director would be issuing an unqualified opinion on 30th September 2015 following approval of the accounts by the Fire Authority.

The Auditor had also stated at the same meeting that it was normal practice for Fire Authorities to delegate the approval of the Statement of Accounts to their audit committee. The current arrangements, whereby the Statement of Accounts were signed off by the full Fire Authority, had been put in place at a time when the Audit and Governance Committee had not existed. It was therefore proposed that in future years the Audit and Governance Committee would approve the accounts which would mean that sign off could potentially be achieved in July rather than September.

Councillor Emma Webster sought re-assurance that if the accounts were taken to the Audit and Governance Committee they would still be subject to public scrutiny. The HoF confirmed that this would be the case. The Audit and Governance Committee was a public meeting. In addition the authority was required to publish the account on the website by the 30th June. Members of the public were then able to submit questions pertaining to the accounts. In addition provision was also made for a day when members of the public could come in and speak directly with the auditors.

Councillor David Burbage noted that there had been a significant increase in the actuarial pension fund. The HoF explained that the increase related to actuarial activity and would not result in additional expenditure for the residents of the area. Councillor Frank Abe requested information of the variance in legal fees. The HoF confirmed that this was largely due to one off payments associated with the capital programme (Newsham Court and Wokingham Fire Station).

The Chairman thanked the HoF and his team for the work that they had put into producing these documents.

RESOLVED that:

- The 2014/15 Statement of Accounts be approved;
- It be agreed that in future years the approval of the Statement of Accounts should reside with the Audit and Governance Committee rather than the Fire Authority.

42. CORPORATE MEASURES AND TARGETS (2015-2019)

Trevor Ferguson, Deputy Chief Fire Officer (DCFO), sought approval of the corporate measures and associated targets for monitoring of performance against the Fire Authority Strategic Commitments and Strategic Objectives from 2015-19.

In the development of a revised Performance Management Framework, CMT had agreed a set of corporate measures for 2015/16 at their meeting on 23rd June 2015. These measures had been designed to cover the quantitative aspects of the Strategic Commitments and sat across the 'service provision' and 'corporate health' quadrants of the Performance Management Framework.

Since June 2015 an exercise had been conducted by Heads of Service in

consultation with Directors to set baselines and to propose targets for 2015/16 as set out in Appendix A. A trajectory had been identified for each measure to 2019 in line with the Corporate Plan timeframe. Some measures were new and therefore it was very much a work in progress as measures might be removed or amended at a later stage. It was recommended that both the measures and associated targets would undergo an annual review to ensure that performance information remained relevant and appropriate for monitoring progress against the Authority's Strategic Commitments.

Councillor Pauline Helliard-Symons referred to Corporate Measures 2 and 3. She asked if for Measure 2 – Number of Fire Casualties in accidental dwelling fires – a breakdown could be provided as to the number of Hospitalised – serious and not serious. Also for Measure 3 – Number of people killed or seriously injured on Berkshire's roads – a breakdown of numbers for those killed and those seriously injured. The DCFO responded that he did not have those figures to hand but gave a reassurance that they could be provided in future reporting.

TF to Action

Councillor Emma Webster referred to Corporate Measures 7, 8 and 9 which had time to mobilise within 60 seconds, 90 seconds and 120 seconds respectively. She queried what would happen if the time to mobilise took over two minutes. The DCFO confirmed that the targets had been set in line with Thames Valley Joint Control and a decision was made to report in a range. It was possible to report exceptions separately.

TF to Action

Councillor Tom McCann noted that there were a number of measures which had set targets of zero or 100%. He was not convinced that targets of 100% should be set as the Fire Authority would be setting itself up to fail. The DCFO agreed that the targets were challenging but they were in key areas. For example, the RBFRS aspired to have zero deaths in accidental dwelling fires. In respect of the 100% targets, they were also challenging but the Fire Authority already had performance of over 90% in these areas.

Councillor Paul Bryant referred to Corporate Health Measure 37 and he asked how many young firefighters the Service currently had and how many it aimed for. The ACFO confirmed that there was one active group at present which were involved in the more proactive campaigns. It was anticipated that numbers would increase now that the industrial action had finished.

Councillor Angus Ross noted that Measures 4 to 9 referred to the answering of telephone calls and mobilisation and he asked why these targets had not been set by TVFCS. The DCFO confirmed that it was felt to be prudent to improve the areas which RBFRS had control over.

RESOLVED that:

- The proposed measures and associated targets in Appendix A for monitoring of performance against the Fire Authority Strategic Commitments and Strategic Objectives from 2015-19 be agreed;
- It be agreed that in line with the Service's Performance Management Framework, corporate measures and associated targets for the years 2016 to 2019 be subject to annual review.

43. CORPORATE PLAN AND INTEGRATED RISK MANAGEMENT PLAN 2015-19

Trevor Ferguson, Deputy Chief Fire Officer, presented the Fire Authority with the proposed content of the Corporate Plan 2015-19 (the Plan) which was set out in Appendix 1 to the report.

The document was designed to be public facing in order to give a high level view of the Fire Authority's plan from 2015-2019. Both the Governance and Audit Committee and the Integrated Risk Management Plan (IRMP) Working Party had recommended the relevant sections to the Fire Authority for approval at their recent meetings on 17th September and 22nd September 2015 respectively.

The public facing document was a summary based on the individual elements of the Corporate Plan Framework which was approved by the Fire Authority on 22nd April 2015. The framework was a library of plans, policies and strategies that together provided a comprehensive structure to plan, monitor and deliver the Authority's mission to enable the people of Berkshire to lead safe and fulfilling lives.

Councillor Emma Webster thanked Simon Jefferies and all other Officers responsible for putting the document together. She requested however that consideration be given to replacing the photograph on the front cover with one featuring people or animals.

Councillor Burbage welcomed more joint working with the South Central Ambulance Service and stated that it would be useful to emulate the collaborative models being adopted in Hampshire. He also commented that Windsor was misspelt on page 21 of the document. The DCFO thanked Councillor Burbage for his observations and confirmed that the document would be proof read again before it was published.

Councillor Frank Abe was concerned about the public perception that the comments at the top of page 13 would engender and it was agreed that these should be reworded. The CFO noted that the content of this section was based on feedback from staff and that they would recognise the comments. He accepted that it might generate negative publicity but was an honest assessment even if it was painful to read.

RESOLVED that:

- The Corporate Plan 2015-19 be approved;
- It be noted that any amendments made to the strategic commitments as a result of the Members workshop on 30th September 2015 would be incorporated into the document prior to publication;
- It be noted that the best available data and information on resources would be used at the time of publication and therefore slight variations from the current version might be possible.

44. LOCAL GOVERNMENT INJURY ALLOWANCES EMPLOYER DISCRETIONS – STATEMENTS OF POLICY REVIEW 2015

Anne-Marie Scott, Director of People and Organisational Development (DPOD), presented a report which outlined the review undertaken of the Statements of

Policy in relation to the Fire Authority's exercise of discretion under the Local Government (Discretionary Payments) (Injury Allowances) Regulations 2011. This review was requested by the Fire Authority upon agreeing the currently published Statements of Policy on 22nd September 2014. The purpose of this review was to consider the position of a greater number of other Fire and Rescue Authorities and the Berkshire Unitary Authorities, as a limited number of responses had been received to research requests in 2014.

The Regulations came into force on 16th January 2012 and in accordance with Regulation 14 (Policy Statements), a Local Government Pension Scheme (LGPS) employer had to publish and keep under review the policy that it applied in exercise of its discretionary powers to make awards under these Regulations. The Regulations provided the Fire Authority with discretionary powers in respect of Regulations 3, 4, 6 and 7 only. Regulations 1, 2, 5 and 8 to 16 did not include any discretionary powers and therefore no statements were required in respect of those Regulations.

Key considerations for the Fire Authority in its exercise of discretionary powers in respect of Regulations 3, 4, 6 and 7 included:

- The amount of any allowance or lump sum had to be determined by the Fire Authority having due regard to all the circumstances of the case.
- The cost of any payment to be made under these Regulations was not to be met out of any pension fund.
- In formulating and reviewing its Statements of Policy, the Fire Authority had to have regard to the extent to which the exercise of its discretionary functions, unless properly limited, could lead to a serious loss of confidence in the Service. The Fire Authority had to be satisfied that the policy was workable, affordable and reasonable having regard to the foreseeable costs.
- The main purpose of the Regulations was to provide the Fire Authority with the opportunity to award an employee an injury allowance where, in the course of carrying out their work, an employee, who was employed in a post eligible for membership of the LGPS, sustained either an injury or contracted a disease as a result of which the employee either suffered a reduction in their remuneration, lost their employment through permanent incapacity or died.
- In determining the amount of an allowance or lump sum, as the case might be, the Fire Authority had to have regard to all the circumstances of the case.
- Prior to making any determination under Regulation 3 or 4, the Fire Authority would be required to obtain a certificate from an independent registered medical practitioner qualified in occupational health medicine as to whether in their opinion the employee had sustained an injury or contracted a disease in the course of carrying out their work, whether the employee continued to suffer from the injury or disease or, as the case might be, ceased to be employed as a result of incapacity which was likely to be permanent and was caused by the injury or disease.
- In the exercise of its discretionary powers under the Regulations, the Fire Authority would have the decision on each case and this would not be subject to delegation.

Until September 2014 the Fire Authority had not previously published Statements of Policy in respect of the above Regulations and to date, there had been no cases

falling within the scope of the 2011 Regulations that would have required the Fire Authority to make any decisions on injury allowances. In respect of the four Regulations for which the Fire Authority might exercise its discretionary powers, the current Statement of Policy agreed by the Fire Authority was:

“Royal Berkshire Fire Authority had determined not to adopt its discretionary powers in respect of the Local Government (Discretionary Payments) (Injury Allowances) Regulations 2011 as it cannot be satisfied that such a policy would be workable, affordable and reasonable having regard to the foreseeable costs.”

The RBFA did have other provisions in relation to allowances and lump sums payable to employees covered by these Regulations. Additionally, the Fire Authority had Employer Liability Insurance and where an employee suffered an injury or death as a result of the Fire Authority's actions, a claim could be pursued.

In September 2014 it had been identified that only two of the Berkshire Unitary Authorities had Statements of Policy in place in respect of these Regulations. The Fire Authority had therefore requested a review after one year to ensure that best practice was being met. The remaining Berkshire Unitary Authorities had been contacted again and a request for information from each of the other Fire and Rescue Services had been made. The position remained whereby information had not been available on the current position adopted by three of the Berkshire Unitary Authorities and a large number of Fire and Rescue Services in respect of compliance with these Regulations. The position taken by those Local Authorities and Fire and Rescue Services who had responded were set out in the report.

The Fire Authority, when requesting a review, had asked for some examples of costs that the Fire Authority was likely to incur should it exercise its discretionary powers under the Regulations. It was stressed that each award would be made on a case by case discretionary basis which would be dependent on a broad range of individual circumstances. Some limits had also been specified in the Regulations. For this reason it was difficult to provide useful and representative cost information but two scenarios had been set out in Appendix 2 for illustrative purposes.

Having regard to the above it was recommended that the Fire Authority's written Statements of Policy should be to **not ordinarily consider the exercise of discretionary powers**; but to incorporate best practice identified in this review, they should be amended to take individual circumstances into account by **considering any application on its merits**. There would be no costs associated with amending the policy to consider each case on its merits and it would serve as a reduction in the risk of challenge.

Councillor Colin Dudley asked where the discretionary power to determine each application would sit. The DCFO felt that it would sit with the Fire Authority but he would need to confirm that. Councillor Dudley felt that it would be more appropriate for these issues to be considered and determined by the Audit and Governance Committee and he therefore asked if the recommendation could be amended to reflect that change.

TF to
Action

RESOLVED that:

- The findings of the review be noted and the amended Statement of Policy in relation to the Exercise of Discretionary Functions be adopted as set out in Appendix 1;
- Any application to the Fire Authority to exercise its discretion under the Local

Government (Discretionary Payments) (Injury Allowances) Regulations 2011 should be considered and determined by the Audit and Governance Committee.

45. ANNUAL HEALTH AND SAFETY REVIEW

Tracey Mitchell, Head of Health and Safety (HHS), provided the Fire Authority with an overview of the Royal Berkshire Fire and Rescue Service (RBFRS) accident statistics for the period 1st April 2014 to 31st March 2015 as set out in Appendix A and the overall health and safety performance against set targets for the same period (Appendix B).

RBFRS had a safety management system in place which was based upon the British Standard BS8800 "Guide to Occupational Health and Safety Management Systems". One of the key elements of the management system was measuring performance and by using methods such as accident and near miss analysis, workplace inspections etc., RBFRS would be able to identify trends and underlying causes, which would be used when reviewing and improving safe systems of work.

Progress on health and safety targets was regularly reported to various Boards and Committees and CMT had adopted the Institute of Directors 'Leading health and safety at work' model as best practice.

The HHS noted that there had been a 29% (34 in number) reduction in reported accidents in comparison to the previous year. Slips and trips was the biggest category of reported incidents which was fairly common in this type of organisation. This was a difficult area to control but work was being undertaken with the Estates Team to improve facilities. Manual handling accidents had reduced considerably and it was felt that this was as a result of the targeted activity that had been undertaken in 2012/13.

The report included some benchmarking data which had previously been requested by Members. The authority encouraged an open and honest reporting culture which might explain why the number of incidents reported at this was higher than other authorities.

The Chairman thanked the HHS for the report and work undertaken by her team. He also reiterated that the service should be congratulated on the high levels of reporting of incidents.

Councillor Pauline Helliard-Symons commented that the number of reported near misses was comparatively low. She queried what educational activities were in place to encourage near misses to be reported. The HHS explained that regular meetings took place with the Fire Brigade Union Representatives where they were asked to encourage their Members to report near misses. In addition there was also a very good defect reporting system in place and some activity would be captured by that process. Information was also posted on the website. The Vice-Chairman asked that a poster campaign be undertaken on this issue.

Councillor Emma Webster asked how regularly the health and safety questionnaire was repeated. The HHS explained that a survey had recently been completed and the results had been reported to Management team the previous day. A 21% response rate had been achieved which although it was low was still deemed to be statistically significant. Very good qualitative feedback had been submitted. The survey tool compared data against other industries in eight key areas. The authority ranked above average in four areas and below average in four areas.

Officers would be going back to HSL to ask for comparator data for other emergency services which might be a better comparator group. The exercise would be repeated in two years time. The results would be shared with Members.

In response to a query from Councillor Angus Ross the HHS explained that the results for Control were not dealt with as a separate group. A specific piece of work was however being undertaken with them in relation to display screen equipment.

Councillor Iain McCracken commented that there appeared to be some confusion as to whether health and safety performance would be reported to the Management Committee or Audit and Governance in the future. It was confirmed that future monitoring would be undertaken by the Management Committee. He also queried when the target date was for the report to be produced and Officers confirmed that it would be completed by the end of the year.

Councillor Tom Mccann stated that there appeared to be an anomaly with the data presented in that there had been a 29% decrease in reported incidents yet the authority appeared to have more incidents reported than those than other organisations. It was explained that the authority was particularly good at encouraging employees to report incidents but that there had been 34 fewer reported than the previous year. The Chairman stated that in the past the health and safety team had been upheld as an exemplar.

RESOLVED that:

- The report be noted;
- It be agreed that future health and safety performance would be reported to the Management Committee on a six monthly frequency with the Workforce Information paper.

46. ANNUAL TREASURY REPORT 2014/15

Conor Byrne, Head of Finance (HOF), presented the Annual Treasury Report for 2014/15 in accordance with the CIPFA Code of Practice on Treasury Management in the Public Services. The Annual Treasury Report for 2014/15 was set out in Appendix A to the report.

It was noted that interest received in the year totalled £31k as interest rates had remained at exceptionally low levels throughout the year. No borrowing was undertaken as capital expenditure had been financed through grant and revenue contributions. Investment funds had been held in overnight accounts. The Treasury Management Strategy for 2016/17 had been formulated through the Budget Working Party.

Councillor David Burbage confirmed that investment income was limited as interest rates had been low overall. Consideration had been given to moving to longer term investment but it was felt that it was not worthwhile to do so and therefore he was happy to support the recommendation.

Councillor Angus Ross stated that the report was relatively short. In his local authority this report would run to a large number of pages and he asked for a reassurance that everything had been covered. The HoF confirmed that was the case as the funds that the Fire Authority had available and what was reported was relatively simple compared to local authorities and the only borrowing that was undertaken would be through the PWLB.

Councillor Tom McCann referred to sections 2 and 8 where the information seemed to be out of date and not therefore relevant. The HoF confirmed that this was a review report and highlighted all the assumptions that had been made at the beginning of the financial year which had then been incorporated into the Strategy.

RESOLVED that:

The Annual Treasury Report for 2014/15 be noted.

47. BUDGET MONITORING

Conor Byrne, Head of Finance (HOF), presented a report which informed Members of revenue and capital outturns against budgets up to the end of August 2015.

There was an overspend in relation to overtime for uniformed employees which amounted to £180k. This was due to the fact that current staffing levels on stations were below establishment which resulted in an increased reliance on overtime to meet crewing needs. RBFRS were now crewing for 14 frontline pumps rather than 13 and were also riding at four on a pump. Therefore any leave or sickness would result in the need for overtime to maintain crewing levels. Finally, water rescue training had resulted in overtime payments amounting to around £60k. The additional overtime costs had been offset by reductions in employer pension contributions due to the introduction of the 2015 Firefighter Pension Scheme and savings from vacancies.

The Fire Authority had received £75k in unbudgeted income as a result of the adjudication award in relation to the construction of Wokingham Fire Station and this income was being used to part-fund the remedial works to the station.

The overall position was an underspend of £87k.

Capital expenditure to the end of August 2015 was £325k and was set out in Appendix D.

Councillor Paul Gittings was concerned about the overspend in relation to overtime and queried whether this trend was expected to continue. It was noted that the Chairman had made reference to the recruitment of new fire fighters which should alleviate some of the expenditure. In addition some of the overtime arose as a result of the cover that had to be provided for annual summer leave. It was also noted that a lot of training had been put on hold as a result of Industrial Action and was now being undertaken.

The Chairman commented that the variance pertained to underspends on supplies and contracts and increased income and in his opinion remained a prudent budget.

RESOLVED that:

The report be noted.

48. FORWARD PLAN

RESOLVED that:

The Royal Berkshire Fire Authority's Forward Plan for the period October to

December 2015 was noted.

49. MINUTES OF THE STANDING COMMITTEES

RESOLVED that:

It was noted that the minutes of the following meetings had been published on the RBFRS website:

- Audit and Governance Committee – 30th March 2015, 24th and 29th June 2015 (approved);
- Strategic Asset Management Committee – 17th March 2015 (approved);
- Management Committee – 23rd April 2015 (approved).

50. DATE OF THE NEXT MEETING

Wednesday 16th December 2015, 6.30pm in the Lynda Kenyon Suite, Brigade Headquarters, Newsham Court, Pincents Kiln, Calcot, Reading, Berkshire RG31 7SD.

51. EXCLUSION OF THE PRESS AND PUBLIC

That under Section 100(A)(4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following Agenda Items on the grounds that they involve the likely disclosure of exempt information, as defined in Paragraphs 1, 2 and 3 of Part I of Schedule 12A of the said Act indicated and is exempt information if, and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

52. PART II MINUTES OF THE MEETING HELD ON 29 JUNE 2015

Resolved:

That the Part II Minutes of the meeting held on 29 June 2015 be approved as a true and correct record and signed by the Chairman.

53. FIREFIGHTERS PENSION SCHEME – INJURY AWARD OVERPAYMENT

The Committee considered an exempt report.

Resolved:

- That the recommendations as set out in the exempt report be agreed.

54. STRATEGIC OPTIONS FOR THE EXTANT DEE ROAD FIRE STATION IRMP PROJECT

The Committee considered an exempt report.

Resolved:

- That the recommendations as set out in the exempt report be agreed.

55. NEWSHAM COURT FINAL ACCOUNT

The Committee considered an exempt report.

Resolved:

- That the recommendations as set out in the exempt report be agreed.

(The meeting concluded at 8.00 pm)