

DRAFT
**MINUTES OF THE MEETING OF ROYAL BERKSHIRE FIRE
AUTHORITY'S MANAGEMENT COMMITTEE**



Held on Monday 9th February 2015 at 6.30 pm

Brigade Headquarters, Newsham Court, Pincents Kiln, Calcot,
Reading, Berkshire RG31 7DS

Members: Councillor Phillip Bicknell
(* *present*) Councillor Jeff Brooks
* Councillor Colin Dudley (Chairman)
* Councillor Paul Gittings
* Councillor Pauline Helliard-Symons (Vice-Chairman)
* Councillor Edward Plenty
* Councillor Angus Ross
* Councillor Alan Ward (*left at 7.15pm*)
* Councillor Emma Webster (*substitute for Councillor Bicknell*)

In Attendance: Gerry Barry (Information Manager, IM)
Jan Chadaj (Interim Head of IT, IHIT)
Trevor Ferguson (Deputy Chief Fire Officer, DCFO)
Andy Fry (Chief Fire Officer, CFO) (*left at 6.50pm*)
Becci Jefferies (Head of HR, HHR)
Paul Maynard (Acting Area Manager – Response)
Bryan Morgan (Area Manager, Risk Management, AMRM)
Andy Parsons ((Interim Head of Estates, IHE)
Linda Pye (Clerk)
Fayth Rowe (Committee Officer, CO)
Paul Southern (Assistant Chief Fire Officer, ACFO)
Andrew Vallance (Director of Resources, DR)
FBU Representatives

Action

42. REPRESENTATIVE BODIES

The FBU confirmed that they did not wish to address the Management Committee on any of the items on the agenda.

43. APOLOGIES FOR ABSENCE

Apologies for inability to attend the meeting had been received from Councillors Jeff Brooks and Phillip Bicknell.

44. DECLARATIONS OF INTEREST

In accordance with the provisions of the Fire Authority's Local Code of Conduct, Councillor Angus Ross declared a non-pecuniary interest in any items relating to the Thames Valley Fire Control Service as he was a Member of the Steering Group.

There were no Declarations of Interest received from Officers.

45. MINUTES OF THE MEETING HELD ON 1 DECEMBER 2014 AND MATTERS ARISING

That the minutes of the meeting held on 1st December 2014 be approved as a true and correct record and signed by the Chairman.

46. RECEIPT OF ANNOUNCEMENTS

The Chairman made reference to the Award Ceremony which would take place on 27th February 2015 and he encouraged all Members to attend if possible.

The DCFO referred to an incident which had occurred on the afternoon of Saturday 7th February 2015 in Sandhurst where a lady had lost her life in an intense fire. The lady in question had been rescued from her flat and resuscitated but had subsequently lost her life. A full fire investigation would be undertaken in conjunction with Thames Valley Police. The Chairman had received a briefing on the incident and response times to the incident had been good. The Chairman had asked for his condolences to be passed on to the family of the lady who had lost her life.

The DCFO also updated the meeting on a further incident in Burghfield on 7th February 2015. An off duty retained firefighter (Ian O'Rourke) had come across a road traffic accident where a car was on fire and had administered CPR on a gentleman who was suffering a suspected heart attack. When the fire crew arrived they had used a defibrillator to administer two separate shocks and the gentleman was brought back to life. The paramedic and air ambulance crews had been highly appreciative of the professionalism and skill of the attending crew and particularly thanked Ian O'Rourke who had remained on the scene to assist the crew despite being off duty. Councillor Emma Webster asked if thanks could be passed on to all the crews involved in the two incidents on 7th February 2015 and she suggested that Firefighter Ian O'Rourke should be asked to attend the Awards Ceremony.

Councillor Angus Ross updated the Committee on progress with discussions with the Police & Crime Commissioner about the possibility of sharing premises and thinking outside the box in relation to the location of any new sites. He was currently trying to set up meetings at an Officer level with the Police & Crime Commissioner together with representatives from Bucks & Oxon.

47. ISSUES ARISING FROM THE AUDIT AND GOVERNANCE COMMITTEE

There were no issues arising from the Audit and Governance Committee.

48. RECOMMENDATION FROM COMMITTEES

The Committee noted that item 8 had been recommended by the Budget Working Party from their meeting on 23rd February 2015.

49. 2015/16 BUDGET

Andrew Vallance, the Director of Resources (DR), presented a report which continued the 2015/16 budget process and recommended a precept level to the Fire Authority.

The Local Government Settlement figures for 2015/16 had been released to

authorities on 18th December 2014 which had resulted in a total reduction of £1,297,000 (9.3%). The Chancellor of the Exchequer had confirmed that public sector spending would continue to reduce during the next Parliament in his Autumn Statement and therefore the scenario set out in Appendix A also included a grant reduction of 10% in 2016/17.

The Government had already offered a 1% Council Tax Freeze Grant for 2015/16 and the scenario assumed that this was accepted by the Authority and that a Band D Council Tax would remain at £60.66.

The Fire Authority had already made some key decisions that would continue to have an impact on the 2015/16 budget and they included the relocation of the Brigade Headquarters, the creation of a shared Control with Oxfordshire and Buckinghamshire, shared workshop facilities with Hampshire and the relocation and subsequent sale of Windsor fire station.

In 2013/14 the Fire Authority had increased the Council Tax by £5 per Band D property and in 2013/14 and 2014/15 the additional funds raised had been placed in the Development Fund to enable the authority to finance the replacement of the Dee Road fire station. Sufficient funds had now been provided and it would therefore be possible to use the additional income of £1.5m a year to balance the revenue budget. As a result it was anticipated that no savings would be required in 2015/16. This would give the Fire Authority the opportunity to plan and put in place the measures necessary to achieve the substantial savings required in the following years.

It was anticipated that local government, including fire authorities, would continue to see reductions in funding from Government and it was possible that grant could reduce by up to £4m a year from 2015/16 to 2018/19. There would also be volatility in the funding available as income from NNDR would fluctuate as a result of economic growth or decline together with the effects of revaluations or relocation decisions by large companies moving into or out of the county. If the economy continued to recover then there was likely to be considerable house building in Berkshire over the next five years particularly if planning constraints were relaxed which could lead to a substantial increase in the taxbase. Indicative figures from the six Berkshire unitaries predicted a 2.4% increase in the taxbase for 2015/16 together with a Council Tax collection fund surplus of £215k.

It was proposed that a transition fund would be required to enable the Fire Authority to invest to save and to manage a roll out of action plans to deliver the required savings in the future. It was therefore suggested that a sum of £2m should be set aside in this budget process. Categories of expenditure might include:

- Additional temporary staff to manage and deliver projects
- Redundancies
- Leadership programme
- Investment in collaborative initiatives, such as co-responding
- Investment to generate income, including the new trading company
- Investment in areas related to the new policy direction, such as purchasing equipment, training etc.
- Pump-priming new initiatives that would be funded by commissioning bodies in the longer term

The Capital Programme for 2015/16 was attached at Appendix B and it was expected that significant premises developments would be required once the

IRMP had been reviewed.

The Chairman stated that this report had been recommended to this Committee by the Budget Working Party.

Councillor Emma Webster referred to page 17 of the agenda which was part of the Project Initiation Document in relation to Microsoft licensing purchase to meet currently installed numbers of systems. There was a risk to the organisation of not undertaking the project whereby the Authority could be fined and could also risk Microsoft visiting the premises and switching off systems which were not licensed. She queried whether that risk was something that should be presented in the public domain.

Councillor Angus Ross stated that most local authorities were now trying to negotiate 'no inflation' contracts and he asked for assurance that the Fire Authority were also putting the pressure on contractors to do the same. The DR confirmed that the Fire Authority were and would continue to try to negotiate 'no inflation' contracts.

Councillor Emma Webster referred to the Project Initiation Document in relation to Business Continuity of applications on page 37 of the report. It stated that RBFRS would mobilise its resources within a week should it lose use of the server room at HQ. The IHIT stated that core services should be up and running within a matter of hours but that could be longer. The Chairman confirmed that he had recently visited the Server Room and the fire suppression system which had been installed was excellent.

The Chairman stated that due to prudent spending the Fire Authority was in a position to offer the people of West Berkshire a zero increase in precept despite the opening of the new HQ and the new Fire Station in Windsor. This proved that a fire station could run efficiently on less money whilst continuing to make provision for the future.

Councillor Alan Ward reiterated the comments made by the Chairman and thanked the DR who had worked hard to produce the budget figures. The budget was not without risks in the future but he was confident that it had been left in a good position to meet the challenges.

Resolved that:

The following be recommended to the Fire Authority:

- The proposed budget;
- A Band D precept of £60.66;
- The creation of a transition fund of £2 million, funded from reserves.

50. APPLICATION OF PAY AWARD TO GRADE 7

Becci Jefferies, Head of Human Resources (HHR), advised Members of the current position regarding pay arrangements for Grade 7 staff and that consideration to be given as to whether a 2.2 percent increase in pay and a non-consolidated lump sum payment in line with the pay award for Local Government Services should be applied to staff on spinal column points 50-52.

In July 2008 a report was taken to the then Executive Committee to seek approval to amend an anomaly in the non-uniformed staff pay grading structure. Following advice from the Unison representative that a number of local authorities had additional pay scales that exceeded 49 spinal points, the

Committee had agreed to extend Grade 7 by three scale points from 50-52 using the London Voluntary Service Council's (LVSC) guidance on the NJC for Local Government Services as a benchmark. In implementing the NJC pay award applicable to non-uniformed staff, the status of the LVSC pay scales was sought but unfortunately the details required to increase the final three scale points on Grade 7 had not been published and at its meeting on 25th November 2013 the Management Committee had considered whether a one percent increase to spinal points 50-52 of Grade 7 should be authorised in line with the NJC for Local Government Services agreement of July 2013.

On 14th November 2014 the NJC for Local Government Services had detailed the 2014-16 pay scales and allowances for NJC staff on pay spinal points 5-49. The Committee was therefore invited to agree that a 2.2 percent increase to scale points 50-52 should be applied effective from 1st January 2015 and non-consolidated payments paid aligned with the pay award NJC for Local Government Services to individuals on those pay scales.

It should be noted that there were currently four individuals within these pay points and all other employment terms and conditions were as per the 'green book'. Therefore, the Management Committee was being asked to agree that future NJC for Local Government Agreements relating to pay increases could be extrapolated to include these spinal column pay points without the need for further referral to the Authority for approval.

Resolved that:

- The report be noted;
- It be agreed that a 2.2 percent increase to spinal column points 50-52 of Grade 7 and payment of a non-consolidated lump sum should be made with effect from 1st January 2015;
- It be agreed that RBFRS should extrapolate future National Joint Council (NJC) for Local Government Services pay awards to include Spinal Column Points 50-52.

51. FREEDOM OF INFORMATION UPDATE

Trevor Ferguson, Deputy Chief Fire Officer (DCFO), provided Members with an overview of the number of Freedom of Information Requests, Fire Investigation and Incident Recording System reports which had been processed during 2014. It was also recommended that future performance data should be included in the quarterly performance report and not presented as a separate item.

The Information Management Team (IMT) was responsible for processing requests under the Freedom of Information Act 2000, Environmental Information Regulations 2004 and for Fire Investigation and Incident Recording System (IRS) reports.

Comparison with previous years no longer informed a meaningful pattern as from April 2014 requests for IRS and Fire Investigation reports were not included in the requests received as they became a chargeable service outside of the Freedom of Information regime. The time and cost to process requests had also become distorted through the use of less experienced employees and the growing complexity of requests. It was therefore proposed that the use of tables would be minimised in the future and replaced with explanatory text.

The Fire Authority had received four complaints about the processing of

requests but, following internal review, three of the applicants had been satisfied with how their complaint had been addressed. The fourth had been escalated to the Information Commissioner's Office (ICO) who had asked that the requests be dealt with by a specified date.

Responses made to the information requests were logged in the Authority's disclosure log which was available to the public through the website.

Changes had been made to the Publication Scheme Definition documents in June 2014 which included the requirement to publish datasets. The DCLG had also increased the level of information that authorities had to publish.

Following the decision to introduce charging for Incident Recording System and Fire Investigation reports, a fees notification and collection scheme had been established in April 2014 and the charges had been added into the publication scheme. Total payments received for these reports as from April 2014 totalled £5,130.90.

The IM confirmed that the number of FOI requests had reduced but that they had become more complex. This year there had been a large number of requests from the media which meant that the Fire Authority ended up doing their research for them. The Authority was currently looking at the exemptions to ensure that they were still appropriate.

Councillor Emma Webster asked whether the number of IRS Reports or Fire Investigation Reports had decreased since the Authority had started to charge for them. The IM said that the levels remained the same at the moment but the Police did not have to pay for the reports. It was noted that IRS Reports had to be completed in any event and therefore the charge was a bonus. Councillor Webster asked if there was anything which could be done to increase the amount charged. The IM responded that the charge had to be reasonable. RBFRS charged the same as Bucks which was in the medium range. If the charge was too high then it would be brought to the attention of the Information Commissioner. Councillor Colin Dudley suggested that the charge should be reviewed in May 2015 which would be a year after it had been introduced.

Councillor Pauline Helliard-Symons queried whether the Fire Authority could charge per hour rather than a set amount. As previously mentioned, the IRS reports had to be done in any event. It would make sense for the Fire Investigation Reports to be charged per hour as they were often more complex. The DCFO confirmed that Fire Investigation Reports were undertaken for the Fire Authority's own purpose. If they were produced specifically for another agency then consideration could be given to charging more. The ACFO stated that often adequate information would be included in the IRS reports and therefore Fire Investigation Reports were sometimes not worth the time and effort required to produce them.

Councillor Angus Ross noted that more information was now available in the public arena and he asked what percentage of FOI requests had been received where the information required could be found publicly. The IM confirmed that links were sent wherever possible but often additional work would be required as the press tended to ask questions in a different way. Councillor Alan Ward felt that the more information that could be put on the website the better so as to avoid any additional work for the Fire Authority.

Resolved that:

- The report be noted;

- It be agreed that this information should be integrated into the Quarterly Performance Report to the Audit and Governance Committee.

52. CREWING LEVEL MONITORING

Paul Southern, Assistant Chief Fire Officer (ACFO), informed Members of the crewing levels for wholetime and retained appliances for the third quarter of 2014/15 (from 1st October 2014 to 31st December 2014).

The Optimisation of Crewing policy managed the gradual degradation of the crewing levels on wholetime pumping appliances in order to maintain the dedicated crewing of specialist appliances to enhance operational support and to provide safe systems of work for responding crews.

In order to fully crew all wholetime pumping appliances with five firefighters and special appliances at 'optimum levels', the number of wholetime staff required on each day shift was 66 personnel. The number of personnel required to fully crew with four firefighters and special appliances at 'minimum levels' was 56 personnel. During the reporting period, of a possible 184 shifts the crewing level fell below the optimum on all 184 occasions, which required one or more pumping appliances to crew with less than their optimum crewing level. Crewing fell below minimum on 39 occasions which required some special appliances to become switch crewed with pumping appliances or to be unavailable. It was noted that for the same period last year, of a possible 184 shifts the crewing fell below minimum on eight occasions.

The wholetime station establishment figure for this quarter was 316 personnel, excluding the Retained Support Unit. At the start of the quarter there were 14 personnel on long term sick leave or on restricted duties but this number had dropped to 12 by the end of the quarter.

Officers had reviewed the impact of the wholetime recruitment freeze on crewing and had determined that any further reduction in establishment levels would result in a significant impact to the availability of frontline fire appliances. In order to ensure that minimum crewing levels were maintained and to accommodate the recently agreed Ascot staffing requirements, it had been necessary to reset the wholetime establishment at 328, which is within the current salary budget for station based staff. Prior to the recruitment freeze the establishment had been 354 which included a training reserve of 10 personnel.

RBFRS had previously used pre-arranged overtime on a voluntary basis to maintain crewing levels but the current national dispute had removed this option as the Fire Brigade Union had balloted to cease voluntary activities.

The report also set out the number of retained day and night shift hours unavailable across the quarter and the availability on Monday to Friday from 0900 – 1700 hours when the Retained Support Unit was on duty.

Councillor Emma Webster referred to the graph on page 21 of the report and she asked if there was a similar report for Control as that might be helpful. The ACFO stated that Thames Valley Control would be coming on line soon and therefore it might be better to look at that at Joint Committee. The Chairman asked if those reports could also come to Management Committee. Councillor Emma Webster asked if an exception report could be provided in the interim if crewing numbers fell below a certain level i.e. if levels fell to 3. The Chairman suggested that Officers should let her know if that was the case rather than producing a separate report at this stage.

Councillor Paul Gittings asked how much of this was related to industrial action

or the recruitment freeze – what was the main factor. There had been a 500% increase in the number of times appliances had gone out without the required number of personnel on them. The ACFO confirmed that the figure of 354 in the establishment prior to the recruitment freeze had included a training reserve of 10 personnel but they were not always available. Previous graphs had shown a surplus of available staff. The ideal situation would be the correct number of personnel which would maintain a position between the red and the green line. Those lines would need to be reset after April due to the changes at Ascot. The industrial action had had an effect particularly on training as it would not allow for cover on pre-arranged overtime in order to allow staff to attend training. The ACFO confirmed that the Fire Authority had been working with the trade unions and there had been a marked improvement and he thanked the FBU representatives.

Resolved that:

The report be noted.

53. VERBAL UPDATE ON THE TRAINING COMPANY

Councillor Phillip Bicknell had given his apologies for the meeting and therefore no verbal update on the Training Company was provided. An update had been given at the Policy Review Workshop for Members and Officers where it was noted that the Training Company was running to profit.

54. VERBAL UPDATE ON THE CAR LEASE SCHEME REVIEW

Paul Southern, the Assistant Chief Fire Officer (ACFO), gave a verbal update on progress towards the review of lease cars within RBFRS. Members noted that Officers had not been able to make as much progress as had been hoped and this was predominantly due to the following:

- There had been a significant impact as a result of industrial action which had meant that there had been a loss of normal working of approximately six weeks. Officers had had to ensure that the vehicles required for the industrial action were ready for deployment. In addition Managers were not only involved in preparation for industrial action but they also had to provide emergency cover by driving fire appliances;
- One member of staff was on long term sick leave and agency cover had been put in place. The temporary member of staff required on the job training to bring them up to speed;
- The introduction of the new electronic fuel monitoring system which had not been scheduled into the work programme;
- Involvement with the implementation and ongoing management of the partnership arrangement for fleet maintenance with Hants FRS;
- Other staff absence and under staffing within the department.

Service Delivery Directorship had changed in October 2014 and it was identified that capacity was limited within the department to complete the planned work for 2014/15. In November contact had been made with other Fire Authorities who had undertaken similar car review exercises. Both Hants and Oxfordshire FRS had undertaken similar work but had used external specialist support as the skill set required had not been available in-house. Consideration had been given as to whether it would be possible to apply the

other FRS reviews within RBFRS and whilst there was some synergy with policy and procedures it was felt that there were specific issues for RBFRS to review e.g. lease schemes, tax impacts for RBFRS and its employees. An initial meeting had been held with the consultant who had undertaken one of the other FRS reviews and an initial programme of work had been agreed at CMT on 3rd February 2015 which covered the following areas:

- HR/Contract issues
- Vehicle specification and sourcing (frameworks etc.)
- Telematics
- Tax compliance
- Service orders and vehicle use policy
- Fleet management
- Budgetary impact
- Communications and consultations with staff/representative bodies

The above work streams would be reviewed to assess the time frames and impacts of the project on RBFRS and would then be incorporated within a project framework. Due to the scope of the review it would be necessary to use resources from a number of departments and it was hoped to complete the above stages of the review over the next 6-8 weeks following which it would be possible to identify a revised timeframe for delivery of the project.

The impact of the delay in the project would result in the current car scheme continuing but it was stressed that the current scheme was compliant with RBFA Standing Orders and also within budget. The costs for the project work would be within RBFRS budget, using some of the underspend from vacancies.

Councillor Colin Dudley noted the impact on this project as a result of industrial action and the fact that it was not just the front line services which were affected by such action. In response to a query over time frames the ACFO stated that Hants FRS had taken 18 months to complete the review but that they had started from scratch. It was anticipated that the time frame would be in the region of 8-12 months but that not all the questions raised would be answered in the early stages.

Councillor Angus Ross noted that SAMC was currently looking at the vehicle fleet and that there might be some areas of overlap. The ACFO confirmed that the whole fleet provision needed to be looked at. The DCFO stated that the Fire Authority was looking to base line a number of provisions and the fleet would be included in that. Councillor Ross asked if the review could look at whether leasing or purchasing was the best option. Councillor Pauline Helliar-Symons stated that as part of the review she had asked Officers to consider whether it was cheaper to buy rather than lease vehicles and the possibility of investigating with Cambridgeshire whether some sort of joint procurement arrangement could take place.

Councillor Emma Webster asked how much the review would cost and whether it could run concurrently with the review at Hants. The ACFO responded that Hants could assist with project support and therefore the approach was different. An answer in relation to the cost of the review would be provided in Part II of the meeting. Councillor Webster asked if anything else had been delayed as a result of the industrial action. The ACFO confirmed that the ballot for industrial action had taken place in August 2013 and it had not been anticipated that the industrial action would have continued for such a long time. There were a number of other areas which had been delayed but that

consideration was always given to the critical path and issues prioritised as and when appropriate.

Resolved that:

- The verbal update be noted.

55. 2014/15 BUDGET MONITORING

Andrew Vallance informed Members of revenue and capital outturns against budgets up to the end of December 2014.

It was noted that as at the end of December 2014 the revenue outturn was £102k below the profiled budget.

Expenditure on retained firefighters remained below budget despite the work of the Retained Support Unit and the effects of industrial action. However, the costs of the industrial action had resulted in an overall overspend against profiled employee budgets. £40k had been carried forward from the previous year for training which remained unspent due to ongoing action short of strike.

Expenditure on the 'Other Employee Costs' line was above the profiled budget as a result of recruitment costs of senior employees and recruitment relating to industrial action. The Repairs and Maintenance budget was underspent as the Estates team had had to focus on the delivery of strategic building projects. Expenditure on hydrant repairs was below budget as Thames Water had failed to deliver some repairs in line with its contractual obligations and had therefore had to provide its services free of charge. Strategic Miscellaneous costs were over budget due to the publicity costs of industrial action. Legal costs were ahead of budget due to additional expenditure incurred in relation to the Authority's major projects and programmes.

Income was running ahead of profiled budget due to additional mast income and reimbursement of court fees in relation to prosecution cases.

Capital expenditure to the end of December 2014 was £498k and was set out in detail in Appendix D.

Councillor Angus Ross noted that there seemed to be a large amount of slippage in relation to the capital programme and he queried whether the Fire Authority would have sufficient resources to run with the slippage from this financial year and the projects identified for the following year. The IHE confirmed that some projects were inter linked and various steps needed to be taken prior to a decision being made. The Fire Authority would therefore not want to spend a lot of money on some of the projects until an informed decision could be made.

A query was made about progress with Slough Drill Tower and it was confirmed that an update on this would be provided in Part II of the meeting.

Resolved that:

The report be noted.

56. FORWARD PLAN

The Royal Berkshire Fire Authority's Forward Plan for was presented to the Committee.

Resolved that:

The Forward Plan be noted.

57. DATE OF NEXT MEETING

The next meeting would take place Monday 13th April 2015 at 6.30pm in the Brigade Headquarters, Pincents Kiln, Calcot, Reading, RG31 7SP

58. EXCLUSION OF THE PRESS AND 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 Agenda Items on the grounds that they involve the likely disclosure of exempt information, as defined in the paragraphs 1, 2, 3 and 4 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.

59. PART II MINUTES OF THE MEETING HELD ON 1st DECEMBER 2015

Resolved that:

The Part II Minutes of the meeting held on 1st December 2014 be confirmed as a correct record and signed by the Chairman.

60. BUDGET WORKING PARTY MINUTES

Resolved that:

The Part II Minutes of the Budget Working Party held on 7th January 2015 be noted.

61. DISPOSAL OF WINDSOR FIRE STATION

The Committee considered an exempt report.

Resolved that:

The recommendations as set out in the exempt report be agreed.

**62. DISCIPLINE, APPEALS AND GRIEVANCE COMMITTEE –
DECISION ON CASE**

The Committee considered an exempt report.

Resolved that:

The recommendations as set out in the exempt report be agreed.

The meeting closed at 8.05 pm

