

Item No. 3

Minutes of the Meeting of the
TYNE AND WEAR FIRE AND
RESCUE AUTHORITY held in the
Fire and Rescue Service
Headquarters, Barmston Mere on
MONDAY 14 OCTOBER 2019 at
10.30am.

Present:

Councillor Taylor in the Chair

Councillors Butler, Dodds, Duggan, Forbes, Flynn, Haley, Kilgour, Oliver, Pickard,
Purvis, Samuels and Stephenson

Part I

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillors
Burdis, Hunter and Woodwark together with Ms C.K. McGuiness (PCC).

Declarations of Interest

The following interests were declared and the parties listed below advised that they
would withdraw from the meeting prior to consideration of the report detailed:-

Item 8 – The Impeller Group – Update
Report

Councillor Taylor and the Chief Fire
Officer declared an interest as directors
of TWFRS Ltd.

ACO Baines declared an interest as a
director and Chair of Impeller
Assurance & Resilience Ltd

Minutes

31. RESOLVED that:-

- (i) the minutes of the meeting of the Authority held on 16 September 2019, Part I, be confirmed and signed as a correct record subject to the amendment to replace Councillor Purvis with Councillor Samuels on the Appointments Committee; and
- (ii) the minutes of the meeting of the Human Resources Committee held on 22 July 2019 be noted for information.

Procedure for Review of Members' Allowances Scheme

The Chief Fire Officer/Chief Executive (Clerk to the Authority), the Deputy Clerk and the Strategic Finance Manager submitted a joint report setting out the legal background to the adoption of schemes of allowances, outlining the result of enquiries of other authorities as to their practice and proposed options for consideration by the Authority.

The Deputy Clerk reminded Authority Members that at its meeting in March 2019, the Authority had agreed that the Chief Fire Officer would undertake a review of the current arrangements. She highlighted that the provisions for approval of allowances schemes by authorities was set out in the Local Authorities (Members' Allowances) (England) (Regulations) 2003 and guidance issued by the HMRC and former Office of the Deputy Prime Minister.

The Deputy Clerk reported that the Regulations did not apply identical requirements to all the different types of authorities to which they applied. She advised that while joint authorities established under Part IV of the Local Government 1985 (of which the Tyne and Wear Fire and Rescue Authority was one) were required to adopt an allowances scheme before 1 April each year, unlike other types of authority, they were not required to establish an Independent Remuneration Panel (IRP). Instead they were to have regard to the recommendations of the panels of the authorities by which its members were nominated. She explained that the Authority had sought recommendations from the IRP for Sunderland Council in the past, however the Authority could decide not to continue that practice.

The Deputy Clerk advised that as part of the review a request for information regarding the process followed at other joint or combined authorities was made through the Fire Lawyers Network and only a few responses had been obtained. In addition, the websites of other authorities were viewed to see if information could be obtained in relation to their processes. She drew attention to the variety of approaches undertaken by other authorities which included an IRP being drawn from members of IRPs of constituent authorities, using the IRP of the lead authority, commissioning a consultant and building in index linked increases.

The Deputy Clerk commented that while there was no requirement for the Authority to use an IRP, she requested Members to consider whether there would be merit in having some form of external review and if so, to consider how frequently they would wish to undertake detailed reviews. She drew attention to the following possible options:-

- (a) Continuing to use the IRP from Sunderland City Council, or
- (b) Authorising the Strategic Finance Manager and Deputy Clerk to appoint a pool of members, drawn from members of the IRPs of constituent authorities who were willing to participate in reviews of the Fire Authority scheme, from which the officers would convene a panel of no less than 3 members to undertake reviews and make recommendations to the Fire Authority, or
- (c) Authorising the Strategic Finance Manager and Deputy Clerk to appoint an external consultant to review the Scheme and make recommendations, or
- (d) Not obtaining any external view on the Scheme at this stage and reviewing the position should any changes be considered appropriate in future. If this was the preferred option, it might be considered appropriate to agree to undertake a detailed review, with some form of external input, at intervals of no more than four years, even if no specific proposals for change were contemplated. Should there be any changes proposed to the Authorities' governance arrangements and/or allowances scheme in the meantime, this would prompt an earlier review or
- (e) Adopting an annual increase (by CPI) in allowances each year with a review being carried out only in exceptional circumstances when any member role changes.

The Deputy Clerk requested Members to consider how a consultant or panel would be remunerated. She advised that an external consultant should be remunerated on a commercial basis and if a Panel, Members should consider what remuneration would be appropriate for Panel members. She explained that the approach taken by different authorities varied significantly, with some paying expenses only and others paying a daily or annual rate. She suggested that if the Authority decided to continue to utilise a Panel, it might be appropriate to authorise payment of up to £400 plus reasonable travel and subsistence expenses for the undertaking of a full review and for the Strategic Finance Manager, in consultation with the Chief Fire Officer, to be authorised to pay such lower sum as was considered appropriate in respect of any "light touch" reviews.

Councillor Forbes reflected that over the period of austerity of the last ten years, the Authority had shown real leadership by freezing the scheme of allowances. He advised that the process of setting a scheme of allowances should be a review process. He proposed that the Authority should continue to use the IRP from Sunderland City Council with the additional request that the Panel consider linking any increase in the allowances with the percentage pay award of firefighters. He also requested that an annual engagement process be undertaken with the Authority Chair and interested Members, ahead of their recommendations, to enable members to give some shape to the Panel considerations. .

Councillor Duggan concurred with Councillor Forbes and added that the Authority should also consider cutting allowances.

Councillor Oliver commented that any consultation with Members should be with each individual Councillor and not just with Group Leaders. He advised that the recommendations from an IRP were only recommendations to the Fire Authority and a cut in allowances should be considered. He reported that Sunderland Council, the lead authority to the Fire Authority, would be considering a reduction in allowances in November.

Councillor Flynn also concurred that any increase in allowances should be in line with the firefighters' pay award and any recommendations from the IRP could be accepted or rejected by the Fire Authority.

Councillor Forbes reported that Authority could agree that the scheme of allowances could not be increased above any recommendations of the IRP. He enquired if there was anything in place to allow a Member to reject all or part of an allowance.

The Deputy Clerk confirmed that a Member could choose to reject all or part of their allowance. She reiterated that the Authority was not required to consult an IRP and could change the scheme of allowances without consultation. She reminded Members that the purpose of the report today was to consider how to deal with the scheme of allowances in the future and not to set the rates for the following year. She added that if the Authority decided to proceed with an annual engagement, all Members would be invited to make written representations over and above those Members invited for interview by the IRP.

Councillor Haley referred to a review of allowances undertaken two years ago, and he reminded Members that they were all invited to make representations.

Consideration having been given to the report and the options, it was:-

32. RESOLVED that:-

- (i) the Authority continue to use the IRP from Sunderland City Council, with reviews being undertaken on an annual basis, and the Strategic Finance Manager and the Deputy Clerk be authorised to undertake all associated action to implement the Authority's decision; and
- (ii) payment of up to £400 plus reasonable travel and subsistence expenses be authorised for the undertaking of a full review and that the Strategic Finance Manager, in consultation with the Chief Fire Officer, be authorised to pay such lower sum as considered appropriate in respect of any "light touch" reviews.

Firefighter Recruitment

The Chief Fire Officer/Chief Executive (Clerk to the Authority), the Strategic Finance Manager and the Personnel Advisor to the Authority submitted a joint report on the current position relating to Trainee Firefighters and to provide a forward look at forthcoming Firefighter recruitment.

ACFO Baines highlighted that the recruitment of trainee firefighters was critical to balance operational deployment within the current challenging financial environment and to support the delivery of the Strategic Community Safety Plan. He reported that there had been a recruitment freeze from 2010 to 2018 and the Authority was currently under establishment. He advised that added to that, the Service faced a challenge to ensure inclusivity and diversity of its workforce.

The attention of Members was drawn to the recruitment campaign which was undertaken in 2018 in collaboration with County Durham and Darlington and Northumberland Fire and Rescue Services. It had resulted in 23 Trainee Firefighters successfully completing the course and they would be deployed to station with effect from February 2019. An additional course of Trainee Firefighters commenced their training course in September 2019 and it was anticipated that those successful would be deployed to station in December 2019.

ACFO Baines reported that current vacancies would be filled by two strands of Firefighter Recruitment, Inter Service transfers and Wholetime Firefighter Recruitment Campaigns. He advised that to date, approximately thirty applications had been received and it was anticipated that the successful individuals would be posted in late December 2019.

The Authority was advised that the Wholetime Recruitment Campaign was again working in collaboration with County Durham and Darlington Fire and Rescue Service and Northumberland Fire and Rescue Service and included a number of phases with an inclusive workforce initiative to promote diversity and inclusion prior to applications being invited. As part of the inclusive workforce initiative, taster sessions for applicants are scheduled throughout October 2019, with 1,000 places available for candidates to attend across the three services. The advert for applications would open in early November 2019.

Councillor Dodds referred to the report on Firefighter Recruitment considered at a recent Human Resources Committee and enquired why two of the trainee Firefighters had subsequently dropped out of the course. ACFO Baines advised that he would advise of the circumstances outside of the meeting.

Councillor Haley welcomed the report and the efforts to ensure inclusivity and diversity within the workforce. He agreed that it was a challenge to have a fully diverse workforce and whilst they might not have the protected characteristics, the individuals would have diverse life stories. ACFO Baines agreed that the recruits had great life experience and skills that contributed to the diverse workforce.

Councillor Kilgour enquired whether the Fire Service was achieving national targets for inclusivity and diversity particularly in relation to recruiting women and individuals from a BME background to reflect the local population. ACFO Baines reported that the Government had not set any targets during the last recruitment programme. He advised that communications through radio and social media at a moderate cost had enabled the recruitment programme to target certain profiles. He explained that it had been reported at the National Fire Chiefs' Council that other Fire Authorities had resumed recruitment two to three years ago and had been more successful in achieving inclusivity and diversity in the workforce. He expected that the Tyne and Wear Fire Service would be equally as successful in the coming years.

Consideration having been given to the report, it was:-

33. RESOLVED that:-

- (i) the contents of the report be noted; and
- (ii) further reports be submitted to the Authority as appropriate.

IRMP Response Review Update

The Chief Fire Officer/Chief Executive (Clerk to the Authority), the Strategic Finance Manager and the Personnel Advisor to the Authority submitted a joint report on an update on the 2017-2020 IRMP review of how the Authority responds relative to risk and to requests the Authority to consider the decision whether to proceed.

ACFO Robson reminded Members that at the Authority meeting in February 2018, proposal 1 of the IRMP Response Review was approved and the Chief Fire Officer was authorised to carry out the necessary work to allow the Authority to fully consider the implications of implementing proposals 2 and 3 if future Central Government funding was not forthcoming and requested further reports on these matters.

ACFO Robson reported that following a period of financial uncertainty, the Chancellor of the Exchequer had announced the end of austerity and all government departments would see at least an inflationary increase to their existing funding. The Chancellor also confirmed that a more detailed Spending Review would be carried out in the summer of 2020 to allocate public sector resources into the medium term. He advised that according to the Chancellor the improved outlook for the economy was sustainable and if this was confirmed would mean that the resources available to the Authority could improve compared to the assumptions currently reflected in the MTFs which was predicated on the Fire and Rescue Service continuing to receive cuts to government funding year on year.

ACFO Robson cautioned that however there were still elements of uncertainty surrounding Brexit and the Government's planned changes to how local government resources would be distributed. He advised that added to this, was the impact caused by being required to consider potential changes the Day Crewing (Close Call) ("DC (CC)") staffing model at Birtley and Rainton Bridge community fire stations, therefore reconsidering the deferral of a decision on proposals 2 and 3 (outlined in the report) had become more of a reality for the Authority.

Councillor Forbes commented that the period of austerity was paused rather than over as it was likely that there would be difficult times ahead. He reported that the Chancellor's announcement was more of a pre-election spending spree that would have little impact over the long term. He advised that as public safety was paramount it would be best to reconsider the position in the New Year once the comprehensive spending assessment had been announced.

Councillor Oliver having enquired when the Authority would be required to start its financial planning, was advised by ACFO Robson that it all depended on the financial settlement. ACFO Robson remained cautious over implementing proposals 2 and 3 in case there was an upturn. He added that during the period of the one-year settlement a review of the implementation proposals could be undertaken, to include the attendance times for day crew and close calls, to enable the Authority to make an informed decision.

Councillor Pickard concurred with that proposal and added that in February 2019, the Authority had made the correct decision on operational and financial grounds to put the implementation proposals 2 and 3 on hold.

Consideration having been given to the report, it was:-

34. RESOLVED that:-

- (i) the contents of the report be endorsed;
- (ii) consideration of the implementation of the IRMP proposals 2 and 3 be deferred pending notification of Central Government funding settlement and the detailed Spending Review in the summer of 2020 to allocate public sector resources into the medium term in order that the Authority can make an informed decision;
- (iii) the Chief Fire Officer be authorised to action the Authority's decision regarding ii) above;
- (iv) further reports be submitted to the Authority as appropriate.

Local Government (Access to Information) (Variation Order) 2006

35. RESOLVED that in accordance with the Local Government (Access to Information) (Variation) Order 2006 the public be excluded during consideration of the remaining business as it was considered to involve a likely disclosure of information relating to any individual or which is likely to reveal the identity of an individual or to the financial or business affairs of any particular person (including the Authority holding that information) (Local Government Act 1972, Schedule 12A, Part I, Paragraphs 1, 2 and 3). The public interest in maintaining this exemption outweighs the public interest in disclosing the information.

(Signed) T. TAYLOR,
Chair

Note:

The above minutes comprise those relating to items of business during which the meeting was open to the public.

Additional minutes in respect of other items are included in Part II.