

**Item 3 (i)**

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 13 SEPTEMBER 2021  
at 10.30am.

**Present:**

Councillor Taylor in the Chair

Councillors Bell, Doyle, Haley, Kilgour, Johnson, Samuels, Warne and Woodward  
and also Ms. K. McGuinness (PCC).

**Part I**

**Apologies for Absence**

Apologies for absence were submitted to the meeting on behalf of Councillors  
Burdis, Dick, Dodds, Flynn, Forbes, Hunter and Ord.

**Declarations of Interest**

There were no declarations of interest.

**Minutes**

20. RESOLVED that: -

- (i) the minutes of the Authority, Part I held on 12 July 2021 be confirmed and signed as a correct record; and
- (ii) the minutes of the meeting of the Policy and Performance Committee, Part I held on 5 July 2021 be noted for information.

**Revised Meeting Dates of the Authority**

The Deputy Clerk to the Authority submitted a report to provide Members with the opportunity to revise the meeting dates of the Authority for the year 2021/2022.

Members were reminded that at the Annual Meeting in June, a request was made to reschedule the date of the Annual Meeting in 2022 to the end of June, to allow additional time for governance / appointment arrangements to be satisfactorily met.

In addition, in view of the gap between the March and June meetings, Members were asked to consider scheduling an additional meeting for 25<sup>th</sup> April 2022 (not the 18<sup>th</sup> April 2022 as originally stated within the report).

The revised meeting dates would therefore be as follows:

13 September 2021  
11 October 2021  
15 November 2021  
13 December 2021  
17 January 2022  
14 February 2022  
14 March 2022  
25 April 2022  
27 June 2022 (Annual Meeting)

21. RESOLVED that the revised dates for meetings of the Authority be approved.

### **Review of the Standing Orders of the Authority**

The Chief Fire Officer/Chief Executive (Clerk to the Authority), the Finance Director and the Personnel Advisor to the Authority submitted a joint report requesting Members to consider the following amendments to the Standing Orders of the Authority:

To remove references to European Union (EU) Procurement regulations now that the UK was no longer a member of the EU.

To amend some references to individual roles to remove gender specific vocabulary, and replace with gender neutral language.

Members were reminded that the UK officially left the EU with effect from 1 January 2021 and that from that point, TWFR, in common with all UK Local Government organisations no longer had a legal requirement to comply with EU Procurement Regulations.

Presently, the Authority's Standing Orders made reference to EU Directives (which could therefore be removed) as well as the UK Public Contract Regulations.

The Finance Director explained that the Authority had a duty to ensure that the processes that it used to procure goods, services and works were in line with current professional best practice. The options available to UK businesses had been reviewed and those suitable for use in a Fire and Rescue Service context had been added to the options described in the Standing Orders.

Members were also advised that the Authority had responsibility for the requirements of the Public Sector Equality Duty (PSED), and as part of the review of the Contract Rules section of Part 1 of the Standing Orders, the document had been reviewed and updated to reflect a more inclusive approach to language use, specifically the replacement of any gendered pronouns, which had been replaced with gender neutral language.

Members were therefore asked to approve the changes made throughout Section E of Part 1 of the Standing Orders to remove all references to EU Procurement Directives and Regulations, leaving the UK Public Contract Regulations as the key legal requirement for the Authority to demonstrate compliance with.

The list of options for tender processes shown in Section E4.2.3 (and detailed at Section E6.2) had been reviewed and updated to include all suitable procurement procedures that were currently available under procurement best practice. This would ensure that the Authority had the option to use the most appropriate process when procuring any of the goods, services and works required to ensure the efficient running of the service.

22. RESOLVED that approval be given to the amendment of Part 1 of the Standing Orders as described in Section 3 of the report (with the resulting updated Standing Orders being attached at Appendix A of the report).

### **Modern Slavery Statement 2021/2022**

The Chief Fire Officer/Chief Executive (Clerk to the Authority), the Finance Director and the Personnel Advisor to the Authority submitted a joint report to present the Tyne and Wear Fire and Rescue Authority (TWFR) Modern Slavery Statement 2021/22 for Members' consideration and approval, as attached at Appendix A of the report.

Members were advised that the Modern Slavery Act came into force in 2015 and required commercial companies with a turnover in excess of £36m to produce an annual statement. The Home Office had stated in its Summary of Commitments in relation to Modern Slavery its intention to extend the reporting requirements to include all public bodies. As a public body, it was good practice for TWFR to produce and publish a Modern Slavery Statement outlining the processes, procedures and actions in place to mitigate potential modern slavery risks.

This Statement was therefore the Authority's first Modern Slavery Statement which set out the actions and activities during 2021/22 to demonstrate compliance with the requirements of the Modern Slavery Act 2015 and would be re-affirmed each year from now.

23. RESOLVED that:-

- (i) the contents of the Modern Slavery Statement be noted; and
- (ii) the Modern Slavery Statement be approved for Publication.

## Corporate Risk Management

The Chief Fire Officer/Chief Executive (Clerk to the Authority), the Finance Director and the Personnel Advisor to the Authority submitted a joint report to inform Members of the outcome of the recent review of the service's Risk Management (RM) process. The report also detailed the latest refresh of the Authority's Corporate Risk Register (CRR) with a view to raising awareness of the risks currently faced by the Authority.

Members were advised that recommendations to streamline the Risk Management process were presented to and agreed by the Executive Leadership Team (ELT) at their meeting on 6 April 2021, as detailed within section 2.2 of the report. Following implementation of the recommendations, the Corporate Risk Register was reviewed and updated accordingly. This exercise was undertaken to provide assurance that the content of the CRR was relevant and risks were being managed appropriately.

ACFO McVay explained that the CRR currently had 10 risks listed.

Risks were categorised using a 5x5 risk matrix producing a score between 1 and 25 which subsequently allocated a risk rating ranging from trivial to intolerable. Risks that were above the trivial/tolerable threshold (moderate, substantial or intolerable) required further consideration and a decision taken as to how the risk should be treated.

Of the 10 risks currently on the CRR, 2 risks had been categorised as having a 'substantial' impact on the service should the risk not be treated and mitigated against appropriately, namely:-

11/02 Risk that financial pressures would impact on Service's decision making and delivery of its goals/priorities and objectives.

01/20 Risk that the impending Remedy for Age Discrimination in Pension Schemes resulted in detrimental financial and workforce impacts for the Service.

Councillor Woodward commented that there was no link to the Governance Committee detailed within the report and was advised by ACFO MCVay that consideration would be given to this, with a view of taking this to the Governance Committee in future and then escalating up to the Fire Authority.

Councillor Haley welcomed the report and commented that the two risks categorised as having a substantial impact on the service were completely out of the Authority's control.

24. RESOLVED that:-

- (i) the contents of this report had been reviewed; and
- (ii) further reports be received as appropriate.

## **Draft IRMP 2021-2024 Public Consultation Outcomes**

The Chief Fire Officer/Chief Executive (Clerk to the Authority), the Finance Director and the Personnel Advisor to the Authority submitted a joint report to provide an overview and highlight of the outcomes of the public consultation carried out on the Service's draft Integrated Risk Management Plan (IRMP) 2021-2024 and seeking Fire Authority approval to commence implementation of the IRMP proposals.

DCFO Heath advised the Authority that whilst the report mentioned specific locations, IRMP proposals had been considered in view of the service as a whole, with appliances from across the region supporting each other to ensure that sufficient provision remained and would continue to be provided.

Members were reminded that at the July 2021 meeting of the Fire Authority, the proposed public consultation questions and plan was approved and authorised to commence and remain open for a period of eight weeks.

Members were advised that the IRMP 2021-2024 proposals were based on empirical incident data and evidence over a three year period as well as the community risk profile for the Tyne and Wear area and operational experience of officers. The proposals sought to align emergency resources to most effectively match the risk profile across the whole area and ensure a highly effective, proportionate speed and weight of response to emergencies.

DCFO Heath referred Members to section 2.7 of the report which outlined the four proposals and explained that if approved, they would result in the creation of 54 new Firefighter jobs within the Service representing a significant investment by the Fire Authority to public and firefighter safety as well as contributing to the economy and jobs market of the North East. Members were advised that proposals 1 and 2 were a result of previous requests from Members that these be considered at a future date, should the opportunity arise, given the challenging decision Members had to make as a result of austerity. In addition to this, proposals 3 and 4 had been submitted following comments made by members of the public and were therefore now deemed timely for further consideration.

648 responses to the online survey were received of which 266 were identified as members of the public, 162 identifying as a member of TWFRS staff, 5 identified as TWFRS volunteers and 215 people chose not to answer the question.

Overall, there was a high positive response to the IRMP proposals with proposal 3, relating to Birtley fire station, attracting the least amount of positive comment although it did receive many positive responses.

DCFO Heath went on to say that in addition to the consultation responses, the Service also received a petition that was submitted anonymously to Service headquarters. The petition contained over 900 names and details of which 130 had been scored out when it was received. The headline of the petition was '*Save our Fire Station*' even though the fire station was not under threat.

The service had included the reference to the petition for openness. However, there was strict governance and guidance for commissioning and recognising a petition and the service had no way of knowing or assuring that any of the necessary governance was undertaken, whether permission of those whose names were on it to share their information had been given or if integrity of the process was in place. For these reasons, the service had taken note of it and was raising and including reference to it for consideration but would not publish the actual petition that listed names and details of individuals.

Members were then advised that of all the letters and emails received, most offered strong support for all proposals with three responses expressing either a negative view or suggesting the Service revisit specifically proposal 3 (relating to Birtley).

Liz Twist, MP had expressed a strong objection to the proposal for Birtley fire station therefore a meeting had taken place with the MP, Chief Fire Officer and Chair of the Authority. Liz Twist, MP also participated in an online, live public consultation arranged at the request of local Birtley and Lamesley councillors.

The other two letters received as part of the consultation and which asked about Birtley fire station were received from the FBU regional representative and the FBU local Brigade Secretary. Both letters offered support for the proposals but did suggest that the service consider the crewing proposal relating to Birtley.

DCFO Heath referred to the table at section 4 of the report which summarised the responses to the questions asked within the consultation as follows:-

- Additional Appliance at West Denton – 91% felt the proposal was fairly or very reasonable;
- Primary Crew ALPs – 94% felt the proposal was fairly or very reasonable;
- Birtley Fire Station - 27% positive comments. Remaining responses were themed and did not support the proposal or asked a different question or made an unrelated comment;
- Rainton Bridge Fire Station – 51% positive comments and 24% stated ‘no comment’; and
- Overall view on IRMP proposals - 85% felt the proposals were fairly or very reasonable.

It was therefore evident from the survey responses that proposals 1, 2 and 4 received a significant positive response from the public, stakeholders and staff with proposal 3 receiving the most negative or unsupportive comments.

Members were advised that the evidence underpinning the proposals was robust and had withstood public scrutiny as representing the most appropriate proposals to balance risk, resources and demonstrate value for money to the public and professional advice from the Chief Fire Officer on the operational considerations.

Members were then reminded that the IRMP 2021-24 proposals, if agreed, would result in 54 new firefighter jobs being introduced to the Service and was all funded from within the Fire Authority’s existing financial provisions and was sustainable due

to the decisions and actions taken over many years by the Fire Authority in balancing risk, resources and budget.

DCFO Heath explained that if the proposals were approved there was a significant financial investment in salaries and on costs associated with the proposals and that these had been assessed by the Fire Authority's Director of Finance / Section 151 Officer and were considered affordable and sustainable.

For the staff currently working at Rainton Bridge and Birtley Fire Stations, should the proposals be approved, the service would propose a period of pay protection as the staff would see the 23% additional salary allowance they currently receive for working on the Day Crewing Close Call (DCCC) stopping as it would no longer be worked. This would enable them to adjust to the revised salary.

Councillor Haley commented that the previous three IRMP's had resulted in the Authority having to make incredibly challenging decisions due to years of austerity, therefore the 2021-2024 IRMP was welcomed as the Chief Fire Officer had been asked to revisit previous proposals when appropriate, and Members were now in a position to increase the workforce.

Councillor Haley did however refer to Proposal 3 and commented that following engagement and consultation there was a clear passion for services at Birtley and therefore proposed that the Chief Fire Officer revisit this and look for alternative models of fire cover.

The Chief Fire Officer responded by advising that this proposal would be re-visited and a further report submitted to the October meeting of the Authority for the consideration of Members.

Councillor Woodward commented that consultation had been excellent and uncontroversial with the exception of the Birtley proposal and asked for further information in relation to the support from Durham and Darlington Fire and Rescue Service.

The Chief Fire Officer explained that Durham and Darlington Fire and Rescue Service do operate a support model across the border. Whilst the Chief believed that the proposals were the most operationally effective, he was comfortable giving further consideration to Proposal 3 and bringing a report back to the next meeting.

Councillor Kilgour commented that the creation of new Firefighter posts was extremely positive and also seconded Councillor Haley's suggestion to revisit Proposal 3.

The Chairman, on behalf of the Authority, extended his thanks to a very dedicated team of staff for the work they had undertaken in relation to the IRMP proposals and commented that the amendment to Proposal 3, for this to be revisited, demonstrated that the Authority did listen to the view of the community, staff and stakeholders.

25. RESOLVED that:-

- (i) Proposal 1: To introduce an additional fire appliance at West Denton Community Fire Station be approved;
- (ii) Proposal 2: To primary staff the Service's Aerial Ladder Platforms (ALPs) be approved;
- (iii) Proposal 4: To change the current shift arrangement at Rainton Bridge Community Fire Station to a 2, 2, 4 working pattern be approved; and
- (iv) Proposal 3: To change the current shift arrangement at Birtley Community Fire Station to day crewing be deferred pending further consideration.

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

26. 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, which is likely to reveal the identity of an individual, the financial or business affairs of any particular person (including the Authority holding that information) or to consultations or negotiations in connection with labour relations matters arising between the Authority and employees of the Authority (Local Government Act 1972, Schedule 12A, Part 1, Paragraphs 1, 2, and 4). The public interest in maintaining this exemption outweighs the public interest in disclosing the information.

(Signed) T. Taylor  
Chairman

**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.