

Minutes of the Executive Committee

10 October, 2011 at 10.00am
at Fire Service Headquarters, Vauxhall Road, Birmingham

Present: Councillor Edwards (Chair);
Councillor Eustace (Vice-Chair);
Councillors Alden, Chambers, Clinton, Davis, Douglas-
Maul, Foster, Idrees, O'Neill, Ryder and Singh.

Observers: Councillors Docker, Delaney, Finnegan, Griffiths,
Sandy, Spence and Turner.
Mr Ager.

15/11 Urgent Item

The Chair was of the opinion that the matter referred to at Minute No. 27/11 (Notification of a Trade Dispute) should be considered as an urgent item of business under Section 100B of the Local Government Act, 1972.

The matter was deemed to be urgent because of the need to make the necessary contingency plans to ensure that the Service was able to fulfil its statutory duties.

16/11 Declaration of Interests

Councillors Edwards and O'Neill declared a personal interest in the matter referred to at Minute No. 22/11 [Firefighters' Pension Schemes] in that they were members of the Scheme.

17/11 Minutes

Resolved that the minutes of the meeting held on 5 September, 2011 be approved as a correct record.

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18/11 Lead Member Reports

The Committee received verbal reports from Lead Members on the work they had been involved in since the last meeting:-

Human Resources

The Joint Consultative Panel would be receiving a half yearly report detailing information in relation to the number and causes of disciplinary and grievance cases over the reporting period. The report had been prepared in consultation with the trades unions and also contained lessons learned from the cases that had been dealt with.

Trades unions had indicated that they intended to ballot their members in relation to strike action regarding the government's proposed changes to the pensions schemes. The Lead Member would be liaising with the Director of Human Resources on the employee relations implications of any industrial action.

Consultations had begun with the trades unions to determine the redundancy criteria that would be used should the Authority be a position of having to make reductions in the workforce as a result of budget reductions.

The Human Resources Department had written a Regional Protocol on Redeployment, Transfers and Secondments. The Protocol, which put in place arrangements whereby priority consideration for a vacancy would be given to any employee who found themselves at risk of redundancy, had received approval from each of the other four services within the region. Consideration was currently being given to rolling out the Protocol at a national level.

Member Development

The Member Development Working Group would be undertaking a review of station visits undertaken by members to identify gaps and ensure that relevant station commanders were be asked to be proactive in arranging visits. Members were reminded to complete and return the station visits form for any visits they undertook to ensure that accurate records could be maintained.

A visit to Safeside had been arranged for members on the morning of 24 October, 2011. Arrangements had also been made for members to visit the Academy on the morning of 8 December, 2011. Members were

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reminded to inform the Clerk whether they were able to attend these events or not.

Briefing sessions for members were being arranged on members' responsibility for Health and Safety and Risk Management.

Members were reminded to feed back their thoughts on member development activity to the Member Development Working Group.

Equality and Diversity

Further to the Service's selection as a finalist for a Chartered Institute for Personnel Development (CIPD) award for its equality and diversity work, it was reported that the winner was to be announced on 11 October, 2011.

In response to the Service's duties under the Single Equality Act, a revised Equality Impact Assessment Framework had been introduced. This ensured that there was a greater understanding and consideration of the equality impact of decisions by managers and elected members.

An amended Dignity at Work policy had been introduced following consultation with managers and the trades unions.

Work was continuing across the service to ensure that an assessment against the excellence level of the National Equality Framework could take place. Members had an important role to play in ensuring that the Service achieved this level by demonstrating their leadership and accountability in relation to equality and diversity issues.

The Lead Member would be attending a Chief Fire Officers' Association (CFOA) event in Wolverhampton on 13 October, 2011, entitled '*What would an Excellent Fire and Rescue Service look like?*'. She would also be visiting Avon Fire and Rescue Service in November, 2011, along with the Chair, Councillor Edwards, to speak to their equality and diversity lead members to share best practice.

Asset Management

Work was being finalised to identify sites at which to install photovoltaic cells. It was anticipated that cells would be installed at 17 buildings, including Headquarters and Safeside.

Work was being undertaken with the ambulance service to provide base facilities on fire stations. Any adaptations required would be funded by the ambulance services, in addition to an annual rental.

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Performance Management

Work was currently underway on processing performance figures for the end of quarter two and a meeting of the corporate performance review group would be held on 23 October, 2011 to look at progress.

Progress on incorporating requirements for sprinklers into Building Regulations was not progressing as well as hoped. Support for this was vital to overcome Ministers' and MPs' lack of commitment.

19/11 **Collaboration with Stoke on Trent and Staffordshire Fire and Rescue Authority**

Further to Minute No. 65/11 of the Authority (19 September, 2011) approval was sought to the proposed Terms of Reference for a joint Member Project Board between the Authority and Stoke on Trent and Staffordshire Fire and Rescue Authority to explore collaborative work for delivering fire control services in the future.

The Terms of Reference provided for the appointment of four members of the Authority to sit on the Project Board.

It was noted that attendance at meetings of the Project Board would be an approved duty for the purpose of payment of travel and subsistence allowance under the approved Members' Allowances Scheme.

The Committee would oversee progress on this joint initiative and receive regular progress reports from the Project Board.

Resolved:-

- (1) that the principles set out within the draft Terms of Reference for a joint Fire Control Project Board between the Authority and Stoke on Trent and Staffordshire Fire and Rescue Authority be endorsed and recommended for approval to the Project Board;
- (2) that Councillors Edwards (Chair); Eustace (Vice-Chair), Chambers and Turner be appointed to the joint Project Board.

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20/11 Consultation on Distribution of Fire Capital Grant

It was reported that during the Comprehensive Spending Review period (2011/12 to 2014/15), the Government had indicated that it would make £70 million Capital Grant available to the National Fire Service in each of the four years.

The Government had indicated that Capital Grant Funding was intended to drive efficiency savings in the Fire and Rescue Service at a time when there were significant cuts in resource funding. The funding was designed to help Fire and Rescue Authorities to make the efficiency changes needed in order to live within their spending review allocation from 2013 onwards when the largest portions of the reductions will apply.

Communities and Local Government had issued a consultation on the proposals and was seeking views on the proposal that future funding was distributed based on a combination of:

- an efficiency fund, administered via a bidding process and
- a pro rata distribution using current distribution methods

Resolved that approval be given to the Authority's proposed response to the consultation on the Distribution of the Fire Capital Grant.

21/11 Local Government Resource Review: Proposals for Business Rates Retention – Response to Consultation

The Committee was informed that the Department for Communities and Local Government had issued a consultation on proposals to allow local authorities to retain future growth in their business rate revenues. The proposals would mark a fundamental change for local government funding and could impact on WMFRA, although it was noted that the change for WMFRA may not occur until 2015/2016.

Resolved that approval be given to the Authority's proposed response to the consultation on proposals to allow local authorities to retain future growth in their business rate revenues.

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22/11 Firefighters' Pension Schemes

The Committee was informed that a consultation had been issued on 3 August, 2011 seeking views on a number of proposed changes to the Firefighters' Pension Schemes.

The consultation was primarily aimed at Fire and Rescue Authorities, members of the Firefighters' Pension Schemes and key employer and employee representative bodies, including the Local Government Group, Chief Fire Officers' Association and Fire Brigades' Union.

Resolved that approval be given to the Authority's proposed response to the consultation.

23/11 Exclusion of the Public and Press

Resolved that the public and press be excluded from the rest of the meeting. This is to avoid the possible disclosure of exempt information under Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 for the following reasons:-

Minute Nos. 24/11, 25/11 and 26/11 relate to the financial or business affairs of any particular person (including the authority holding that information);

Minute No. 27/11 relates to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

24/11 Post of Deputy Chief Fire Officer and Assistant Chief Fire Officers

Further to Minute No. 60/11 of the Authority (19 September, 2011) the Committee noted the interim arrangements that had been put in place following the departure of the former Deputy Chief Fire Officer (DCFO), Martin Clark, from the Authority on 30 September, 2011.

It was reported that the filling of the DCFO vacancy had been put on hold pending a review of the Principal Officer team. The Committee was

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informed that, in the interim period Phil Hales, Area Manager, Cheshire Fire and Rescue Service had been seconded into an additional post of Temporary Assistant Chief Fire Officer with effect from 1 October, 2011 for a period of four months.

It was also noted that the temporary promotion of Area Commanders Dave Walton and Phil Loach to the posts of Assistant Chief Fire Officer would continue pending the outcome of the review. (Minute No. 12/10 of the Executive Committee held on 7 June, 2010 refers.) A further report would be submitted to the Authority following the completion of the review.

25/11 Building Upon Success Programme

The Committee noted the actions taken to contribute towards achieving the budget reductions and other efficiency changes as a part of the Authority's response to the government's comprehensive spending review (CSR) 2010.

It was noted that the anticipated grant reductions in years three and four of the CSR could not be met from savings as a result of the recruitment freeze and salary freezes alone.

In reference to Minute No. 12/11 (28 March, 2011) the Committee was informed that a review of catering provision at fire stations, headquarters, the academy and transport engineering workshops had now been completed. The Committee noted that, as part of a commitment to reduce the costs of externally provided catering at Headquarters, the academy and transport engineering workshops, the subsidy had been reduced by 50% with effect from 1 August, 2011. It was proposed to reduce the subsidy by a further 50% by August 2012.

Members were informed that the review of catering provision on fire stations had considered a range of proposals which had taken account of the views of stakeholders, the impact on service delivery and associated costs. The Committee considered the proposals set out within the report for the future of the provision.

Resolved:-

- (1) that the decision to remove the subsidy from the catering arrangements at Fire Service Headquarters, The Academy and Transport Engineering Workshops be endorsed;

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- (2) that approval be given to the disestablishment of fire station cook posts as and when such posts become vacant through natural wastage, and the disengagement of agency staff cook posts on a date to coincide with the removal of all subsidies at Fire Service Headquarters, The Academy and Transport Engineering Workshops;
- (3) that approval be given to the replacement of commercial kitchen equipment on fire stations with alternative equipment, as and when such equipment requires replacement.

26/11 Planned Procurement Exercises for 2011/2012

In accordance with procurement procedures the Committee received a report setting out the rationale for three proposed tender exercises. The report also detailed the proposed route to market and finding provisions.

Resolved that approval be given to proceed with the following tender exercises during 2011/2012:-

- (1) Ad-hoc IT Hardware
- (2) Counselling Service
- (3) Outside Advertising

27/11 Notification of Trade Dispute

The Committee was informed that trades unions were balloting members for strike action in response to the government's proposed changes to public sector pensions.

The Committee noted that, in the event of strike action, the armed forces would no longer be in a position to provide operational support, as they had done previously, which would potentially have an impact on the Authority's ability to carry out its statutory duties.

The Brigade's Business Continuity Management Team had convened to consider options for maintaining both an operational response and a technical response to maintain control centre functions. Section 41 members had also been involved in discussions.

The Chair reported that he would be contacting other metropolitan fire

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authority chairs to coordinate a collective response to the government, highlighting the lack of resources available to maintain an emergency response in the event of a strike.

The Clerk reported that specialist legal advice was being taken at a national level.

Further updates would be provided to members as developments occurred.

(Meeting ended at 10.50 am)

<p><i>Contact Officer: Stephnie Hancock Democratic Services Unit Sandwell Metropolitan Borough Council 0121 569 3189</i></p>
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