

Dorset Fire Authority

Minutes of meeting held at Dorset Fire and Rescue Service
Headquarters, Poundbury, Dorchester on 5 December 2014.

Present:

Mrs Rebecca Knox (Chairman)

Mrs Ann Stribley (Vice-Chairman)

Mr Les Burden, Mr Mike Byatt, Mr Ronald Coatsworth, Mrs Beverly Dunlop, Mr Philip Eades, Mr Barry Goldbart, Mr Colin Jamieson, Mrs Susan Jefferies, Mr Trevor Jones, Miss Sue Levell and Mr John Wilson.

Officers present:

Mr Darran Gunter (Chief Fire Officer), Mr Richard Bates (Treasurer), Mr Jonathan Mair (Clerk) and Mrs Helen Whitby (Principal Democratic Services Officer).

Officers attending for items as appropriate:

Colin Chapman (Assistant Chief Officer Service Support), Ian Cotter (Head of Financial Services), Ben Ansell (Assistant Chief Fire Officer – Service Delivery), Ms Marie-Claire Nicholson (Prince's Trust Manager), Ms Carol Swan (HR Manager (Relations and Support)), Ms Jane Staffiere (Temporary Director of Human Resources), Mr Steve Waller (Deputy Area Commander - Dorset) and David Wilcox (Physical Education Officer),

Also in attendance: Mr Peter and Mrs Linda Thornton (John Thornton Young Achievers Foundation) and Miss Hayley Dent (Prince's Trust Cadet).

(Note: These minutes have been prepared by officers as a record of the meeting and of any decisions reached. They are to be considered and confirmed at the next meeting of the Authority to be held on **10 February 2015**)

Apologies for Absence

100. Apologies for absence were received from Mr Spencer Flower and Mr Christopher Rochester.

Code of Conduct

101. No declarations were made by any members of any disclosable pecuniary interests under the Code of Conduct.

Minutes

102. The minutes of the meeting held on 4 November 2014 were confirmed and signed, subject to Mr Spencer Flower's name being added to those present.

Matters Arising

Minute 94.1- Matters Arising

103.1 The Chief Fire Officer referred to the Fire Brigade Union (FBU) dispute relating to proposed changes to the Firefighters' Pension Scheme and their moves to get the matter debated in the House of Commons. Another 24 hour strike would start at 9.00am on Tuesday, 9 December 2014 and the FBU had banned overtime until 12 December 2014. The Chief Fire Officer confirmed that business continuity arrangements at an acceptable level were in place for this period.

103.2 With regard to immediately available appliances at stations and coverage for rural areas, the Chief Fire Officer explained that seven engines were available, five of which would be strategically located across the County to mitigate risk.

Minute 98.1- Strengthening our Fire and Rescue Service – Full Business Case

103.3 The Chief Fire Officer reported that Wiltshire Fire Authority had met on 11 November 2014 when they had unanimously agreed to the combination. They had also agreed additional resolutions about the equalisation of Council Tax and numbers of members sitting on the new Combined Authority in the initial stage.

Audit and Scrutiny Committee

104.1 The Authority considered the minutes of the Audit and Scrutiny Committee meeting held on 19 September 2014.

104.2 The Chairman of the Audit and Scrutiny Committee explained that the Committee's workload would be reducing as a result of the concentration on work in support of the combination. The next meeting would be on 5 January 2015.

104.3 With regard to minute 61.1 and the suggested meeting between the Police and Crime Commissioner, Chief Constable, Chief Fire Officer and Chairman of the Authority, members noted that this had yet to be arranged.

Resolved

105. That the minutes be received.

DFRS Princes Trust Celebrating Success Finalists

106.1 The Authority received a brief overview from Mr Peter Thornton on the work of the John Thornton Young Achievers Foundation and its relationship to the Dorset Fire and Rescue Service. The Foundation had been set up in 2008 and since 2010 they had worked in partnership with the Dorset Fire and Rescue Service through their cadet scheme to help young people make changes to their lives, develop and realise their potential. He was grateful to the Chief Fire Officer who was particularly supportive of the scheme and encouraged his staff to volunteer to help with courses. He then referred to the inspiring success of Miss Hayley Dent who had recently been part of the cadet scheme. One of the members thanked Mr Thornton for the benefits their partnership with DFRS had provided for his son.

106.2 The Authority then heard from Miss Hayley Dent and her experience of the cadet scheme in 2013. She explained that she had been unemployed, not in education, suffered with depression and bulimia, and was virtually housebound. She had joined the Princes Trust Course and found it to be challenging, amazing and life changing. As part of the course she had led a community group, something she had never done before, had applied and been accepted for a university place, and now cared for the elderly, which she found both challenging and rewarding. Her life had much improved and she was now in the second year of her university course and had visited different countries. She had recently been awarded the Dorset Fire and Rescue Service Young Achiever of the Year Award. She was presented with a £1,000 cheque from Mr Peter Thornton to progress her business and studies.

106.4 The Chief Fire Officer added that Miss Dent had been third in the national Princes Trust finalists. Another cadet, Mr Kennedy Coombs, had also attended the final and the Authority would hear his story at a future meeting.

106.5 As to the future of the cadet scheme, the Authority noted that a number of sponsorships and donations had been received which meant that three teams could run from January to 31 July 2015, helping up to 45 young people. As Weymouth College was now recruiting in Weymouth for their own scheme, Dorset Fire and Rescue Service had agreed to

concentrate recruitment on other areas in Dorset. The Chief Fire Officer added that Dorset Police had agreed to second a team leader for the scheme.

106.6 With regard to whether Wiltshire Fire Authority ran a similar scheme, it was confirmed that schemes were run in the County. Members noted that if the combination proceeded, the Princes Trust was keen for the scheme to be delivered in areas where there was no involvement currently, eg Devizes and Trowbridge.

Noted

Consultation Response to Proposed Changes to the National Framework – Fitness Standards

107.1 The Authority considered a report by the Chief Fire Officer which set out the draft response to a Department for Communities and Local Government (DCLG) consultation on two possible changes to the Fire and Rescue National Framework for England regarding changes to fitness standards.

107.2 The Chief Fire Officer explained that the Fire Brigade Union was concerned that its members, should they be physically unfit to undertake their job at 55, would lose their job and not have a pension as a result. He explained that this principle was largely unproven in that the majority of firefighters currently retired before 55. The Government was now suggesting that Fire Authorities had to support the fitness of firefighters through changes to the National Framework. The report set out the proposed response to the consultation and an update on staff fitness for 2013/14.

107.3 The Physical Education Officer explained that Dorset Fire and Rescue Service currently undertook all the steps included in the first and second proposals which were reflected in the annual fitness level statistics. He thought firefighters should be encouraged to maintain a healthy lifestyle and fitness levels throughout their career. The Chief Fire Officer highlighted that current whole time staff were given paid time for fitness exercise but retained firefighters were not given the same opportunity. This meant that the Service was open to potential challenge and the current situation might need to be reviewed.

107.3 The Physical Education Officer referred to the Government establishing a joint working group to look at fitness standards. The Chairman added that the new working group would be led by Peter Holland and provided assurance that fitness was being taken seriously.

107.4 Members noted that the Working Group would be looking at whether there should be different fitness standards for the various staff levels. There was no discrimination regarding age. The Physical Education Officer added that few firefighters failed the fitness test and that it appeared that Dorset's operational staff was fitter in comparison to other Fire Authorities.

107.5 With regard to the FBU's response to the report, the Chief Fire Officer explained that they would prefer the changes to be regulated so that staff were protected and they did not believe the Framework provided absolute protection.

107.6 The Chief Fire Officer reminded members that the Authority had been the first to introduce biometrics, body stability and biomechanics and undertook a lot of preventative work with staff. He suggested that the Audit and Scrutiny Committee be provided with a report to provide assurance about fitness.

Resolved

108.1 That the response attached as appendix B to the Chief Fire Officer's report be adopted.

108.2 That a report on firefighter fitness be provided for consideration by the Audit and Scrutiny Committee.

Quarterly Performance Report**Second Quarter Financial Performance Report**

109.1 The Authority considered a report by the Chief Fire Officer which provided analysis of the financial position as at 31 October 2014. The report highlighted a potential underspend of £508k on the revenue budget and gave details of the updated total capital programme cost of £1.957m and predicted spending for the current year of £1.616m.

109.2 The Head of Financial Services summarised the report. He drew attention to the potential underspend of £506k which arose mainly from savings on pay budgets, retention and recruitment, the effects of lower pay awards and a refund on business rates for the Weymouth Community Safety Centre. He reported that work funded by Dorset Police had commenced at Portland Fire Station to enable site sharing. Attention was also drawn to the procurement of the new financial system which had been deferred and the possible deferral of the replacement of two aerial appliances. The projected underspend would take Cost Centre balances to an overall figure of £1.107m. The Budget Working Group had recommended that the Authority agree to £500k of this amount being transferred to reserves to support work towards the combination and the establishment of a Joint Command and Control Centre.

109.3 One member thought that the £400k savings on salaries was either over-budgeting or under-resourcing. As the budget included funding for 274 whole-time firefighters, then they should be provided. He was concerned by the current number of vacancies which meant the Service was understaffed by 10%.

109.4 The Chief Fire Officer explained that the Service had budgeted for an establishment of 274 firefighters, but there had been no open recruitment to vacant posts for the last 7 or 8 years. No recruitment would be undertaken until the details of the combination with Wiltshire was decided. Current members of staff were increasing their overtime and technological advances gave greater flexibility which was a more efficient use of the staff available. Once the situation with Wiltshire was clear, then consideration would be given to recruitment.

Resolved

110.1 That the current financial position be noted.

110.2 That the transfer of £500k from cost centre balances to earmarked reserves as additional support for transformation as set out in section 3.3 of the Chief Fire Officer's report be approved.

Budget Principles 2015/16 and Medium Term Finance Plan

111.1 The Authority considered a report by the Chief Fire Officer which provided an update on preparation of the 2015/16 budget and implications for the Medium Term Finance Plan (MTFP).

111.2 The Head of Financial Services presented the report drawing attention to the provisional grant assumptions for 2015/16 onwards. The provisional grant settlement for 2015/16, published in February 2014, showed Dorset's funding reducing by a further £969k to £10.613m, a reduction of 8.4%. Beyond 2015/16, a reduction of 22% over the following four years was currently planned for. The Chancellor's Autumn Statement on 3 December 2014 had not given any greater detail about the grant settlement, but it was hoped that the

anticipated funding would not be reduced further. Members were advised that the Local Government Finance Settlement for 2015/16 was expected to be announced on 17 December 2014. The Treasurer added that a Spending Review was due in July 2015, following the General Election, and this might affect the next financial year.

111.3 The report highlighted a shortfall in income as a result of differences between actual business rates receipts and Government assumptions included in the Settlement Funding Assessment. For 2014/15 there was a predicted net impact of a £27k reduction in income and the current assumption for 2015/16 was a £50k reduction. The MTFP allowed for a Council Tax increase of 2% and, although the Authority had not taken advantage of council tax freeze grant, this opportunity was still available. An assumed tax base increase of 0.5% per year from 2015/16 had now been included but final figures would be confirmed by the end of January 2015.

111.4 The Authority noted a number of other factors affecting the revenue budget plans for 2015/16 onwards including the impact of pay award savings arising from 2014/15, the significant cost increase related to the introduction of the single state pension scheme in April 2016 and the cost of increased numbers of support staff joining the Local Government Pension Scheme. Attention was also drawn to the RDS Modified Pension Scheme and the current options exercise being undertaken to enable eligible staff to decide whether to join or not. Although the number of eligible staff had reduced as a result of retirements and other leavers, the Authority would still face increased costs in future years. Whilst it was too early to be able to predict this increased cost with any great certainty there was £80k of contingency funding still available within the provision set aside for the part time workers' case. This could be used to part fund any increased costs in 2015/16. Overall the 2017/18 budget now had a projected deficit of just under £2m and the budget for 2015/16 a projected deficit of £300k. The final budget would be considered by the Authority at its meeting on 10 February 2015.

111.5 With regard to whether the Authority should be considering Wiltshire Fire Authority's projections for next year and subsequent years, the Chairman explained that there had been close discussions with Wiltshire with regard to the future. Council Tax equalisation would form part of the discussion when the combination arrangements were considered.

Noted

Treasury Management

112.1 The Authority considered a report by the Treasurer which provided an update on the current Treasury Management Position.

112.2 The Treasurer highlighted that 94% of the Icelandic Banks repayments had been received and more was expected and that the Authority had not borrowed any new money or repaid any loans. The report included details of investments and the interest arising from these had been used to offset the need for borrowing and to reduce financial costs.

Noted

Quarterly Performance Report

Quarterly Performance Monitoring Report

113.1 The Authority considered a report by the Chief Fire Officer which identified specific areas in the quarterly monitoring of the Community Safety Plan 2014-19 where performance issues had been identified, or good practice had been exhibited. The report covered the second quarter from 1 July to 30 September 2014.

113.2 The Assistant Chief Officer - Service Support explained performance against the strategic aims of prevention; protection; response; and people. The report's graphs illustrated fire related injuries, accidental dwelling fires, deliberate fires and the number of fires in non-domestic properties with all of these showing a downward trend over a five year period.

113.3 The Authority noted a confirmed recorded incident of fire related death in Weymouth in September 2014 and an incident in July 2014 in Poole which might also result in a recorded fire death. They were informed that a multi agency road death overview panel was being established to examine causation and trends following road deaths and an update on this would be provided in the next quarterly update report. Of particular note were that accidental dwelling fires for the quarter were the second lowest in the last five years, the number of completed home safety checks, the 25% decrease in deliberate fires compared to the previous year, the twelve significant fires and the continuing challenge to meet response times. All occasions when response times were not met were scrutinised with a view to improving performance. It was also noted that sickness absence rates were increasing and the year-end target was unlikely to be met.

113.4 In summary there were a number of key performance indicators which had improved this quarter but some key corporate performance indicators required improvement and these would be scrutinised by the Audit and Scrutiny Committee.

113.5 The Authority congratulated Mr Andy Naim, on his achievement of being one of the highest legally qualified fire safety enforcement officers in the Country. The Chief Fire Officer added that Mr Fox was due to retire shortly but he hoped to retain his services in some way.

113.6 In response to how simultaneous fires were dealt with, the Chief Fire Officer explained that Fire Control used a degradation plan or referred the situation to a senior officer for advice so that strategic cover was maintained.

113.7 One member referred to the use of a smoke bomb as a means of pest control in a high rise in Poole and asked whether the Fire Service received notification of such actions. The Chief Fire Officer explained that no notifications were received but he agreed to follow this up with Environmental Health.

Resolved

114.1 That the sickness improvement plan, accidental dwelling fires, fires in non-domestic properties and Dorset Emergency Response Standards be referred to the Audit and Scrutiny Committee.

114.2 That the Chief Fire Officer contact Environmental Health as set out in minute 113.7 above.

Roll-Out of Co-Responder Scheme

115.1 The Authority received a verbal update on the roll-out of the Co-Responder Scheme from the Deputy Area Commander – Dorset.

115.2 The Chief Fire Officer reminded members that they had considered a report on the Co-responder scheme at their meeting on 24 September 2014 and agreed that it be rolled out. The Deputy Area Commander then reminded members how the scheme worked and of the two schemes running in Lyme Regis and Beaminster. On 24 September 2014 the Authority had agreed to a pilot scheme and to provide £10,000 reserve to support this. Since

that time stations had been contacted to establish which were interested in joining the scheme. The Fire Brigade Union's position had not changed in that they wanted a nationally agreed standard for co-responder schemes. The Memorandum of Understanding with South Western Ambulance Service NHS Foundation Trust (SWAST) was still to be signed. The new scheme was being developed to ensure right pay and training provided and that this would be on a cost neutral basis for the Authority. The possibility of the Authority using rapid response vehicles no longer required by SWAST would be assessed on a vehicle by vehicle basis. It was hoped that the first of the new schemes would be in operation in late February 2015.

115.3 One member questioned the figures given for cardiac arrests in central Weymouth and asked that these be checked.

Noted

Firefighters' Pension Scheme 2015: Pensions Board Consultation

116.1 The Authority considered a report by the Chief Fire Officer on the Department for Communities and Local Government (DCLG) consultation entitled "Consultation on the regulations to introduce a new Firefighters' Pension Scheme from April 2015". The Authority had responded to two previous consultations on this matter in 2014 and the latest response was presented.

116.2 The Temporary Director of Human Resources reminded the Authority of the two previous consultations. The latest consultation document had been published on 10 October 2014 with a closing date for responses being 21 November 2014. As this had not fitted with the Authority's meeting schedule, the Chief Fire Officer and the Clerk, after consultation with the Chairman, had provided a response. Attention was drawn to the introduction of pensions boards from 1 April 2016 and their membership. Further guidance was awaited. The Chief Fire Officer added that the County Council's Pension Section had indicated that they were happy with the response.

Resolved

117. That the third consultation response provided by the Chairman, Clerk and Chief Fire Officer be noted.

Combination Order and Shadow Governance Arrangements

118.1 The Authority considered a report by the Clerk which made a series of recommendations about the content of a draft Combination Order and shadow governance arrangements that would need to be put in place if Dorset and Wiltshire Fire Authorities were to combine on 1 April 2016. Members were also provided with an addendum to the report which made additional recommendations in the light of discussions at the Combination Oversight Board meeting held on 28 November 2014.

118.2 The Clerk introduced the report and explained the recommendations to the Authority one by one. There was unanimity with regard to the name of the new Authority but there was some discussion about its composition and the equalisation of membership across the two Authorities. Some members, whilst supporting the combination, expressed the view that a membership of 30 was too many and gave the public the wrong impression that members were increasing when staff were losing their jobs. The Chairman highlighted that Wiltshire members had strongly advocated the larger number but the Combination Oversight Board had accepted an amendment that membership be reviewed by April 2018. Some members supported the larger number on the basis that this would be reviewed. The Clerk stated that if arrangements were not agreed, then this had the potential to delay the Combination Order timetable. This was agreed but Mr Philip Eades dissented from the vote and Mrs Susan Jefferies abstained.

118.3 The Clerk then referred to the need to set up Shadow Board arrangements so that it could carry out preparatory work to enable the new Fire and Rescue Authority to become fully operational on 1 April 2016. The Shadow Board's proposed terms of reference were set out in the report but the Combination Oversight Board had suggested an amendment. The original draft terms of reference had included the adoption of the budget as a matter not to be decided by the Shadow Board but instead to be decided by the two Fire Authorities. The Clerk had looked into this further and it was now proposed instead that "The Shadow Board should set the precept for 2016/17 in consultation with the two existing Authorities". This was agreed.

118.4 The Authority then considered the membership of the reconstituted Combination Oversight Board as a Joint Committee and the Shadow Board. It was recommended that Dorset's current membership be maintained but with one additional member and, on political balance, this would need to be a Labour or Independent member, both having equal rights to the seat. It was agreed that current membership be maintained and the Chairman was asked to contact the Labour and Independent members outside of the meeting to discuss the vacancy and reach agreement with them on which should take the place on the Joint Committee and the Shadow Board.

118.5 The Authority then considered the establishment of a Joint Selections Committee to appoint a Chief Fire Officer (designate) until 1 April 2016 when the appointee would become the Chief Fire Officer for the new Authority. It would also appoint staff to the Senior Team. It was agreed that the Chief Fire Officer did not need to leave the meeting for discussion of this item. The report suggested that membership comprise the Chairmen of the two Authorities and two other members from each Authority.

118.6 With regard to what would happen in the event of a split decision, it was confirmed that the Chairman of the Joint Selections Committee would have a casting vote, but it was hoped that any decisions reached would be unanimous. The Committee would be supported by the Authorities' Monitoring Officers and an external HR adviser. It had also been suggested that a senior expert in Fire and Rescue Services help with the appointments process and Peter Holland had been approached. A member referred to the need for any appointment processes to be supported by documentary evidence.

118.7 The Authority then considered the quorum of the new Combined Authority and agreed the recommendation for this to be a third of the whole number.

Resolved

119.1 That Dorset and Wiltshire Fire and Rescue Authority be adopted as the name of the new Combined Authority.

119.2 That the new Combined Fire and Rescue Authority should comprise 30 members in accordance with the table set out in paragraph 3.2 and that a full governance review take place by April 2018.

119.3 That the terms of reference set out in paragraph 4.7, subject to the amendment set out in minute 118.3 above, be agreed as the terms of reference and membership of the Shadow Board.

119.4 That the Combination Oversight Board be reconstituted as a joint committee with the terms of reference set out in minute 119.3 above and that the joint committee operate until shadow board arrangements take their place.

119.5 That the Chairman, Vice-Chairman, Mr Trevor Jones, Mr Barry Goldbart, Mr Spencer Flower and one other member be appointed to sit on the Joint Committee and on the Shadow Board.

Dorset Fire Authority – 5 December 2014

119.6 That a Joint Selections Committee be established comprising the Chairmen of each Authority and two other members from each of the existing Fire Authorities with the terms of reference to appoint a Chief Fire Officer (designate) by January 2015 for the new Combined Authority from the two Chief Fire Officers and, guided by the Chief Fire Officer (designate), to agree the size of and the filling of brigade manager (designate) roles. All such roles to remain designate and not to take effect until the Combination Order is in place.

119.7 That the quorum of the new Combined Authority, to be included in the Combination Order, should be any ten members.

(Note: It was subsequently agreed outside of the meeting that Mrs Sue Levell would be appointed to the Joint Committee and Shadow Board.)

Exempt Business

Exclusion of the Public

Resolved

120. That under Section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for minute numbers 121 to 124 because it was likely that if members of the public were present, there would be a disclosure to them of exempt information as defined in the paragraphs indicated of Part 1 of Schedule 12A and the public interest in withholding the information outweighed the public interest in disclosing that information.

Combination Order and Shadow Governance Arrangements (Paragraph 3)

121.1 The Authority considered the resolution made at its meeting on 4 November 2014 to progress the combination with Wiltshire Fire Authority in the light of recent discussions with officials at the Department for Communities and Local Government and Ministers on Council Tax equalisation.

121.2 The Chairman reported receipt of a letter date 4 December 2014 from Penny Mordant MP the previous day which indicated that the Transformation Funding should be used to facilitate the Combination. The Chairman and the Chief Fire Officer explained steps they had taken since receipt of the letter and sought members' views on what action, if any, should be taken. The Treasurer explained options available to the Authority should Council Tax equalisation not be achieved and the effect on Dorset's budget and the business case for Combination.

121.4 Members discussed the letter, possible effects on the budget and business case, and options available to them to support the combination. They were concerned that the response could adversely affect the business case and result in the combination being delayed or worse. They agreed that a strong letter should be sent to the Minister seeking further assurance in writing to enable the combination to proceed without affecting the business case. A decision as to whether written assurance was sufficient was delegated to the Chief Fire Officer, after consultation with the Chairman, the Clerk and the Treasurer. An update would be provided for the next meeting.

Resolved

122.1 Having considered a letter dated 4 December 2014 from Penny Mordant MP and, subject to further assurance in writing sufficient to enable the Dorset Fire Authority and the Wiltshire & Swindon Fire Authority to combine on 1 April 2016 without any adverse effect upon the Business Case, the Dorset Fire Authority should continue to pursue a combination with the Wiltshire & Swindon Fire Authority by submitting the Business Case for Combination and a Draft Combination Order to the Secretary of State for approval.

122.2 That the question of whether the written assurance is sufficient be delegated to the Chief Fire Officer after consultation with the Chairman, the Treasurer and the Clerk.

122.3 That an update report be provided for consideration at the next meeting on 16 January 2015.

Update on Workforce and Succession Planning Arrangements (Paragraph 2)

123. As there was insufficient time to discuss this item, it was

Resolved

124. That this item be deferred until the Dorset Fire Authority meeting on 16 January 2015.

Meeting duration: 10.00am – 1.55pm