

**Minutes of the Meeting of
Shropshire and Wrekin Fire and Rescue Authority
held in the Oak Room, Headquarters, Shrewsbury
on Wednesday, 24 April 2019, at 2.00 pm**

Present

Members

Councillors Adams, Carter (Chair), Dee, Hartin, Hosken, Mellings, Milner, Minnery, Murray, Pardy, Phillips, Roberts (Vice-Chair), Sahota and Wynn

Officers

Rod Hammerton	Chief Fire Officer	CFO
Dave Myers	Assistant Chief Fire Officer	ACFO
Jonathan Eatough	Clerk to the Fire Authority	Clerk
Joanne Coadey	Head of Finance	HoF
Lynn Ince	Executive Support Officer	ESO

Chair's Notices

The Chair explained to the Fire Authority that through his participation in the Fire Services Management Committee, he had sat on the Emergency Services Working Group (ESWG). Three Task and Finish Groups have now been set up from the ESWG. The Chair is sitting on the Duty to Collaborate and Inspections Task and Finish Group and the initial meeting of the Task and Finish Group was held in the Home Office with Home Office personnel and blue light representatives. A Care Quality Commission representative is also sitting on the Group to look at working together with blue light services. The achievement of savings and the importance of public safety is the focus for the Group going forward.

1 Apologies for Absence

Councillors Jones and Price. Councillor Pinter did not attend the meeting.

2 Disclosable Pecuniary Interests

None

3 Public Questions

None

4 Minutes

Resolved that the minutes of the Fire Authority meeting, held on 13 February 2019, be agreed and signed by the Chair as a correct record

5 Strategy and Resources Committee Minutes

Resolved that the minutes of the Strategy and Resources Committee meeting, held on 14 March 2019, be noted and the recommendations at item 8, as given below, be agreed.

Item 8 – Financial Performance to December 2018

Resolved that the Fire Authority

- a) Note the position of the revenue budget;
- b) Approve virements to the revenue budget; where requested; and
- c) Note performance against prudential indicators to date in 2018/19.

6 Standards and Human Resources Committee Minutes

Resolved that the minutes of the Standards and Human Resources Committee meeting, held on 26 March 2019, be noted.

7 Review of Fire Authority Governance Structure

This report requested the Fire Authority to consider and decide upon proposed changes to the governance structures of the membership of the Fire Authority, the changes to Committee structures and functions and the numbers of Members on each functional committee.

The ACFO presented the report and the following discussion was generated as the paper was talked through.

The Chair stated that this was a very important paper on which there had been a lot of discussion and recommendations from the Strategy and Planning (StraP) Working Group. The Chair further commented that he believed that 15 is a reasonable number of members for the Fire Authority due to potential issues with political balance and quorum if membership is reduced below 15.

Councillor Parry commented that the changes are not a cost saving exercise but are designed to make the Fire Authority more efficient. Councillor Parry also stated that whilst he was open to change, he had concerns about the proposed changes to the Hearings Panel and asked for an explanation of how Hearings are currently dealt with. The ACFO explained that there is a disciplinary process which is followed to the point of dismissal. If the individual concerned wishes to appeal the decision made under this process, then this is heard by the Hearings Panel which is a Fire Authority Committee.

Under the proposed changes, an appeal against disciplinary issues would now be heard by the Chief Fire Officer. Councillor Pardy expressed concern about the proposed changes if this meant that disciplinary appeals would not go to tribunal. The ACFO explained that, under the proposed changes, disciplinary matters would be heard at Area Manager level, with any appeals being heard by the CFO. There would then still be the opportunity to go to tribunal, as is the employee's right. Councillor Pardy commented that he found this change difficult to accept. The CFO commented that it was the responsibility of the CFO as the Head of Paid Service, to deal with such matters. This would also ensure that the Fire Authority remains focussed on strategic matters.

Councillor Pardy asked if the CFO would be prepared to go against an officer decision. The CFO confirmed that he would as his role is to protect the organisation from legal challenges.

Councillor Hartin commented that he appreciated the work of the StraP Group on what is a major change for this Authority. Councillor Hartin also stated that whilst he had thought that membership should be reduced to a smaller number (13), he now accepted that 15 was the correct number and that membership should be reduced to this. Councillor Hartin also commented that this was an opportunity for the Fire Authority to look at itself and change what it is doing. He had no concerns about the proposed membership of the Strategic Advisory Group (SAG) and felt that the proposed change to virements makes sense as it will bring this Service in line with Hereford & Worcester. With regard to representation on committees, Councillor Hartin commented that whilst smaller numbers can aid swifter decision making, larger numbers engender greater debate and for this reason, committee numbers should be kept at the higher level.

Councillor Sahota commented that he had made his views on the subject clear at the StraP meeting but he does agree with, and will support, the reduction of numbers to 15 and the change to a two Committee structure.

Councillor Minnery commented that he was broadly supportive of the proposals set out in the report. He said that he had been present at the StraP Group meeting, at which consideration of this issue began and he was keen that numbers should not be cut too far. This was in order to maintain a geographical spread on the Authority which is important due to the Retained Duty System employees. Councillor Minnery stated that he believed a membership of 15 and 2 committees are correct and that further paper should be brought to the Authority setting out the full details of these changes. With regard to representation on committees, Councillor Minnery commented that his preference is for an 8 / 7 membership structure as he believes that 6 is too small a number for a committee to be viable. Councillor Minnery moved the recommendations as on the paper.

Councillor Phillips stated that he was also broadly supportive of the proposed changes and commented that the aim of the changes should be to achieve an efficient and effective Fire Authority with the correct number of members. Councillor Phillips also stated that he had a small reservation about the proposed changes to Hearings as set out at paragraph 5.2 of the report. The ACFO responded that it is within the Fire Authority's gift to change the Hearings process and emphasised that officers can provide assurance that the process will be neutral although it seems to have become personalised in this discussion. The CFO added that it is fairly standard practice for CFOs to have this delegation but not all fire authorities choose to do this. The decision to change the Hearings process is dependent on the Fire Authority's view but as the Fire Authority appoints the CFO, it should be confident of their capability to deal with such issues.

Councillor Mellings commented that there were two aspects to consider in relation to the recommended changes. Firstly, this is the first time in 22 years that the Fire Authority has had a chance to review and change its working practices. Councillor Mellings commented that the proposed membership of 15 is okay for efficiency etc. He also believes that the two committee structure is right but the devil is in the detail so it needs to be ensured that the responsibilities of the committees are clearly laid out together with appropriate checks and balances. Representation is important on committees together with quorum levels for those committees which need the right numbers and a commitment from the members sitting on them. Councillor Mellings commented that the two options for committee representation should be brought to the next Fire Authority meeting to enable a decision to be made.

Secondly, in relation to the Hearings Panel situation, Councillor Mellings stated that the Service has moved on since the current disciplinary process was set out. Councillor Mellings commented that he views this issue as an operational matter and he does not believe that members have the expertise to deal with disciplinary appeals due to them occurring infrequently. There are checks and balances in place within the process for the CFO to consider disciplinary appeals and recourse to further appeal is still there. Councillor Mellings stated that he has confidence in the Head of Paid Service to deal with disciplinary appeal hearings but the situation could always be reviewed and amended in the future if needed.

The Chair stated that he was happy with the proposed changes to 15 members and 2 committees with membership of committees to be agreed at a later date. He also stated that he believes that the reduction from 17 to 15 members will work and will still allow proper cross-party representation on the Fire Authority.

Councillor Hartin asked if a further paper would be brought to the Fire Authority regarding representation on committees etc. The Clerk stated the Committee numbers and membership, along with the Terms of Reference, will be brought to the Annual General Meeting in June to allow the specific detail to be decided.

On a vote with Councillor Pardy abstaining, it was

Resolved that the Fire Authority

- a) Agree the total membership of the Fire Authority at 15;
- b) Agree the adoption of a 2-Committee structure and associated changes;
and
- c) Agree the delegation of authority to the relevant committees.

8 Fire Authority Work Plan 2019/20

This report reviewed progress against the Fire Authority's 2018/19 Work Plan and put forward a 2019/20 Work Plan for consideration and approval by Members.

The Clerk requested that responsibility for item 1 on the Work Plan – Elect Chair and appoint Vice-Chair for the Fire Authority and its various Committees and Working Groups – be amended to the Fire Authority. The ESO undertook to make this amendment.

Resolved that the Fire Authority

- a) Note progress made against the Fire Authority 2018/19 Work Plan, as detailed at paragraph 4 of the report; and
- b) Approve the 2019/20 Work Plan (attached at the Appendix to the report) with the amendment, to item 1, as outlined.

9 Annual Plan 2019/20

The Fire Authority was asked to receive and note the Annual Plan for 2019/20.

The Fire Authority agreed the outline format and contents of the Annual Plan for the year 2019/20, at its meeting in February 2019. In addition, authority was delegated to the Chief Fire Officer, in consultation with the Chair of the Fire Authority, to agree the final wording and layout of the Plan. The Strategy and Resources Committee agreed the Service Targets 2019/20, which support the four Strategic Aims, at its meeting in March 2019.

Members commented that it was a well prepared Annual Plan which reflects what the Fire Authority is doing and highlights the outstanding work that the Service undertakes across the county. Of particular note, is the ongoing station refurbishment work and the Telford Central project. The Chair reported that he had been delighted to reopen Much Wenlock Fire Station after its refurbishment. The building has been greatly improved and accommodates collaborative working with the Police.

Resolved the Fire Authority note the Annual Plan 2019/20.

10 Financial Performance to March 2019

This report provided information on the financial performance of the Service, and sought approval for action, where necessary.

The HoF presented this report and talked through the variances as set out in the table on page 2 of the report. The HoF advised that there will still be movement within the 2018/19 budget due to the ongoing year end process.

Resolved that the Fire Authority

- a) Note the position of the revenue budget;
- b) Approve virements to the revenue budget, where requested;
- c) Approve the updated tariff of special service charges; and
- d) Note performance against prudential indicators to date in 2018/19.

The meeting closed at 3.00 pm.

Chair.....

Date.....