

**Highland and Islands Fire Board
No. 2 2008/2009**

Minutes of Meeting of the Highland and Islands Fire Board held in the Council Offices, School Place, Kirkwall, Orkney, on Thursday 11 September 2008 at 2.30 p.m.

Present

Representing the Highland Council:

Mr R Durham
Ms L Munro (Substitute)
Mr D Mackay
Mrs I Campbell
Dr A Sinclair
Ms M Smith
Mrs M Paterson

Mrs H Carmichael
Mrs E MacAllister (Substitute)
Mr D Henderson
Mr R Balfour
Mr J Ford
Mr D Fallows
Mr G Rimell

Representing Comhairle nan Eilean Siar:

Mr N M Macleod
Mr C Nicolson

Mr P Carlin
Mr M Macleod (Substitute)

Representing Orkney Islands Council:

Mr A Drever

Mr B Leslie

Representing Shetland Islands Council:

Mr A Cooper

Mr A Duncan

Officials in attendance:

Mr B Murray, Chief Fire Officer
T Wood, Acting Chief Fire Officer
Mr T Johnston, Area Manager, Community Risk Management, HIFRS
Mr A MacAllister, Head of Corporate Services, Highlands and Islands Fire and Rescue Service (HIFRS)
Mrs M Fisk, HIFRS Head of Human Resources
Mrs M Grigor, Treasurer's Office
Mr J Kelman, Project Manager, Housing and Property Service, The Highland Council
Ms M Morris, Clerk
Mrs R Moir, Assistant Clerk

Mr R Durham in the Chair

1. Apologies for Absence

Apologies for absence were intimated on behalf of Mr D Flear, Mr E Hunter, Mr J Gray and Mrs L MacDonald of the Highland Council and Mr I Mackenzie of Comhairle nan Eilean Siar.

2. Board Membership Update

The Board **NOTED** formally the following changes in Highland Council appointments to the Board:

Substantive Members:

- Ms Maxine Smith (replacing Mr David Bremner)
- Dr Audrey Sinclair (replacing Mr Bill Fernie)
- Mr G Rimell (replacing Mr Alex Graham)

Substitute Members:

- Mr Alex Graham (replacing Mr R Rowantree)
- Mrs G Sinclair (replacing Mr H Wood)
- Mr M Finlayson (replacing Mr J Crawford)
- Mr B Barclay (replacing Dr A Sinclair)

The Board **AGREED** to fill vacancies on a number of Working Groups as follows:

- Integrated Risk Management Plan Working Group – Dr A Sinclair
- Audit Working Group – Mr D Mackay
- Policy and Finance Working Group – Ms M Smith
- Joint Consultative Group – Mrs I Campbell

3. Minutes of Meeting of 22 April 2008

The Minutes of Meeting held on 22 April 2008, copies of which had been circulated, were found correct and **APPROVED**.

4. Minutes of Policy and Finance Working Group – 22 August 2008

There had been circulated Minutes of meeting of the Policy and Finance Working Group held on 22 August 2008, together with, as an Appendix, Note of the visit carried out by the Estate Condition Working Group to Strathclyde on 11 and 12 August 2008, which had been approved by the Policy and Finance Working Group at its meeting.

The Board **APPROVED** the Minutes and accordingly **AGREED** that:

- i. the Fire and Rescue Service (FRS) Head of Corporate Services and The Highland Council Project Manager meet with Highland Council's Education, Culture and Sport Service to progress the partnership venture at Lochaline, with a report being provided to a future meeting; and
- ii. the matter of Principal Officers' Pay be considered by the Board at its meeting on 14 November 2008, additional information having been sought and considered by the Working Group in the meantime.

5. Proposals for Closer Working between COSLA and the Fire Board

(a) Capital Grant Funding Arrangements

There had been circulated copy report dated 15 July 2008 by the Scottish Government Scottish Resilience Fire and Rescue Services Unit entitled "Fire Capital Grant – Review of Funding Arrangements", which had been considered at the Scottish Fire and Rescue Services Ministerial Advisory Group (MAG) Sub-

Group meeting on “Strategy for Investment in Learning and Development” on 21 August 2008, together with draft response to this paper from the Board.

The Chief Fire Officer highlighted that, following the establishment of the new approach to local government funding underpinning the Concordat between the Scottish Government and local authorities, the previous mechanism used to allocate the formula element of fire capital grant was being revisited. A collaborative approach was being proposed, envisaging COSLA, the Scottish Government, Fire and Rescue Authorities and staff representative bodies working together to develop a more long-term, Scotland-wide, strategic approach to capital investment in fire and rescue services. In this context, account would be taken of the constraints of tight financial settlements overall and also ongoing discussions on national and local priorities.

The Chief Fire Officer expressed his concern that the Highlands and Islands should not lose out in this new approach. The Board had been very successful in recent years in engaging directly with the Scottish Government and making its case for top slice monies. There was a danger that a revised approach might favour other areas of the country, notably the Central Belt. It would be vital to influence the discussions on allocation mechanisms and to ensure that the needs of this area, and its legacy of having been a largely volunteer service, were properly recognised and addressed. It was suggested that it would be particularly important to seek officer representation on the officer working group to be tasked with examining the appropriate distribution mechanism.

During discussion, it was suggested that the Board’s case would be strengthened by working jointly with the Conveners of the Constituent Authorities, who each had a voice in COSLA, and that they should receive a thorough briefing on the issues involved.

After discussion, the Board **AGREED**:

- i. to strengthen further the circulated draft response to Scottish Resilience, the text to be finalised by the Chief Fire Officer and Clerk in consultation with the Convener; and
- ii. that the Chief Fire Officer prepare a briefing paper on the issues under discussion for the benefit of the Highlands and Islands Conveners and to inform future discussions with the Constituent Authorities.

(b) Convention of Scottish Local Authorities (COSLA)

There had been circulated (i) copy letter dated 26 August 2008 from Councillor Pat Watters, President of COSLA, regarding recent discussions concerning the greater integration of lobbying and policy development issues relating to the Police and Fire Services; (ii) copy report considered by the Convention at its meeting on 27 June 2008 outlining proposals for Integration of the Police and Fire Services into COSLA’s Mainstream Activity; and (iii) draft Board response to this correspondence.

Members were advised that COSLA was proposing to establish a new Community Safety Executive Group, to comprise 4 Fire and Rescue Conveners, 4 Police Conveners and 4 Community Justice Authority Conveners, in addition to COSLA office bearers and some 20 individual Councils. The Fire and Rescue Conveners would be meeting shortly on an informal basis and the Convener

sought the Board's support for the case to be made for one of their four places to be allocated to this Board, given the area's special needs.

The Board **AGREED**:

- i. the circulated draft response to the President of COSLA; and
- ii. to support the nomination of the Convener as one of the 4 representatives to be nominated by the 8 Scottish Fire and Rescue Conveners to sit on the new COSLA Community Safety Executive Group, and of the Vice Convener to act as his substitute where required.

6. Minutes of Audit Working Group – 29 August 2008

There had been circulated and were **APPROVED** Minutes of meeting of the Audit Working Group held on 29 August 2008.

7. Revenue Expenditure 2008/09 – Monitoring Statement

There had been circulated and was **NOTED** Report No. Fire20/08 dated 26 August 2008 by the Chief Fire Officer setting out the current position of the Revenue Monitoring Statement for the period to 31 July 2008, and the predicted year-end outturn.

8. Capital Out-turn Report 2007/08

There had been circulated and was **NOTED** Report No. Fire21/08 dated 26 August 2008 by the Treasurer summarising the final capital position relating to the Highland and Islands Fire Board capital programme recorded in the ledger as at 31 March 2008.

9. Capital Expenditure Monitoring Report 2008/09

There had been circulated Report No. Fire22/08 dated 26 August 2008 by the Chief Fire Officer summarising the expenditure and income relating to the Board's capital programme for the period to 31 July 2008.

During discussion, the Project Manager, Housing and Property Service, The Highland Council, commented on the reasons for the estimated increased outturn on the new Fort William station project. Members representing Comhairle nan Eilean Siar expressed their concern as to the condition of Stornoway Fire Station, and enquired as to costings and an estimated timescale for refurbishing and upgrading the premises. The Project Manager advised that he would shortly be visiting the Station to discuss the optimum use of the sum in the current budget for addressing equality and diversity issues arising from the condition of the current facilities. In relation to the Station's wider needs, Members were reminded that there were many Stations in the network in need of upgrade.

In recognising the difficulties facing the Board, a number of Members expressed the view that there would be merit in closer liaison with the constituent authorities to identify local needs and priorities and to seek possible collaborative approaches to progressing these within a shorter timescale than current likely Board capital funding would permit.

After discussion, the Board **NOTED** the position, the concerns expressed in relation to a number of specific locations, and that closer dialogue and collaboration would be sought with the Constituent Authorities on progressing the Board's capital programme.

10. Scottish Government Consultation on the Resilience of Fire Controls

There had been circulated Report No. Fire23/08 dated 25 August 2008 by the Chief Fire Officer updating the Board on the recent Fire Controls consultation initiated by the Scottish Government, and providing a briefing on the response, appended to the report, provided by the Chief Fire Officer on behalf of the Board and Service, following consultation with the Convener, prior to the deadline for comments of 1 August 2008.

The Board **HOMOLOGATED** the terms of the response sent by the Board to the Scottish Government consultation on The Resilience of Fire Controls.

11. Employee Wellbeing Programme

There had been circulated Report No. Fire24/08 dated 25 August 2008 by the Chief Fire Officer detailing the range of services provided as part of the Employee Wellbeing Programme (EWP). The Head of Human Resources gave a presentation on the Programme.

Members generally welcomed the availability of the Programme as a positive contribution to staff wellbeing, sought clarification on a number of details and asked to be kept informed as to the level of uptake.

After discussion, the Board **NOTED** the adoption of the EWP provision.

12. Disciplinary Procedure

At its meeting held on 22 April 2008, the Board agreed to defer to this meeting consideration of a draft new Disciplinary Procedure, to allow additional time for agreement to be sought with the Fire Brigades Union as to who should be the final arbiter in cases of appeal, and also to gather information on procedures adopted elsewhere.

There had been circulated Report No. Fire25/08 dated 25 August 2008 by the Chief Fire Officer providing a Disciplinary Procedure based on Advisory, Conciliation and Arbitration Service (ACAS) guidelines, which had been updated as a result of further consultation with the Fire Brigades Union.

During discussion, Members made a number of comments, including that the list of examples of gross misconduct set out in the draft procedure should:

- include reference to “inappropriate electronic communication” (also to be added to the examples of unsatisfactory conduct)
- qualify “bullying” as “severe”, to highlight the contrast between “unsatisfactory” and “gross”
- clarify which types of behaviour should be categorised as criminal conduct rather than contractual breach.

The Chief Fire Officer undertook to confirm that the representative bodies were content with these amendments.

The Board **APPROVED** and adopted the amended Highlands and Islands Disciplinary Procedure, as agreed by the representative bodies, subject to the further minor amendments as discussed.

13. Single Status Agreement - Job Evaluation

There had been circulated Report No. Fire26/08 dated 25 August 2008 by the Chief Fire Officer advising on progress made following approval by the Board at its meeting on 22 April 2008 of a process with regard to the Single Status Job Evaluation Scheme. The report indicated that it was likely that there would be a delay in the implementation of the plan, set out the reasons for this, and advised that a reviewed timetable and progress report would be presented to a future Board meeting. The current implementation plan for the Scheme was appended to the report.

The Board **NOTED** the progress to date and the likely delay in the implementation of Single Status.

14. Gender Equality Scheme

Members were advised that, as agreed by the Board at its meeting held on 22 April 2008, the Clerk, in consultation with the Convener, Vice Convener and the Board's Equality and Diversity Champions, Mr J Ford and Mrs H Carmichael, had prepared and published the Board's annual report on its Gender Equality Scheme (GES) by the deadline date of 30 June 2008. The Action Plan attached to that Report had indicated that the Board, as part of its review/scrutiny function, would receive a copy of the Chief Fire Officer's GES annual report for information.

In that context, there had been circulated copy of the Highlands and Islands Fire and Rescue Service's Gender Equality Scheme Annual Report 2007/08, as published on the Service's website.

During discussion, Members were advised that, while the number of female firefighters remained low, there were several female Community Safety Advocates in post, which helped to promote a positive image of the Service to potential female applicants. It was hoped that recruitment levels would improve. Information would be sought as to what support measures could be put in place to assist this.

After discussion, the Board **NOTED** the position.

15. Scheme of Delegation

Given the Board's obligation to review its Scheme of Delegation annually, there had been circulated and was **APPROVED** an updated Scheme of Delegation reflecting recent Board decisions and changes in job title at The Highland Council, and also providing additional clarity in relation to the Clerk's remit.

16. Capital Programme Monitoring Report

There had been circulated Report No. Fire27/08 dated 11 April 2008 by the Director of Housing and Property of the Highland Council summarising the status of all current key projects carried out for the Board.

In response to questions, the Project Manager, Housing and Property Service, The Highland Council, clarified the circumstances that had caused a number of projects to go over budget, in particular the late addition in a number of cases of fire suppression systems following the late identification by the supplier of a technically suitable system. Reference was also made during discussion to the possible cost savings from building a “drive through” facility, given that dropping the requirement for a turning area on reverse out could make smaller sites viable.

After discussion, the Board **NOTED** the position and **AGREED**:

- i. to confirm as Board policy that fire suppression systems be installed in all new fire station builds; and
- ii. that a report be submitted to a future meeting on the comparative advantages and costs of a “drive through” facility as opposed to the traditional single entrance structure currently used.

17. Site Acquisitions Progress Report

There had been circulated and was **NOTED** Report No. Fire28/08 dated 11 April 2008 by the Director of Housing and Property of the Highland Council summarising the status of the acquisition of sites for future development.

18. Operational Update

The Chief Fire Officer briefed Members on recent developments/events. He expressed his sadness over the tragic death of Firefighter J Cooper in a climbing accident. He advised Members of the recent or pending retirement of senior officers Mr A Edwards, formerly Area Manager North, and Mr U MacLennan, Area Manager, Training & Development, and also drew attention to the “pension bulge” that could be anticipated in the short to medium-term, as a number of firefighters were due to retire.

The Chief Fire Officer highlighted the ongoing traumatic effect on many officers of attendance at road traffic incidents, but also praised their skill levels and advised Members of the excellent performances of the Ness and Fort William teams at the Scottish National Extrication Challenge.

He also briefed Members on a recent visit by Mr Andrew Fleming of the Scottish Government and the opportunity this had provided to make him more fully aware of the special difficulties facing the Board area.

After discussion, the Board **NOTED** the position and **AGREED**:

- i. to send a letter of congratulations to the Ness and Fort William teams who had participated in the Extrication Challenge; and
- ii. to send an open letter of appreciation to the uniformed staff in acknowledgement of their dedication in the face of extremely difficult situations such as road traffic incidents.

19. Exclusion of the Public

The Board resolved that, under Section 50A(4) of the Local Government (Scotland) Act 1973, the public be excluded from the meeting during discussion of this item on the grounds that it would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 7A of the Act, the relevant paragraphs being shown.

20. Land for Servitude right of Access at New Fire Station, Dunvegan

Paragraphs 6, 8 and 9

There had been circulated to Members only copy reports from the District Valuer on terms agreed for Servitude Rights of Access required for the water supply to the new Fire Station, Dunvegan, Isle of Skye.

The Board **APPROVED** the terms as set out in the District Valuer's reports.

The meeting ended at 5.00 p.m.