

**Highland and Islands Fire Board  
No. 1 2008/2009**

Minutes of Meeting of the Highland and Islands Fire Board held in Council  
Headquarters, Glenurquhart Road, Inverness on Tuesday, 22 April 2008 at 10.30 a.m.

**Present**

**Representing the Highland  
Council:**

Mr R Durham	Mr D Henderson
Mr D Mackay	Mr J Gray
Mr D Bremner	Mr J Ford
Mr D Flear	Mrs L MacDonald
Mrs I Campbell	Mr D Fallows
Mrs M Paterson	Dr A Sinclair (Substitute)
Mr E Hunter	Mr H Wood (Substitute)

**Representing Comhairle nan Eilean  
Siar:**

Mr N M Macleod	Mr P Carlin
Mr C Nicolson	Mr I Mackenzie

**Representing Orkney Islands  
Council:**

Mr A Drever	Mr B Leslie
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**Representing Shetland Islands  
Council:**

Mr A Duncan	Mr A Cooper
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**Officials in attendance:**

Mr B Murray, Chief Fire Officer  
Mr T Wood, Deputy Chief Fire Officer  
Mr H Henny, Assistant Chief Fire Officer  
Mr J Donaldson, Area Manager, Operations Support  
Mr T Johnston, Area Manager, Community Risk Management  
Mr A MacAllister, Head of Corporate Services, Highland and Islands Fire and  
Rescue Service (HIFRS)  
Mrs M Fisk, Head of Human Resources, HIFRS  
Mrs V MacDonald, Finance Manager, HIFRS  
Mr M Jenks, Performance Information Management, HIFRS  
Mrs M Grigor, Treasurer's Office  
Mr J Kelman, Housing and Property Service, The Highland Council  
Ms M Morris, Clerk  
Mrs R Moir, Assistant Clerk  
Mrs L Lee, Clerk's Office

## Mr R Durham in the Chair

### 1. Apologies for Absence

Apologies for absence were intimated on behalf of Mr W Fernie, Mrs H Carmichael, Mr A Graham and Mr R Balfour, the Highland Council.

### 2. Appointment of Clerk and Monitoring Officer

Following the retiral of the previous Clerk, Ms Roslyn Pieroni, the Board **AGREED** to appoint Ms Michelle Morris, Assistant Chief Executive, The Highland Council, as Clerk to the Board.

The Board also **AGREED** that the person shortly to be appointed to the new post of Head of Legal and Democratic Services, The Highland Council, be also appointed Monitoring Officer to the Board at that time.

### 3. Board Membership Update

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

- Mr B Barclay had stepped down as a Substantive Member of the Board (25 October 2007)
- Mr A Graham, formerly a Substitute Member of the Board, had been appointed as a Substantive Member (25 October 2007)
- Mr H Wood had been appointed as a Substitute Member of the Board (13 December 2007)

The Board was advised that the Highland Council was in the process of renewing its contract for provision of IT Services, and that the Fire and Rescue Service had accepted the Highland Council's invitation to be included within the terms of contract. The Board **AGREED** that it seek to be represented on the Highland Council's recently established ICT Procurement Working Group.

### 4. Minutes of Meeting of 18 January 2008

The Minutes of Meeting held on 18 January 2008, copies of which had been circulated, were found correct and **APPROVED**.

### 5. Minutes of Integrated Risk Management Plan Working Group – 13 March 2008

There had been circulated Minutes of Meeting of the Integrated Risk Management Working Group held on 13 March 2008.

In response to questions raised, the Board was advised that

- there was no longer a requirement to submit formal uniformed establishment figures to the Scottish Government on an annual basis – this change had come about due to new financial arrangements for Local Government and the Integrated Risk Management Plan (IRMP) process,

which used an assessment of risk and need to inform where resources were required

- it was the Service's view that the four proposed Community Safety Advocate posts should be offered for a fixed term of 24 months initially, as this provided a balance between the flexibility sought by the Service and job security for the applicants; however, there was strong evidence that the posts would prove to be the way forward, and it was therefore likely that the Service would wish to continue the posts beyond the 24 month period

The Convener commented that there had been full discussion at the IRMP meeting, and gave an assurance that the Service was actively working to address sustainability issues which had been identified at a number of stations and Community Response Units (CRUs).

The Board **NOTED** that:

- i. information on the sustainability of individual stations/CRUs, including crewing levels, would be reported in future Sustainability Reports to the Board; and
- ii. attendance at IMRP Working Group meetings was open to all Board Members and that all reports considered by the Group were available to Board Members and Substitute Members on request.

The Board also **AGREED** the following recommendations made by the Working Group:

- i. **item 2:** (Automatic Fire Alarm response policy):
  - the implementation of a pilot project using the proposed response as set out in the report, for an initial period of six months, as part of the Board's IRMP
  - that the Area Manager for Community Risk Management monitor and review the effectiveness of the pilot and report with further recommendations to the Working Group;
- ii. **item 3:** the creation and filling of four additional Community Safety Advocate posts for a 24 month period in the first instance, to be funded through the existing Community Fire Safety budget; whilst making clear, however, the Board's aspiration that these posts would become permanent, subject to satisfactory monitoring of their effectiveness and to possible revision of the job descriptions; and
- iii. **item 4:**
  - the proposed methodology for the Sustainability Review of all stations/CRUs
  - that a further Sustainability Report be produced for the Board's consideration after March 2009
  - given that, following investigation and prior to March 2009, it could prove necessary for the Service to take immediate action to change the role of a limited number of individual stations/CRUs, that any such changes made by the Service be reported in the first instance to the Convener and the Members of the IMRP Working Group, and thereafter to the Board
  - to assist in progressing managed solutions to sustainability issues, communicating with communities where appropriate.

## 6. Minutes of Estate Condition Working Group – 13 March 2008

There had been circulated Minutes of the Estate Condition Working Group held on 13 March 2008. The Board **APPROVED** the Minutes subject to the amendment of the record of those having attended the meeting to reflect that Mr Flear had not been present at the meeting, and that Mr Duncan had attended rather than Mr Cooper.

The Chief Fire Officer having commented that it would be useful for Board Members to visit stations in other Fire and Rescue Services, and that the Board faced a significant capital challenge in upgrading 42 Fire Stations, the Board **AGREED:**

- i. the Working Group's recommendation that arrangements be made for Members of the Working Group to visit facilities in two other Scottish Fire and Rescue Service areas;
- ii. that these visits take place as soon as possible; and
- iii. that a report be brought back to the Board meeting on 11 September 2008.

## 7. Revenue Expenditure 2007/08 – Monitoring Statement

There had been circulated Report No. Fire7/08 dated 11 April 2008 by the Chief Fire Officer setting out the current position of the Revenue Monitoring Statement for the period to 29 February 2008, together with a statement by the Treasurer. The report showed that expenditure was in line with previous budget predictions with an estimated out-turn of a saving of around £238,000, i.e. just over 1% of the budget.

Having been reminded that £195,000 of the revenue budget had been funded from reserves, and that the savings would be required to ensure that reserves were maintained at the necessary level for 2008/09 and beyond, the Board **NOTED** the position.

## 8. Capital Expenditure 2007/08 – Monitoring Report

There had been circulated Report No. Fire8/08 dated 11 April 2008 by the Chief Fire Officer showing the expenditure and income relating to the Board's capital programme for the period to 29 February 2008, together with a statement by the Treasurer showing that approximately 80% of the budget had been spent to that date. The predicted year-end capital spend was £4,330,000, which was in line with the available resources. The increase on capital spend, as had been reported to the Board at its meeting on 18 January 2008, was mainly due to increased building costs which had been met via the agreed transfer of £200,000 from the Revenue budget.

The Board **NOTED** the position.

## 9. Capital Budget for 2008/09 and Outline Capital Plan for 2009 to 2011

There had been circulated Report No. Fire9/08 dated 11 April 2008 by the Chief Fire Officer setting out sources of capital funding available to the Board for 2008/09, and also the proposals and recommendations for allocating the Board's capital programme for 2008/09, taking account of the Service's strategic aims, in particular the commitment to improve its building stock and vehicle fleet.

The Chief Fire Officer explained that by budgeting for Interest on Revenue Balances (IORB) in the revenue budget, it would also be possible to create a budget for Capital From Current Revenue (CFCR) budget, enhancing funds available for capital expenditure. This approach was recommended to the Board. He also drew attention to recent successes in obtaining additional capital funding through “top slice” arrangements but cautioned that such funding was not guaranteed for future years. In future, a major portion of capital funding from the Scottish Government was likely to be geared towards training and New Dimension requirements; this could have a negative impact on top slice funding for capital projects and could also result in a reduction in the formula capital grant. However, the Convener and the Chief Fire Officer would actively lobby the Scottish Government to press for funding to meet the Board’s long term capital requirements and the Board would be kept informed of progress.

The Integrated Risk Management Plan (IRMP) process would also influence spending patterns in future years. Notwithstanding that the Service’s fleet had one of the longest use-spans in the country, there would also be a significant future capital requirement for vehicles. Other projected capital costs included £200,000 to maintain the existing IT systems and £100,000 for major repairs.

In response to a question raised, Members were informed that the Service Engineer investigated a range of options for vehicle purchase, including the “Fire-Buy” national scheme, and kept in touch with other Services across Scotland, in order to obtain best value. Purchases were made either of chassis only, or of the complete vehicle, depending on the market and in-house capacity for vehicle completion.

Members also questioned whether the design of a single rural station was appropriate, given that the estimated costs of this were £450,000, and that the Board had an outstanding building/upgrade programme of 42 stations. The Chief Fire Officer responded with a number of comments including:

- that the design of such stations was regularly reviewed, but the minimum requirement for a station included housing for the appliance, a training/lecture room, toilets and a small office
- a value engineering exercise had shown that only minimal savings could be made
- alternative styles might not meet planning requirements
- the Scottish Government had agreed to fund Rousay and Tongue - to alter the design of the buildings at this stage could delay the projects
- joint or community projects provided the most cost effective solution, but the timing of budgets for the potential partners did not always coincide
- the Estate Condition Working Group was investigating ways in which the Board could meet its buildings requirement and would report to the 11 September meeting.

In discussion, Members advocated proactively seeking out potential joint projects with partners, such as the Scottish Ambulance Service or the Maritime and Coastguard Agency, and closer working with the Constituent Authorities with a view to identifying potential projects with communities. It was suggested that community planning issues be included on the agenda when the Board met with the Constituent Authorities to discuss finance in the late summer/early autumn,

and also that the Board act as a catalyst in developing a plan for joint projects across the Highlands and Islands, and bring this to the attention of the Scottish Government. The station improvement programme had been left flexible, as (a) the IRMP would inform build priorities, (b) only sites in Board ownership could be taken forward, and (c) this would allow the Board to take advantage of any suitable joint projects which might arise.

Following further discussion, the Board **APPROVED**:

- i. the proposed capital programme for 2008/09 as outlined in Appendix 4 to the report, which reflected the inclusion of CFCR; and
- ii. the outline capital plan for 2009/10 and 2010/11.

The Board also **AGREED**:

- i. to adopt a policy to utilise any credit from the Interest earned on Revenue Balances (IORB) in the revenue account by creating a Capital From Current Revenue (CFCR) budget, to help meet the Board's capital challenge;
- ii. that a report be brought to the Board meeting on 11 September 2008 on current condition survey reports for Board properties;
- iii. that the Service liaise with the four constituent community planning partnerships and other agencies as appropriate in order to develop joint capital projects and report on progress to a future meeting of the Board; and
- iv. that information on what was required to be provided at a fire station, in terms of Health and Safety and Equalities etc legislation, and Planning and Building Standards, be brought to the Estates Condition Working Group.

## 10. Increase in Special Service Charges

There had been circulated Report No. Fire10/08 dated 11 April 2008 by the Chief Fire Officer advising that, in accordance with usual practice, Special Service Charges had been increased in line with inflation from 1 April 2008.

The Board **APPROVED** the changes to Special Service Charges as set out in the Appendix to the report.

## 11. Job Evaluation Scheme

There had been circulated Report No. Fire11/08 dated 28 February 2008 by the Chief Fire Officer advising that the Highlands and Islands Fire and Rescue Service (HIFRS) was legally obliged to provide a Job Evaluation Scheme to its employees under the 1999 Scottish Joint Council Single Status agreement. The report outlined recommendations from the HIFRS, which had been endorsed by the Personnel Adviser to the Board and which were supported by Unison, for meeting these requirements. The report concluded that the COSLA Job Evaluation Scheme offered the most suitable overall solution, and recommended measures to aid communication for such a vital process.

Members supported the proposed involvement of the Advisory, Conciliation and Arbitration Service (ACAS), and asked to be kept informed of any slippage in the timescale for the Scheme. Having **NOTED** that a progress report would be brought to the Board at its meeting on 11 September 2008, the Board **AGREED**:

- i. that HIFRS invite ACAS to facilitate agreement with the Unions on terms of reference, to ensure a positive start to the Job Evaluation process; and

- ii. the proposals for Single Status Job Evaluation, with its anticipated costs as set out in Appendix 2 to the report, and anticipated timescales as indicated in Appendix 3.

## 12. Disciplinary Procedure

There had been circulated Report No. Fire12/08 dated 14 April 2008 by the Chief Fire Officer requesting that the Board adopt a new Disciplinary Procedure which would apply to uniformed and non-uniformed staff. The procedure was based on the Advisory, Conciliatory and Arbitration Service's (ACAS) Best Practice Guidance and the Fire Service Scheme of Conditions of Service, (the "Grey Book").

The Assistant Chief Fire Officer explained that the Fire Service Disciplinary regulations of 1985 had been abolished in 2004 and that Fire and Rescue Services were now required to introduce their own discipline procedures for uniformed and non-uniformed staff, which must be ACAS compliant. The draft Procedure before the Board both met the ACAS requirements and was compliant with the detailed guidance contained within the National Scheme of Conditions of Service, and had been used by the Service in draft format over the past two years. There was broad agreement with the Unions on the Procedure, with the exception of the Fire Brigades Union, (FBU) who were of the view that the final arbiter in appeals should be a sub-committee of the Board, as an independent party, rather than the Chief Fire Officer as proposed in the draft Procedure. In answer to a question raised, and whilst commenting that he was unable to speak on behalf of the FBU, the Assistant Chief Fire Officer advised that the most recent correspondence received from the FBU also contained a number of other concerns relating to the proposals.

A variety of views were expressed in discussion, including:

- the final arbiter in appeals should not be the Chief Fire Officer - it would be fairer if such appeals were heard by a sub-committee
- it was important that there was a consensus before going forward – relations with staff were crucial
- ACAS accepted that there was no single model which would be appropriate for all bodies
- it would be useful to know what happened in other Fire and Rescue Services in this regard
- this was the first time Members had had sight of the proposed Procedure
- if the Procedure was ACAS compliant, it should be accepted - ACAS advice had proved to be sound on previous occasions
- the proposals had been under discussion for the past four years.

Having expressed support for the removal of the word "sick" from paragraph 2.2.1, the Board **AGREED** (a) to **DEFER** a decision until the meeting on 11 September 2008, to allow additional time for agreement to be sought with the FBU as to who should be the final arbiter in cases of appeal, and (b) that a report be brought to the September meeting providing (i) an update on the negotiations with the FBU, and (ii) information on the procedures adopted by other Fire and Rescue Services in respect of their arrangements for determining final appeals.

### 13. Joint Consultative Group

There had been circulated Report No. Fire13/08 dated 9 April 2008 by the Assistant Clerk recommending a revised role and remit for the Board's Joint Consultative Group (JCG), following consultation between Service Management and the Staff representatives, and taking account of the current provisions of the Fire Service Scheme of Conditions and Service (the "Grey Book") in relation to staff consultation and negotiations procedures. The report also recommended the appointment of four alternate Members to the JCG to assist in ensuring that Group meetings could be quorate.

Having heard the Deputy Chief Fire Officer speak in support of the proposals, and having been reminded that the Board's current Members on the JCG were Mr R Durham, Mr A Drever, Mr D Mackay and Mr W Fernie, the Board **AGREED**:

- i. the revised JCG remit, its role in the Service/Staff agreed consultation and negotiation procedures as set out in Appendix 1 to the report and the procedural protocol as set out in Appendix 2; and
- ii. to appoint the following four alternate Members to substitute for an elected JCG Member, at the latter's request, as required: Mrs L MacDonald, Mr D Flear, Mr J Ford, Mr P Carlin.

### 14. Pensions – Discretionary Policies Review: Abatement and Suspension of Contributions

There had been circulated Report No. Fire14/08 dated 8 April 2008 by the Treasurer reviewing the Board's discretionary policies under the Local Government Pension Scheme following changes in HM Revenue and Customs (HMRS) legislation.

The Board **NOTED** the removal of the policy on the abatement of pensions upon re-employment and **AGREED**:

- i. that the suspension of contributions, as detailed in the report, be removed with effect from 1 October 2006;
- ii. to review all policies in 2008 as part of the five year review incorporating those changes; and
- iii. that, in line with the main scheme policy, there be an "opt out" provision allowing reconsideration of any specific discretion if the specific circumstances of an individual case merited it.

### 15. Scheme of Approved Duties

There had been circulated Report No. Fire15/08 dated 4 April 2008 by the Assistant Clerk recommending a Scheme of Approved Duties tailored to the circumstances of Board Membership.

The Board **APPROVED** the Scheme, subject to the amendment of the opening words of the sentence in bold immediately following paragraph 2.2 to read: "Attendance at **other** social or entertainment events...."

### 16. Gender Equality Scheme

The Board **AGREED** to delegate powers to the Clerk, in consultation with the Convener, Vice Convener and the Board's Equality and Diversity Champions, Mr J H Ford and Mrs H Carmichael, to prepare and publish the Board's annual report on its Gender Equality Scheme by the deadline of 30 June 2008.

#### **17. Capital Programme Monitoring Report**

There had been circulated Report No. Fire 16/08 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 on behalf of the Board.

The Project Manager, Housing and Property Service, the Highland Council provided an update on progress since the report was compiled and reported that it was anticipated that the delays would be slightly less than indicated in the report, as contractors worked to catch up on time lost.

Members commented favourably on the recent opening of Fort William Fire Station. Following questions raised, the Chief Fire Officer undertook to investigate the position regarding a request from the Valtos Trust, that the former fire station at Uig be disposed of to the Trust, it being understood that the land on which the station was situated had originally been gifted by the Valtos crofters.

The Board **NOTED** the report and the information given.

#### **18. Site Acquisitions Progress Report**

There had been circulated and was **NOTED** Report No. Fire17/08 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.

#### **19. Planned and Capitalised Maintenance – Monitoring Report**

There had been circulated and was **NOTED** Report No. Fire18/08 dated 14 April 2008 by the Director of Housing and Property of the Highland Council on the Planned Maintenance Programme and the progress being made.

#### **20. Disposal of Surplus Property – Land at Dunvegan**

Members were advised that, in consultation with the Convener and Vice Convener, the Chief Fire Officer had declared an area of land adjacent to the new Fire Station, Dunvegan, as surplus to requirements and arrangements could now be made for its disposal. The land had been acquired for the purpose of a training area but was no longer required.

The Board **APPROVED** the disposal of this property.

#### **21. Operational Update**

The Area Manager, Community Risk Management, reported on three significant incidents attended by the Service in recent weeks. Ward Members and Fire Board Members had been contacted after each incident and provided with information to enable them to support their communities.

**Caravan Fire, Dornoch, 9 April 2008**

The Service had been alerted to this incident via a late call to a remote caravan. The fire had burnt itself out, but there had been one fatality. A “Hot Strike” campaign had been carried out locally and at other caravan sites, with Community Safety Advocates promoting the fire safety message.

### **House Fire, Foyers, 4 April 2008**

This fire had spread rapidly and, although crews had dealt with the incident effectively, there had been 2 fatalities. The actions taken by a surviving family member following the incident to promote fire safety through the media were praised. A “Hot Strike” campaign had been carried out and the Inverness Courier would be running a fire safety campaign over the coming weeks.

### **Primary School, Tarbert, 8 March 2008**

This had been a major fire attended by 5 appliances. Teams had performed well, taking water from the sea, and 50% of the building had been saved. Photographs were shown of the effect on areas to either side of a fire door, illustrating how crucial the door had been in preventing the spread of fire.

In discussion, Members praised the efforts of the retained fire fighters, particularly with regard to the Foyers fire. Crew members had worked beyond what was expected in what had been tragic, difficult and traumatic circumstances, and their efforts should be recognised.

In response to a question raised, Members were advised that, where lessons were learnt following a fire, this information was disseminated to all staff and also to other Fire and Rescue Services.

The Chief Fire Officer updated the Board on a number of other activities in which the Service had recently been involved.

### **Extrication Competition**

This had been won by the Fort William team the previous year, who had then gone on to the Scottish and British Championships, and were now to attend the World Championships. This year’s competition had been won by the Benbecula team, with Ness coming second. Communities in Highland could be reassured by the high standard of skills of their fire fighters.

### **Service Football Team**

The Service football team was through to the final of the British cup, which would be held in Doncaster on 1 May. The team enhanced the reputation of the service, promoted staff health and brought full time, retained and support staff together. The Board **NOTED** that transport costs and facilities had been provided by the Service.

### **Opening of Fort William and Beaully Fire Stations**

Both events had gone extremely well. The Convener commented on the pride communities took in their Fire Station.

The Board **NOTED** the information given and **AGREED** that a letter be sent on behalf of the Board to the surviving parent of the fire at Foyers, extending the Board’s sympathies for her losses and its appreciation of the actions she had taken in promoting fire safety since the incident.

## 22. 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 the following item on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 7A of the Act.

## 23. Principal Officers' Pay

There had been circulated to Members only Report No. Fire19/08 dated 9 April 2008 by the Assistant Clerk, relating to the annual review of Principal Officers' pay.

The Board **NOTED** that a further report on the annual review of Principal Officers' pay would be brought to the meeting on 11 September 2008, and **AGREED** that, if required in the interim, issues arising in the course of the annual pay review be considered by the Policy and Finance Working Group, with a view to making recommendations to the Board.

The meeting ended at 12.30 p.m.