

NORTH WALES FIRE AUTHORITY

These are the minutes of the Executive Panel meeting of the North Wales Fire Authority held on Thursday 20th May 2004 at Fire and Rescue Service Headquarters, Rhyl. Meeting commenced at 10:00am.

Present:

Councillor

T Roberts (Chairman)
M Ll Davies (Vice-Chairman)

S C Jones
D Jones MBE
D M Morris
R P MacFarlane
W T Owen
W J Chorlton
J A Roberts

Representing

Gwynedd Council
Denbighshire County Council

Conwy County Borough Council
Denbighshire County Council
Denbighshire County Council
Flintshire County Council
Gwynedd Council
Isle of Anglesey County Council
Isle of Anglesey County Council

Also present:

P S Coles (Deputy Chief Fire Officer); I R Miller (Clerk and Monitoring Officer to the Authority); C Hanks (Assistant Chief Fire Officer, Service Support); K Hughes (Development Manager); S Morris (Projects Officer); J Purser (FBU Brigade Secretary); S Williams (FBU Brigade Chair); T Pye (FBU, Skills, Learning and Development Centre representative) and Rh Evans (Member Liaison Officer).

PART I

1) Apologies

Councillor

J R Hughes
D G Parry
D B Evans
E C George
F A Nichols

P S Claydon
P L Slee
K W Finch

Representing

Conwy County Borough Council
Flintshire County Council
Gwynedd Council
Wrexham County Borough Council
Wrexham County Borough Council

Assistant Chief Fire Officer (Service Delivery)
Assistant Chief Officer (Corporate Services)
Treasurer to the Authority

2) Notice of Urgent Matters

The Chairman advised that no items had been submitted to him or the Clerk for consideration.

3) Minutes

The following minutes were submitted:

- i. Executive Panel meeting held on 22nd April 2004
- ii. Special Sub-Committee meeting held on 22nd April 2004

Resolved: -

- i. to approve the minutes as a true and correct record of proceedings; and*
- ii. to note the Special Sub-Committee's decision to increase the Chief Fire Officer's base salary with effect from 1st January 2004, with the salaries of the other Principal Officers being increased to the relevant percentage levels of the Chief Fire Officer's salary from the same date*

4) Matters Arising

The following points were raised from the minutes of the meeting held 22nd April 2004:

Page 2 – Allowances for Fire Authority Members: The Chairman informed the Panel that a delegation from the Authority had met with Ms Sue Essex AM, the National Assembly's Minister for Finance, Local Government and Public Services at Llandudno on 29th April 2004 to air the Authority's grievances regarding the delay, and other issues relating to the Draft Regulations for the Scheme of Allowances for Members of Fire Authorities in Wales. The delegation were both disappointed and dismayed by the Minister's apparent lack of briefing on the issues raised during the meeting, especially in view of the fact that the Authority had corresponded extensively with the Assembly on the proposed Scheme. The Chairman thanked the Clerk for his continued support, his assistance on legal issues and for accompanying the delegation to the meeting. Members were advised by the Chairman that he had been present at a meeting of Mid and West Wales Fire Authority on 17th May 2004 at which the meticulous work of the Clerk of North Wales Fire Authority, on behalf of all Welsh fire authorities on this issue, had been praised. Members were informed by the Chairman that a delegation from the Wales Fire Services' Forum was due to meet the Minister on 27th May 2004 with a view to reiterating the concerns and exerting further pressure on the Welsh Assembly Government (WAG) to introduce the Allowances without further delay.

Page 7 – Fire and Rescue Services Bill: Members were informed by the Clerk that he had attended the House of Lords the previous day, the third day of the Upper House's Committee Stage of the Bill. He confirmed that the lobbying of Peers to

table amendments to the Bill on behalf of the Welsh fire authorities had been successful. Lord Hanningfield, on behalf of the Opposition Peers, had already tabled two amendments on which the Authority had lobbied and had indicated his intention to table another amendment that day. Lord Hooson had persuaded the Liberal Democrat peers to put forward another amendment whilst Lord Roberts of Conwy had indicated his willingness to assist in tabling an amendment opposing the National Assembly for Wales (NAfW) being given the power to appoint members to serve on fire authorities in Wales. The Clerk indicated that it was his intention to attend the House again on 24th May 2004 when the Committee would be dealing with other issues of interest to Welsh fire authorities. The Chairman thanked the Clerk for his continued work in lobbying on behalf all Welsh fire authorities on the Bill.

Page 7 – Former Llanfairfechan Fire Station: Councillor S C Jones enquired whether any developments had been made regarding the Authority's decision, in principle, to lease the site of the former fire station to the interested party as some Llanfairfechan residents had voiced concerns about the situation. The Deputy Chief Fire Officer advised that the interested party had now submitted its Business Plan and indicated its intention to lease the site for two years. The Chairman requested that a report be presented to the Authority in due course updating members on the current situation. It was:

Resolved: - that a report be submitted to the Authority in the near future to update members on the current position regarding the site of the former Llanfairfechan fire station

5) Hearing on a Failure to Agree

The Clerk introduced his report (previously circulated) which sought the Panel's agreement for a methodology for the hearing and outlined the background to it, including a summary of the Management and the Fire Brigades' Union's (FBU) positions. He emphasised that the sole issue about which the failure to agree had been registered surrounded the proposed procedure to be undertaken for the filling of the Instruction, Development and Facilitation Officer (IDFO) posts within the Skills, Learning and Development Centre (SLDC) following a restructuring exercise.

Councillor W J Chorlton commented that he was of the view that a written methodology for undertaking a failure to agree hearing already existed but was satisfied with the methodology recommended in the report. It was:

Resolved: - to adopt the methodology as recommended in the report for conducting the hearing

The Chairman invited the Deputy Chief Fire Officer to present the Management's position. Members were advised by the Deputy Chief Fire Officer that the restructuring of the SLDC had been identified as an essential requirement in order to ensure effective implementation and delivery of the Integrated Personal

Development System (IPDS), which was one of the cornerstones of the modern fire service. IPDS was seen as a fundamental, as well as a cultural, change within the UK fire service and it was imperative that the Brigade ensured that it had the right people delivering the proper training to each individual be they operational, control, uniformed or non-uniformed members of staff. The Deputy Chief Fire Officer explained that the Brigade Management Team (BMT) had considered the proposed re-structure in August 2003 and had determined the staffing levels at that time. Between November 2003 and 24 March 2004, when the failure to agree had been registered, numerous letters had been exchanged and various meetings had been held between Management and the FBU in order to resolve a number of issues relating to the re-structure.

Divisional Officer (DO) Kevin Hughes briefed the Panel on the principles of IPDS: the continual selection and development of training, for staff and Fire Authority members, which would be tailored to each individual's personal requirements. Because this was a totally new approach to the career development of all staff and members, and as the Centre had recently successfully gained Edexcel accreditation as a centre of excellence for the delivery of IPDS training it was therefore, crucial that it was staffed by the best qualified personnel. The whole concept of IPDS was equal and fair treatment to all members of staff, therefore, it was important that the posts were openly advertised to all North Wales Fire and Rescue Service personnel as there may be staff outside of the current SLDC who were qualified and competent to operate within the new roles. The Deputy Chief Fire Officer explained that the original intention had been to advertise the new posts in January 2004 but, due to the ongoing negotiations to try and resolve the differences on various issues between the Management and the Union, this had resulted in a delay of nearly 6 months. Members were alerted to the fact that, as the second stage of the Verification Audit was due to start at the beginning of June, the delay encountered in implementing the new structure may well adversely effect the Authority's rating under the verification process. Both the Deputy Chief Fire Officer and DO Hughes were of the view that the job description for the new IDFOs posts differed significantly from the job description of the current Sub-Officer rank Training Instructors. The current role was one very much of a practical course-based training instructor whilst the new role would be that of a facilitator. Both the Deputy Chief Fire Officer and DO Hughes shared the view that the present SLDC trainers were well placed to succeed in applying for any of the posts when advertised.

Members were given an opportunity to ask questions to the Management representatives who clarified numerous issues relating to the number of posts available, the skills and attributes required to undertake the new roles, and the requirements the new roles demanded that would be different to what the current roles entailed. Assurances were given to members that any personnel who were either unsuccessful during the selection process, or did not wish to apply for any of the new posts would be "slotted in" to the vacant Station Officer posts which had deliberately not been filled on a permanent basis until the restructuring of the SLDC was completed.

The FBU were then given the opportunity to ask questions to the Management side which they duly answered. Answers to the questions confirmed that, under the new structure the 10% salary enhancement paid to training officers would be increased to 20% because the IDFOs would be empowered to a far greater extent than the current training officers as they would be expected to deliver training that was tailored to individual need rather than on the current basis of 'one size fits all'. They would also be expected to work evenings in order to deliver training to personnel at retained stations. The Deputy Chief Fire Officer confirmed that, of the 8 permanent training officers in post at present, 3 had current valid transfer requests, although it was not known whether any of them would apply for the new IDFO posts. He also confirmed that both the Manager and Deputy Manager posts at the SLDC had been filled following an open competition which had been advertised.

11:25am – the meeting adjourned for a short break and reconvened at 11:30am.

Following a request from both the Chairman and the Union a copy of the "Job Description" for the current training instructor role and the new IDFO role was distributed to all present.

Mr John Purser, FBU Brigade Secretary, then presented the Union's arguments. The FBU did this by taking the Panel through each point listed in the IDFO's job description and comparing the job purpose, duties and responsibilities, supervisory responsibility, and contacts outside own section specifications with the corresponding requirements as stipulated in the current training officer's job description. He advised that the latter job description had been drawn up when the Authority was formed in 1996 and although the role had evolved considerably since then, and that a restructure of the Training Department had taken place in 2000, the job description itself had not been amended. During the previous restructure staff had been "slotted in". Therefore it was the Union's view that the same procedure should be applied for allocating the IDFO posts. The FBU was of the opinion that the proposed change was purely a cosmetic change of job title, as the job descriptions illustrated that there was very little variance between the two roles. Mr Purser emphasised that the extra competencies required for the new roles could be delivered to the existing training officers in a short period of time and with minimal cost implications for the Authority whilst, if the Authority adopted the Management's position it may be saddled with considerable costs due to the heavy training commitment that would be required if staff from outside the current department were recruited. Such a situation would also result in the Centre losing the current wealth of expertise that it possessed, which would inevitably lead to a loss of morale amongst staff.

Union representatives then answered members' questions during which they expressed concerns about the level of training currently given to temporary personnel at the SLDC. But they confirmed that the training delivered by the Centre's staff was of the highest standard; it had a proven track record as no complaints had been registered. Mr Purser confirmed that the training staff

supported the Union's stance on the issue of opposing the principle of personnel having to reapply for virtually the same jobs as they were currently performing. The Union agreed that the roles had changed since the restructure of the Department 2000, but in their opinion these changes had evolved over time and the roles currently performed by the training officers were very similar to the roles of the IDFOs. The Union agreed with Management that the three Co-ordinators posts, which would be new posts, created under the restructure, should be advertised and filled following an open competition. The representatives also indicated their willingness for the same procedure to be applied to any IDFO posts that remained vacant following the "slotting in" of current staff members. Union representatives also confirmed that if the Management's position was adopted, current training officers who were unsuccessful in applying for the new posts would not be entitled to their 10% salary enhancement when they transferred to "watch duties".

Management were then given an opportunity to question the Union. The Management side expressed concern that all the examples of the aptitudes required for the provision of training quoted by the Union related to operational issues; no references had been made to the provision of training for other staff members or Authority members. In reply to a statement from Management that the duties of an IDFO would differ from that of a current training officer by approximately 60%, the Union claimed that if this were the case then the 'Job Description' therefore must be an example of a badly drafted document. Advisory, Conciliation and Arbitration Service (ACAS) guidelines stated that a 'job description' must accurately reflect the duties expected of an individual in a specific role and the Union were of the view that they had sufficiently proven by comparing both 'job descriptions' that there were very few differences between both roles.

Both sides were given an opportunity to present closing statements to the Panel. The Deputy Chief Fire Officer gave a synopsis of the Management's case and Mr Purser summarised the FBU's position. Both representatives thanked members for allowing them time to present their respective viewpoints. Representatives of both sides left the meeting whilst the Panel deliberated.

The meeting adjourned at 12:50pm and re-convened at 1pm.

Each individual Panel member was invited by the Chairman to express their opinion on the evidence they had heard before the Panel discussed at length the various issues raised by both sides. Some members were of the view that adopting the "slotting in" method for the new IDFO roles would be contrary to the ideals of fairness and equality to all personnel which the modern fire service was attempting to advocate and may give cause for non-uniformed staff to feel aggrieved. Other members felt that they had no option but to support the Union on this occasion because of the strength of the case they had presented and due to the Management side not having persuaded them about some of the claims the FBU had made, although they did not want this case to set a

precedent for any future staffing appointments. On being put to the vote, by a majority decision, it was:

Resolved: -

- i. that, following competition for the station management posts in the new structure of the Skills, Learning and Development Centre which would be open to all staff of the Fire Authority, the watch management posts in the new structure would be filled by slotting in the existing permanent trainers. This would be subject to management being satisfied that the trainers meet the requirements of the Appointments and Promotion Regulations 2004, particularly Regulation 6, and;***
- ii. that the above decision in no way sets a precedent for the handling of future restructurings within the Service***

Both sides were informed of the decision by the Chairman and the Clerk.

6) Urgent Matters

None.

PART II

No business.

Meeting concluded at 1:30pm.

The above minutes, pending any inclusions shown, are approved as a true and correct record of proceedings.

Signed: I Roberts

Dated: 26 August, 2004

