

SOUTH YORKSHIRE FIRE AND RESCUE AUTHORITY

23 JULY 2018

PRESENT: Councillor C Lamb (Chair)
Councillor A Atkin (Vice-Chair)
Councillors: S Ayris, M Clements, T Hussain, C Ross,
T Damms, P Haith, C Hogarth, C Ransome, J Satur and
Dr A Billings

CFO J Courtney, QFSM, DCFO M Blunden, ACFO A Johnson
and S Booth (South Yorkshire Fire & Rescue Service)

A Frosdick, N Copley, M McCarthy, L Noble and M McCoole
(Barnsley MBC)

M Clements (Office of the South Yorkshire Police and Crime
Commissioner)

A Bosmans (Chair, Local Pension Board)

Apologies for absence were received from Councillor R Taylor,
A Brown, D Terris, M Buttery and R Brason

1 APOLOGIES

Apologies for absence were noted as above.

2 ANNOUNCEMENTS

None.

3 URGENT ITEMS

None.

4 ITEMS TO BE CONSIDERED IN THE ABSENCE OF THE PUBLIC AND PRESS

None.

5 DECLARATIONS OF INTEREST BY INDIVIDUAL MEMBERS IN RELATION TO ANY ITEM OF BUSINESS ON THE AGENDA

None.

6 REPORTS BY MEMBERS

Councillors Satur, Haith, Clements and Lamb had attended the 61st Recruits Course Passing Out Parade held at the SYFR Training and Development Centre on 20 July 2018. They expressed their congratulations to the 11 new firefighter recruits.

Councillor Lamb said the event had been a very humbling experience in celebrating the success of the new firefighter recruits, and all of the SYFR staff involved, who had worked tirelessly in preparation and during the 13 week recruitment course.

7 RECEIPT OF PETITIONS

None.

8 TO RECEIVE ANY QUESTIONS OR COMMUNICATIONS FROM THE PUBLIC, OR COMMUNICATIONS SUBMITTED BY THE CHAIR OR THE CLERK AND TO PASS SUCH RESOLUTIONS THEREON AS THE STANDING ORDERS PERMIT AND AS MAY BE DEEMED EXPEDIENT.

None.

9 MINUTES OF THE ANNUAL AUTHORITY MEETING HELD ON 25 JUNE 2018

RESOLVED – That Members agreed that the minutes of the Annual Authority meeting held on 25 June 2018 be signed by the Chair as a correct record.

10 MINUTES OF THE ORDINARY AUTHORITY MEETING HELD ON 25 JUNE 2018

Councillor Ross highlighted that Members still awaited the details of the precise costing in relation to the judicial review on Close Proximity Crewing (CPC).

A Frosdick assured Members that he would provide them with the information as soon as clarification of the costings was known. He did not anticipate that the figures would be significantly different to what had been stated at the last Authority meeting. The legal costs incurred by the Authority in relation to the CPC judicial review would be in the region of £75k.

Councillor Ransome queried the whole cost to the Authority and ultimately to the tax payer.

A Frosdick reminded Members of the need to distinguish between the two elements of the litigation i.e. the ongoing detriment claims to the Employment Tribunal, and until these were resolved the precise cost of compensation to be paid to the individuals was unknown, and likewise the legal costs relating to those proceedings, and the more specific legal costs relating to the judicial review, which would be a much more compartmentalised figure.

Councillor Ayris queried whether the information to be provided to Members would include the potential compensation claims.

A Frosdick stated that the outcome of the hearing and the full financial implications would be reported to Members. The hearing was scheduled to be held during the last week of September and the first two weeks of October 2018.

RESOLVED – That Members:-

- i) Would be provided with the details of the full financial implications in relation to the detriment claims relating to Close Proximity Crewing (CPC), upon conclusion of the hearing.
- ii) Agreed that the minutes of the Ordinary Authority Meeting held on 25 June 2018 be signed by the Chair as a correct record.

11 LOCAL PENSION BOARD - ANNUAL REPORT

Andrew Bosmans, Chair of the Fire and Rescue Authority's Local Pension Board, presented its Annual Report for 2017/18. He had been Chair of the Board since its establishment on 1 April 2015; its primary aim to oversee the administration of the Firefighters' Pension Scheme. He was grateful for the support received from the Authority during this time.

The National Scheme Advisory Board had identified the South Yorkshire Board as a benchmark to other Fire Local Pension Boards in terms of the guidance, advice and range of topics discussed at its meetings.

The LGA had offered to provide a joint training session for both the Board and Members of the Authority in October 2018, which would ensure that the Authority was fully aware of its role and responsibilities as Scheme Manager. The Board would produce its own Breaches Policy, which would form part of the training and awareness session. A Bosmans urged Members to attend the event if possible.

The Board would be represented at the Annual Firefighters' Pensions Conference on 17 and 18 September 2018.

Councillor Lamb personally thanked A Bosmans for providing leadership to the Local Pension Board over the last 3 years, and he also thanked the Members of the Board.

Councillor Clements endorsed the remarks made from A Bosmans. He had found his first meeting as Lead Member to be very well run and looked forward to the training session in October 2018. He would arrange to meet with A Bosmans to discuss mutual support and looked forward to a long and happy relationship with the Board.

A Bosmans suggested the Chair of the Authority also be included in that meeting.

Councillor Ayris commented that it was pleasing to observe the employee representation on the Board, together with the £5k budget for expenditure, which was both refreshing and good practice.

RESOLVED – That Members noted:-

- i) The third Annual report of the Local Pension Board.
- ii) That A Bosmans would meet with the Chair of the Authority and the Lead Member, Councillor Clements.

12 CPC - THE WAY FORWARD

A report of the Chief Fire Officer and Chief Executive was submitted updating Members on the current position in regard to Close Proximity Crewing (CPC).

CFO Courtney stated that Mr Justice Kerr, who had recently presided over the judicial review on the use of CPC, had issued a Declaration that CPC was unlawful in the absence of a collective arrangement. This had presented the Authority and SYFR with a challenge to find a way beyond CPC and to determine how to continue to provide a service to the residents of South Yorkshire without use of that system.

During the early days of austerity, SYFR had researched the fire sector to ascertain the initiatives introduced elsewhere towards making savings from annual budgets, whilst having the least impact on the service provided. CPC style crewing systems had been utilised to good effect in other Fire and Rescue Services. SYFR had subsequently introduced CPC across four South Yorkshire fire stations. This had provided an opportunity to continue to maintain an immediate response from four of the existing, quieter, one pump fire stations, and reduced costs generating a net saving on the budget of £1.4m per year.

It would be necessary to ascertain a way forward to effectively generate similar savings from elsewhere in the absence of CPC. The options available for Members' consideration included in the first instance to prevail upon the SYFR's Fire Brigades' Union officials to recognise the detrimental impact of their current position relating to CPC and to adopt the 'no challenge' position which exists in all other services operating CPC style systems across the sector.

One approach put forward was that Authority reserves could be utilised to prop up the current system and employ firefighters to return the CPC stations to the previous wholetime 2-2-4 crewing system. SYFR did not consider this to be a feasible option, as the Authority had made a commitment to the Government within its Efficiency Plan to utilise its reserves on capital expenditure going forward, and not to increase the existing burden on capital debt. Should reserves be chosen to fund firefighter posts, then capital investment would have to be covered through additional borrowing. Furthermore the use of reserves for other than short term smoothing of adjustments to expenditure was not financially sustainable.

A third option was to increase the council tax precept to the local council tax payers by an amount in addition to the current cap which was approximately 2%. This option would require a referendum at an approximate cost of £0.5m; which would be a significant investment without any guarantee of the outcome. It was envisaged that the increase required to generate the amounts to balance the budget would be in the region of 8% to 10% on the existing council tax precept.

Additionally the Authority might choose to instruct the Service to commence the process of re-visiting the IRMP, to ascertain changes that could be made elsewhere to generate the savings required, whilst having the least possible impact on the service provided to the residents of South Yorkshire. Should Members choose to instruct SYFR to review the IRMP, this process could commence immediately, and would require full consultation as recommended in the National Framework for fire and rescue services.

Councillor Ayris expressed his disappointment at the lack of financial detail within the report. He sought clarification as to the £1.6m which had been referred to in the previous reports, in comparison to £1.4m detailed in the report today.

CFO Courtney stated that, whilst the debate around the CPC legality or otherwise, had continued it had not been possible to progress works to provide the required level of accommodation at the four CPC stations. The interim position was that those people working on CPC had been paid an allowance to accept the previous level of accommodation, until such time as the issue was resolved, and ultimately investment made at those fire stations to bring them up to the required level.

Councillor Ayris referred to the committed spend on capital projects. He had not observed any clear figures as to what had been committed.

The Director of Support Services stated that this had formed part of the budget setting programme, which had been presented to the Authority meeting in February 2018, and had provided a full breakdown on the £17m investment which had been planned across property, transport, ICT and operational equipment.

Councillor Ross suggested that the Authority should proceed with re-visiting the IRMP but keep all other options open, due to the fact that there was insufficient information available to make a final recommendation.

Dr Billings queried whether the CPC schemes, that had been agreed at other fire and rescue services across the country, were exactly the same as that rejected in South Yorkshire or whether they were materially very different.

CFO Courtney stated that the CPC schemes were materially the same as in South Yorkshire, insofar as the application of the working time directive issues. There were small differences between the CPC systems, but the key issues were materially the same for all of these systems.

Dr Billings commented that his personal view was that the Authority should not pursue all of the options. He suggested that the Authority should opt for Option 1, discussion with the FBU in order to gain a greater understanding of the position, and that Option 4, a revised IRMP, was the only other alternative.

Councillor Clements suggested that a number of issues had been omitted from the report. He expressed concern that the report had not referred to the issue of pay protection for those SYFR employees currently working CPC, and he queried whether the cost which would be incurred over a 2 year period would be met out of reserves. He also queried whether the figure of £1.4m was gross or net of the anticipated saving by not paying the 30% uplift to the SYFR employees currently working CPC, and whether this would result in a reduction. He believed that consultation was required either formally or informally, and that the employee representatives should be consulted as a matter of urgency. He would endorse any changes made to the recommendations.

CFO Courtney confirmed that the £1.4m was the net saving, together with all of the other costs taken into consideration; it did not include the allowance to firefighters

operating the CPC system. He stated that the 30% uplift had been added to the running cost of CPC, which was deducted from the cost of a traditional one pump fire station and provided a saving of approximately £400k, which equated to £1.6m for the four one pump fire stations. The only difference was that those figures did not acknowledge the allowance paid to CPC operatives due to the accommodation situation.

A Frosdick stated that the report presented a number of options, to which a proposal would need to be moved. At this stage, it was necessary for the Authority to protect its position in terms of the litigation, and to evidence that appropriate action was being undertaken to respond to the implications of the judgement. He advised Members, given the implications of the other options, and with the exception of Option 4, to be prepared to recognise that, whilst the other options could be left open while progressing the more comprehensive implications of amending the IRMP, to be prepared to proceed clearly along those lines to amend the IRMP as necessary in order to deliver savings.

CFO Courtney stated that a decision had been made specifically not to directly reference Option 4, as it was recognised that Members would not want to immediately dismiss the other options. SYFR was very conscious of the significant work that was required in relation to Option 4, together with the need to demonstrate appropriate risk management planning etc. SYFR considered that the IRMP process would have to be undertaken in order to determine the ultimate impact upon the incident response arrangements of the Service.

Councillor Lamb proposed that Recommendation a) of the report be amended to indicate that 'Members continued to consider the various options available to the Authority within the report, but to recognise the need for management to prepare a revised IRMP', and to delete Recommendation b) of the report.

A Frosdick considered that the proposed amendments to the recommendations would be more than sufficient, to demonstrate the commitment to protect the Authority's interests.

Councillor Ransome agreed with many of the points raised today, with the exception as to whether the consultation would include the Fire Brigades Union (FBU). She recalled the legal advice previously provided to the Authority, to proceed with the court case; Councillor Ayriss and herself had voted against that decision. She queried why the Authority was in this current situation. Councillor Lamb suggested that there was little value in looking backwards. It was imperative that a conversation be undertaken with the FBU, to establish what they considered was potentially acceptable/unacceptable, and to determine whether they had an alternative plan.

CFO Courtney confirmed that the FBU, together with other representative bodies, and interested parties were always consulted with in respect of the IRMP, and this is laid down in national guidance. Members had predominately recognised, in relation to CPC, that SYFR were trying to protect the service provided to the residents of South Yorkshire against the backdrop of cuts. CPC which was operated by personnel volunteering to work the system, continued to work well in other areas of the country, by virtue of the fact that the local FBU Officials had not

chosen to challenge the position. It was extremely unfortunate for SYFR to be in this position today, given that potentially the outcome could result in a lesser service provided to the residents of South Yorkshire.

Councillor Ransome referred to earlier discussions on legal matters.

A Frosdick had not been privy to any direct discussions referred to between Members and Counsel. His assessment of the position as the Authority's Monitoring Officer was that CPC represented a system that operated satisfactorily in other areas without challenge from the FBU and significantly reduced the cost to the tax payer. SYFR had an arrangement that was compliant in terms of health and safety, and was operationally acceptable with firefighters who were willing to work the system and those that did not wish to work on CPC were able to work elsewhere. It was recognised that there was an issue of non-compliance with the working time directive, in the absence of a collective agreement, but Counsel's advice was that the Judicial Review proceedings should be resisted. It had been reasonable to request the Judge to take the approach, given that judicial review as a discretionary remedy, that it was reasonable not to offer relief in response to the FBU's claim. Mr Justice Kerr had suggested that the problem may ultimately be with the law and not with what SYFR was trying to achieve, but he could not condone something that was nevertheless not in compliance with the law. He had therefore made a declaration that what SYFR was undertaking was unlawful. In the circumstances the approach taken by the Authority was in A Frosdick's view as the Monitoring Officer a reasonable strategy to adopt and that it had been appropriate to defend the proceedings rather than to concede them.

CFO Courtney stated that by utilising the staff at Fire HQ, who would undertake the analysis, a set of proposals would be agreed to be included in a draft IRMP to be consulted on with SYFR staff and other bodies, who would have an opportunity to comment on the document. A draft of the IRMP would be presented to the Authority for approval.

DCFO Blunden referred to the draft proposals for the last IRMP, which had been presented to every member of SYFR staff for comments. Feedback had been undertaken between September and December 2016, which had resulted in the draft IRMP being amended before being submitted to the Authority for approval.

Councillor Ayris proposed an amendment to the recommendations within the report, to retain Recommendation a) and to replace Recommendation b) with 'to commence the process of developing a new draft IRMP in line with the requirements of the current National Framework document including further exploration of the use in the interim of reserve funds'.

A Frosdick considered that Councillor Ayris' suggestion to amend the recommendations in the report to be acceptable, although this would rule out one or two of the other options. The wording itself achieved the purpose that he was looking for the Authority to demonstrate progress.

N Copley stated that his advice as Treasurer would be that any use of reserves would only be a temporary bridging strategy whilst the revised IRMP was developed, and therefore the wording would be satisfactory.

CFO Courtney expressed SYFR's concern around the reserves in relation to recruiting a firefighter, which was a 40 year commitment. Reserves could be used in the short term, but recruitment was a lengthy process involving HR and others.

Councillor Clements spoke against Councillor Ayris' suggested amendment, as he felt it would commit the Authority to a particular course of action. He considered it to be premature for the Authority to commit to any course of action, until the widest discussions and consultations had been undertaken. He considered that the Authority was in this position due to the policy that had been adopted in an attempt to try to ameliorate the situation that the previous Government and this Government had imposed upon the Authority, leading to austerity.

Councillor Ross reiterated his previous comments for the Authority not to close off any of the options.

Councillor Ayris stated that the phraseology had been deliberately used in order not to exclude all of the other options. The purpose was to progress with the IRMP and, in tandem, to work on the calculations on the implications of the other options as the IRMP developed within the requirements of the National Framework document, which specified consultation with the trade unions and members of the public. He took issue with CFO Courtney's statement regarding the 40 year commitment to firefighters, which he did not consider to be an average figure.

CFO Courtney stated that previously the anticipated firefighter career was 30 years, but this had now changed to be a 40 year career. SYFR's experience was that the vast majority of firefighters used to stay for the duration of 30 years, and that the expectation now was that they would stay on for 40 years. Even were they to leave early, they would then have to be replaced by another firefighter.

Councillor Lamb expressed concern at Councillor Ayris' proposed amendments to the resolutions, which he considered would rule in items e.g. the use of reserves. His proposal had intended to open the way for SYFR management to commence the process to gather the necessary statistics and information upon which the new IRMP would be based, and that would leave open the other options, including liaising with the FBU, examining reserves and to consider an option for a ballot. He maintained his position with the proposed amendment to the recommendations that he had made.

In the first instance, Councillor Lamb requested a recorded vote of the proposed amendments that Councillor Ayris had suggested to the recommendations:-

Councillors Ross and Ransome voted in favour of Councillor Ayris' proposed amendments to the resolutions.

Councillors Hogarth, Haith, Satur, Hussain, Atkin, Clements, Damms and Lamb voted against Councillor Ayris' proposed amendments to the recommendations.

Members then voted in relation to Councillor Lamb's proposed amendments to the recommendations:-

Councillors Satur, Damms, Clements, Atkin, Hogarth, Hussain and Haith voted in favour of Councillor Lamb's proposed amendments to the resolutions.

Councillor Ransome voted against Councillor Lamb's proposed amendments to the resolutions.

Councillors Ross and Ayris abstained from voting for Councillor Lamb's proposed amendments to the resolutions.

RESOLVED – That Members would continue to consider the various options available to the Authority within the report, but recognise the need for management to prepare a revised IRMP.

Councillor Ransome voted against the proposed amendments to the recommendations.

Councillors Ross and Ayris abstained from voting for the proposed amendments to the recommendations.

13 SSCR SPRINKLER FUND - REQUEST FOR RELEASE OF FUNDS

A report of the Chief Fire Officer and Chief Executive had been presented to provide Members with a further bid to the Sprinkler Fund for the Authority to consider.

SYFR was committed to protecting vulnerable members of the community, in line with the Sprinkler Position Statement. £1m had been set aside from the Stronger Safer Communities Reserve (SSCR) to help towards the costs of installing fire suppression systems in those buildings which housed high-risk residents.

Members recalled the three bids that had been approved at the Authority meeting held in July 2017, together with the additional two bids that had been approved at the Authority meeting held in September 2017.

Members considered the funding application received from Rotherham MBC for the purchase of 4 portable personal protection systems, for those residents that were considered to be at a very immediate risk of fire; to be utilised as a temporary risk reduction method whilst other longer term solutions were considered. The total cost of the systems, including training in maintenance and installation totalled £8,652.00, with an SYFR contribution of £4,326.00.

Councillor Ransome considered that the personal protection systems were an excellent idea. She queried the number of systems that were available in SYFR.

ACO Johnson reported that the local councils had now begun to purchase the personal protection systems with part funding. She would ascertain the number of systems owned by SYFR and how many had been purchased by the local councils.

Councillor Haith queried the remaining funding available, if other local authorities wished to apply to purchase the personal protection systems.

ACO Johnson stated that a report on SSCR Residual Funds would be presented to the Corporate Advisory Group in September 2018.

RESOLVED – That Members:-

- i) Agreed to fund the Fire Sprinkler Project from the Stronger Safer Communities Reserve Sprinkler Fund.
- ii) Would be provided with the number of personal protection systems that were owned by SYFR and how many had been purchased by the local councils.
- iii) The Corporate Advisory Group meeting to be held in September 2018 would discuss the SSCR residual funds.

14 SYFR RESPONSE TO DAME JUDITH HACKITT REPORT

A report of the Chief Fire Officer and Chief Executive was submitted which provided a summary of the new regulatory framework proposed by Dame Judith Hackitt. The report also addressed the key points within each chapter of her report, which, when implemented as a whole, would provide a stronger focus on creating and maintaining safe buildings.

Councillor Ransome thanked ACO Johnson for the comprehensive feedback provided. She queried whether the Authority could provide assistance or whether Members should take the matter back to their respective local authorities.

ACO Johnson stated that the role of the local authorities included the checks and balances to be undertaken with any new buildings and the local authority housing stock, to ensure that the buildings were safe. The local authorities would also support the Joint Competent Authority (JCA) when implemented, to ensure that the appropriate levels of authority were in place, to enable decisions to be made on any applications received, and to ensure that the local residents had a voice if they were living within high rise and high risk buildings; to potentially be rolled out to other buildings if deemed to be at high risk.

Dr Billings queried whether the police had been referenced within Dame Judith Hackitt's report; if so, whether they should be part of the JCA, and if not, whether they should be.

ACO Johnson did not recall reference being made to the police within the report. The JCA related to the design, construction and maintenance of buildings, and the police may possibly be involved in respect of enforcement action; fire and rescue services would act as the police's specialist witnesses for any action taken against any individual that had not undertaken the appropriate action.

Councillor Haith welcomed the fact that SYFR had highly trained staff. She queried whether this would involve additional work, and the capacity issues for the Service.

ACO Johnson stated that following the Grenfell Tower fire, SYFR had utilised a high proportion of its resources to check high rise buildings within South Yorkshire and to provide reassurance to residents. As a result of the implementation of a

higher regulatory body, it was anticipated that the workload would not be as great in the long term, and that there would not be additional extra requirements, although there would always be risks attached to this.

Councillor Clements referred to Dame Judith Hackitt's presentation at the LGA Annual Fire Conference held in March 2018, where he had been concerned about her avoidance of the question of retrofitting of sprinkler systems to existing high rise residential buildings. He considered that there was a contradiction within her report between Chapters 8 and 9, which referred to the new set of specific JCA interventions across the building life cycle. He queried whether those interventions included the ability to insist that buildings, which were deemed to be at risk, should be retrofitted with sprinkler systems. He queried whether the range of JCA interventions across the lifecycle of a building included the possibility of being able to insist on the installation of retrofitting of sprinkler systems, where it was deemed appropriate by the experts.

ACO Johnson referred to the National Fire Chiefs Council (NFCC) meeting which had been held a number of weeks after the LGA Annual Fire Conference, where Dame Judith Hackitt had been asked the same question in relation to sprinklers, and had stated that sprinklers formed one part. SYFR would always encourage the installation of sprinkler systems. She did not believe that the range of JCA interventions across the lifecycle of a building enabled the enforcement of sprinkler systems.

RESOLVED – That Members noted the contents and considered the changes that had been recommended by Dame Judith Hackitt to the current regulatory framework, and the positive impact that this would have on how all Fire and Rescue Services carried out their regulatory functions in the future.

15 PROCUREMENT REPORT - FACILITIES MANAGEMENT CONTRACT

A report of the Director of Support Services was presented providing Members with a detailed explanation of SYFR's procurement and the Facilities Management (FM) contract.

The Director of Support Services stated that when he had initially joined SYFR, a number of issues had been identified within SYFR's Property and Procurement, in particular around facilities management and how the estate was managed.

In September 2017, market engagement had commenced to determine how to rationalise the way in which the estate was managed and the number of contractors utilised to manage the estate, to ensure that mature, professional partnership arrangements were in place, with a hard and a soft FM provider or a totally integrated FM provider. At the beginning of 2019, the project had been the subject of a separate Corporate Advisory Group (CAG) meeting, and had been regularly referenced within the bi-monthly update reports presented to the Authority meetings.

Work had been undertaken with an industry specialist to ensure that SYFR adopted an industry best practice approach. This arrangement had been kept as flexible as possible, due to concerns around the market, in particular the extent to which SYFR

would attract a sizeable national FM provider, or whether SYFR would be more attractive to a medium sized sub-regional FM provider. The tender opportunity had been put out to market in three lots i.e. a total FM integrated lot, a hard FM lot and a soft FM lot. A two stage evaluation process was then undertaken. The total number of bidders had been reduced from the first stage of the evaluation down to a total of 5 bidders submitting tenders for the total FM; 5 bidders had been invited for the hard FM, with only 4 bidding for the opportunity and 2 bidders for the soft FM, subsequently one of which had withdrawn. The tenders had been returned to the Authority on 25 June 2018; a moderation meeting of the evaluation panel had been held on 20 July 2018. The evaluation process was still ongoing, and it was anticipated to make an announcement on the preferred bidder either this week or the week after.

Members noted the next steps post the evaluation, with the expectation to mobilise a contractor(s) onto the estate during September 2018. It was anticipated to have either 3/4 contractors on the estate to look after SYFR's assets for a minimum of 5 years or potentially 7 years, together with 2 specialist contractors regarding the appliance bay door maintenance, lifts and lifting equipment contracts.

Councillor Ayris queried the membership of the evaluation panel which assessed the contracts, together with the total value of the contracts.

The Director of Support Services stated that the evaluation panel consisted of Louise Murray, the Joint Head of Estates for SYP and SYFR, Sally Gleave an FM specialist at SYP and another individual; he would inform Members of the third member. The market guide price of the total value of the contracts was approximately £1m to £1.2m.

Councillor Clements queried whether the tender document had specified that the contractors would pay the foundation living wage to their employees.

The Director Support Services would ascertain the position.

Councillor Ross queried whether any of the bidders currently being evaluated, were undertaking existing work with SYFR.

The Director of Support Services stated, that to the best of his knowledge, none of the bidders were currently undertaking work with SYFR.

Councillor Ransome queried who liaised with RLB and pulled the specifications together. She also queried the anticipated amount to be saved regarding the one contract as opposed to the smaller contracts.

The Director of Support Services commented that he was the accountable officer, and that work had been undertaken with Chris Jeffers of RLB. M Wood had been heavily involved in ensuring that the contractual documentation was fit for purpose. Work had been undertaken with BMBC's Internal Audit to ensure they were fully sighted on the contract and the process undertaken. He added that the evaluation process was currently underway.

Councillor Lamb stated that it was the intention for the outcome of the tender exercise to be reported to the Authority meeting in September 2018.

RESOLVED – That Members:-

- i) Noted the contents of the report.
- ii) Would be informed of the third member of the evaluation panel.
- iii) Would be informed as to whether the tender document had specified that the contractors would pay the foundation living wage to their employees.
- iv) Noted the intention for the outcome of the tender exercise to be reported to the Authority meeting in September 2018.

16 REVIEW OF INJURY AWARDS POLICY

A report of the Deputy Chief Fire Officer and Director of Service Development was submitted which provided an update on the actions undertaken and to seek an opinion as to whether the Injury Award policy should be reviewed in light of the outcomes.

DCFO Blunden referred to the review which had commenced in 2012, looking at 92 former SYFR employees who were in receipt of an Ill Health Retirement Pension from the Firefighters Pension Scheme and an injury award payment.

The injury awards currently being paid to those individuals totalled almost £50k per month. The review had now concluded, with one individual outstanding. From the 92 people reviewed, unfortunately 2 individuals had died over the past 6 years, and therefore 90 individuals had been reviewed. Following the review of the benefits awarded to those members that had retired this had culminated in a small reduction in cost from £50k to £42k per month; 50% of the individuals reviewed had been over 65 years of age.

Councillor Ayris queried the total annual cost of paying the 92 individuals their injury awards. He also queried how this compared against the current total annual cost of paying the firefighter pensions.

DCFO Blunden stated that the 92 individuals included everyone within Band 1; only Bands 2, 3 and 4 had been reviewed, which totalled 92 individuals. He would provide Authority staff with a comparison of the total annual cost of paying the injury awards to the 92 individuals, against the current total annual cost of paying the firefighter pensions.

RESOLVED – That Members:-

- i) Discussed the contents of the report.
- ii) Confirmed that the current Injury Awards Policy should remain in place.

- iii) Would be provided with a comparison of the total annual cost of paying the injury awards to the 92 individuals, against the current total annual cost of paying the firefighter pensions.

17 2018/19 FINANCIAL PERFORMANCE REPORT

A report of the Chief Fire Officer/Chief Executive and Clerk and Treasurer was submitted as the first in a series of reports to be presented to Members throughout the financial year, to inform as to the likely financial performance for the year ended 31 March 2019.

The Director of Support Services stated that when Members had set the budget in February 2018 there had been an anticipated contribution to reserves of £449k, and the projected in year underspend at the current time was estimated at £85k or 0.15% of the budget. The expectation was a net contribution to reserves of £534k, which excluded any monies utilised for capital investment and the Safer Stronger Communities Reserve. The following known risks were noted with regard to the projected outturn position i.e. Close Proximity Crewing, the potential legal costs associated with the judicial review, the detriment claims and the employment tribunal. It was anticipated that costs could be offset against a potential claim against SYSTEL, for unresolved contractual matters that were being progressed by ACO Johnson.

Councillor Ayris queried the re-profiling of the £952k from ongoing/committed capital schemes in the previous financial year 2017/18.

The Director of Support Services stated that the £952k was the underspend on the 2017/18 capital programme. Members had received the outturn report for the Authority in June 2018, which had demonstrated that the capital programme had not been spent in line with the profile at that time, and therefore there was a carry forward of £952k which had been put into the 2018/19 capital programme.

Councillor Haith queried the additional mileage costs for the new Operational Resilience Team of £27k.

The Director of Support Services stated that this had resulted from an under estimation of the mileage costs when the Operational Resilience Team had first been established.

Councillor Ransome queried whether the reduction in Barnsley MBC services to the Authority of £106k included all monies i.e. Internal Audit services.

The Director of Support Services stated that SYFR had taken on board Members' comments in relation to the SLA, to achieve one SLA for the services that Barnsley MBC provided.

RESOLVED – That Members:-

- i) Noted and considered the latest estimated revenue performance which showed an operating underspend of £0.085m for the financial year ended 31 March 2019.

- ii) Noted the latest estimated increase in General Reserves of £0.534m for the financial year ended 31 March 2019, which was broadly in line with the expectations when the budget was set by Members in February 2018.
- iii) Noted the likely net impact of known financial risks that were as yet not able to be fully quantified at this stage in the financial year.

18 POLICE AND FIRE COLLABORATION BOARD

DCFO Blunden referred to the comprehensive report that that been presented to the last Authority meeting.

Members noted that the SYP and SYFR Section 1 Collaboration Agreement had been signed earlier today. Interviews would be provisionally held w/c 23 July for a Joint Head of Facilities Management post which, upon successful appointment, would provide for a fourth person within the joint collaborative agreement. A total of 13 SYFR members of staff had undertaken the Prince 2 project management training, to ensure that they were properly trained and equipped to engage in collaborative work with SYP.

RESOLVED – That Members noted the update.

19 POLICE AND FIRE COLLABORATION BOARD MINUTES OF 18 JUNE 2018

Dr Billings stated that Members may be unfamiliar with some of the acronyms used within the minutes. He would request that in the future, the minutes be produced as though they were for public consumption.

RESOLVED – Members thanked Dr Billings and noted the minutes of the Police and Fire Collaboration Board held on 18 June 2018.

20 DRAFT MINUTES OF THE AUDIT AND GOVERNANCE COMMITTEE HELD ON 25 JUNE 2018

RESOLVED – That Members noted the draft minutes of the Audit and Governance Committee held on 25 June 2018.

21 KEY ISSUES ARISING FROM THE PERFORMANCE AND SCRUTINY BOARD HELD ON 12 JULY 2018

Members were presented with a key issues paper arising from the Performance and Scrutiny Board meeting held on 12 July 2018.

At the meeting, Councillor Damms had been welcomed as the new Chair to the Board, and Councillor Ross as a new Member to the Board.

RESOLVED – That Members noted the key issues paper from the Performance and Scrutiny Board meeting held on 12 July 2018.

CHAIR