

EAST SUSSEX FIRE AUTHORITY

Minutes of the meeting of the SCRUTINY & AUDIT PANEL held at East Sussex Fire & Rescue Service Headquarters, 20 Upperton Road, Eastbourne, at 10:00 hours on Thursday 11 July 2013.

Members Present: Councillors Buchanan, Carden, Lambert, Rufus (Chair), Taylor, Theobald and Wincott.

Also present:

Mr. D. Prichard (Chief Fire Officer and Chief Executive), Mr. G. Walsh (Deputy Chief Fire Officer), Mrs. C. Rolph (Assistant Chief Officer), Ms. L. Woodley (Deputy Monitoring Officer), Mr. D. Savage (Treasurer), Ms. V. Chart (Head of Human Resources), Mr. P. King and Mrs. R. Coates (Ernst & Young Auditors), Nigel Chilcott (Senior Audit Manager, ESCC) and Mrs. A. Bryen (Clerk).

833. DISCLOSABLE PECUNIARY INTERESTS

833.1 It was noted that, in relation to matters on the agenda, no participating Member had any disclosable pecuniary interest under Section 30 of the Localism Act 2011.

834. ELECTION OF CHAIR

834.1 **RESOLVED** – That Councillor Rufus be appointed Chair of the Panel for the ensuing year.

835. APOLOGIES FOR ABSENCE

835.1 There were none.

836. ANY OTHER NON-EXEMPT ITEMS CONSIDERED URGENT BY THE CHAIR/ CHAIR'S BUSINESS

836.1 The Chair welcomed Paul King and Rose Coates from Ernst & Young Auditors, and Nigel Chilcott, Senior Audit Manager, East Sussex County Council.

836.2 The Chief Fire Officer & Chief Executive informed Members that, since the publication of the agenda, he had been notified by the National Joint Council that the Fire Brigades' Union would be balloting its members about industrial action. The Chair agreed that this matter may be considered as an urgent oral report and should be considered as an exempt matter under paragraph 4 of Schedule 12A to the Local Government (Access to Information) (Variation) Order 2006 and, accordingly, would not be open for public inspection on the grounds that it includes information relating to any consultation or negotiations, or contemplated consultation or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

837. **TO CONSIDER PUBLIC QUESTIONS OR PETITIONS, IF ANY**

837.1 There were none.

838. **NON-CONFIDENTIAL MINUTES OF THE LAST SCRUTINY AND AUDIT PANEL MEETING HELD ON 11 APRIL 2013**

838.1 **RESOLVED** – That the non-confidential minutes of the meeting of the Scrutiny & Audit Panel held on 11 April 2013 be approved as a correct record and signed by the Chairman. (Copy in Minute Book).

839. **CALLOVER**

839.1 Members reserved the following items for debate:

840. Internal Audit Annual Report and Opinion for the Period 1 April 2012 – 31 March 2013

843. Member Lead Arrangements for 2013/14

844. Corporate Risk Register Review 1st Quarter (April to June 2013)

845. Environmental Issues - Progress Update – Year 2012/13

846. 2012/13 4th Quarter Performance Results

848. Rural Review Recommendation 8 (Maintaining availability At Mayfield, Burwash and Herstmonceux Fire Stations)

839.2 **RESOLVED** – That all other reports be resolved in accordance with the recommendations as detailed below.

840. **INTERNAL AUDIT ANNUAL REPORT AND OPINION FOR THE PERIOD 1 APRIL 2012 – 31 MARCH 2013**

840.1 Members considered a report of the Treasurer that provided an opinion on East Sussex Fire Authority's internal control environment and reported on the work of Internal Audit for the period 1 April 2012 to 31 March 2013. (Copy in Minute Book).

840.2 On the basis of the audit work completed, East Sussex County Council's (ESCC) Head of Assurance, (as East Sussex Fire Authority's (ESFA) Head of Internal Audit), had been able to provide reasonable assurance that the Fire Authority had in place an adequate and effective framework of governance, risk management and internal control for the period 1 April 2012 to 31 March 2013. Individual reports on the systems evaluated by internal audit included recommendations to enhance controls and therefore managers had drawn up action plans to implement these recommendations.

840.3 Members heard from Nigel Chilcott, Senior Audit Manager East Sussex County Council, that of the audits completed during 2012/13, 3 had received full assurance, 4 substantial assurance, 1 partial assurance and 1 minimal assurance. Two reviews were outstanding in respect of ICT network infrastructure and security follow up, and contracting and procurement.

840.4 Members' noted that an additional 35 audit days had been commissioned to cover particular areas of concern on behalf of Corporate Management Team and this Panel, as well as the decision taken to defer some work into 2013/14.

840.5 **RESOLVED** – That

- (i) the Internal Audit Service's opinion on the Fire Authority's internal control environment for 2012/13 be noted; and
- (ii) the Fire Authority's system for internal audit has proved effective during 2012/13 be noted.

841. **INTERNAL AUDIT PLAN**

841.1 Members considered a report of the Treasurer that provided an Internal Audit Plan for East Sussex Fire Authority covering the period 1 April 2013 to 31 March 2018. (Copy in Minute Book).

841.2 The Internal Audit Plan had been produced on a risk basis, following consultation with the former Assistant Chief Officer (Corporate Services), the Treasurer and the ESFA's external auditor – Ernst and Young.

841.3 With effect from 1 April 2013, the previous CIPFA Code of Practice for Internal Audit had been replaced by new Public Sector Internal Audit Standards (PSIAS), endorsed jointly by CIPFA and the Institute of Internal Auditors. The new PSIAS continued to require that a formal Internal Audit Charter for ESFA was in place and that this was subject to regular review. This review had recently been undertaken and an updated Charter, reflecting the latest requirements of the PSIAS, was presented to the Panel for consideration and approval.

841.4 **RESOLVED** – That the

- (i) 2013/14 Internal Audit Plan be approved; and
- (ii) updated Internal Audit Charter be approved.

842. **GRANTING DISPENSATIONS TO MEMBERS**

842.1 Members considered a report of the Monitoring Officer which informed Members of the issues in relation to granting dispensations to Members in relation to budget and Council tax issues and the Members' Allowance Scheme. (Copy in Minute Book).

842.2 Under the model Code of Conduct of the previous standards regime, any business relating to Members' allowances or the setting of a council tax precept was expressly precluded from being a prejudicial interest. No equivalent measures had been provided for under the current regime. To avoid any challenges to decisions relating to Members' Allowances and the setting of the council tax precept, it was recommended that Members seek dispensations to allow them to speak and vote on business relating to these issues. Under the current arrangements, the granting of dispensations was dealt with by the Scrutiny & Audit Panel or the Monitoring Officer, upon written request by the Member.

842.3 **RESOLVED** – That the Monitoring Officer be authorised to grant dispensations to all Members of the Fire Authority annually to allow them to consider issues relating to the budget and setting the council tax precept, and a Members' Allowance Scheme.

843. **MEMBER LEAD ARRANGEMENTS FOR 2013/14**

843.1 Members considered a joint report of the Chief Fire Officer & Chief Executive and the Monitoring Officer seeking approval to a reduced number of Member Leads and nominations to those roles. (Copy in Minute Book).

843.2 Member Lead arrangements had been established in 2009/10 and had worked reasonably effectively since that time, although it was recognised that the workloads of the different streams had varied. Members noted that the number of Member Leads for such a small Authority was now probably disproportionate and that the same outcomes could be achieved with a smaller number. Also, under the current Members' Allowances scheme, Member Leads did not attract a Special Responsibility Allowance. Members considered that it would be appropriate for two Member Leads to be appointed to each area.

843.3 **RESOLVED** – That the reduction in the number of Member Leads be approved as set out below and Member Leads be nominated by Group Leaders and advised to the Clerk, as soon as possible.

Directorate	Lead Member	Lead Principal Officer
Response & Resilience Prevention & Protection	To be confirmed	DCFO Gary Walsh
Equality & Diversity	To be confirmed	DCFO Gary Walsh and ACO Cheryl Rolph
People and Organisational Development (to include Staff and Member Development)	To be confirmed	ACO Cheryl Rolph
Support Services to include Environmental and Sustainability	To be confirmed	ACFO Gary Ferrand
Sussex Control Centre	To be confirmed	ACO Cheryl Rolph

844. **CORPORATE RISK REGISTER REVIEW - 1ST QUARTER (APRIL TO JUNE 2013)**

844.1 Members considered a report of the Chief Fire Officer & Chief Executive on the latest quarterly review of Corporate Risk. (Copy in Minute Book).

- 844.2 Members were informed that the established Corporate Risk Management Policy helped to ensure Corporate Governance risk management arrangements were maintained. The effective monitoring of strategic risks was a critical function to support wider governance arrangements. Reviews of corporate risk took place on a quarterly basis. The latest series of meetings with Corporate Risk Owners had been carried out during June 2013 to update risk management action plans and review the position of each risk. The outcomes had been considered by Corporate Management Team. All risk management action plans had been updated following individual reviews for each risk owner to monitor and review each action plan in line with Service key task areas and other service delivery objectives.
- 844.3 Members considered the possible effects of the impending FBU ballot of its members for industrial action and the risk rating that should now be attributed to 'future industrial action' no. 41. Given the now higher likelihood of industrial action taking place, Members considered that the risk rating should be increased to 'high'.
- 844.4 **RESOLVED** – That, subject to
- (i) new risk no 45 ESMCP – Failure to implement economic, efficient and resilient solution to replace the current Firelink provision before 2016 being added to the register, and
 - (ii) the risk rating of no. 41 'future industrial action' being moved from CII to BII*;
[*Note – this decision was taken following consideration of the exempt oral report from the Chief Fire Officer & Chief Executive at item no 851].

the latest update to the Corporate Risk Register be approved.

845. **ENVIRONMENTAL ISSUES – PROGRESS UPDATE – YEAR 2012/13**

- 845.1 Members considered a report from Councillor Rufus, the Lead Member for Environment and Sustainability, that advised the Panel, on behalf of the Fire Authority, on the activities to reduce energy consumption. (Copy in Minute Book).
- 845.2 The report built upon the work and activities undertaken over a number of years (starting with the Carbon Trust report of 2004/05) and included an update on the use of fleet fuel and mileage, heating fuels (oil and gas), electricity, waste and water, as well as the progress in respect to the carbon footprint. The 2012 Guidelines to Department for Energy & Climate Change Greenhouse Gas (GHG) Conversion Factors for Company Reporting had been used to produce the report. For the areas measured, the Authority was showing substantial reductions which exceeded the Authority's climate change indicator – to achieve a 3.5% annual reduction in CO2 emissions.
- 845.3 Councillor Rufus thanked ACFO Gary Ferrand and his staff for their work in reducing energy use, notable oil, LPG and electricity, and greenhouse gas reduction which was greater than 10% when compared to 2010/11.
- 845.4 Councillor Rufus drew attention to the planned work for 2013/14 set out in the report.

845.5 **RESOLVED** – That the outturn for 2012/13 and the related improvements since the last annual update, be noted.

846. **2012/13 - 4TH QUARTER PERFORMANCE RESULTS**

846.1 Members considered a report of the Chief Fire Officer & Chief Executive that presented the Quarter 4 performance indicator results for 2012/13, compared with the results for the same quarter in 2011/12. (Copy in Minute Book).

846.2 In terms of the overall performance for 2012/13, of the Fire Authority's priority areas, 2 had met their targets, 2 were within 10% of achieving their targets and 1 had missed its target. The strategic performance indicator targets continued to expect performance improvement across the entire Service. However, in many areas, it was also accepted that both the rate and scope of future improvement was slowing, and some of the targets for 2012/13 and the future trends reflected this position.

846.3 Councillor Lambert asked if sprinkler installations would contribute towards reducing the number of accidental dwelling fires. The Chief Fire Officer & Chief Executive advised that sprinkler systems in themselves would not prevent fires from starting but would help to contain the extent of any fire and to extinguish them. The anticipated outcome from home safety visits was to reduce the incidents of accidental dwelling fires, install smoke detectors to provide early warning, and provide advice to householders. The installation of sprinkler systems had been proven to reduce fatalities from fires as recorded information indicated that in residential premises with properly maintained sprinkler systems, there was almost no recorded fire related fatalities.

846.4 Councillor Lambert asked why none of the newly recruited retained firefighters had been female.

846.5 The Assistant Chief Officer advised that it was difficult to attract applicants from women in small rural communities where there were competing pressures on their availability and selection criteria. The average percentage of wholetime female firefighters in the CFOA Group 2 of similarly structured Fire Authorities was 4%, and the East Sussex Fire Authority, it was 5%. For female retained firefighters, East Sussex was the same as the average at 4%.

846.6 Councillor Lambert asked what pay arrangements were in place for staff on sick leave.

846.7 The Chief Fire Officer & Chief Executive advised that whole time firefighters injured on duty received full pay for 12 months, then half pay; if injured off-duty it was half pay after six months. Support staff received up to 6 months full pay depending on length of service. The Chief Fire Officer & Chief Executive had delegated authority to extend an employee's period of sick leave on full pay outside agreed conditions of service.

846.8 Councillor Theobald asked if sky lanterns were likely to be the cause of fires. The Chief Fire Officer & Chief Executive said there were few recorded cases of these causing fires. Paper sky lanterns presented greater risks of causing fires and some shops had stopped selling these. It was believed that the wicker basket lanterns presented less risk.

846.9 Councillor Theobald asked if householders were instructed on how to extinguish small accidental fires. The Chief Fire Officer & Chief Executive said that the home safety visits provided comprehensive advice, but ESFRS did not specifically encourage the use of domestic fire extinguishers although if householders had purchased portable extinguishers, ESFRS advice was for householders to ensure they were trained in their use. Research was currently being undertaken in the south east into behavioural response to fires and the outcome of that study may influence future advice to householders and others.

846.10 **RESOLVED** – That the

- (i) 2012/13 performance results for Quarter 4 available to date, as set out in the report and complementary separate Appendix A to the report, be noted; and
- (ii) information included within the exceptions report set out as Appendix B to the report, be noted.

847. **2012/13 KEY TASK AREAS AND CORPORATE PROJECTS – 4TH QUARTER OUTTURN RESULTS**

847.1 Members considered a report of the Chief Fire Officer & Chief Executive that presented the 2012/13 4th quarter outturn results on Corporate Key Task Areas and Projects. (Copy in Minute Book).

847.2 In September 2011, the Corporate Management Team had agreed to streamline reporting processes by reporting on Key Task Areas and Corporate Projects through the Interplan system. Accordingly, Members considered the 4th quarter results for 2012/13 at a strategic summary level.

847.3 Of the 27 projects identified in terms of compliance with expected project completion timescales, Members noted the table below that summarised the outcomes both in terms of actual progress in accordance with planned progress (timeliness) and success of progress in terms of outcomes.

	Total No of projects	25% or under	26% to 50%	51% to 75%	76% to 99%	Completed
Key Task Areas	15	2	3	1	4	5
		a) Sussex Control Centre (Recorded at 8%; progress reported separately to ESFA) b) Newhaven Fire Stn	All as expected apart from KTA 3 Charging for AFAs which is delayed until outcome of Government Bill – remains 35% complete.			
		2	3	1	2	4
Other Corporate projects which are critical to organisational effectiveness improvements	12	Later phases – on track	All as expected apart from some functionality issues with Fireground Radios which are being resolved.			

847.4 Members also noted the relevant information provided by the Project Managers concerned in relation to whether a project is slipping, static or progressing to schedule.

847.5 **RESOLVED** – That the corporate progress made during 4th Quarter 2012/13 and within the context of all the other organisational work priorities being undertaken be noted.

848. **RURAL REVIEW RECOMMENDATION 8 (MAINTAINING AVAILABILITY AT MAYFIELD, BURWASH AND HERSTMONCEUX FIRE STATIONS)**

848.1 Members considered a report of the Chief Fire Officer & Chief Executive that apprised the Panel of the outcome of Rural Review recommendation 8, regarding maintenance of availability at Mayfield, Burwash and Herstmonceux Fire Stations (Copy in Minute Book).

848.2 The Rural Review analysis highlighted the low call rate and low risk areas of these stations. Following public consultation, the original recommendation (that the appliances at these three fire stations be available during the evening/night time hours with no immediate cover provided from these fire stations during the day), was amended by the Fire Authority. The amended recommendation sought to maintain service delivery and review after two years. The availability of appliances at these stations had improved as a result of the action taken. Availability had improved at all three stations which, in the main, could be attributed to a more sustained recruitment strategy. Other factors had included improved management/rostering of local resources and, in some instances, wholtime staff applying for Retained Duty System roles.

848.3 Members noted that the context of a diminishing budget also needed to be considered alongside future Integrated Risk Management actions.

848.4 **RESOLVED** – That the success of the current recruitment efforts as appliance availability has improved across all three stations, be noted.

849. **EXCLUSION OF THE PRESS AND PUBLIC**

849.1 **RESOLVED** – That items numbers 850 and 851 be exempt under paragraphs 1, 3 and 4 of Schedule 12A to the Local Government (Access to Information) (Variation) Order 2006 and, accordingly, were not open for public inspection on the grounds that they included information relating to any individual, information relating to the financial or business affairs of any particular person (including the Authority holding that information), and information relating to any consultation or negotiations, or contemplated consultation or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

The meeting concluded at 12:40 hours.

Signed

Chairman

Dated this

day of

2013