



EAST SUSSEX FIRE AUTHORITY

PRINCIPAL OFFICER APPOINTMENTS PANEL

**THURSDAY 15 SEPTEMBER 2016 at 10:45 hours
or at the conclusion of the meeting of the Scrutiny & Audit Panel,
whichever is the later**

MEMBERS

East Sussex County Council (4)

Councillors Barnes, Howson, Lambert and Scott

Brighton & Hove City Council (1)

Councillor ~~Theobald~~ Peltzer Dunn [substitute]

Note: Sections 15 and 16 of the Local Government and Housing Act 1989 shall not apply in respect of this Panel, which shall comprise the Chairman of the Authority, the Leader of each political group (excluding the political group of which the chairman is a member) and a seat allocated to the Conservative Group.

The quorum is 3 voting Members.

You are requested to attend this meeting to be held at East Sussex Fire and Rescue Service Headquarters, 20 Upperton Road, Eastbourne at 10:45 hours.

AGENDA

Item No.	Page No.	
1.	1.	To (a) confirm all participating Members have undertaken to observe the Authority's Code of Conduct, (b) check if any wish to amend their written declarations of interests under Part 3 of the Code and (c), in relation to matters on the agenda, seek declarations of any disclosable pecuniary interests under Section 30 of the Localism Act 2011.
2.	1.	Election of Chairman.
3.	1.	Apologies for absence.

4. 2. Notification of items which the Chairman considers to be urgent and proposes to take at the end of the agenda/ Chairman's business.

(Any Members wishing to raise urgent items are asked, wherever possible, to notify the Chairman before the start of the meeting. In so doing they must state the special circumstances which they consider justify the matter being considered urgently).

5. 3. Non-confidential minutes of the last Principal Officers Appointments Panel held on 29 March 2016 (copy attached).

6. 5. Matters related to Principal Officers' Pay and Terms & Conditions of Employment – joint report of the Treasurer and Deputy Monitoring Officer (copy attached).

7. 2. Exclusion of the Press and Public.

To consider whether, in view of the business to be transacted or the nature of the proceedings, the press and public should be excluded from the remainder of the meeting on the grounds that, if the public and press were present, there would be disclosure to them of exempt information.

NOTE: Any item appearing in the confidential part of the Agenda states in its heading the category under which the information disclosed in the report is confidential and therefore not available to the public.

A list and description of the exempt categories are available for public inspection at East Sussex Fire & Rescue Service Headquarters, 20 Upperton Road, Eastbourne and at Brighton and Hove Town Halls.

8. 9. Confidential minutes of the last Principal Officers' Appointments Panel held on 29 March 2016. (Exempt categories under paragraphs 1 and 3 of Schedule 12A of the Local Government Act 1972). (Copy attached).

9. 11. Confidential minutes of the last Principal Officers' Appointments Panel reconvened on 30 March 2016. (Exempt categories under paragraphs 1 and 3 of Schedule 12A of the Local Government Act 1972). (Copy attached).

10. 13. Access to Firefighters' Pension Scheme – confidential report of the Chief Fire Officer. (Exempt categories under paragraphs 1 and 4 of Schedule 12A of the Local Government Act 1972). (Copy attached).

ABRAHAM GHEBRE-GHIORGHIS
Monitoring Officer
East Sussex Fire Authority
c/o Brighton & Hove City Council
Kings House

Minutes of the meeting of the PRINCIPAL OFFICER APPOINTMENTS PANEL held at East Sussex Fire & Rescue Service Headquarters, Upperton Road, Eastbourne at 09:00 hours on Tuesday 29 March 2016.

Members Present: Councillors Barnes, Howson (Chair) and Lambert.

Also present: Mr G Walsh – Chief Fire Officer; and for items 1-5 only: Mrs V Chart - Assistant Director of Human Resources & Organisational Development, Ms L Woodley – Deputy Monitoring Officer and Mrs A Bryen – Clerk to the Fire Authority.

1. **DISCLOSABLE PECUNIARY INTERESTS**

1.1 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.

2. **APOLOGIES FOR ABSENCE**

2.1 Apologies for absence were received from Councillors Scott and Theobald.

3. **ANY OTHER NON-EXEMPT ITEMS CONSIDERED URGENT BY THE CHAIRMAN**

3.1 There were none.

4. **NON-CONFIDENTIAL MINUTES OF THE MEETING HELD ON 28 SEPTEMBER 2015**

4.1 **RESOLVED** – That the non-confidential Minutes of the meeting held on 28 September 2015 be approved and signed by the Chairman. (Copy in Minute Book).

5. **EXCLUSION OF PRESS AND PUBLIC**

5.1 **RESOLVED** – That items 6 & 7 be exempt under paragraph 1, and item 8 be exempt under paragraphs 1 & 3 of Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 and accordingly are not open for public inspection on the grounds that they include information relating to an individual and information relating to the financial or business affairs of any particular person (including the authority holding that information).

The meeting adjourned at 12:30 hours to be reconvened on 30 March 2016 at 10:00 hours.

Signed

Dated this day of 2016

Agenda Item No. 6

EAST SUSSEX FIRE AUTHORITY

Panel	Principal Officer Appointment
Date	15 September 2016
Title of Report	Matters related to Principal Officers' Pay and Terms & Conditions of Employment.
By	Treasurer and Deputy Monitoring Officer
Lead Officers	Duncan Savage, Treasurer Vicky Chart, Assistant Director Human Resources and Organisational Development, Liz Woodley, Deputy Monitoring Officer

Background Papers	Previous reports: 11 September 2014; 18 March 2010; 4 September 2008; 22 May 2008; 22 May 2007; 8 February 2007; 23 November 2005; 17 May 2005; 18 May 2004; 16 May 2003; 4 July 2002; 24 May 2001; 19 May 2001; 15 June 2000; 13 May 1998; 10 February 1997; 13 January 1997.
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Appendices	Appendix A – relevant section from National Joint Council for Brigade Managers of Fire & Rescue Services
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Implications:

CORPORATE RISK		LEGAL	
ENVIRONMENTAL		POLICY	
FINANCIAL	x	POLITICAL	
HEALTH & SAFETY	x	OTHER (please specify)	
HUMAN RESOURCES	x	CORE BRIEF	
EQUALITY IMPACT ASSESSMENT			

PURPOSE OF REPORT	To seek the Panel's agreement to an independent review of Pay and Terms & Conditions of Employment for Principal Officers.
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EXECUTIVE SUMMARY

Principal Officer (PO) Pay and Terms & Conditions of Employment are set out through national arrangement, (the Gold Book) supplemented by appropriate local arrangements. Local arrangements should be carried out by the Fire Authority through an annual review; this process has not taken place since 2009/10 and this paper, therefore, provides the background for Members' consideration and recommends an independent review of Pay and Terms & Conditions of employment for Principal Officers.

RECOMMENDATION

That the Panel considers the scope of and approves a review of PO pay and Terms & Conditions of Employment to be undertaken by a suitably experienced independent organisation.

1. **BACKGROUND**

- 1.1 Brigade Managers (Principal Officers) within East Sussex Fire & Rescue Service are employed under national terms and conditions service as set out in the NJC Constitution and Scheme of Conditions of Service, 5th edition 2006 – commonly referred to as the ‘Gold Book’. (A full copy of the ‘Gold Book’ can be obtained via the Clerks).
- 1.2 The national agreement regarding salaries is set out in the ‘Gold Book’ and provides for a twin track approach for determining levels of pay for Brigade Manager roles insofar as, at a national level, the NJC for Brigade Managers of Fire & Rescue Services shall review the pay annually and any increase will be notified to Authorities via circular and implemented.
- 1.3 All other decisions about level of pay and remuneration to individual Brigade Manager roles should be taken by the local Fire & Rescue Authority, who should periodically review these salary levels.
- 1.4 During the period between 2010 and 2014 there were no national pay increases for Brigade Managers either submitted by the employees or, where a submission was made, a pay increase was not agreed. In addition, there has been no local review of the Pay and Terms & Conditions of Employment of the Brigade Manager roles within East Sussex Fire & Rescue Service since 2009/2010.

2. **BRIGADE MANAGER REMUNERATION REVIEW 2009**

- 2.1 The Panel will note the reference to a local review in 2009/10, which was commissioned by the Fire Authority and undertaken by Real World HR under the supervision of the Treasurer and Monitoring Officer.
- 2.2 The report set out a number of elements which still hold true today, save for the significantly challenging financial agenda, and the need for senior managers’ pay to be restrained or contained and the rightful scrutiny of packages.
- 2.3 Members should note that, in the subsequent Policy & Resources Panel report, in March 2010, recommendation (b) which was agreed by the Authority, to undertake regular reviews, has subsequently has not been actioned.

3. **RATIONALE FOR A REVIEW OF BRIGADE MANAGER'S PAY & TERMS OF CONDITIONS OF EMPLOYMENT**

3.1 The last review of Brigade Manager's pay and conditions of employment was conducted in 2009/10 and recommended that subsequent reviews take place every 3 years. There have been no local reviews of Brigade Managers' pay and terms and conditions of employment since that date and the Authority has not agreed any increases to Brigade Manager pay beyond that determined by the NJC in 2014/2015 and 2016. Since the last review of pay and terms and conditions of employment, at a local level, there have been considerable changes to the roles of each of the Brigade Managers within ESFRS such as:

- The total number of Brigade Managers has reduced from five to three
- The senior management restructure has changed references and line reporting responsibilities
- A pay and grading review using the Hay Job Evaluation Scheme is currently underway for Green Book staff including 3rd tier managers (Assistant Directors) This does not currently apply to 1st and 2nd tier managers nor Grey Book staff
- Responsibilities and the volume and nature of workloads have changed considerably. This has included the Authority taking on responsibility for delivering a mobilising service on behalf of West Sussex Fire & Rescue Service and the establishment of a significant organisational transformation programme
- There have been challenges in ensuring 24/7 cover at Brigade Manager level and allowing employees to take their contractual leave entitlement. This has potential implications from a health and wellbeing perspective and in terms of the Authority's duty of care as an employer.

3.2 During 2012, in the lead-up to the reduction of POs from five to four, a number of meetings were held between the then Chief Fire Officer, the Association of Principal Fire Officers (APFO) and the, then, Chairman of the Fire Authority to discuss the impacts of the significant changes, both at PO level and as a consequence of organisational structure changes. An independent review of Brigade Manager pay and terms and conditions will ensure appropriate engagement with current Brigade Managers and their representative body to ensure that all relevant matters are considered.

3.3 It is, therefore, recommended that the Authority commissions a review of Brigade Managers' pay and terms and conditions of employment via an independent and suitably experienced organisation. To ensure that there is no conflict of interest the proposal is that the review will be managed by the Assistant Director Resources / Treasurer, the Monitoring Officer and the Assistant Director Human Resources and Organisational Development. The review will include objective benchmarking of pay against other fire and rescue services and other appropriate public bodies. The proposed scope of the review will be tabled for the Panel's consideration at the meeting.