

# AWDURDOD TÂN AC ACHUB CANOLBARTH A GORLLEWIN CYMRU



## MID AND WEST WALES FIRE AND RESCUE AUTHORITY

NOTE: THESE MINUTES ARE SUBJECT TO CONFIRMATION BY THE PERFORMANCE, AUDIT AND SCRUTINY COMMITTEE AT ITS NEXT MEETING

### COFNODION CYFARFOD Y PWYLLGOR ADOLYGU AC ARCHWILIO PERFFORMIAD MINUTES OF THE PERFORMANCE AUDIT AND SCRUTINY COMMITTEE

DYDD LLUN, 5 TACHWEDD 2018  
MONDAY, 5 NOVEMBER 2018

YSTAFELL CAER, PENCADLYS Y GWASANAETH TÂN, CAERFYRDDIN  
CAER SUITE, FIRE SERVICE HEADQUARTERS, CARMARTHEN

10.00 – 12.22

### **67% PRESENOLDEB/ATTENDANCE**

Presennol yn y Cyfarfod/Present at Meeting:

CHAIR	Cllr D E Williams
IS-GADEIRYDD/DEPUTY CHAIR:	
AELODAU/MEMBERS:	Cyng/Cllrs: K Broom, M Crowley, J Curtice, L Frayling, T Hennegan, R Lewis, A Llewelyn, G Walker, J Warman
YMDDIHEURIADAU/APOLOGIES:	Cyng/Cllrs: C Anderson, G Breeze (attending Council duties), K Curry, P James (attending Council duties), T Van-Rees
YN BRESENNOL /IN ATTENDANCE:	D Daycock (Clerk/Monitoring Officer), R Hemingway (Section 151 Officer), R Quin (T/DCFO), R Thomas (T/ACFO), K Jones (ACO), S Jenkins (AM), P Greenslade (T/AM), C Jackson (Head of CCBD), C James (WAO representative), H Pugh (Internal Auditor – Carmarthenshire County Council), Cllr R Rees-Evans (observer).

## **1 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors C Anderson, G Breeze (attending Council duties), K Curry, P James (attending Council duties) and T Van-Rees.

## **2 DECLARATION BY MEMBERS OF ANY PERSONAL OR PREJUDICIAL INTERESTS**

All Members present declared that they had a personal interest in any business relating to, or affecting their own Constituent Authority.

## **3 CHAIR'S ANNOUNCEMENTS AND PERSONAL MATTERS**

The Chair reminded Committee that the Draft Corporate Plan 2019-2024 was open for public consultation until 7 December 2018 and Members were requested to promote the document within their Constituent Authorities to encourage feedback on the Plan.

The Chair welcomed the Authority's Internal Auditor, Ms H Pugh of Carmarthenshire County Council to the meeting to present item 7 of the agenda.

A warm welcome was also extended to C James of the Wales Audit Office who was in attendance in respect of items 11 and 12 of the agenda.

At the request of the Chair, the Temporary Assistant Chief Fire Officer (T/ACFO) provided a synopsis of the Service's increased activity levels as a result of the effects of the recent flooding. It was reported that the Joint Public Service Centre had dealt with 615 calls, specifically for the Mid and West Wales Fire and Rescue Service area between 0900 hours on Friday 12 October and 0900 hours on Monday 15 October, with Crews and Officers attending 283 individual incidents. Members were further informed that due to the flooding of Llandysul Fire Station, the crew, equipment and appliances had relocated to alternative premises within the area in line with its robust business contingency arrangements and despite this, there had been no adverse impact on the Station's operational response. The Committee commended crew, staff members and partner agencies for their sterling efforts in ensuring the safety of local communities.

The Temporary Corporate Head of Operational Support and Improvement (T/CHOSI) also provided an overview of a recent occurrence within the Swansea area whereby on-duty crews had been attacked during an incident. Members were assured that measures had been implemented by way of a pre-determined attendance protocol involving the Police to ensure the safety of crews when mobilised to that area in future. In response to comments made by Members, the T/CHOSI confirmed that legislation had been passed recently which would classify attacks on emergency services workers as 'aggravated assault', and thereby subject to greater punishment.

The T/DCFO was delighted to inform the Committee that employees from Welshpool fire station had created a group called the 'Fire Tones' and had been joined by Fire and Rescue Service employees across the UK, to record their version of Band Aid's "Do they know it's Christmas". Furthermore, it was reported that all proceeds from the recording would be donated to the Firefighters Charity and the Band Aid Charity Trust. Members congratulated the significant efforts of all involved in securing copyright to the song and participating in the

recording of the single which was set to be released on 1 December 2018 and which had been quoted as a 2/1 favourite to take the Christmas number 1 chart place.

**4 TO CONFIRM AND SIGN AS A TRUE RECORD THE MINUTES OF THE PERFORMANCE AUDIT AND SCRUTINY COMMITTEE HELD ON 23 JULY 2018**

The minutes of the Performance, Audit and Scrutiny Committee meeting held on 23 July 2018 were confirmed as a true record of proceedings. There were no matters arising.

**5 TO RECEIVE AND NOTE THE WALES AUDIT OFFICE – 2018 AUDIT PLAN**

The T/DCFO presented the Wales Audit Office 2018 Audit Plan to Members as set out at Appendix 1 of the report. Members gave consideration to the financial and performance audit work required for the 2017-18 financial statements in order to meet the requirements of auditing standards and proper audit practices. It was reported that the performance audit fee for 2018 would be £15,274, however an addendum to the Audit Plan would be issued in early 2019 to include a fee in respect of the financial audit work.

**RESOLUTION**

*It was RESOLVED that the Wales Audit Office 2018 Audit Plan be noted.*

**6 TO RECEIVE AND NOTE A REPORT ON THE WALES AUDIT OFFICE – AUDIT ENQUIRIES TO THOSE CHARGED WITH GOVERNANCE AND MANAGEMENT**

The Section 151 Officer presented a report to Members on the Audit enquiries of Management and those charged with Governance, and explained that the Auditor General for Wales (AGW) was responsible for obtaining assurance from the Authority that the 2016/17 financial statements were free from material misstatement.

Accordingly, Members were provided with an overview of Appendix 1, which set out the responses to the enquiries of management and the enquiries of the Fire and Rescue Authority. The Section 151 Officer confirmed that no instances of actual, suspected or alleged fraud had been under investigation within the audited body (the Fire Authority) since 2016. In response to a query from Cllr T Hennegan regarding the Committee's terms of reference in respect of responsibility for governance issues, the Section 151 Officer and Clerk/Monitoring Officer clarified that ongoing cases of suspected fraud would not normally be discussed at public meetings; rather, only the Chair and Deputy Chair of the Fire Authority would be sighted on individual cases, until an investigation was concluded.

The Section 151 Officer drew Members' attention to a Pension Ombudsman determination relating to certain allowances and their treatment as pensionable pay or otherwise which had been received by the Fire Authority in October 2018 and remained subject to potential Appeal to the High Court. In response to queries raised by Cllr K Broom, the Director of Resources confirmed that a calculation of costings had been made based on the initial determination and a provision was contained within allocated reserves for pension scheme liabilities. Furthermore, the Director of Resources explained that a provision had been made in the budget in respect of the PAYE/NIC liabilities relating to the payment of private mileage.

Following comments made by Cllr R Lewis, the Clerk/Monitoring Officer explained that any persons appointed as the Pensions Ombudsman would possess the necessary skills and experience required to undertake the role.

Cllr G Walker referred to alleged large settlements made by the Fire Authority to its employees over a number of years following cases of bullying and harassment. Cllr Walker did not provide any specific information and Officers were unclear on the matters being referred to by him. The Clerk/Monitoring Officer stated that any information held by Cllr Walker in respect of specific cases could be brought to the attention of Senior Officers in order for them to specifically aware of the issues being referred to, and to enable the officers to appropriately address them. Furthermore, the Clerk/Monitoring Officer emphasised to Members that as a general principle any settlements made would have been subject to appropriate legal advice and would have been duly scrutinised by internal and external auditors, and accordingly assurances were given that had any sums been paid as part of a settlement they would have been appropriate and lawfully entered into.

## **RESOLUTION**

*It was RESOLVED that the report be approved.*

### **7 TO RECEIVE AND NOTE THE INTERNAL AUDIT REPORTS ON DATA PROTECTION, INTERNET SECURITY, GRANTS (NATIONAL RESILIENCE), AGRESSO, GRANTS (ARSON REDUCTION) AND THE FINAL ANNUAL REPORT 2017-18**

The Internal Auditor provided Committee with an outline of findings arising from the completed reviews for 2017/18 relating to Data Protection, Internet Security, Grants (National Resilience), Agresso and Grants (Arson Reduction) as set out in Appendices 1-5 of the report. Consideration was given to the respective Action Plans which had been implemented where appropriate, and which summarised the issues identified, together with the recommendations made. The Committee was assured that all recommendations had been classified as minor issues, or areas to strengthen existing procedures, all of which had been agreed by the Executive Leadership Team and were being addressed by the Service by way of an Action Plan.

Consideration was also given to the Final Internal Audit Report 2017/18, set out at Appendix 6 of the report.

Committee Members also commented regarding the following areas:

Appendix 2, Internet Security – In response to a query from Cllr J Warman, the Director of Resources confirmed that an all-Wales Cyber Security audit assessment was due to be undertaken by Welsh Government and that it was envisaged that this would result in a data security concordat being introduced across public sector bodies.

Appendix 6, Final Annual Report 2017/18 – Following a query from Cllr T Hennegan, the Internal Auditor explained that not all target dates had been achieved within the Action Plan due to staffing issues, however assurances were given that a progress review of the agreed actions was scheduled to be undertaken as part of the audit process.

## **RESOLUTION**

***It was RESOLVED that the report be noted.***

### **8 TO RECEIVE AND APPROVE A REPORT ON THE CORPORATE GOVERNANCE ASSURANCE STATEMENT**

The T/DCFO presented the Code of Corporate Governance Assurance Statement to Members. It was reported that the annual review of Corporate Governance was considered to be good practice and that it was a means of enabling the Authority to monitor the achievement of its strategic objectives in line with the systems, processes, culture and values of the organisation.

Consideration was given to the Annual Governance Statement set out at Appendix 1 of the report, and Members' attention was drawn to a number of areas of practice which enhanced the Authority's scrutiny and governance arrangements. The T/DCFO recommended that the Committee approve the Statement of Assurance, for signature by the Chair of the Authority and the Chief Fire Officer, leading to its inclusion in the Statement of Accounts.

## **RESOLUTION**

***It was RESOLVED that the Statement of Assurance for the year ended 31 March 2018 be approved by the Committee for signature by the Chair of the Authority and the Chief Fire Officer, for inclusion in the Statement of Accounts.***

### **9 TO RECEIVE AND NOTE THE PERFORMANCE AND IMPROVEMENT PROGRESS REPORT – QUARTER 2 2018/19**

The T/DCFO presented the Performance and Improvement Progress Report for the reporting period 1<sup>st</sup> July 2018 – 30 September 2018 in respect of the number of fire incidents attended, hoax calls received, road traffic collisions, flooding, medical response and fire deaths and injuries, as set out at Appendix 1 (Part 1) to the report.

The T/DCFO addressed a number of Member queries, as follows:

In response to a query by Cllr T Hennegan, the T/DCFO reported that the Service operated an effective hoax calls challenge procedure whereby Control operators utilised their experience and professional judgement to filter unwanted calls and which had reduced the number of mobilisations in this regard.

Reference was made to the projected decrease in the number of medical incidents attended by the Service which could, in part, be attributable to the ongoing negotiations in respect of medical response and the re-categorisation of calls that the Welsh Ambulance Service Trust (WAST) was mobilising the Service to attend. In response to a query by Cllr A Llewelyn, the T/DCFO confirmed that all costs were recovered from the Welsh Ambulance Service Trust, with the exception of some maintenance/service related costs of vehicles which were met by the Service.

Following a query by Cllr R Rees-Evans, Committee was assured that the Service had robust procedures in place for dealing with Automatic Fire Alarms whereby the Service responded on a risk basis. Members were also provided with an overview of the proactive initiatives implemented within establishments such as universities and businesses to encourage better management of alarm actuation processes, including the introduction of the 'investigation scheme', all of which had significantly reduced the number of call outs for the Service.

Cllr G Walker queried what he considered to be anomalies in the statistics presented to Committee compared against the statistics published by Welsh Government. The T/DCFO clarified that the Service periodically provided Welsh Government with the relevant statistics and that any anomalies were therefore likely to be attributable to the timeframe being reported.

Members' attention was drawn to Part 2 of Appendix 1 of the report, whereby the T/DCFO provided Committee with a synopsis of progress made against 12 improvement objectives. Members were pleased to note that progress had been made within the majority of improvement objectives, 9 of which had been allocated green status, 2 amber status and 1 red status.

Reference was made to Objective 4 relating to the Public Service Board's Well-being Plans whereby Cllr J Warman noted that following discussions at a meeting of the Authority's the Democratic Services Forum, enquiries were being made to request that the Wellbeing of Future Generations Commissioner to attend a future meeting of the Fire Authority to enable Members to gain an understanding of the work undertaken in this area.

Members' attention was drawn to the Emergency Services Network (ESN) objective which would provide an innovative and unique solution to the provision of emergency service communications in the United Kingdom. It was explained to Members that a complete restructure and deep review of the programme had commenced whereby two options would be fully explored and considered by the Major Project Review Group and Cabinet Office, followed by consultation through the appropriate governance channels including Welsh Government. The T/ACFO confirmed to Members that the ESN was being monitored as a risk on the Service's Business Risk Management Group.

Reference was made to Objective 9 which related to Investors in People. Cllr J Warman, on behalf of the Committee, congratulated the Service in attaining the Investors in People Platinum Award which was the very highest accolade within the Investors in People Framework, and which he felt provided clear evidence of progress towards the Service's vision to be a World Leader in Emergency Response and Community Safety.

Committee Members were provided with a synopsis of the progress made against the Service's corporate projects for the Northern Area Development Site, Integrated Software Platform and Structural Personal Protective Equipment, as set out in Part 3 of Appendix 1 of the report.

## **RESOLUTION**

***It was RESOLVED that the report and progress made to date be noted.***

**10 TO RECEIVE AND NOTE THE BUSINESS RISK REGISTER UPDATE REPORT TO SEPTEMBER 2018**

The T/ACFO presented the Business Risk Update Report to September 2018 to the Committee.

Members were referred to the Business Risk Register Overview set out at Appendix A, Risk Assessment Matrix for Risk Register at Appendix B, the Business Risk Register Decision Log set out at Appendix C and the eight identified risks set out therein.

A summary of the latest considerations by the Business Risk Management Group (BRMG) for each of the risks contained within the Business Risk Register Decision Log was given to Members. It was noted that Regulatory Body Compliance had been categorised as high risk, that 5 areas relating to Industrial Relations, Change/Risk Management, Attendance Management, Procurement and Security had been categorised as medium risk, and that 1 area relating to Business Continuity/Interruption had been allocated as low risk. Members discussed and acknowledged the issues raised in the report.

Cllr A Llewelyn referred to the 'Change/Risk Management' risk and requested an update regarding the National Pay negotiations which posed a potential significant budgetary pressure to the Authority. The Director of Resources clarified that further negotiations were ongoing in this regard, however any potential additional funding for this provision would have to be determined at a later stage, should it transpire that any increased pay awards be the outcome of current National negotiations

Attention was drawn to the Regulatory body compliance risk whereby the T/ACFO provided details of a High Court Judgement in respect of South Yorkshire Fire and Rescue Service's Close Proximity Crewing (CPC) system. It was confirmed to Members that as of 7 January 2019 Pontardawe Fire Station would transition to a flexible day crewing system and Llanelli Fire Station would operate a Wholetime 2.2.4 Crewing System. In response to a query from Cllr G Walker, it was clarified that the personnel appointed to work at Pontardawe Fire Station would be required to source their own residence in the vicinity of the Station, in keeping with the Working Time Directive Regulations.

**RESOLUTION**

***It was RESOLVED that the Performance, Audit and Scrutiny Committee note the report and acknowledge the ongoing progress to both identify and manage matters of business risk affecting the Service.***

**11 TO RECEIVE AND NOTE THE CERTIFICATE OF COMPLIANCE FOR THE AUDIT OF MID AND WEST WALES FIRE AND RESCUE AUTHORITY'S 2018/19 IMPROVEMENT PLAN**

Ms C James of the Wales Audit Office presented the report on the Certificate of Compliance for the audit of Mid and West Wales Fire and Rescue Authority's 2018/19 Improvement Plan.

It was confirmed that the Auditor General for Wales had determined that the Authority had discharged its duties under sections 17 and 19 of the Local Government (Wales) Measure

2009, to prepare and publish an Improvement Plan in accordance with statutory requirements set out in section 15 and statutory guidance and that a certificate of compliance had been provided in this regard.

**RESOLUTION**

***It was RESOLVED that the Wales Audit Office Certificate of Compliance for the Audit of Mid and West Wales Fire and Rescue Authority's Improvement Plan 2018/19 be noted.***

**12 TO RECEIVE AND NOTE THE ANNUAL IMPROVEMENT REPORT 2017/18**

Ms C James presented the Wales Audit Office Annual Improvement Report 2017/18 to Members.

Members were provided with an outline of the report set out at Appendix 1, and it was confirmed that based on, and limited to, the work carried out by the Wales Audit Office and relevant regulators, the Auditor General determined the Authority was likely to comply with the requirements of the Local Government (Wales) Measure (2009) during 2018/19. It was noted that the report was positive overall, with some proposals for improvement being recommended regarding the development of current arrangements.

**RESOLUTION**

***It was RESOLVED that the***

**13 TO CONSIDER ANY OTHER ITEM OF BUSINESS THAT BY REASON OF SPECIAL CIRCUMSTANCES, THE CHAIR DECIDES SHOULD BE CONSIDERED AS A MATTER OF URGENCY PURSUANT TO SECTION 100(B)(4) OF THE LOCAL GOVERNMENT ACT 1972**

There were no items of urgent business.

**The meeting closed at 12:22.**