

AWDURDOD TÂN CANOLBARTH A GORLLEWIN CYMRU



MID AND WEST WALES FIRE AUTHORITY

**COFNODION
CYFARFOD YR GRŴP MODEREIDDIO
MINUTES
OF THE MEETING OF THE MODERNISATION GROUP**

**DYDD IAU, 17 TACHWEDD 2005
THURSDAY 17 NOVEMBER 2005**

**PENCADLY GWASANAETH TÂN,
HEOL LLWYN PISGWYDD, CAERFYRDDIN
FIRE SERVICE HEADQUARTERS,
LIME GROVE AVENUE, CARMARTHEN**

PRESENOLDEB/ATTENDANCE

Presennol yn y Cyfarfod/Present at Meeting:

CADEIRYDD/CHAIRMAN: Mrs P Spender

IS-GADEIRYDD/VICE CHAIRMAN: T Theophilus

AELODAU/MEMBERS: Cyng/Cllrs: C J Crowley, T E Evans,
B J Hall, D R James, J D A Thompson

YMDDIHEURIADAU/APOLOGIES: Cyng/Cllrs: J S Allen-Mirehouse

1 TO APPOINT A CHAIR FOR THE 2005/06 MUNICIPAL YEAR

Councillor Mrs P Spender was nominated and duly seconded. There were no other nominations.

Upon being put to the vote,

It was RESOLVED that Councillor Mrs P Spender be elected Chair for the Municipal year 2005/2006.

2 TO APPOINT A VICE CHAIR FOR THE 2005/06 MUNICIPAL YEAR

Councillor T Theophilus was nominated and duly seconded. There were no other nominations

Upon being put to the vote,

It was RESOLVED that Councillor T Theophilus be elected Vice Chair for the Municipal year 2005/2006.

3 DECLARATION BY MEMBERS OF ANY PERSONAL INTERESTS

None were declared

4 TO CONSIDER AMENDMENTS TO THE AUTHORITY'S CONSTITUTION

The Clerk reported that the Authority's Constitution had been formally adopted in September 2003, with a number of minor amendments having been made in the interim. Since that time however there had been a number of events, not least the enactment of the Fire & Rescue Services Act 2004 and the review of the Finance and Administration functions, which provided a timely opportunity to review the Authority's Constitution including the Scheme of Delegation.

RESOLUTION

It was RESOLVED that the proposed amendments to the Constitution (as detailed in the attached Schedule) be recommended to the Authority for approval

5 TO RECEIVE AN UPDATE ON ISSUES RELEVANT TO THE WORK OF THE GROUP

The Clerk provided Members with an update on current issues which were relevant to the work of the Working Group including progress on the legislative timetable where appropriate.

RESOLUTION

It was RESOLVED that the progress of issues identified in the report be received and noted

Amendments to the Authority's Constitution

General	References to Fire Authority and Mid & West Wales Fire Authority References to Brigade References to Chairman and Vice Chairman	General	Replace with Fire & Rescue Authority and Mid and West Wales Fire & Rescue Authority. Replace with Service Replace with Chair and Vice Chair
Page 2	Reference to the Fire Services Act 1947 in the Introduction	Page 2	Replace with reference to the Fire & Rescue Services Act 2004
Article 3.1(c) Page 10	References to Local Government Ombudsman	Article 3.1(c) Page 10	Replace with reference to Public Services Ombudsman
Article 4.1 (p) Page 12	Reference to Council	Article 4.1 (p)	Replace with reference to Authority
Article 7 Pages 15 - 17	Terms of Reference of the Performance & Policy Review Committee	Article 7 Page 15	Will need to be updated in due course to reflect the introduction of the Wales Programme for Improvement, effective from April 2006.
Article 9.3 (viii) Page 20	Reference to Local Government Ombudsman	Article 9.3 (viii) Page 20	Replace with reference to Public Services Ombudsman
Article 10 Page 21	<u>Post</u> Director of Community Safety Director of Service Policy & Planning Director of Service Support <u>Functions</u>		Replace with Director of Service Policy & Planning Replace with Director of Service Delivery Replace with Director of Finance Realign functions following restructuring as per Appendix 1
Part 2 Ref 2.3.2	Reference to non-uniformed	Part 2 Para 2.3.2	Replace with support staff
	None existing	Additional Paragraphs	2.3.13 Exercise of incidental powers under Section 5 of the Fire & Rescue Services Act 2004 2.3.14 In accordance with the Integrated Risk Management Plan and any policies approved by the Authority, decisions on the discharge of the functions of the Authority under sections 6 to 12 of the Fire & Rescue Services Act 2004. 2.3.15 Making, varying or revoking any arrangements with other persons in accordance with sections 13 to 17 of the Fire & Rescue Services Act 2004. 2.3.16 Decisions on charges under section 19 of the Fire & Rescue Services Act 2004, in accordance with the Authority's policy on charging. 2.3.17 Decisions on the exercise of

			<p>powers at sea or under the sea under section 20 of the Fire & Rescue Services Act 2004.</p> <p>2.3.18 To the extent not covered elsewhere, decisions on operational deployment of staff, equipment etc. and the use of buildings in accordance with the Integrated Risk Management Plan. This delegation does not include the power to close a fire station unless that is explicitly mentioned in the Plan or has been the subject of a resolution by the Authority.</p> <p>2.3.19 Agreements in respect of water supply under Part 5 of the Fire & Rescue Services Act 2004</p> <p>2.3.20 To authorise employees of the Fire & Rescue Authority under Part 6, sections 44 and 45 of the Fire & Rescue Services Act 2004</p>
FPR 1.13(a)	Reference to the Office of the Deputy Prime Minister	FPR 1.13(a)	Delete
1.13(b)	Reference to Home Office / Welsh Office	1.13(b)	Replace with Welsh Assembly Government
FPR 2.1(c)	Reference to non-uniformed staff	FPR 2.1(c)	Replace with Support Staff
FPR 2.27	Reference to the Personnel & Administration Officer		Replace with Corporate Head of Human Resources
FPR 2.25, 3.10, 3.16	Reference to Director of Service Support	FPR 3.17	Replace with Director of Finance
Code of Conduct Paras. 6.3, 9.1, 15.2, 16.3, 16.4, 17.2, Appendix 1, Appendix 3, Appendix 1	All references to Director of Service Support	Code of Conduct	Replace with Director of Finance
Para. 18 Whistleblowing	Reference to Non-uniformed Reference to Personnel & Administration Officer	Additional Paragraphs	<p>Replace with Support Staff</p> <p>Replace with Corporate Head of Personnel</p> <p>18.3 Employees are reminded that particular attention should be paid to anything which impacts in any way on children or vulnerable adults.</p> <p>18.4 The Authority has a high duty of care in the way that it delivers services to children and vulnerable adults and one of the elements of that duty is to</p>

			<p>ensure that staff who may come into contact with these groups in any way whatsoever have not been convicted of criminal offences which might affect whether it is appropriate for that member of staff to have dealings with either of these groups. For that reason employees are required within seven days of conviction of a criminal offence to report details of that to the Corporate Head of Personnel and in this context:-</p> <p>(a) “conviction of a criminal offence” includes a formal caution given by the police in place of a summons to appear before a court; and</p> <p>(b) this requirement does not apply to criminal offences which are dealt with by way of a fixed penalty in place of an appearance before a court.</p>
Para 4.1	Protocol for member / officer working arrangements Reference to Director of Service Support		Replace with Corporate Head of Policy & Member Support

Appendix 1

1. Post	2. Function and areas of responsibility
Chief Fire Officer / Head of Paid Service	Overall corporate management and operational responsibility. Overall management responsibility for all officers and services. Strategic and corporate policies. Professional Advisor to the Authority
Deputy Chief Fire Officer / Director of Service Policy and Planning	Operational, legislative and Community Fire Safety policy and guidance. Performance management, Best Value / Wales Programme for Improvement Uniformed Industrial Relations Corporate Human Resources Health & Safety Risk Management Training / Professional Development Equality and Diversity
Director of Service Delivery / Assistant Chief Fire Officer	Operational, legislative and Community Fire Safety delivery. Fire Control FS Uniformed Discipline. Fleet & Equipment Communications and Information Services Premises
Director of Finance	Finance Procurement and Supplies