

**AWDURDOD TÂN AC ACHUB CANOLBARTH A GORLLEWIN
CYMRU**



MID AND WEST WALES FIRE AND RESCUE AUTHORITY

**COFNODION Y PWYLLGOR PERSONÉL
MINUTES OF THE PERSONNEL COMMITTEE**

**DYDD LLUN, 25 MEDI 2006
MONDAY, 25 SEPTEMBER 2006**

***PENCADLYS Y 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 C Philpott
IS-GADEIRYDD/VICE CHAIRMAN:	D R James
AELODAU/MEMBERS:	Cyng/Cllrs: C J Crowley, B J Hall, P James, F M Jones, M Williams
YMDDIHEURIADAU/APOLOGIES:	Cyng/Cllrs: K Harris, P Llewellyn

1. PERSONAL MATTERS

The Chair welcomed the Reverend Geraint Hughes and Mr Anthony Rees (Eversheds) to the meeting

On behalf of Members, the Chair offered congratulations to Cllr and Mrs R James on the occasion of their Golden Wedding Anniversary.

2. DECLARATION BY MEMBERS OF ANY PERSONAL INTERESTS

The Chief Fire Officer and Assistant Chief Fire Officer declared an interest in agenda item 6

3. TO RECEIVE AND CONSIDER THE MINUTES OF THE MEETING HELD ON 7 JUNE AND 19 JUNE 2006

The minutes of the meetings held on 7 June and 19 June 2006 were received and approved as a true record.

4. TO RECEIVE THE CHAPLAINS' ANNUAL REPORT

The Reverend Geraint Hughes, the Service's Supervisory Chaplain, reported on the varied work carried out by the Service Chaplains during the course of 2005. This included attendance at road traffic crashes and major fires, Memorial Services, the dedication of appliances and conducting and assisting in the funerals of personnel and their families. The Chaplains had also responded to many personal calls from members of staff and recently attended the Fire and Rescue Service Annual Chaplains Conference at the Fire Service College.

The Personnel Committee wished to stress that they were particularly grateful for the invaluable service provided by the Chaplains, not only for the fact that this work was being undertaken on a voluntary basis, but that the Chaplains were permitted to take time away from their parish and diocesan work in order to undertake their Fire Service duties. Members were keenly aware of the pressures on resources faced by public services and fully appreciated that the Church in Wales faced similar pressures.

RESOLUTION

It was RESOLVED that

that a letter of thanks be sent to the Bishop of St Davids for allowing the Chaplains to undertake their work with the Fire Service

5. TO RECEIVE A REPORT ON ATTENDANCE AND ILL-HEALTH

It was noted that sickness absence rates of 2.99 shifts lost, covering the period April to August 2006, with an overall projected average for the year of 7.18 shifts lost, was only slightly outside the target of 7. The Corporate Head of Human Resources reported that Service Managers continued to manage attendance

issues robustly, whilst at the same time taking recognisance of individual cases many of which required flexible approaches to return to duties.

The attention of Members' was drawn to the current Occupational Health Service arrangements, which had been in place as part of a three year Service Level Agreement between June 2003 and June 2006 and which had currently been extended on an open-ended basis, until such time as a further formal evaluation could be undertaken utilising the specialist services of the Authority's Employment Risk Insurers, Marsh UK.

It was confirmed that the current Occupational Health Service Providers were delivering effective services to the organisation and Members were asked to endorse a further extension of the current arrangements for a two year period, allowing sufficient time for a full evaluation to be undertaken in partnership with Marsh UK. Health Centres within the Service area had also been informed by letter that the service encouraged staff to return to work on restricted duties if required.

Gethin Davies, County Commander for Carmarthenshire was welcomed to the meeting and provided Members with an overview of the management of sickness absence within his Command. Members requested that individual sickness absence charts for each Command be provided for the next meeting.

With reference to the current ill-health retirements across all sectors of the workforce, Members were pleased to note that ill-health retirement trends continued to be low, with the majority of employees retiring because of age and/or service issues as opposed to ill-health related issues.

RESOLUTION

It was RESOLVED that

The report be noted and approved

6. TO RECEIVE A REPORT ON THE RE-EMPLOYMENT OF RETIRED FIREFIGHTERS

Members considered a Policy which related to recent amendments to the Firefighters' Pension Scheme, which provided for the Re-employment of Personnel who retired on a voluntary basis having reached age 50 and achieved 25 years or more service. Mr Anthony Rees, the Service's Employment Law Advisor, provided advice and guidance to Members on this issue. The new tax requirement for pensions, which came into effect on 6 April 2006, had relaxed the rules limiting the opportunity for a person to draw a Pension and continue in employment. The Service recognised that in order to retain the skills, expertise and knowledge of staff voluntarily retiring from the Service, it would be beneficial to have in place a policy for the re-employment of individuals covered by the Firefighters' Pension Schemes. This Policy also promoted age diversity within the workforce. The procedure enabled staff voluntarily retiring from the Service to apply for re-employment within the same role and rate of pay that they held upon retirement. It was reported that each application would be considered from an organisational need perspective, and

where approved, an offer of employment would be made to the applicant on a fixed term basis. Terms and conditions, as determined by the organisation would apply and any individual offered re-employment would be expected to serve at any suitable location within the Service appropriate to his/her role. It was confirmed that there was no guarantee that the offer of employment would be at the same location as the post the individual had retired from and there was no automatic entitlement to re-employment under the terms of the policy.

RESOLUTION

It was RESOLVED that

The report be approved

7. TO RECEIVE A REPORT ON EMPLOYMENT BEYOND THE AGE OF 65

Consideration was given to a Policy which related to the introduction of Age Discrimination Legislation in October 2006, and which placed a requirement on organisations to duly consider a request from an individual who wished to continue in employment beyond age 65.

Currently in the absence of a national retirement age, the Service recognised a default retirement age for all employees of age 65. The Authority could, however, extend the service of a person beyond age of 65, if it was satisfied that such an extension would be in the interest of efficiency.

Instances when it may be in the Authority's interest could include where employees possessed skills, knowledge or experiences that were unique or in limited supply, and where the Authority required these skills, knowledge or experiences in order to deliver projects or outcomes in the short term, generally less than one year.

RESOLUTION

The report be approved

8. TO RECEIVE A REPORT ON THE DISABILITY WALES ANNUAL CONFERENCE

The Service had been asked to participate, along with the other two Fire and Rescue Services in Wales, at the Disability Wales Annual Conference as part of the wider Equality and Diversity Agenda. The Conference was being organised by Disability Wales and supported the Disability Rights Commission Wales. Disability Wales were looking for sponsorship of the event and, in discussions with colleagues from North and South Wales Fire and Rescue Services, it was considered that joint support for the event from the Fire Service in Wales would help to raise the profile of the service within the disabled community. It would further enable the Service to explore the issues and challenges in terms of recruitment, retention and the wider responsibilities concerning linkages with stakeholders and community groups. As part of the sponsorship arrangements the Service would provide a speaker for the Conference and have a Public

Relations stand at the Exhibition Hall.

RESOLUTION

It was RESOLVED that

- i) The Service contribute £1,000 to the overall £3,000 sponsorship of the Disability Wales Conference by the Fire and Rescue Services in Wales.*
- ii) The Chair and Vice Chair of the Personnel Committee attend the Conference*

9. TO RECEIVE A REPORT ON THE REVIEW OF EARLY RETIREMENT OR TERMINATION OF EMPLOYMENT POLICIES AND FLEXIBLE RETIREMENT

Members considered a report which set out a range of policy provisions in order to ensure that the Service's Policies for Early Retirement and Flexible Retirement complied with amendments to Local Government Pension Scheme and Discretionary Compensation Regulations. Mr M Miles, Establishment Officer, attended the meeting to provide an overview of the report. It was noted that the Department for Communities and Local Government (DCLG) had issued draft regulations that covered the provisions available to employers in cases of redundancy or efficiency of service terminations.

In order to comply with age discrimination legislation, which became effective on 1 October 2006, the DCLG intended to replace the current compensation formula that provided for a maximum payment of 66 weeks pay based on age and length of service. Additionally, the DCLG was removing the powers within the Discretionary Compensation Regulations (DCR) to award added years to eligible employees over the age of 50 and replace these with a general discretionary power to award compensation up to a maximum of two years pay (104 weeks). These changes would come into effect on 1 October 2006.

RESOLUTION

It was RESOLVED that

The principles outlined in the report, which would constitute the Service's policies for dealing with early retirement / termination of employment and flexible retirement for support staff, be approved.

10. TO RECEIVE A REPORT ON THE INTRODUCTION OF CONTINUAL PROFESSIONAL DEVELOPMENT (CPD) PAYMENTS

At the Fire Authority meeting on 3rd July 2006, Members had noted NJC Circular 05/06 which deferred the commencement of the Long Service Increment (LSI) phasing-out arrangements from 1st July to 1st October. The Service had now received EMP Circular 11/06 which provided an update on the progress of the introduction of CPD payments indicating that agreement had not yet been

reached. It was noted that the next meeting of the National Joint Council would be held on 29th September 2006.

As part of the Pay and Conditions Agreement 2003, the National Joint Council (NJC) had agreed the introduction of Continual Professional Development (CPD) payments. These payments would be funded from the net savings resulting from the 15-year long service increment being phased out over the life of the five-stage pay settlement set out in the Fire Service Pay and Conditions Agreement 2003.

To take the matter forward, the NJC had put in place a joint working party (JWP) and, whilst both sides of the JWP had endeavoured to reach a position that could be recommended to the NJC, a satisfactory agreement had not been achieved to date.

Fire Authority Members had agreed at their meeting of 3rd July to defer the phasing-out of the LSI until 1st October and then reduce to half all LSI payments for the period 1st October 2006 to 30th June 2007.

RESOLUTION

It was RESOLVED that

the report be noted and that a further updated report be submitted to the next meeting of the Personnel Committee

11. TO RECEIVE A REPORT ON THE MEMBER CHARTER DEVELOPMENT

Further to the report received by the June meeting of the Personnel Committee, draft documentation for the Wales Charter for Member Support and Development in Fire and Rescue Authorities was now available for consideration.

The WLGA in collaboration with unitary authorities had developed the Member Development Charter which was an award made to authorities in recognition of their achievements in member support and development. All unitary authorities in Wales had signed up to the Charter and there were three levels of achievement within the award, the Charter itself, Advanced Charter and Excellence Award. In applying for each individual level each Authority must satisfy a peer review team in respect of arrangements within the areas of modernised constitutional arrangements, members personal role, skill and knowledge development, members support services and members facilities.

Work had been undertaken on an all Wales basis with the WLGA and the other two Fire and Rescue Services to prepare an amended Charter specifically for the Fire and Rescue Authorities in Wales.

Attached for information was a letter from Colin Everett and Sarah Titcombe of the WLGA to the Chair of the Authority seeking comments on the draft Charter documentation for Fire and Rescue Authorities. Whilst the three Services were seeking to agree as far as possible standard role descriptions there would be some scope to amend them locally so as to ensure that they met the requirements of individual Authorities.

RESOLUTION

It was RESOLVED that

The progress on the Charter to date be noted and that work continue in pursuing the Charter for the Service.

12. TO RECEIVE THE HEALTH AND SAFETY MANAGEMENT REPORT

Members received the Health and Safety Performance Report which provided Members with an overview of the work which had been carried out within that Department in order to improve the management of health, safety and welfare of employees within the Service.

RESOLUTION

It was RESOLVED that

The report be received and noted

13. TO RECEIVE AND NOTE THE MINUTES OF THE JCC MEETING HELD ON 24 JULY 2006

The minutes of the JCC Meeting held on 24th July 2006 were received and noted

14. *It was **resolved**, in relation to the following item, that pursuant to section 100a(4) of the Local Government Act 1972, that the press and public be excluded from the meeting for the reason, that if they were present, it is likely that there would be disclosure to them of exempt information within the description of schedule 12(a)(1) to the Local Government Act 1972, namely information relating to current employees of the Authority.*

15. **TO RECEIVE A REPORT ON THE AREA MANAGER DUTY SYSTEM**

Consideration was given to proposals for a refined duty system for the four Area Manager positions within the Service. The proposals effectively removed the four posts from the terms and conditions contained within the Grey Book and placed the Officers on a continuous duty system with a 10% supplementary allowance being paid.

RESOLUTION

*It was **RESOLVED** that*

The changes to the Area Manager's Duty System be approved