



DEVON & SOMERSET FIRE & RESCUE AUTHORITY

**M. Pearson
CLERK TO THE AUTHORITY**

**To: The Chair and Members of the Devon &
Somerset Fire & Rescue Authority**

(see below)

**SERVICE HEADQUARTERS
THE KNOWLE
CLYST ST GEORGE
EXETER
DEVON
EX3 0NW**

Your ref :
Our ref : DSFRA/MP/SS
Website : www.dsfire.gov.uk

Date : 11 April 2023
Please ask for : Samantha Sharman
Email : ssharman@dsfire.gov.uk

Telephone : 01392 872200
Fax : 01392 872300
Direct Telephone : 01392 872393

DEVON & SOMERSET FIRE & RESCUE AUTHORITY

Wednesday, 19th April, 2023

A meeting of the Devon & Somerset Fire & Rescue Authority will be held on the above date, **commencing at 10.00 am in The Committee Rooms, Somerset House, Devon & Somerset Fire & Rescue Service Headquarters, Exeter** to consider the following matters.

M. Pearson
Clerk to the Authority

A G E N D A

PLEASE REFER TO THE NOTES AT THE END OF THE AGENDA LISTING SHEETS

1 Apologies

2 Items Requiring Urgent Attention

Items which, in the opinion of the Chair, should be considered at the meeting as matters of urgency.

PART 1 - OPEN COMMITTEE

3 Application for Retirement/Re-employment (Pages 1 - 4)

Report of the Chief Fire Officer (DSFRA/23/8) attached.

4 Exclusion of the Press and Public

RECOMMENDATION that, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the following Paragraph(s) of Part 1 of Schedule 12A (as amended) to the Act:

- For items 5, 7 & 8 on the agenda - Paragraph 1 (information relating to an individual);
- For items 5, 7 & 8 on the agenda - Paragraph 2 (information likely to reveal the identity of an individual);
- For items 5, 6 & 7 on the agenda - Paragraph 3 (information relating to the financial and business affairs of any particular person – including the authority holding that information); and
- For items 6 on the agenda - Paragraph 4 (information relating to consultation or negotiations or contemplated consultation or negotiations in connection with a labour relations matter arising between the Authority or a Minister of the Crown and employees of or office holders under the Authority).

5 Appointment of Monitoring Officer and Clerk to the Authority (Pages 5 - 14)

Report of the Chief Fire Officer (DSFRA/23/9) attached.

6 Digital Service Provision (Pages 15 - 68)

Report of the Chief Fire Officer (DSFRA/23/10) attached.

7 Staffing Matter (1) (Pages 69 - 76)

Report of the Chief Fire Officer (DSFRA/23/11) attached..

8 Staffing Matter (2)

Clerk to the Authority/Chief Fire Officer to update at the meeting.

MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

Membership:-

Councillors Randall-Johnson (Chair), Aspinall, Best, Biederman, Brazil, Chesterton, Clayton, Coles, Cook-Woodman (Vice-Chair), Drear, Hannaford, Hendy, Kendall, Kerley, Long, McGeough, Peart, Power, Prowse, Radford, Roome, Sellis, Shayer, Sully, Thomas and Trail BEM

NOTES

1. **Access to Information**

Any person wishing to inspect any minutes, reports or lists of background papers relating to any item on this agenda should contact the person listed in the “Please ask for” section at the top of this agenda.

2. **Reporting of Meetings**

Any person attending a meeting may report (film, photograph or make an audio recording) on any part of the meeting which is open to the public – unless there is good reason not to do so, as directed by the Chair - and use any communication method, including the internet and social media (Facebook, Twitter etc.), to publish, post or otherwise share the report. The Authority accepts no liability for the content or accuracy of any such report, which should not be construed as representing the official, Authority record of the meeting. Similarly, any views expressed in such reports should not be interpreted as representing the views of the Authority.

Flash photography is not permitted and any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chair or the Democratic Services Officer in attendance so that all those present may be made aware that is happening.

3. **Declarations of Interests at meetings (Authority Members only)**

If you are present at a meeting and you are aware that you have either a disclosable pecuniary interest, personal interest or non-registerable interest in any matter being considered or to be considered at the meeting then, unless you have a current and relevant dispensation in relation to the matter, you must:

- (i) disclose at that meeting, by no later than commencement of consideration of the item in which you have the interest or, if later, the time at which the interest becomes apparent to you, the existence of and – for anything other than a “sensitive” interest – the nature of that interest; and then
- (ii) withdraw from the room or chamber during consideration of the item in which you have the relevant interest.

If the interest is sensitive (as agreed with the Monitoring Officer), you need not disclose the nature of the interest but merely that you have an interest of a sensitive nature. You must still follow (i) and (ii) above.

Where a dispensation has been granted to you either by the Authority or its Monitoring Officer in relation to any relevant interest, then you must act in accordance with any terms and conditions associated with that dispensation.

Where you declare at a meeting a disclosable pecuniary or personal interest that you have not previously included in your Register of Interests then you must, within 28 days of the date of the meeting at which the declaration was made, ensure that your Register is updated to include details of the interest so declared.

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| 4. | <p><u>Part 2 Reports</u></p> <p>Members are reminded that any Part 2 reports as circulated with the agenda for this meeting contain exempt information and should therefore be treated accordingly. They should not be disclosed or passed on to any other person(s). Members are also reminded of the need to dispose of such reports carefully and are therefore invited to return them to the Committee Secretary at the conclusion of the meeting for disposal.</p> |
| 5. | <p><u>Substitute Members (Committee Meetings only)</u></p> <p>Members are reminded that, in accordance with Standing Order 37, the Clerk (or his representative) must be advised of any substitution prior to the start of the meeting. Members are also reminded that substitutions are not permitted for full Authority meetings.</p> |

Agenda Item 3

REPORT REFERENCE NO.	DSFRA/23/8
MEETING	DEVON & SOMERSET FIRE & RESCUE AUTHORITY
DATE OF MEETING	19 APRIL 2023
SUBJECT OF REPORT	APPLICATION FOR RETIREMENT & RE-EMPLOYMENT
LEAD OFFICER	Chief Fire Officer
RECOMMENDATIONS	<i>That the application for retirement & re-employment as identified in paragraph 2.3 of this report be approved.</i>
EXECUTIVE SUMMARY	The Authority has an approved Pay Policy Statement for 2023-24 in accordance with the requirements of the Localism Act 2011 and which sets out the arrangements for consideration of any requests for re-employment of employees following retirement. This report sets out specific requests for approval from one non-operational member of staff.
RESOURCE IMPLICATIONS	Cost circa £11k pa (including on costs) representing a saving of £110k pa as the Directors post will not be back filled. Part of these savings will be used to cover the cost of providing an external Monitoring Officer, subject to an item elsewhere on this agenda.
EQUALITY RISK & BENEFITS ASSESSMENT	The Retirement & Re-Employment Policy has had an equalities impact assessment.
APPENDICES	Nil
BACKGROUND PAPERS	DSFRA Pay Policy Statement for 2023-24.

1. **INTRODUCTION**

- 1.1 The Authority's Pay Policy Statement for 2023-24 sets out the arrangements for consideration of any requests for re-employment of employees following retirement. The re-employment of any employee (up to Area Manager or non-uniformed equivalent) who has retired will be subject to approval by the People Committee (the Committee).
- 1.2 The Pay Policy Statement sets out that the Authority will, in principle, allow the re-employment of employees who have retired, subject to a break in service of at least one month, because it is recognised that this often represents an effective way of retaining specialist knowledge and skills without any increase in cost to the Authority (and noting that costs to the Pension Scheme are no more than would be the case for normal retirement).
- 1.3 The Pay Policy Statement also notes that the Fire and Rescue National Framework for England, published by the Home Office in May 2018, sets out that "fire and rescue authorities must not re-appoint principal fire officers after retirement to their previous, or a similar, post save for in exceptional circumstances when such a decision is necessary in the interests of public safety". In this context, Principal Officers refers to those officers at Area Manager and above, or those with comparable responsibilities to those roles. The Fire and Rescue National Framework also states that fire and rescue authorities will "have regard to this principle when appointing at any level".
- 1.4 For staff within the Local Government Pension Scheme, where an individual is re-employed on the same terms and conditions as previously, the same abatement rules as apply to those within the Fire Fighters Pension Scheme will be applied. However, the Authority's policy on Pension Discretions refers to flexible retirement and states that this "may be subject to abatement during such time as the individual remains employed by the Service". This allows the Authority to use flexible retirement opportunities where key employees may wish to continue working as they get older but step down in grade or reduce their working hours. This can be beneficial to the Authority in retaining key skills, knowledge and experience whilst also reducing costs.
- 1.5 With this in mind and taking account of the National Framework provisions, the Authority has agreed the following approach in relation to requests for re-employment following retirement, subject in each case to an approved business case:
- (a). the Chief Fire Officer has delegated authority to approve such requests up to and including Watch Manager level (or non-uniformed equivalent posts);
 - (b). the People Committee has delegated authority to approve such requests for Station Manager up to and including Area Manager level (or non-uniformed equivalent posts); and

- (c). the approval of the full Authority is required for the re-employment, following retirement, of any post-holder at Brigade Manager (or equivalent non-uniformed) level i.e. in effect, any member of the Service Executive Board (the Chief Fire Officer, Deputy Chief Fire Officer, Assistant Chief Fire Officers, Director of Governance & Digital Services and Director of Finance, People & Estates).

1.6 The Chief Fire Officer has considered the application for retirement and re-employment set out within paragraph 2.3 of this report and considers that the request is beneficial in helping to retain key skills and knowledge within the Service. The request for retirement and re-employment is therefore submitted to the Authority for approval in accordance with paragraph 1.5.(c). above.

2. RETIREMENT AND RE-EMPLOYMENT

2.1 The Service policy on retirement & re-employment is linked to workforce planning arrangements. It also provides a transition for the employee from full employment into retirement.

2.2 An application has been received from the Director of Governance & Digital Services to be re-employed following his retirement and a break in service of one month. Re-employment would be on existing terms and conditions and on the basis of a zero hours contract, initially for 12 months. The Chief Fire Officer would manage the extent of the engagement. This would ensure that key skills and corporate knowledge are retained to be called upon where appropriate, given that the postholder has been with the Authority since combination in 2007. It will provide an important balance of knowledge and skills on the Executive Board, maintaining effective internal challenge and provide for business continuity during the transition to the new Monitoring Officer model, while also generating a savings opportunity.

2.3 The request for retirement and re-employment is as summarised in the table below:

Role	Position	Station/Dept.	Decision
Non-Operational	Strategic Adviser	Service Headquarters	FTC initially for 1 year on a zero hours contract from June 2023

2.4 Approval of this application provides the Service and its Executive Board with an important balance of knowledge and skills together with resilience given recent changes including retirements.

LEE HOWELL
Chief Fire Officer

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