



Northern Ireland  
Assembly

Committee for Health, Social Services and  
Public Safety

# OFFICIAL REPORT (Hansard)

Northern Ireland Fire and Rescue Service:  
Ministerial Briefing

28 November 2012

# NORTHERN IRELAND ASSEMBLY

## Committee for Health, Social Services and Public Safety

Northern Ireland Fire and Rescue Service: Ministerial Briefing

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**Members present for all or part of the proceedings:**

Ms Sue Ramsey (Chairperson)  
Mr Jim Wells (Deputy Chairperson)  
Mr Roy Beggs  
Mr Mickey Brady  
Ms Pam Brown  
Mr Gordon Dunne  
Mr Samuel Gardiner  
Mr Kieran McCarthy  
Mr Conall McDevitt

**Witnesses:**

Mr Edwin Poots	Minister of Health, Social Services and Public Safety
Dr Andrew McCormick	Department of Health, Social Services and Public Safety
Ms Julie Thompson	Department of Health, Social Services and Public Safety

**The Chairperson:** Minister, thanks very much for coming, as I know that you had pressing engagements earlier. Before you begin, I want to let you know that the Committee has agreed the following course of action. We are going to invite Linda Ford to give evidence to the Committee. We are also going to invite the former Chief Fire Officer, the person who held the post before him and the former chair of the Fire and Rescue Service Board to give evidence. I thought that it would be useful to let you know that before you give your evidence, rather than you let you leave thinking that we did not tell you. You are more than welcome to the Committee.

**Mr Edwin Poots (The Minister of Health, Social Services and Public Safety):** I am very happy for all of that to happen.

**The Chairperson:** Sorry, Minister?

**Mr Poots:** This is about Andrew's resignation? *[Laughter.]*

**The Chairperson:** Are you OK with what I said or do you want me to repeat it for your officials?

**Mr Poots:** There might not be any harm in doing so.

The Chair was outlining the Committee's action plans, Andrew.

**The Chairperson:** I welcome Julie and Andrew. We are going to invite Linda Ford to give evidence. We are also going to invite the former Chief Fire Officer, the person who held the position before him and the former chair of the Fire and Rescue Service Board to give evidence to the Committee.

**Mr Poots:** I will kick off. Apologies for being late, but we were up in Omagh and we are just back.

There has been a lot of attention on the Northern Ireland Fire and Rescue Service (NIFRS) in recent months, including attendance at a Committee meeting by representatives of the Department and NIFRS, two ministerial statements and my attendance today. A further evidence session is planned with the NIFRS senior team in December.

We can immensely proud of the service that NIFRS provides to the public. It is available 24 hours a day, seven days a week, to respond immediately to crisis situations, save lives and prevent incidents through raising public awareness. I emphasise that the firefighters on the front line are showing commitment and professionalism daily, and they deserve to be supported and praised. On Saturday night, I met those who led the response to the fire at Altnagelvin hospital the previous evening and was very impressed by their commitment and professionalism, which is always in evidence when difficulty strikes.

Although the recent scrutiny and criticisms are not of firefighters, it is important that the organisation is able to move on, look to the future and make the necessary improvements to its internal controls and governance. It is in no one's interest that the organisation has become the focus of public interest for the wrong reasons, and it is critical that we put NIFRS on a trajectory that will remove it from the negative headlines.

In my statement to the Assembly on 16 October, I gave Members a summary of the findings in the investigation reports published that day and outlined what needed to happen to address the failings identified. I am determined to see fundamental change at NIFRS headquarters, all existing grievances and complaints brought to a conclusion, NIFRS employees get behind their management, and full and open accountability in the future.

The Committee will be aware that I provided a written statement to the Assembly on 1 November on further allegations made about the Fire Service. I assured the Assembly that, where appropriate, all material allegations, and any others that may come to light over the weeks and months ahead, will be investigated rigorously and proportionately to ensure that our commitment to restoring full public confidence in NIFRS is fulfilled. I tasked the departmental accounting officer with responsibility for ensuring that the satisfactory and independent investigation of the material-specific allegations is carried out.

I have confirmed to the Committee that the investigation will be taken forward by the Department for Social Development corporate investigations unit. That work is ongoing and will establish the facts about a number of allegations to determine whether there is evidence of unauthorised or inappropriate use of NIFRS resources, theft of NIFRS assets or unacceptable procurement practices. The investigation will also assess whether previous allegations were notified to the Department and, if so, what action was taken. In addition, there will be scrutiny of the work of NIFRS's internal audit in related areas.

You will appreciate that it would be inappropriate for me to comment today on the detailed scope of the investigation into the new allegations and that I will not be able to answer your questions about any findings, as it is simply too early in the process to do so. However, you have my commitment that I will make the findings public in due course.

I wish to assure the Committee that we are ensuring that lessons are learned and improvements made. Andrew McCormick wrote to NIFRS on 24 October asking for its proposals for implementing the recommendations of the investigation reports that were published on 16 October. That implementation plan was approved by the NIFRS board yesterday and will be monitored by a subcommittee of the board monthly. The implementation plan is due to be submitted to the Department for our review and approval. Once approved, I assure you that my Department will formally monitor progress on the implementation of the recommendations and on all other aspects of the NIFRS change management programme on a quarterly basis.

Jim Wallace, as interim chief executive, has been appointed to bring new clarity and experience to dealing with the wide range of corporate governance issues. I have major expectations and confidence that the new chief executive, with the support of his senior team and my officials, will be

able to address the corporate failings and make the improvements necessary. However, that will take time, because procedural and cultural changes are necessary. He needs to concentrate on making the necessary improvements, rather than be immersed in dealing with past misdemeanours. As Jim advised you when he attended the Committee in October, he instigated an independent consideration of the findings of the reports on 16 October to recommend appropriate further action, including disciplinary action. It is intended that that review will report to Jim Wallace before Christmas. It will be led by Steve Torrie, chief inspector of the Scottish Fire and Rescue Authorities, and Mr Brian Sweeney, Chief Fire Officer of Strathclyde Fire and Rescue. I know that Committee members and Assembly Members will await with keen interest the outcome of the review and any related decisions by the chief executive of NIFRS and its board.

I am also committed to ensuring that the Department learn lessons and improve its existing accountability mechanisms. That will be achieved by strengthening accountability arrangements across all our arm's-length bodies, ensuring that we hold them to account on all aspects of their expected performance. Those aspects include the operation of their governance arrangements; their use of resources, which covers money, people, estate and information; the quality and safety of services; and overall service delivery against agreed targets and priorities. The accountability of the chair and board members is a key part of that process. I will also take particular interest in proposals to improve our accountability mechanisms with NIFRS to ensure that they are as effective as possible.

I remain committed to ensuring that any substantive allegations are investigated, although the trend of repeating previously investigated allegations seems to be growing. That having been said, I fully accept the need for public accountability and transparency. However, I emphasise again that the Fire and Rescue Service needs to move on. I have already said that I want my senior fire officers and team to be dealing with how the Fire Service can best be managed in the future rather than concentrating on investigating the past. Improvements must be made, and I will ensure that my Department works in partnership with NIFRS to make that happen. Thank you.

**The Chairperson:** Thanks very much, Minister. You are right to stress and highlight the work done daily by our firefighters, who at times put their own lives at risk to save people. That has an impact on staff morale, and we should use every opportunity to state that this is not a reflection on their everyday work. We do not want to harm public confidence or cause concern that the Fire Service will not attend when called. The service's attendance levels and its record of timeliness are very good. Nevertheless, you as the Minister, the Department and we as the Committee have a duty to look into some of the issues, one of which I will now raise. My information is that the interim Chief Fire Officer is on sick leave.

**Mr Poots:** Yes.

**The Chairperson:** What impact will that have? When the chief executive, Jim Wallace, and the interim Chief Fire Officer appeared in front of us, it was as if they were partners in trying to take some of the recommendations forward. Where does that partnership sit now?

**Mr Poots:** It depends on how long the sick leave lasts. A relatively short period of sick leave will have no impact. However, if it goes beyond two weeks, we will be asking for support. There has already been a phone call between our chairman and Ken Knight to establish whether support can be offered in such an eventuality.

**Dr Andrew McCormick (Department of Health, Social Services and Public Safety):** It is important not to overstate this as an issue. I understand that this is short term. However, the chairman and I discussed it, and, with my agreement, he contacted Sir Ken, because we must be able to draw on assistance from outside Northern Ireland when we need to. That is in hand. It is managed as a process, and we have every confidence that this will be fine.

**The Chairperson:** I appreciate that, and I am glad to know that it is being looked at. However, at the minute, we have the deputy chief fire officer acting up to Chief Fire Officer.

**Dr McCormick:** Yes.

**The Chairperson:** Therefore, two positions are currently vacant?

**Dr McCormick:** That is right.

**The Chairperson:** Are we looking at both of those?

**Dr McCormick:** We are making sure that there is sufficient cover for any crisis that may arise. The normal standard is to have four principal officers available to cover a total rota, to allow for ordinary leave and to cover on a 24/7 basis. At the moment, two are fully fledged in that regard. With Chris being off, they are a bit more vulnerable. However, they are both developing one further individual in the service to ensure that that absence is covered. In the new year, there will be further training in place to ensure that this a fully fledged gold command. There is no reason for any lack of confidence. The issues are covered. First responsibility is to manage and to be ready for any emergency, and the service is in that position.

**The Chairperson:** I take on board, Minister, the point that you made in your opening remarks that there is a need to move on, but I think that there is also a need to ensure that not only are lessons learned but that whatever happened in the past is dealt with in the right way. You mentioned that the Fire Service has submitted its proposals on how it will implement the recommendations. Did you say that the board signed off on those yesterday and that they are with the Department?

**Mr Poots:** We expect to receive them this week. They were put through the board only yesterday, and we will probably get them towards the end of this week.

**The Chairperson:** Will we get a copy?

**Dr McCormick:** We need to consider the proposals. It is our job to assess and consider whether the proposals constitute an appropriate and satisfactory response. It is possible that there will be a need for further engagement between us and the Fire Service before we come to the Committee with them. The process is open and transparent, so, yes, we need to be clear in giving account to you on the satisfactory nature of the proposals, but we are not there yet.

**Mr Poots:** Whatever we agree will be made public.

**The Chairperson:** When Julie was here the previous time, we mentioned the issue of legal advice on the possibility of criminal proceedings against people. Has the Department taken any legal advice? Is it looking at the possibility of criminal proceedings?

**Dr McCormick:** As the Minister explained, the process of considering whether disciplinary action can be taken against officers who have left the service is being undertaken on behalf of Jim Wallace by two independent people from Scotland. Their job is to advise Jim, as the head of the employing organisation, on what is possible and appropriate. That is the first step.

**The Chairperson:** That means that, whether people are there or not, there is still the possibility of information is being brought forward.

**Dr McCormick:** Yes, there is more process to unfold on that.

**Ms Julie Thompson (Department of Health, Social Services and Public Safety):** They are looking at all the recommendations and all the issues in all the reports to consider, whether the people are there or not, whether anything should be recommended to happen. It is fully encompassing.

**Mr Poots:** There is also the issue of the bonus payments that were made and whether there was the potential to claim those back. The initial legal advice was that we could not, but the Attorney General thinks that there may be avenues to do that, so I would like to explore those avenues. That applies not only to the Fire Service but to the Belfast Health and Social Care Trust.

**The Chairperson:** Did Mr McGonigal receive an unapproved bonus?

**Ms Thompson:** He received an unapproved, irregular payment. It is not the subject of the whistle-blowing allegation from the first report, which we debated the previous time. That concerned four uniformed officers. Subsequent to the four uniformed officers, which is the subject of what you had in front of you, irregular payments were made to non-uniformed officers, and Mr McGonigal received one

of those payments. It is not the subject of this whistle-blowing report, but he did receive an unauthorised payment further into the process.

**Dr McCormick:** That was all dealt with in the audit of the 2008-09 accounts, so that has been a public issue and subject to public accountability for several years. It is why we adopted stronger oversight measures for a period.

**The Chairperson:** OK. You might not have it with you now, but can we get a copy of who did receive irregular payments?

**Ms Thompson:** The non-uniformed staff?

**The Chairperson:** Yes.

**Ms Thompson:** Absolutely, but, as Andrew said, that is well in the public domain.

**Dr McCormick:** The three individuals were the director of finance, the director of human resources (HR) and the director of planning.

**The Chairperson:** On the issue of HR, has that post been filled permanently?

**Ms Thompson:** Not as yet. The final stages of the recruitment process are being worked through and are expected to conclude very shortly.

**The Chairperson:** It just seems that, at that level, there are senior directors missing. That does not help.

**Mr Poots:** No, it does not. I agree. It is the same with the stores manager, who has not been replaced after two and a half years. That should have happened as well.

**The Chairperson:** Who approved the former Chief Fire Officer's application for retirement?

**Dr McCormick:** In the spring?

**Mr Poots:** The immediate former Chief Fire Officer?

**Dr McCormick:** We have had a succession of them, as you know. As we said last time, that is primarily an issue for the employer. In that context, given that it is the most senior post in the organisation, the chairman, Joe McKee, and I discussed the issue around the time of the question mark over what was the appropriate thing to happen. That was happening in May or June, when we had a draft of the internal audit reports, so we were aware of the conclusions that had been reached by the internal audit about the whistle-blowing allegations. What was not complete was a further process of factual checking and, indeed, a right of reply, if you like, for those who had raised the allegations and those whom the allegations were made against.

At the point at which the chairman and the former Chief Fire Officer were discussing his future, we had that information. The chair and I discussed it, and we did not have many options to consider. The judgement of the chairman, with which I agreed, was that the best option available was to allow the Chief Fire Officer to retire. As has been clarified, it was not early retirement. He was simply exercising his own rights under the terms of conditions of service to retire, and he did. We agreed that that was appropriate. We were aware that several of the allegations against him had been substantiated in the internal audit recommendations. Those were available to us, although the process had not been completed all the way through. The question was this: what is the right thing to do? We had to consider the evidence, the degree of seriousness of the allegations and the public interest, which includes what would allow us to proceed towards seeking to get the organisation back on the straight and narrow. Our prime concern is to get to a place at which the organisation is working. That is the judgement that was primarily for the employer, but I was party to that discussion.

**The Chairperson:** Nobody would object to that, Andrew, but — I am going to try to say this in a nice way — that could then lead to a perception, which is my perception, that because there were

allegations and information available at that time regarding some issues, it was easier for you and the chair to let the person go to get rid of the issues —

**Dr McCormick:** But —

**The Chairperson:** I am just saying that the perception could be that because he was due for retirement, the application and money were approved so that the issue went away. Much of the speculation and allegations around some of the stuff in the Fire Service is based on perception. The perception out there is that everybody in the Fire Service has a company car. The perception is that everybody in the Fire Service is using that company car — I am talking about everybody. Fire Service personnel are being slagged, for want of a better word, in the same way as we sometimes get slagged, about expenses and suchlike. My reading of the situation is that the perception is that the accusations were made, so the retirement was approved to try to deal with the issue.

**Dr McCormick:** I would separate two aspects of that. We were very clear, when the chairman and I spoke about it, that the issues that had been highlighted in the whistle-blowing report, and hence the internal audit investigations, were heading for the public domain, so there is no question of anything that we could have done, had we been minded to do anything, preventing those issues coming out for full public scrutiny. That was clear. We knew that the Assembly and the Audit Office were interested. There is no question whatsoever of believing that allowing the Chief Fire Officer to retire would in some way hide the issues. There was never any possibility of that, even if the thought had crossed our minds. That is just not part of the issue.

We asked ourselves what would serve the interests of moving forward. We saw advantage in there being a clean, agreed position, which was facilitated by allowing him to retire, against the alternative of facing potential challenge. The Chief Fire Officer does not accept aspects of the allegations. He will speak for himself, if you ask him to give evidence, but there was the material possibility of a long-running dispute that could have inhibited us from filling posts, moving forward and trying to establish clarity around the future of the organisation. That is why, as I said, the judgment that we took was to ask what would serve the public interest. Given the information that we had at the time, and given the understanding of the nature of the allegations, we formed a judgment that, looking at the gravity of the allegations that had been upheld and the possible scenarios that might unfold in the alternatives available to us, that was the better course of action.

**The Chairperson:** Are you saying that the former Chief Fire Officer applied for early retirement or was he nudged to apply for early retirement?

**Dr McCormick:** There was a discussion between him and the chairman about how things were going. He then voluntarily came to the chairman to say that he wanted to exercise his right to retire. He was of an age to do that, and it was in his terms and conditions to be able to do that. That is what happened. It is a matter of fact.

**The Chairperson:** A number of members want to ask questions.

**Mr Wells:** On that particular issue, outstanding allegations are being made against current members of staff. Can we have an assurance that the same deal will not be done, whereby they will be allowed to take early retirement and go off with a package into obscurity? Will that happen in the future?

**Dr McCormick:** There was no package. There was no early retirement. He exercised his rights under his terms and conditions of service. He was of an age to retire. I accept the point that you are making. Where there are outstanding allegations, we need to form a judgement as to what is the right thing to do in the public interest and in the context of openness and transparency. However, we have to take each case on its merits and decide what is going to be in the public interests. Individuals have rights. Individuals are, in this society, inclined to exercise those rights and to challenge. Therefore, we have to look at case law and take legal advice. We have to take all those things into consideration and find the best thing. However, there is no question of the light of public scrutiny being in any way inhibited from shining by that process.

**Mr Wells:** There are shades of the BBC here. That is exactly what it did: it gave a package. I do not mean a package in the sense of an enhanced package. Most senior staff, by the time they get to that level, are entitled to exercise their rights to take a package, which is what they have accrued.

**Dr McCormick:** It is contracted.

**Mr Wells:** What we do not want to see is a succession of other staff being allowed to exercise that right and going, which would obviously avoid a lot of the flack that may be coming their way.

**Dr McCormick:** As you say, we are talking about individuals' rights. If we stop people from exercising their rights, we need to have grounds for doing so, and grounds that will stand up to scrutiny, not just in this room but in an industrial tribunal.

The burden of proof is higher than the public interest. It has to be within the law. We are constrained because we are publicly accountable in that sense. I am saying that we will ensure that where there is discretion to be exercised, it is done with clear recognition that the light of public scrutiny has to shine strongly and clearly.

**Mr Wells:** Were the London Fire Brigade investigators allowed to interview everybody whom they wanted to?

**Dr McCormick:** Yes.

**Mr Wells:** There were no problems with that?

**Ms Thompson:** The only person whom they could not interview was Mr Doyle, because he was off sick at the time.

**Mr Wells:** Was that situation resolved? Was he ever interviewed?

**Ms Thompson:** No, he was never interviewed. However, the investigators concluded in their report that interviewing him would not have made a difference to their conclusions. That is written in the report.

**Mr Wells:** There are also allegations that family members of current and former senior officers received preferential treatment. What conclusion has been reached on that issue?

**Mr Poots:** The report did not find that there was any nepotism. However, it did find that the appeals process did not receive the appropriate approval. That should have been approved by, as I understand it, the Chief Fire Officer, but that approval was not sought. Indeed, the son of the individual who set up that appeals process did not get through previously but got through after the appeals process.

**Mr Wells:** There was a comment about the Orange Order, and some allegations have been made about flooring.

**Mr Poots:** In the more recent ones, yes.

**Mr Wells:** Has the Orange Order been approached to ascertain whether there is any truth in any of those allegations?

**Mr Poots:** That is getting into the new report, the terms of reference for which I cleared this week. The terms of reference are very long, and they name individuals, so, at this time, we cannot make the terms of reference public. Nonetheless, we can give you a helicopter view.

We cannot investigate the Orange Order; that is what the report says. However, I specifically asked for the Orange Order to be contacted in order to ask for its co-operation in all this. If an allegation is made and we do not investigate that, there will be a suspicion that the allegation is true. I would like the Orange Order to have the opportunity to respond to the allegation, so that if the allegation is untrue, it will be eliminated or, indeed, if it is true, it will be identified and the people dealt with.

**The Chairperson:** I just want to go back to this point. Andrew, was it after a discussion between you and the chair, who then had a discussion with the former Chief Fire Officer, that the Chief Fire Officer exercised his right to retire?



**Dr McCormick:** There were several discussions. I had a lot of conversations with the chairman over that period. In the context —

**The Chairperson:** I am interested in the sequence.

**Dr McCormick:** The chair and I were involved in the appointment of the previous substantive Chief Fire Officer. So, we were aware of all the issues from that process. We would have discussed how things were going through the winter.

On the point that you are specifically asking about, the formal sequence was this: the chairman had a conversation with the Chief Fire Officer about his future; the chairman then spoke to me, and we thought carefully about what was the right thing to do; with my agreement, the chairman then had a further discussion with the Chief Fire Officer, who then voluntarily chose to exercise his right to retire.

**The Chairperson:** In those conversations, was there any indication that there was a possibility of the former Chief Fire Officer being sacked?

**Dr McCormick:** I do not think that those words were used — sorry — not in any conversation with the Chief Fire Officer, if you follow.

**The Chairperson:** This is a small place where people pick up a lot of things.

**Mr Poots:** From the debate that took place in the Assembly — Mr Wells reiterated this — it is clear that Assembly Members do not like the notion that people can skulk off through the door when there is a bit of heat on them and exercise their right to take out their pension while an investigation is perhaps outstanding. I got that message very clearly from the Assembly. I trust that the board, the interim chief executive and all are clear on that issue. As representatives of the public here — I am accountable to you, you are accountable to the public, and we are representatives of the public voice here — that is what we expect. If there is a whiff of wrongdoing, people should have the opportunity either to clear their name or to be found guilty of whatever wrongdoing has taken place as opposed to getting away in the dust.

**Mr McDevitt:** Chair, I know that you asked about this earlier, but I ask this question for clarity. Did the non-uniformed directors who were in receipt of irregular payments, including Terry McGonigal, ever return their irregular payments?

**Ms Thompson:** One case is subject to an ongoing legal challenge. So, that is part of that discussion.

**Mr McDevitt:** OK. For confirmation, Mr McGonigal was in receipt of an irregular payment, but that does not happen to be the irregular payment that is the subject of the current investigation?

**Ms Thompson:** That is correct.

**Mr McDevitt:** That suggests that there were further irregular payments that have not been returned.

**Ms Thompson:** The second irregular payment was in the public domain. The payments were stopped, but an element was retained in the period between when they had been granted and when they were stopped.

**Mr McDevitt:** We are talking about a lot of different people, but, for the record, the previous Chief Fire Officer was Mr Peter Craig, is that correct?

**Ms Thompson:** Yes.

**Mr McDevitt:** His predecessor was Mr Colin Lammey?

**Dr McCormick:** Louis Jones was Chief Fire Officer for a short time between Colin and Peter.

**Mr McDevitt:** The director of finance is Terry McGonigal.

Allegation 5 outlines that the gentleman who kept the Land Rover and, as substantiated by the allegation, is responsible for the Land Rover going to the lock-up is Mr Peter Craig.

**Ms Thompson:** Yes.

**Mr McDevitt:** The advertising agency concerned is Ardmore Advertising?

**Ms Thompson:** We debated the issue of naming individuals and what we could and could not say the last time.

**Mr McDevitt:** I am quite comfortable to say that.

**The Chairperson:** We took our own legal advice.

**Mr McDevitt:** We are talking about Ardmore Advertising, and the other company involved is Charles Hurst Limited.

**Dr McCormick:** We are not disputing that, and we are not confirming that.

**Mr McDevitt:** That is OK. There was a rather bizarre situation in which we were not able to talk about what was in the public domain.

We received the report on the Department of Health, Social Services and Public Safety's (DHSSPS) audit investigation of alleged irregularities at the Northern Ireland Fire and Rescue Service. There was an original report or a first draft that is much bigger than that. Is that correct?

**Ms Thompson:** There were working papers as we worked through the process. There is a draft from May that is substantively the same as the version that you have. It then went through a normal clearance process, as you would expect with draft clearance, and there are a lot of working papers to support that.

**Mr McDevitt:** So, there is a lot of other material behind it that is not in the public domain today?

**Ms Thompson:** As we debated last time, when the DHSSPS internal audit was doing its work, it looked at over 400 bits of paper, and all that had to be written up. There is a substantive amount of paperwork behind the concluding report, as you would expect.

**Dr McCormick:** Only the final version has any official standing. You will be well aware from your time as a special adviser that lots of things are written down, but unless they are signed and authorised, they are only words on a page. Only the final version is of any significance.

**Mr McDevitt:** OK. Did the investigation team interview the whistle-blowers?

**Ms Thompson:** In the first case, there were conversations with the whistle-blower towards the end of the process, and the investigators were present, alongside some departmental staff. With the second whistle-blowing report, the stores report, those conversations happened with the whistle-blower as well.

**Mr McDevitt:** To be clear, are you saying that the whistle-blowers were interviewed by both investigating teams?

**Ms Thompson:** With the second whistle-blower, there were ongoing discussions with the investigators. There were also conversations with the first whistle-blower towards the end of the process to clarify issues.

**Mr McDevitt:** Paragraph 8.2 of the report on the audit investigation into the alleged irregularities, which is about allegation 11, refers to an internal NIFRS investigation that was ongoing at the time. Has that concluded?

**Dr McCormick:** No. There is still a further stage of that process.

**Mr McDevitt:** Do you think that it is reasonable that that process is still ongoing? Is that good practice?

**Dr McCormick:** It is not ideal, but the issue is not entirely in the hands of the Fire and Rescue Service. It has sought advice from the Information Commissioner. A view is awaited, and that is relevant to a judgement on that issue. Our position is to urge the Fire and Rescue Service to resolve those issues as quickly as possible, but it is not entirely in its hands.

**Mr McDevitt:** When do you think that that will be resolved? It has been going on for quite a considerable time, and it affects the whistle-blower. It is an investigation into the whistle-blower's actions.

**Ms Thompson:** My understanding is that the Fire Service is liaising with the Information Commissioner to try to resolve it as quickly as possible. The grievances related to this are all scheduled to be heard between now and Christmas as well in order to move the position on.

**Mr McDevitt:** May I take you back to the first report of harassment by the director of finance, Mr McGonigal? When exactly did the Department become aware of those allegations of harassment being made against Mr McGonigal?

**Ms Thompson:** I am not entirely sure whether I can confirm a date, but I can get it for you.

**Mr McDevitt:** If I say to you that the Department was aware on 23 July, does that sound reasonable?

**Dr McCormick:** 2011. Yes, that would be in — *[Inaudible.]*

**Ms Thompson:** Yes, we certainly knew then, but I am not sure whether we knew before that.

**Mr McDevitt:** Given that you knew on 23 July, why did it take so long for you to take an interest in what was going on down in Lisburn at Fire Service headquarters?

**Dr McCormick:** We had an interest in what was going on from before that time, but I accept your implied criticism in relation to the tardiness of acting on that point. It is a matter of record that I have apologised to the whistle-blower over that process. What I will say about that is that my understanding of what had happened, as of August/September 2011, was that the primary reason for her suspension was in relation to the allegation that she had breached data protection rules. That is the aspect that is still under investigation, so that allegation is unresolved. Also, the judgement that I formed in September/October 2011 was that it was an issue for resolution by the Fire and Rescue Service as her employer. The normal first resort in relation to a case of this nature is to put the issue into the hands of the employing organisation to see it resolved.

Where I have acknowledged publicly and firmly that I got it wrong is that the main reason for suspension, as communicated to the whistle-blower, was the fact that she had whistle-blown. I became aware of that as the main reason that she had been given for her suspension. To me, that was and is totally unacceptable. Had that been as clear then as it is now, I would have acted in a better way. Clearly, there were grounds to act on that at the time, because it is referred to in her second letter of 26 August 2011. The fact remains that we only intervened after a meeting with the Northern Ireland Audit Office (NIAO), because, as was her right and prerogative, she had taken the whistle-blowing further to NIAO. Following that meeting, we intervened and said that it had to come to a departmental investigation and that it was not satisfactory. Again, I repeat: I got that wrong at the time. We should have intervened more strongly at the time. We absolutely should have protected a whistle-blower because that is our clear responsibility under those processes.

**Mr McDevitt:** Just to be clear: there are actually two cases of harassment being alleged in allegation 10. Two senior members of the finance department are alleging harassment by the director of finance, are they not?

**Ms Thompson:** Yes, that is correct.

**Mr McDevitt:** Why, given that two cases of harassment were alleged, was only one initially investigated?

**Ms Thompson:** The allegations were investigated as they were raised by the whistle-blower. One whistle-blower raised a range of allegations, one of which was related to processes around grievances, harassment and whatever. That is the subject of the first major report that we discussed and are discussing now. The other process was not viewed as whistle-blowing. It is not the subject of one of the reports that you have, per se. It is certainly a grievance and was being handled through the grievance routes. It is mentioned in the first major report, because of the connection between the two, which is what you are drawing out. It is being actioned through grievance procedures. That grievance and the grievances behind this whistle-blowing report are to be heard and resolved this side of Christmas. That is the commitment that the Fire Service has made.

**Mr McDevitt:** So, the disciplinary action that the Fire Service is trying to take against the first whistle-blower is still outstanding. She is still in the dock as far as the Northern Ireland Fire and Rescue Service is concerned because it has not concluded its investigations. Practically, that is an unreasonable period of time. The second grievance that she raised with you as a whistle-blower, which is against the same named individual from the same time, is not completed either.

**Ms Thompson:** There is a series of grievances — 10 or 11 in total — all connected to the same individuals. The Fire Service has made a commitment that those grievances will all be heard between now and Christmas in order to move them on and reach conclusions. On the potential breach of the Data Protection Act, we are awaiting advice from the Information Commissioner.

**Mr McDevitt:** Was the Land Rover taxed by the Northern Ireland Fire and Rescue Service while it was in the lock-up?

**Ms Thompson:** I do not know.

**Mr McDevitt:** Will you check?

**Ms Thompson:** Yes.

**Mr Poots:** You can see from the line of questioning and the responses why we have sought to bring in a chief executive from outside the system to, in the first instance, deal with the backlog of grievances and counter-grievances and to set us on the trajectory that takes us away from the culture that previously existed. Nobody is saying here that things were done right in the Northern Ireland Fire and Rescue Service, and nobody is trying to defend a lot of things that have happened, but we are very determined to change that culture and move things forward.

I am still getting letters on a regular basis. A lot of those are repetitive in that they cite issues that have been brought up by others. So, we need to deal with all of this. No one should take from what I am saying that I think that we should walk away from doing that, but it is fundamentally more important that we get away from this kind of activity taking place and move forward to a new place in the Fire Service. There needs to be some space for the chief executive to do that.

**The Chairperson:** I accept what you are saying. I am glad that you mentioned Jim Wallace's role, because he has to deal with some of the outstanding grievances. Can you give us an indication of how many he has dealt with since August?

**Mr Poots:** He has given a commitment to deal with them all by Christmas.

**The Chairperson:** So, they will all be completed or looked at by Christmas.

**Ms Thompson:** The cases that have been discussed here will all have been heard and resolved by Christmas.

**Dr McCormick:** It is not as if he has not, in the interim period since August, been seeking to have discussions with the individual affected and sought different ways of resolving the issue. The whole idea is to move forward —

**The Chairperson:** Does that just apply to the cases that are associated with the reports or are there other outstanding grievances?

**Ms Thompson:** There are others across the Fire Service. The commitment to have cases dealt with by Christmas refers to these ones that are all interconnected.

**Mr Poots:** I am aware of at least one meeting with whistle-blower number 1, which was a very useful meeting. It was hoped that other meetings would take place, if they have not happened already.

**Ms Thompson:** There have been other discussions with the Labour Relations Agency and, as Andrew says, other ways of dealing with the issues have been looked at.

**Mr Poots:** An effort is being made on that front to deal with this. We recognise that we cannot allow this to continue.

**Mr Beggs:** Conall was trying to get you to confirm the names of the individuals earlier. You indicated that you did not want to confirm or deny those names due to data protection issues, which I understand. We got legal advice about the companies that have been redacted from the report. They have no protection under data protection.

**The Chairperson:** Roy, that legal advice was private to us.

**A Member:** Not any more.

**Mr Beggs:** Right. Sorry —

**The Chairperson:** You can ask the question based on the legal advice that you got in closed session, but you do not need to explain what that legal advice was.

**Mr Beggs:** I understand that under the Data Protection Act, those companies do not have to be protected. Why have you not named them?

**Ms Thompson:** My understanding is that those names can be released under freedom of information (FOI). As we discussed the last time, when we looked at publishing the reports, the issue of redaction was discussed. In the context of the report being widely available, it was felt that it was safer and more appropriate to redact those names. However, you are quite right: under FOI, those names are disclosable.

**Mr Beggs:** Do you accept that there is a degree of public interest in whether inducements are made by companies such as Land Rover to civil servants or members of public bodies? Do you further accept that if that information was in the public domain, it would be less likely that inducements would be made in the future? Therefore, do you accept that it would be in the public interest for those companies to be named?

**Ms Thompson:** You are balancing the public interest with the rights of those companies. It would be fair to say that we have received some correspondence on that, and it is not a trivial issue or one that has gone unnoticed. We are dealing with that at the moment. It is a complex issue. As you go down the various exemptions under the Freedom of Information Act and the Data Protection Act, public interest is one of the issues that you have to weigh up.

**Mr Beggs:** So, you want us to write in under the Freedom of Information Act so that you can formally notify us of who those companies are. Is that what you are saying?

**Ms Thompson:** I am saying that, under FOI, those things are disclosable. I am also saying that we have issues with one of the companies already. It is not an easy issue to resolve.

**Mr Beggs:** I will turn to the way in which the whistle-blower was inappropriately treated by the then Chief Fire Officer. When you look through the report, you very quickly see that he acknowledged that she should not have been suspended because she fitted the terms of a whistle-blower. What protection is given so that no whistle-blower is suspended in that way without information flowing to

key people in the Department, the board or the chief officer, and so that no chief executive in any public body would have the potential to misuse that again at any point in the future?

**Dr McCormick:** I would point to the message to all staff that was issued by the Minister in March of this year. In the first section of that document, the Minister stated that he expects leaders across the sector — those in the leadership group, chief executives, me and others in that sort of position in the Department and all 17 arm's-length bodies that it sponsors — to create and support a culture in which people can come forward with issues and challenge management on anything that they think is going wrong, without the need to whistle-blow. There should be protection and a culture of openness and transparency anyway. So, the first objective is to avoid the need to whistle-blow. Secondly, where that has broken down for whatever reason and someone does not feel comfortable, they should exercise their right to whistle-blow and, when they do so, should have protection from all the schemes that apply.

The very clear and definitive message is that whistle-blowers should have protection and should not be victimised in any way and that any issues raised should be looked at on their merits. I have pursued that in discussions with chief executives across health and social care, and it has been discussed with the Fire and Rescue Service. It is work that we rate and an issue that we take very seriously.

**Mr Beggs:** My line of thinking was that, if there were a requirement that, should any disciplinary action be taken against a whistle-blower, the Department would be automatically advised by the body, and the chairman of the relevant board would be advised. There would be some sort of process that would automatically ensure that there would be early scrutiny of any such decision. Does that requirement exist at present?

**Dr McCormick:** That should not arise, but it is difficult because, in the scenario that you have drawn out there, if the organisation is not complying with the guidance, who else could tell us that the non-compliance is happening? A double check would be required, so that would require someone to whistle-blow if the whistle-blower process is not working.

**Mr Poots:** My thought process behind the letter was, first, to encourage people to come forward if they have information and to go through the line management process to ensure that things are done properly and correctly. If a member of staff indicates to their line manager that something is not happening correctly in a Department and their line manager ignores it, they should move up to the next person in the chain, and so forth, until they find that it can be reasonably dealt with. I also made it pretty clear that we would not be tolerating the victimisation of whistle-blowers because if we do not have people in organisations who are prepared to whistle-blow, we will get wrongdoing taking place in organisations. That is the nature of it. We are very keen to encourage people to come forward where they see wrongdoing happening.

**Mr Beggs:** Turning briefly to the role of the Northern Ireland Fire and Rescue Service board, I fully accept that if it is not getting the information from senior management, it is difficult for it to interact. However, when I asked whether board members had been given sufficient training, Ms Thompson said that they had completed their initial training. What level of training is given to board members to make them fully aware of their responsibilities so that, when it comes to them, they are able to deal with relevant information appropriately?

**Ms Thompson:** Induction training, which goes through the range of the roles and responsibilities, is provided to all board members on an ongoing basis. The NIFRS board is looking at its skills base and the issue that it potentially needs to bring on to the board someone with more financial expertise. It is looking at how that might be accommodated. It is a matter of training and of looking to see what experience people bring with them as a board member and what that might look like. That is one of the subjects that are being looked at.

**Mr Beggs:** Is it not the role of the Department to appoint board members? How soon do you hope to be able to fill that weakness, if it exists?

**Ms Thompson:** Board members are appointed through the public appointments process, and as you are aware, there is a certain level of skill that all board members have to pass to do that. It is right and appropriate that the board looks at the skills of every individual who is on the board and considers

whether the board has the expertise. The chairman is keen to investigate how that might be bolstered to give that greater financial challenge to the board as it looks forward.

**Mr Poots:** It is the Minister's role to appoint board members, as opposed to it being the role of the Department. The Department will give its advice on who is suitable and will give the Minister a pool of candidates to choose from. It is the Minister's role, and, to date, I have not had the opportunity to appoint any of the members of the board. It is an existing board, and I think that a couple of members' terms are coming to an end some time next year. That may give us the opportunity to provide particular expertise. Alternatively, if I am dissatisfied with the board, I can stand the entire board down. As regards how things are conducted, I will expect the board to use its teeth appropriately and not to be weak, because, given all the problems that we face, a weak board is not of much benefit to me. So, at this stage, it is not my intention to stand down the board, but I will watch things carefully over the next number of months.

**Mr McCarthy:** I do not know that we are making much progress this afternoon, but I have a couple of questions to pose to Mr McCormick. First, the firemen and firewomen who speak to me regularly are saying to me, "You are wasting your time. You will not get anywhere. Things will still be the same." Now, I certainly hope that that is not the case, but I will wait with interest to see whether it is. The Minister and Mr McCormick said in their initial remarks that we want to move on and forward rather than investigate the past, and of course we do. However, the people, the public, and the men and women who risk their lives for our safety are telling me, "We want to move forward but somebody has to be held responsible for this stuff".

So, I have two questions for Mr McCormick. In answer to Conall, you admitted that you accepted responsibility for perhaps snubbing the whistle-blower. You have accepted responsibility for that, and a lot of stuff has come from the whistle-blower. Did you not accept the responsibility at that time that it was your job to sort out all that was going on? You dismissed what this whistle-blower was saying. Had you acted the way that you ought to, a lot of what followed could have been avoided. That is my first question. Responsibility has to be taken.

My second question is rather simple. We had a presentation recently from the new interim chief executive, Mr Wallace, and by his side was the interim Chief Fire Officer, who was appointed very recently and is now off on sick leave. How was he appointed in the first place? Was he appointed through the normal procedures? It seems odd that, in such a short time, he is now off ill. We can all be off ill, but it just seems strange when someone is appointed to a new job. He was full of energy when the two of them were with us but has now cried off ill. Was he appointed under the normal procedures?

**Dr McCormick:** I will take the second question first, if I may. His substantive appointment is as deputy chief fire officer. So, on the retirement of the Chief Fire Officer at the end of June, he was the most senior uniformed officer in the organisation. Therefore, it was natural to entrust him with the temporary position. There was no one else to compete for that process —

**Mr McCarthy:** Was it offered publicly through the normal appointment procedure?

**Dr McCormick:** This is —

**Mr Poots:** He is not the Chief Fire Officer; he is the acting Chief Fire Officer, and there is a considerable difference there.

**Mr McCarthy:** I know.

**Dr McCormick:** It is a temporary arrangement, pending the resolution of the process and especially pending the time that we are hoping for, through the intervention of the interim accounting officer and chief executive, Jim Wallace, to change the nature of the organisation. One of the things that the Fire and Rescue Service will need to consider first as a board, and then bring to us to seek, ultimately, the Minister's view, is whether to maintain separate functions between a chief executive who runs the business and a chief operational officer — Chief Fire Officer — as in statute, or whether to reunify those jobs, and which to advertise and when. It is important to look at that to see what is the best thing to do in the long-term interests of the organisation. At the moment, we have a temporary arrangement where only those individuals are available: Jim Wallace as chief executive and Chris Kerr as deputy chief fire officer, who is now, as the Minister said, acting Chief Fire Officer. Those

arrangements are temporary, and there is no difficulty with the process by which they were arrived at; it was all fair and proper.

On your first point, I have to say that I have acknowledged that the initial stance that I took was wrong. It was not that we were ignoring the issues; we said that they were, in the first instance, matters for the Fire and Rescue Service to investigate and deal with. So, it was not that they were ignored. What I am acknowledging is that we did not recognise or acknowledge the extent to which there had already been a breakdown of process in the organisation. That is why I am saying that the appropriate response as of August/September 2011 would have been to act on what was raised with us as whistle-blowing. We did that following the intervention of the Northern Ireland Audit Office, which I have to acknowledge with gratitude. That is what happened. She exercised her right to go further. The Minister's letter on whistle-blowing states that if you do not get satisfaction, keep trying. There are organisations that are independent. The Regulation and Quality Improvement Authority is another, as well as the NIAO, that will add further protection.

I want to draw out the way in which we deal with organisations such as the Fire and Rescue Service. There has to be, in the normal course of business, a level of trust between myself, as principal accounting officer, and those who are exercising stewardship, whom I have appointed as accounting officers. They are appointed by their organisation to their job, but each and every one of them receives a letter from me appointing them as accounting officer. They are accountable to me in that sense, so I have to have a level of trust. The normal default, the normal business, is to trust, and clearly there is evidence that trust should have broken down earlier in this context and I should have been saying, "Actually, no, this is not good enough." I am acknowledging that.

**The Chairperson:** Is it not embarrassing that the Department had, or was supposed to have, an observer at every meeting yet some of this still took place? Is it not embarrassing that it was allowed to continue for that amount of time while the Department should have had an observer at the meetings? Do you not take that as a failure of the Department?

**Dr McCormick:** The premise of your question is that some of these issues were discussed at board meetings. That is not the case. The issues that have been exposed by the whistle-blowing were not visible in that sense.

**The Chairperson:** So, there are issues with the management of the Fire and Rescue Service. It is now at the door of the Minister, and the Minister has ultimate responsibility and accountability for it. This has happened at a non-departmental public body, which is accountable to the Department through you and, ultimately, through the Minister. It is embarrassing.

**Dr McCormick:** I assure you that I am very embarrassed by what has happened. There is no equivocation on that point. What I will draw attention to, if I may, is the normal way we do these things. I hold what are called accountability meetings twice a year with all these organisations, looking in slightly different detail at the 17 arm's-length bodies. We can flex up and down in degrees of scrutiny according to our judgement. That is what management requires of me; to deal with organisations according to a judgement of the risks that are around them. So, what I obtain twice a year is a statement from the accounting officer of each organisation as to the risks that they see. They are responsible for telling me what might be a problem in their organisation.

**The Chairperson:** The accounting officer for this issue was Peter Craig, the former Chief Fire Officer. I wanted to come back to this question but you have led me to it again. I want to find out at what stage the Minister became aware of this or was not made aware of this. I want to clear this up in my own head. There was a suggestion in a conversation between yourself and Joe McKee that Peter Craig should look at the option of retiring or should retire. That came into the conversation. Was he then told through you or Joe McKee that if he did not take that option of retirement, there could be a possible other outcome? At what stage, then, was the Minister informed? Was the Minister kept up to date with this? If you are talking about accountability, the perception is that the accounting officer was the person who was being told, "Either you take what you are entitled to take as retirement, or there is a possibility that you could be disciplined or, indeed, sacked."

**Dr McCormick:** I do not know exactly what transpired between the chairman and the chief executive, but I am not aware of those possibilities being mentioned. I would draw attention to the fact that because we are subject to employment law, to undertake something that could be construed as constructive dismissal would be very unwise. That would expose the public purse and would expose us to a bad process. I know from personal experience, in a totally different context and in another life,



how difficult it is to pursue a performance-based challenge to an individual's employment status. It is not an easy route to go down.

**The Chairperson:** Was the Minister —

**Dr McCormick:** I cannot remember the detail of the timing of discussions through the spring. We had occasional contact about concerns about the nature of the Fire and Rescue Service and what was happening. However, I cannot remember the detail of exactly when I said what to the Minister.

**Mr Poots:** From the early part of this year, I was kept up to date on the ongoing situation with the Fire Service and the potential retirement of Peter Craig.

**The Chairperson:** As one option or as the only option?

**Mr Poots:** There was the option of him staying on, but that did not transpire to be the case. I was of the view that if we really wanted to resolve these issues, we were better starting with a clean slate. So, I was happy to accept his retirement.

**The Chairperson:** You are right about the clean slate. We need to deal with these issues as quickly as possible and move on. However, on the point that Roy made, do you not think that it is ironic that Julie is saying that information that he and the Committee are trying to get is available under freedom of information but that we, as a Statutory Committee, cannot get it?

**Ms Thompson:** I will clarify. The company names issue is maybe not as clear under FOI; there is a commercial sensitivity there. I repeat that the various parties have had issues with what we have done and not done. So, legitimate concerns have been raised. As I said, weighing up commercial sensitivity with public interest is one of the issues under freedom of information.

**The Chairperson:** I appreciate that. However, there is a possibility that I could agree a letter this evening, put in a freedom of information request from the Committee and get that information but not be able to get the information by requesting it as a Statutory Committee. That does not —

**Mr Poots:** That does not sit well with me either, Chair, to be honest. I have sat on the other side of the table, and I will probably sit on the other side of the table again. I want as much information flowing to Assembly Members as possible. It would gall me if, when Statutory Committees request information, something is withheld from them, while a member of the public or a journalist can fire in an FOI request and have that information a few weeks later.

**Ms Thompson:** There was certainly no intention to do that. Commercial sensitivity still allows redaction under FOI. There is certainly no difference between what can be done under FOI and what applies to you.

**Mr McDevitt:** We would have the option of exercising the powers under section 44, in which case it would all be produced, and so be it. I think that if we made a section 44 request, you would give us everything. It is a pity that we would even have to think about going there.

With your indulgence, Chair, I want to pick up on a couple of things. Andrew made a point just now about the Department's scrutiny of the Fire and Rescue Service through attendance at board meetings. When Ms Curran came before the Committee last month, she admitted that you were not present at very many meetings. I asked her when the first time that you attended was, and she said that it was after May 2009. I put it to her that you were not attending meetings back in February 2008, and she said that you were not. I then asked her whether you were attending board meetings in late 2009 when the unapproved sponsorship issues arose, and she said yes. I asked her whether you were attending board meetings in July 2010 when the issue of adherence to HR policy arose, and she said yes. I asked her whether you were attending those meetings in May 2011 when the issue of the completion of DFP fraud returns arose, and this was her reply:

*"I cannot give the Committee a guarantee that someone attended all of those meetings. We attended when we could. I would have to check our records to see whether somebody attended."*

You would not challenge that fact, Andrew; would you?

**Dr McCormick:** I think that we have provided details of attendance.

**Mr McDevitt:** It is patchy.

**Mr Poots:** One of the issues that have come before us is the unapproved bonuses that went through the board. This was not something that people did themselves; it went through the board. There is a minute there showing who proposed and seconded it and who chaired the meeting and exited the meeting. There are also minutes of a previous meeting that took place, in which that recommendation was made to the board. So, a subcommittee made a recommendation to the board.

**Mr McDevitt:** There is a clear audit trail.

**Mr Poots:** The minutes are there. Obviously, our staff were not always at all those meetings.

**Dr McCormick:** I am conscious that the bonuses happened before that. The decision by departmental officials to more regularly attend meetings was a consequence of what had gone wrong on the second occasion of overpayments.

**Mr McDevitt:** That was the trigger for you deciding to be physically present.

Finally, at the same meeting of this Committee on 24 October we heard from Mr Wallace. In light of everything that is going on, I asked him whether he had confidence that his current senior team, including Mr McGonigal, was capable of delivering the recommendations in these reports and the necessary change in the Northern Ireland Fire and Rescue Service. He said that he did. How would you answer that question? Do you have confidence that the current senior team can deliver the change that we all believe is necessary?

**Dr McCormick:** I depend, in that situation, on the person whom I have appointed as accounting officer — Jim Wallace. It is for him to judge his team; I do not second-guess him on that. I hold him accountable for what he says and does. That is the nature of the relationship. His stewardship is the first line of defence on which I depend. What I am able to do, as I judge necessary, is to seek further investigation. That is exactly what we are doing through the further investigation of the allegation. If that gives rise to further issues, we will have to intervene further.

**Mr Poots:** I will repeat what I said in my initial statement. I have major expectations and confidence that the interim chief executive, with the support of the senior team and my officials, will be able to address the corporate failings and make the necessary improvements. I said "with the support of". If the team is not supporting him, that would be a different case. Certainly, if he comes to us and says that the team is not playing ball, that not everybody is acting like a team member and that people are not supporting him, we will give him the support to do whatever is necessary.

**Mr McDevitt:** Following that meeting, Mr McGonigal wrote to me. I passed a copy of that letter to you, Andrew. I do not think that letter reads like the letter of a man who has particularly bought into the change process. He seems to be still challenging aspects of that change process and the findings in the reports.

**Dr McCormick:** It is fair to say that there are a number of individuals who have a view on what has transpired and of what has been said in the reports. I do not think that anybody who is directly involved has said that they are entirely satisfied with what has been said. Our advice to all individuals concerned is to move on. There has been sufficient investigation of those issues. There are new allegations to be investigated, and that is what we are doing, but when it comes to the issues in the reports that were published in October, the advice that we are giving to every individual is, "We have made a judgement. Let us move on and establish the way forward." The message is that we should work together in the interests of the Fire and Rescue Service.

As the Minister says, the way things stand is the right way forward. I would rather not comment on the attitudes of individuals at present. The message to everybody has to be that they should do their best to work together in the public service. If you have an ongoing and passionate view that in some sense — this applies to several individuals — you are not satisfied that everything is being exposed and dealt with as it should have been, I can understand that, but it is not helping anybody. The right thing to do is to move forward.

All I can do is repeat that message and encourage Jim to resolve the grievances, as he has undertaken to do. That is a very important step. We will do our very best to get the situation back on track. That is the right thing to happen. I will go back to what Mr McCarthy said, which is that this situation needs to be changed. The process needs to deliver for the sake of the front line firefighters and, hence, the public interest. We need to be assured that there is a change in culture and behaviour. It is absolutely necessary in the context that we have an assurance that there are strong internal systems so that if there were future allegations, the answer is not that we need to investigate those but that we would have assurance that the system would prevent that happening. It is far better to have assurance that a good system is in place.

Part of the problem was exposed by some of the allegations; we are not sufficiently clear that the right people are doing the right jobs. The general point in managing arm's-length bodies is to get strong people into post, make sure that they do their job, and have internal audit in each organisation check up on them. My internal audit is always there. I can send my internal audit anywhere across Health and Social Care to investigate anything that I am worried about. That is one of the prerogatives of an accounting officer. We have to use that judiciously, but where it matters — and it matters immensely in this context — we need to do it and be sure that we are getting it right. We have to find a way forward. Ultimately, it has to deliver assurance. That is what we are very much seeking to do, because I understand the concerns that are being recorded. You hear them and we hear them. It is not satisfactory. We have to achieve what the Minister said in his opening statement: get it regularised and sorted out.

**Mr Poots:** It is important that we give a degree of trust to the individual who has been appointed to carry out the job. At the minute, for example, the Fire Service cannot spend more than £2,000 without our authority. That indicates that there has been a significant level of distrust or that trust has broken down. Mr Wallace requested that that be raised to £5,000. I will make a response on that in, hopefully, the not-too-distant future. However, having appointed someone to do the job, we need to enable and assist them to do that job. We recognise that the organisation was heading in the wrong direction. It is Mr Wallace's task to turn it around, point it in the right direction and — *[Interruption.]* I thought that that was Big Ben.

It is Mr Wallace's job to take the organisation forward. If he thinks that any of his people are holding him back from doing that, it is up to him to come to us to say that he needs assistance to deal with the matter, and we will give him that assistance.

**The Chairperson:** I think that you were reading my notes; my last comment was going to be about the £2,000.

**Mr Poots:** Great minds think alike, Chair.

**The Chairperson:** I am not going to open this up for further discussion, but the issue of money being handed back by the Fire and Rescue Service has been raised with me and other members. It is not that it cannot spend it; it is that the £2,000 limit means that by the time that it goes back and forward to the Department and then the business case and all of that stuff is done, it is the end of the financial year, so money gets handed back.

A worrying thing that was raised is that there is the possibility of new recruits starting after Christmas without the money for their uniforms being signed off on.

**Mr Poots:** The uniforms were signed off in September.

**Ms Thompson:** The uniforms are being procured at the moment. There is a procurement process around the uniforms. That is being supported —

**The Chairperson:** Will they be available for January?

**Ms Thompson:** At the moment, I do not think that the uniforms will be available for January, but as far as procurement is concerned, they have to work through the processes. We have provided central procurement expertise through the Central Procurement Directorate, which is part of the Department of Finance and Personnel. One of the issues for the Fire and Rescue Service is to raise any particular operational difficulties and risks that that procurement presents to them. The business case

processes, as the Minister said, have been gone through. It is now working through procurement processes to purchase those uniforms. If there are particular issues around that, it needs to alert us to that and identify what needs to be done. That is the stage that that is at at the minute.

**The Chairperson:** So, at the minute, the chief executive and the board cannot spend anything over £2,000 unless the Department is made aware of it?

**Ms Thompson:** The £2,000 limit is a procurement threshold that is related to procurement guidance notices that apply to the entire public sector. Those limits have just been raised this year to £5,000. Below that amount, it is about whether you get quotations and whether you run through full tenders and all of that. That is the stipulation. As for most of the revenue projects and business cases, we would get involved in those that are over £250,000. That is the limit above which we get more officially involved. The other clarification is that, like any public body, all public sector expenditure is subject to an appropriate and proportionate business case. We are looking at the delegated limits for the service and working with Jim to understand where the issues and difficulties are being created.

**The Chairperson:** I appreciate that. I am not going to say that, in one sense, we need accountability and all of that stuff, but, in another sense, you should ignore it. I appreciate all that, but we are talking about a new start, and we are going into a new year. If we have new recruits starting in January with no uniforms, I appeal to you to have a look at that to ensure that that is sorted.

**Mr Poots:** We realise that there is a problem where trust breaks down and that there can be so much micromanagement that it can strangle an organisation.

**The Chairperson:** Absolutely.

**Mr Poots:** That is where we have to look at this and decide that, on balance, we need to give them a greater degree of liberty, otherwise we will impose on them such stringent liabilities that it will affect the functioning of the organisation. That is a balanced decision that we have to take.

**The Chairperson:** OK. I thank you, Minister, Andrew and Julie for trying to give us as much information as possible. As I said at the outset, we will invite Ms Ford, the former Chief Fire Officer and a former board member to give evidence.