



Northern Ireland
Assembly

Public Accounts Committee

OFFICIAL REPORT (Hansard)

Northern Ireland Fire and Rescue Service:
An Organisational Assessment and Review
of Departmental Oversight and Report on
Accounts 2011-12

12 June 2013

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Ms Michaela Boyle (Chairperson)
Mr John Dallat (Deputy Chairperson)
Mr Trevor Clarke
Mr Michael Copeland
Mr Paul Girvan
Mr Chris Hazzard
Mr Ross Hussey
Mr Sean Rogers

Witnesses:

Dr Joe McKee	Northern Ireland Fire and Rescue Service
Mr Jim Wallace	Northern Ireland Fire and Rescue Service

In attendance:

Ms Fiona Hamill	Department of Finance and Personnel
Mr Kieran Donnelly	Northern Ireland Audit Office

The Chairperson: The Comptroller and Auditor General (C&AG), Kieran Donnelly, and his team are here. As usual, the material that the Committee will work on today stems from the reports written by the Audit Office. The Treasury Officer of Accounts, Fiona Hamill, is also here to give guidance on the role of the Department of Finance and Personnel (DFP), to support witnesses and to relay the Committee's recommendations across government. You are very welcome, Kieran and Fiona.

Our witnesses are Mr Jim Wallace, interim chief executive, and Dr Joe McKee, chairman of the board of the Fire and Rescue Service. You are both very welcome. Jim, I welcome you back to the Committee. Today, we will hear further evidence on the inquiry into the whistle-blower allegations and governance of the Fire and Rescue Service. No member wants to declare an interest. Dr McKee, I believe that you want to make a brief presentation.

Dr Joe McKee (Northern Ireland Fire and Rescue Service): It will be very short. As chair since 2011, I say with a great deal of sadness that the Fire Service is under a huge amount of critical scrutiny just now. Although the service's front line response is still held in high regard by the community, the organisation has been dogged by highly critical reports and audits for well over a decade. To suggest that it has suddenly all gone wrong in the past couple of years would miss the mark because there have been a number of reports and audits in the past 10 or 11 years. Of the nine allegations in the recent main whistle-blower report from the Department of Health, Social Services and Public Safety (DHSSPS), four predate me and the present board. However, of the remaining five

allegations in the main report, one was substantiated and four were either largely or partly substantiated. We all recognise that that is very disappointing and reflects poorly on everyone associated with the service. Morale has been seriously damaged.

My view, looking at the totality of the recent reports and not just the main whistle-blower report, is that the documents that we have received in the past year have highlighted five areas of concern: people and culture; policies and practices; leadership and management; the information needs of the board and our effectiveness; and internal and external accountability and scrutiny.

The most significant hindrance to the effective management of the service has probably been its people and culture. I was a firefighter for about 10 years in the mid-1970s and 1980s but left and was away from the service for 25 years, although my heart has remained with it to this day. Over the years, the Fire Service has been proud to employ hundreds of great men and women. Unfortunately, however, other individuals and cliques in the headquarters in Lisburn seem to have gone out of their way to score points against one another no matter what the cost to the good running of the service and with no regard to reputational damage. I want to make it absolutely clear that I am not referring in any shape or form to any of the whistle-blowers whom we might discuss later today. I am referring to those individuals who, for whatever reasons, helped to create a toxic environment that has been at the root of many of our problems. The culture of the organisation has, at times, tended to be conservative and resistant to change, and I saw shades of that 40 years ago in the early 1970s. I am neither complacent nor in denial about just how bad things are or have been in recent years.

Last summer, the board, under my leadership, agreed to split the roles and responsibilities of the chief executive and Chief Fire Officer. That radical change was instigated by us; it was not imposed by any outside body. At an early stage, we sought and received the full support of the Minister and his senior departmental colleagues. That has opened up new ways of working and reporting in the organisation. The past year has caused me more genuine upset and soul-searching than I can possibly describe, but I believe that some of the measures that we have put in place since Jim Wallace's appointment will restore the service to full public confidence relatively soon, but it will not happen overnight. I also believe that, under the leadership and command of Chief Fire Officer Chris Kerr, our senior officers and front line firefighters can further improve the service to address the rapidly changing needs of the community that we are proud to serve.

The Chairperson: Joe, thank you for those brief remarks. It strikes me that the relationship between the chairman of the board and the Chief Fire Officer is crucial to good governance. What do you understand about the professional requirements of fulfilling that role?

Dr McKee: There are two sides to the coin of good corporate governance and good management in a team. It was written into my job specification when I took up the post that the chair had to have an effective working relationship with the Chief Fire Officer. We have to be able to talk to each daily and share the vision of the organisation. We have to talk the same talk. When we go out to meet staff, whether they are support staff or those out in the areas and districts, they need to see a synergy between the two leaders of the service, namely the operational staff lead and the person who looks after the board. On the other hand, as we have seen in the past couple of years, when things start to go adrift or the organisation loses its sense of direction or vision, it is the responsibility of the chair to articulate that initially, quietly and professionally, to the chief executive. If that does not deliver the type of result that is required, it needs to be brought to the board. That is how I see the relationship.

The Chairperson: When you joined the organisation, there had been a series of reports that were critical of the service. At that time, what were your priorities and aims in dealing with the organisation?

Dr McKee: The board members came into post in October 2010. I had just taken early retirement from the education sector and joined in January 2011. The delivery and innovation division (DID) report had just been published. In our time in post, that was the first of the audits, and it gave us some milestones to look at in the first year. I am sorry; would you repeat the second half of your question?

The Chairperson: How do you understand the professional requirements of fulfilling your role, and what were your priorities in dealing with the organisation?

Dr McKee: The priorities at the start were, to our mind, very stark. For whatever reason, the Fire Service has four principal officers at the top: the Chief Fire Officer, and, in those days, a deputy chief and two assistant chiefs. Below that, there were four geographical area commanders for the north, south, east and west. None of those posts was substantively filled.

There had been a period of great instability at board level following an audit report and statement of accounts because of a governance failing. However, because the business of the service is fire and rescue, the priority in that first few months was to fill those posts. We had one applicant for the post of Chief Fire Officer, which was filled. It is the board's responsibility to appoint principal officers and directors, so, in the first number of months, we had to do that. For an inexplicable reason, there were something like 175 front line firefighters in acting ranks. Those posts had to be filled as well. That first year was very busy.

The Chairperson: Before I bring in other members, given the mishandling of the allegations of the whistle-blower Ms Linda Ford, do you feel that you have been up to the challenges of the organisation?

Dr McKee: I do. There were a number of errors of judgement. Probably the best line in the whistle-blower report is found in the summary. It refers to ongoing tensions in the headquarters building, which militated against totally effective management of the service. That was entirely true, and I had to address that. The other remark was in the Northern Ireland Audit Office (NIAO) report, which came out at the end of that first year, and to which, initially and naively, I took exception. It stated:

"The prospects for future improvement are poor".

I asked how that could be judged when we had just come into post. I have subsequently found, for whatever reason, not least those internal tensions, that, in all generosity to my colleagues, and having been one of them, there is a small "c" conservatism in the organisation. The Fire Service that we know grew out of many of the traditions of the navy, including the ability to climb up and down ropes, tie lines and deal with pumps. There is a long and distinguished history. If I look at the back of any fire engine today, I see that as well as the space-age stuff such as thermal-imaging cameras, there are other bits of kit that are 40 or 50 years old. They remain because they actually work. The organisation is based on risk, and there are working practices, standard tests, drills, etc, that have worked for many years. That has partly bred a sense of challenge or resistance to change. Therefore, things tend to move quite slowly.

Mr Clarke: In your opening remarks, Dr McKee, you described how things could be seen as the ideal world. You identified five areas of concern, and you have been in post for two or three years —

Dr McKee: Two and a half.

Mr Clarke: Two and a half years, and you still refer to cliques in headquarters. You talked about the decision to split roles and about filling posts. The Chairperson asked you a challenging question about whether you believe that you are up to the role. I wonder how you can answer the question, given that the culture of the organisation has not changed. Even in the most recent report, there is evidence that the cliques continue and the governance issue has not been addressed. You raise issues about the culture of the organisation, notwithstanding the good name of the men and women firefighters who do the job. I think that we should park that because it goes without saying. Everyone recognises the importance of their role and the good job that they do. The report is based more on the management, on which you, as the chairman of the board, have the final say. In response to the Chairperson, you framed how an organisation should look. When I look at all the points that you raised, I conclude that you have not really been up to the mark. You are quick to recognise that there are problems in the organisation, but, given that you are the chairman of the board, what have you done to address those?

Dr McKee: We have a new top team in place. The real drawback in the first year and a bit was the corporate management team. At the monthly meetings, there were constant questions from the board about accountability and why things were moving so slowly. There was a feeling that the directors at the top of each of what may unfortunately be referred to as "silos" in the organisation — the directorates — were not moving adequately. That has changed. We have much more movement.

On the operations side, which is the front end —

Mr Clarke: Just on that point, with you being the chairman of the board, why did it take so long to manage that change? You took over an organisation on which there were a few critical reports, although you suggested that they missed the mark. You are now the chairman of that organisation,

albeit that some of the problems were there before you came. Do you not accept that you have failed, since you have taken up your role, to address some of the problems in the organisation?

Dr McKee: Not at all. The other day, a board member said to me that the transformation in the past couple of years has been remarkable. The questions that the board now ask are very different. One of the weaknesses was in human resources. We now have a very dynamic human resources director who gives a lot of the support that we desperately needed in the first year. There have been big changes in legislation in the past number of years. One legislative change was to do with flood response. We had a major event here three or four weeks ago. Another was about building controls and certification. Two and a half years ago, all that was under one person's remit. Now, we have freed up a chief executive to look at the support side of the organisation, which is stronger than it was. The assurances that I get from the Chief Fire Officer are much stronger and more resilient than they were two years ago.

Mr Clarke: You referred to Mr Wallace and his role. From an outsider looking in, given that the organisation has gone through the complexities that it has, splitting the roles, which gave Mr Wallace his role, has been good. I would be curious to hear your opinion on this: Mr Wallace brought in two people from Scotland to produce a report. What is your view on that report, given that there is a suggestion about the failings of one of those people in the Scottish model?

Dr McKee: I cannot agree, Mr Clarke, about his failings in the Scottish model.

Mr Clarke: I thought that you would say that.

Dr McKee: You need to let me give you the evidence. You are talking about Mr Sweeney, who ran what was one of the biggest fire and rescue services before amalgamation. That man was held in such high regard that he was given an honorary doctorate by a Glasgow university. I know him through the National Joint Council, which sets the terms and conditions for employers across these islands, of which he used to be one of the lead officers. He is held in great regard there. If he was a conspiracy theorist, why would our friends down the road in the Dublin Fire Brigade have engaged him to help them with a radical reform of their service?

Mr Clarke: First, perhaps you should ask the Dublin Government why they did that. Secondly, just because someone gets an award for previous conduct or something that they have done in the past, does that necessarily mean that we hold them in high regard for everything that they do in the future? I can think of current examples of Lords having to resign and a TV personality being stripped of his knighthood and various other awards for his glowing career. Does that suggest that you cannot have a blip if you have received an award? Bear in mind that the Scottish audit office found failings in Sweeney, or are you not aware of that either?

Dr McKee: We employed him on the basis of his track record as Chief Fire Officer. At the time, there were a number of Chief Fire Officers in England, Scotland and Wales who, when changes were made to pensions and everything else, were allowed access to their pension rights and were re-employed at about half their salary. In Scotland, that was in the lead-up to amalgamation. I do not think there is any evidence that he was involved in any wrongdoing.

Mr Clarke: I beg to differ. We might look up that report.

You referred to cliques. Jim Wallace was appointed to a particular role, and I think that he has a challenging role in coming to Northern Ireland to perform that role. The fact that he then invited two of his former colleagues from Scotland to come over and carry out a review is, I suggest, a continuation of the culture of cliques in the Fire Service.

Mr Girvan: Thank you for your opening comments. Dr McKee, like my colleague, I would like to put on record how well the guys who put the rubber to the road do their job. They should be congratulated on that.

We want to look seriously at governance because there seem to be major problems in that element of the organisation. It is not necessarily just to do with you but with how you communicate with your lead Department, DHSSPS. We have serious concerns about how, for example, feedback is given to the Department. The report on the 2011-12 audit said that there were 73 substantive vacancies. Some 27 of those posts have not even been filled on a temporary basis. I wonder whether, if you had a

problem with that, you communicated it to the Department, which has the expertise. When we asked Andrew McCormick about that, he said that the Department had the HR resource and capability to help you should you have required them. You said that the board was up to the job, but I wonder whether the chairperson just sits at the end of the table pulling the strings while members nod their head. Does the board carry out its investigatory role in the way that it should to ensure that things happen?

Dr McKee: I write an appraisal of individual board members each year, which I did not long ago, and, similarly, the Department writes an appraisal of my performance. One board member said to me that one of the major changes in board meetings has been that we have said to our executive colleagues that we do not want to hear only the good bits. We used to get an account every month of major incidents and how well we had responded to them, but you would expect the service to do that. Fairly early on, we sent the message to our colleagues that we needed to hear the bits that they might be reluctant to bring to us. The worst scenario, and the last thing that we would want, is the executive regarding the monthly board meeting as a hedge to be jumped — you hope that you get over it and that nobody gets burned or scratched on the way — but that does not happen. That is not the way a board meeting should be; it should be an honest exchange of information. For instance, the Chief Fire Officer now gives us much more focused figures on response times. We did not get that detail before. Much more worrying nowadays, and this applies not only to Northern Ireland but across the UK, is when fire engines fail to respond, and we challenge those failures.

The job of the board is to govern the service, and we insist that it is the job of the executive to run the business of the service. The difficulty, Mr Girvan, has been that, in the past, we got far too tied up in the minutiae of the service. The challenge for the service in the years ahead is, as I said earlier, that the model of a largely retained service, which was set up very inexpensively after World War II, does not work any more. Consider south Antrim, where I served for a short time, in Carrickfergus. In the 1970s, Courtaulds, Kilroot and ICI employed thousands of shift workers, and you could rely on those men and women — mostly men in those days — to turn up when they were off work. There is no longer the same work in Carrickfergus. Think of Whitehead: no one works in Whitehead during the day. In Ballymena, four milkmen used to turn up in electric milk floats when there was a fire. They finished every day at 9.00 am and provided excellent fire cover. That has changed, so the board must do its strategic job. We need to get past the hand-holding that we saw evidence of and say to the executive that it is its job to run the business.

Mr Girvan: You spoke of 73 vacant posts and said that the resource issue was still not completely resolved. Why has it taken so long to resolve that? Mr Clarke mentioned 27 posts that have not been filled, even on a part-time basis. What mechanism is in place to resolve that?

Dr McKee: In the past year, a lot of work has gone into workforce planning. After we separated the roles, that task was given to the chief executive. In the past, Mr Girvan, the focus was so heavily on the service itself that the support services suffered. It is about hearts and minds. If the people who are at the top running the service are entirely operational, they will see life-and-death issues as the most important and the other side as somehow less important. Now, we have a chief executive who is in charge of the organisation, and that culture has changed.

Mr Girvan: You referred to issues with board meetings. Does management bring you information about what is going on to the board? As you say, it is a two-way street. I know plenty of boards that operate on this basis: it is an opportunity to have a wee cup of tea, sit around a table, hear a few nice reports, agree some minutes, decide that it has been a great meeting and head home. Does management give you the information that you require? In the past, the culture was to hold back information from the board so that it could not see the full picture, which happens in many organisations. I appreciate another report on the Fire Service had already highlighted some of those points. At this stage, we want to give you a chance to make the changes and ensure that the service goes forward properly. Is management not feeding that information through?

Dr McKee: Management does now feed through that information, and I will give you an anecdotal illustration of that. When I first came into the post and went out to an area, district or station, there was, very often, a formal meeting with the firefighters, who had the chance to ask the chairman some questions. Early on, they would ask me whether I had been a fireman. When I said yes, I saw a different look on their faces. At some point during questions and answers with the firefighters, somebody always stated that I was a very busy man, and I was taken away. That has changed. I now feel that there is much more access to hearing exactly what the issues are. Today, there are still people working in the Fire Service, in Armagh and Ballymena, with whom I served. If I want to know

what is really going on with overtime payments, training or equipment, I just go and have a cup of coffee or a pint with them and find out. I think that our senior executives know that I have a fairly good idea of what goes on.

After each board meeting, a list of bullet points is sent to the chief executive, who takes the main actions to the corporate management team on the following Monday. I think that there was a feeling in the past that things were agreed or approved but did not go very far, but they are now followed through. A week or 10 days after that, we have a meeting to see what the priorities are for the next board meeting and agree the agenda.

Mr Girvan: You said earlier that there was a "toxic" atmosphere in headquarters. What have you done to deal with that? Has there been an element of pruning, or have there just been sidesteps? Obviously, if the people responsible are not dealt with, they will cause problems no matter where they go. Personalities are causing problems.

Dr McKee: Some who may have been involved in that are no longer with us. Nowadays, toxicity often expresses itself through leaks. That is not to say that we want cover-ups, but business-sensitive or person-sensitive information is being leaked, and, sometimes, the only rationale for that can be to embarrass someone else or the organisation.

We are grateful for the very kind things said by colleagues in the Health Committee and by this Committee about the courage and professionalism of the men and women firefighters and the unseen work that goes on in the control room. You talked about rubber touching the road. If the maintenance people did not fix the tyres and we did not contractually buy the fuel and provide the training, fire engines would not go out through the front doors. So we have to be careful not to rubbish the support and backroom services of the brigade. They are all part of the same service. Sadly, it has had an effect on morale.

The Chairperson: There is a massive difference between good operations and very good governance. We understand that from the comments that you have just made. Deputy Chairperson, do you want to go into your line of questioning now, or do you want to follow up on something that you have heard today?

Mr Dallat: I want to refer to Dr McKee's opening remarks. I had the advantage of meeting both Dr McKee and Mr Wallace several months ago. Unfortunately, it was a bad day because a prison officer had been murdered on the M1, and I do not think that any of us were focused terribly well.

Dr McKee, I thought that your opening remarks were quite conciliatory and quite different from the interview that I had with you. Do you agree that there has been an elephant in the boardroom?

Dr McKee: Give me a better description of the elephant. What colour is it?

Mr Dallat: The elephant was senior management. You said that you had no control over them. Is that elephant still there?

Dr McKee: No.

Mr Dallat: Has it gone?

Dr McKee: On a couple of occasions, when significant work was presented to the board, it was obvious from the body language of the other senior members of the corporate management team that it had not been given full approval at corporate management level. That sent out very alarming signals to the board.

Mr Dallat: I asked the question because I need to make a judgment on whether you, as chairperson, are still the person to recognise an elephant in the boardroom. They are everywhere, not just in your boardroom.

Dr McKee: This will come out professionally from me to you as a compliment. We have four elected representatives. One of those elected representatives from around this part of the world listed membership of an education and library board; governor of several schools; member of a peace and reconciliation partnership; chair of a community safety council; member of a policing and community

safety partnership; member of a health commissioning board; member of a local government subregional environment group; chair of various community groups; and chair of a council policy and development committee. That is one person.

Mr Dallat: Do you not think that he was far too busy to be concentrating on the —

Dr McKee: No. That individual probably gives me more time than anyone else on that board. He is forever sending me e-mails about events. Because he lives in this area, he can go to events that the rest of us would have to drive for an hour to get to.

Mr Dallat: All right. Listen, I know that we are pressurised for time —

Dr McKee: Sorry, Mr Dallat, I will just finish. Three or four members of my board have been chairs of other boards. One of them was chair of a large housing association for six years. Another was chair —

The Chairperson: That is not really relevant, Dr McKee.

Dr McKee: They would spot elephants in the room. They are very good at seeing elephants.

Mr Dallat: No, the person who spots the elephants is you, Dr McKee. Look: people got hurt badly during this whole nonsense, and I am aware that at least three of them are back in their posts. As chairperson, what have you done to repair the hurt and shame that they underwent? I am a bit different from other members; old age is doing it. I was here in 2002. We went through all this before and got all the assurances. We were told that we were causing morale problems in the Fire Service and creating problems for those gallant men and women on the ground who were fighting the fires, and we accepted an undertaking from the Department and from the Fire Service, as it was then. Can you understand my annoyance that, 11 years on, we are discussing the same problems? I want to be convinced that we are not going to leave another legacy for another Public Accounts Committee in a few years' time to go over the same ground again. The challenge to you today — it was introduced by Trevor — is how you can convince us that you are the person to do it.

Dr McKee: The thing that has caused me to reflect on this is that a lot of what we are considering in these reports began and had its roots before we came into post. There is no doubt that there has been a period of great instability, because we had a board, a transition board and ourselves. The handling of some of the grievances and the whistle-blowing has not been good.

Mr Dallat: Can I stop you there? If it has not been good, what have you, as chairperson, done to repair that? Let us be frank: we are talking about Linda Ford, John Boyle and others who I will not name. What have you done?

Dr McKee: When I saw how slowly things were moving and the way it was all intermeshed and very hard to unpick, I had some sympathy with Mr Craig being in that position. Given that the three people at the heart of this were in one directorate, it was so hard to separate it out. I said to Jim that our priority is to get a way through this —

Mr Dallat: Are you aware that Mr Craig gave evidence to this Committee? He was challenged on several pieces of his evidence and given an opportunity to clarify it, and he refused. I am sorry, but he is not part of the solution.

Dr McKee: He is gone.

Mr Dallat: Yes, he is gone.

Dr McKee: He may well have been part of the problem. It is the job of the executive to manage the staff, and that was one of the main weaknesses that we saw.

Mr Dallat: Have you apologised to Linda Ford?

Dr McKee: Yes, I have.

Mr Dallat: When?

Dr McKee: I apologised to her. I brought her in and spoke to her on the day that she returned to work. I said that I was pleased to see her back, and that I was sorry that it had taken so long. I remember that we were both quite emotional about the thing. I regularly would have a cup of coffee with Linda in the canteen. Last week, when I came back from a very important meeting at the national joint council, I was told that Linda had come back, and was behind her old desk in her office as financial accountant. I thought that that was great progress. I wrote to her to say how pleased I was that she was back and to apologise personally that the process had taken so long.

Mr Dallat: You apologised that the process had taken so long?

Dr McKee: Yes.

Mr Dallat: There was no apology for the horror that that woman went through? Attempts were made to criminalise her. You just apologised for the length of the inquiry, is that all?

The Chairperson: Can I just come in there? Do you think that Linda Ford should ever have been suspended, Dr McKee?

Dr McKee: On the day —

The Chairperson: Yes or no?

Dr McKee: No.

Mr Dallat: That is good. When did you last communicate with John Boyle to say that you were sorry for what he went through? He was sent to Enniskillen.

Dr McKee: I actually went in and spoke to him and we had a chat yesterday.

Mr Dallat: Yesterday?

Mr Dallat: It would be mean of me to suggest that you did that yesterday because you were coming here today.

Dr McKee: I did it as a complete logical sequence.

Mr Dallat: OK, I accept that.

Dr McKee: Because Linda was reinstated in her office and in her substantive role last week in my absence, and I did it when I came back. I then thought that that was not fair, because John had been in the same position. That is why I did that. I can see the pain that both of them suffered, John Boyle in particular.

Mr Dallat: Chairperson, I know that you have an awful job of managing this. I just have one last question about Dr McKee's opening remark. You accepted in your opening remarks, and I think it was generous of you, that there was a massive loss of public confidence in senior management. You accept that?

Dr McKee: Yes.

Mr Dallat: In the last few years, that impacted on a lot of people. I make no apology for mentioning one family in particular: the McCloskey family of Dungiven, who lost their father. Will you give us an undertaking today that you will not stop an independent inquiry into who gave the orders for their father to lose his life?

Dr McKee: There is no difficulty with that at all. Seamus, on the way in, said that he wanted a chat with me, face to face. I said, "This is very important. Write to the board with the family's concerns, and we will deal with that at board level." As we know, that happened 10 years ago and there was a

PSNI inquiry; a Health and Safety Executive inquiry; an internal inquiry in the service; and a coroner's case. We feel that we have covered a lot of that ground.

Mr Dallat: Dr McKee, you know that there were serious weaknesses in those inquiries. They were running in parallel and they were not independent. You have all the evidence. I know that I have the support of the Committee here. Please go back and allow the McCloskey family to enter their grieving process properly by not standing in the way of an inquiry which will establish who gave the orders to Joe McCloskey to go on the roof, through which he fell and lost his life. That is all.

Dr McKee: We will not block that.

Mr Dallat: Thank you.

Mr Clarke: Can I interject for two seconds? Dr McKee, you said something about that when you were asked by Mr Dallat. What worries me about that answer is that in your latter remarks you said that you will not block that. Prior to that, you were trying to make an excuse that all those other reports had been written. What worries me about the answer that you have just given is that, though you may try to make an undertaking here today, because we are in a public forum, we will not have an opportunity to challenge you in the future. However, if this goes to the board, you may pull out the same excuse and suggest that there have been all those different inquiries in the past and that there is no need to reopen this. It is comfortable for you to sit here, because we are in a public forum, and give us a different answer. However, we will not have the opportunity to challenge you in your role in the future when you refer this to the board. Will you give us a categorical assurance that, as the chairman of the board, you will support that when it is discussed?

Dr McKee: We have to see what comes in —

Mr Clarke: Yes or no? Will you give a categorical assurance when it comes to the board that, as the chairman of the board, you will support the families with their request for an inquiry? Yes or no?

Dr McKee: We cannot block an independent inquiry.

Mr Clarke: A yes or no would suffice.

Dr McKee: We will have to see what comes in from the families, and we will not block an honest —

Mr Clarke: I will frame it in a different way. If the families write to the board, will you succumb to the request for a full inquiry? Yes or no?

Dr McKee: I will have to put it to the board. I cannot instruct the board.

Mr Clarke: You are the so-called leader of the organisation. You are the man in power. As the chairman of the board, will you make a recommendation to support the families? Yes or no?

Dr McKee: The recommendation will come to the board. I am not a dictator of the board. It will be put to the board, and the board will come to a corporate —

The Chairperson: If that comes to the board, will you, as chairman of the board, make the recommendation?

Dr McKee: I will not block it personally. However, I cannot speak for the rest of my board, Mr Clarke.

Mr Clarke: You can speak for yourself.

Dr McKee: I can speak for myself, yes.

Mr Clarke: In that case, as the chairman of the board, will you support the inquiry and encourage your other members to support it?

Dr McKee: I will.

Mr Clarke: Thank you.

The Chairperson: Dr McKee, you mentioned Mr Craig earlier —

Dr McKee: The whole thing about corporate memory is that, having read the Comptroller and Auditor General's report and the setting of the scene with various inquiries, I think that a lot of the training that any board gets concentrates on the generic textbook MBA business studies level of the core principles of good governance. In the situation that we have — a uniformed service where people change or are entitled to go after 30 years — there is a big turnover in staff, and if you were to ask who was in a senior position in our service 13 years ago, you would be surprised. Who was anywhere near the board 13 years ago? No one. So, there is work to be done on corporate memory and on knowing where the dangers have been in the past.

The Chairperson: That is something that you will probably work on after today's meeting, collating that information and everything around it. Is that the case?

Mr Jim Wallace (Northern Ireland Fire and Rescue Service): It is certainly part of a philosophy that I support fundamentally. Continuity and sustainability — whatever you want to call it — is something that we probably have not had organisationally at all levels. If we are to succeed — and I think that we will — that knowledge and the consistency and stability will give us the continuity to move on. I am already seeing signs of that, which I hope that the chairman and the board are also seeing.

The Chairperson: Dr McKee, you referred to Peter Craig as being part of the problem. When Mr Craig was here as a witness at this Committee, he certainly did not see himself as part of the problem. It is on public record that he in no way saw himself as part of the problem in the organisation. I felt that I had to put that on record.

Dr McKee: In fairness, in his assistant chief officer role in community development, the team that he led was recognised nationally as outstanding. The Thumbs Up on Monday campaign, the stuff about smoke alarms and a lot of the youth work was initiated when he led that unit.

The Chairperson: He informed us about his glowing record and all of that at the meeting. Members, time is of the essence today, and we have a number of formal lines of questioning.

Mr Dallat: The report is focused very much on the role of whistle-blowers. I really want to hear a bit more about how you feel about whistle-blowers. Paragraph 1.3 of the Department's internal auditor's report on the whistle-blower's allegations states that Linda Ford, whom we spoke about earlier, was suspended for whistle-blowing. Do you agree? That is largely substantiated.

Dr McKee: There is a real difficulty around that. The letter was immensely clumsy. On the day that he had the conversation with me, the primacy of what Mr Craig was hoping to do was the issue of accessing files. However, to include in the same letter a reference to the whistle-blowing allegation was ill-judged.

Mr Dallat: In other words, he blew the gaff on you.

Dr McKee: Sorry, he wrote the letter.

Mr Dallat: Aye; he blew it, didn't he?

Dr McKee: No, he did not.

Mr Dallat: The reason that Linda Ford was suspended was that she was a whistle-blower. That report goes on to say that that was the main motivation for the suspension.

Dr McKee: Yes.

Mr Dallat: There is no dispute about that, except from you. Do you agree?

Dr McKee: If I had thought — if he had said to me — that he was suspending her because she was a whistle-blower, I would have said that he cannot do that; it would have been a complete detriment to her position. However, the way in which it was put to me was that the balance of the issue was on the access to the files. He got that wrong.

Mr Dallat: He got the whistle-blowing wrong —

Dr McKee: No.

Mr Dallat: He got the access to the files wrong as well?

Dr McKee: No. He had a genuine concern about access of files.

Mr Dallat: What has been the outcome of that? You tried to bring in some organisation to criminalise her. That did not work. Is that not right?

Dr McKee: I was not dealing with the Information Commissioner.

Mr Dallat: Mr Wallace, do you know?

Mr Wallace: The accusations that were made, which came up through a separate grievance that I heard, meant that the suggestions were referred to the Information Commissioner —

Mr Dallat: Correct.

Mr Wallace: — for pursuance.

Mr Dallat: How did they get on with it?

Mr Wallace: They took no action.

Mr Dallat: They took no action because there was no case to answer. Mr McKee, I take you back to the most recent e-mail that you talked about earlier. Have you apologised to Linda Ford for that, or did you just apologise because the inquiry took so long?

Dr McKee: I think that I referred to the delay in the process.

Mr Dallat: Chairperson, I came here with an open mind, but my mind is pretty well made up at this stage. You are not a fit person to bring the organisation into the future because you have made it clear that you have all the baggage with you, and you have defended Mr Craig, who performed very badly in front of this Committee. He refuses to answer several supplementary questions that have been put to him. How can you instil confidence in the people who have been hurt in the organisation if you continue to have those views?

Dr McKee: We are still at a delicate stage in bringing the two people fully through the process. The mediation is not quite complete. We have just the last little bit of that journey to go.

Mr Dallat: So, the inquisition is still ongoing?

Dr McKee: No. That is an emotive way to describe it. I think that it is being handled with great skill and a lot of quiet work with the chief executive and the director of human resources.

Mr Dallat: Why did you not raise the roof of the house when Peter Craig wrote that letter that made reference to Linda Ford's whistle-blowing?

Dr McKee: Six months into taking up my post, if my chief executive, who was the accounting officer, tells me that he has genuine grounds for concern about improper accessing of finance files, that he is going to put a person on a precautionary suspension and that he has taken HR advice and legal advice, I have to take that at face value. I am not in a position to stop that. It is his job, as the chief executive, to manage his staff. If —

Mr Dallat: Dr McKee, you were in post eight months at that stage. Surely you must have known Mr Craig's motivation for suspending Linda Ford. No?

Dr McKee: The conversation that he had with me was focused on the accessing of files.

Mr Dallat: You were working two and a half to three days a week in the Fire Service. It is not as if you were just popping in and out as the chairperson. You were in there; you had the reins, and this man was at your right-hand side. Are you telling this Committee sincerely that you did not know what he was up to?

Dr McKee: It was my job to look after the board and that side of the house. The actual management of the staff and the service is a management executive function.

Mr Dallat: Nothing to do with you?

Dr McKee: No, it is not nothing to do with me, but the burden of that is with the executive team.

Mr Clarke: I have a supplementary to John's question, and I am interested in your response in terms of Peter Craig. In response to John Dallat, you mentioned the advice that he had from HR. From my recollection, HR was not involved in the process at all. You have just told John Dallat that Peter Craig spoke to HR. We can listen to the tapes, but you referred to his conversation with HR. It is my understanding from a previous evidence session that Peter Craig, by his own admission, did not take it to HR because there was no one there at that time.

Dr McKee: I asked him whether he had checked with HR and legal. I asked him whether he could do that, and he assured me that he could. He was —

Mr Clarke: So, did you not feel it was important to find that advice that he had from HR before he made the decision to suspend someone on two counts; one being whistle-blowing, and the other for the records?

Dr McKee: You mean for me to sit him down and say, show me the advice and show me the —

Mr Clarke: You, as the head of an organisation that has gone through complex problems for a number of years, find that a senior accounting officer comes to you to suggest they are going to suspend someone, and one reason is for whistle-blowing, which many of us have come to the conclusion was the main emphasis of it. Given that Mr Craig was even involved in the whistle-blowing allegation, you should have informed yourself or seen the information that he was provided by HR, given that you have just responded to John Dallat today and told him that it was based on advice that he had from HR.

Dr McKee: That was my understanding.

Mr Clarke: So now you are the chairman of the organisation and you are of the understanding that that is the advice that he got, but you were not aware that there was no one at HR; that there were vacancies within HR at that particular time and there was no one to give him that advice?

Dr McKee: My understanding was that it was an HR manager who rang Linda Ford that afternoon and told her that a letter was coming out, so there was obviously someone there.

Mr Clarke: Chairperson, can we go back to check that and write to Mr McKee on that? My recollection was that the permanent secretary said that they could have taken advice from the Department at that time because there was a question over whether there was anyone who was capable of giving the information in the HR department.

The Chairperson: The Clerk will check that.

John, before I let you in, I have a question for Dr McKee. When you discussed the whistle-blower's grievances against Mr Craig with Mr Craig — when you had that conversation and they were

subsequently buried — were you aware at that time that that was against your own organisational policy?

Dr McKee: This was in July. A grievance came in about requesting access to files. Now, because we knew that there had already been issues between Linda and her director of finance, and the director of finance is responsible for those finance files, I told him as accounting officer, because he would know about the grievance when the procedure started as someone would have had to interview him about his role in this. I asked him whether Linda been denied access to these files, because there might be a risk to the organisation about inappropriate access. He said that he had not put any block in her place and he said that he wanted to have a chat with her to see exactly what she wanted.

The Chairperson: At that time, you obviously would have been aware that that was against policy procedures and the organisational procedures.

Dr McKee: We had not gone into the grievance. I told him as accounting officer that a grievance had come in about accessing files. I asked whether he had denied her files, and he said that he had not but that he would have a chat with her. He wanted to speak to her face to face for clarity, and then we would have proceeded with the grievance.

Mr Dallat: Just on that point, did Linda Ford claim that she was instructed to access files by her superior officer?

Dr McKee: There is another letter that came in from the former director of planning, who uses different language. He says that he did not instruct her, he requested — that sort of language.

Mr Dallat: That is all right. I would love to have been a fly on the wall at these important board meetings. Did you discuss policies?

Dr McKee: In what way?

Mr Dallat: Obviously, the Fire Service is governed by a number of policies relating to every aspect of its work. Did you ensure that the Northern Ireland Fire and Rescue Service was complying with its own policies in relation, in particular, to personnel?

Dr McKee: That would have come through the human resource (HR) committee. Any new policies coming through would have to be discussed at HR and then come before the full board for approval.

Mr Dallat: Would that have been discussed at monthly meetings? I assume that that is what happens. Committees make reports to the board and the board discusses them at the monthly meeting.

Dr McKee: Yes. And occasionally policies come through.

Mr Dallat: Can you explain how on earth it came to such a shambles? What were you doing as chairperson to ensure that reports from those committees were all discussed at the monthly meetings, checked out and being complied with, so that we did not get the outcomes that we got?

Dr McKee: The difficulty is — and we have admitted to this — that a number of the policies are old, and there is a major review of those through the organisational improvement committee. That is one of the major areas of the chief executive.

Mr Dallat: So now you are telling me that lots of those policies were outdated, yet, earlier in this briefing, you extolled the virtues of Mr Craig. Was he failing in these?

Dr McKee: I extolled his virtue in what he had done in community development, which is a different role to that of chief executive.

Mr Dallat: It is the chief executive role that we really want to hear about; not that other stuff.

Dr McKee: There was a lack of confidence coming through from the corporate management team, that things were going adrift in the first quarter of the second year, 2012.

Mr Dallat: How friendly were you and Mr Craig? Did you travel together abroad?

Dr McKee: Can I, for the record, just fix one thing from the last evidence session, about foreign trips? The word was used in the plural. I have been on one foreign trip; to the World Police and Fire Games two years ago in Manhattan. Three Executive Ministers went, the Chief Constable, the Chief Fire Officer — who was there as vice chair of the games — and Mary Peters. The job was to convince people to come here. So there was just the one trip. Just for the record, again, Ms Boyle, there was a reference that I go to trade fairs and conferences — not one. I am glad that Mr Dallat has checked that in an Assembly question. I just want the record straight. I do not do foreign trips, conferences or trade fairs. We did not socialise. We went to a couple of garden parties, which I am sure that you would have enjoyed yourself, with our wives, in our area, in Hillsborough.

Mr Dallat: I have been to garden parties.

Dr McKee: So we are in Lisburn district area and we went to a couple of those. However, we were not in each other's pocket.

Mr Dallat: I have some other questions relating to the report that you may recall we were not given, but I will leave that and give other members an opportunity to ask questions.

Dr McKee: Nor did we travel to the national joint council together.

Mr Dallat: You seem fairly strong on that one, but —

Mr Hazzard: I want to come in on the back of one of John's points. Joe, it is my understanding that, as well as being chair, you are also a member of the HR committee. Is that right?

Dr McKee: That is right. The only committee that I am forbidden from attending is the audit and risk committee.

Mr Hazzard: OK. When did you join the HR committee?

Dr McKee: When we took up our posts, we were all allocated to a committee. In my case, I was allocated to a group of committees. It was as soon as we joined.

Mr Hazzard: That leads me to believe that you should have been pretty au fait with HR policy and various policies coming through that. That is why I do not understand the confusion. Did you bring the issue that John mentioned to the HR committee at any stage?

Dr McKee: No. There was not a regular update on grievances or disciplines. It seemed to be broader and more generic issues. That has been changed. In the quarterly meetings with HR, we now get a table of grievances and whistle-blowing. That has helped the situation.

Mr Hazzard: You spoke earlier about a number of errors of judgement. Do you accept that that was an error of judgement that has now been rectified?

Dr McKee: It was something that needed fixing, yes.

Mr Hazzard: I go back to Ms Ford's letter dated 18 July 2011. Will you outline what actions you took on receipt of that letter?

Dr McKee: The letter of 25 July was addressed to Andrew McCormick, with copies to me, the chair of my audit and risk committee, and Peter Craig, as accounting officer. It was the same information that had gone to the Deputy Chair of this Committee in April or May. The PAC informed the Audit Office of all the issues that had been raised by Ms Ford about events or practices in the lifetime of the previous board. Three weeks later, on 17 August 2011, the director of finance sent a very strong rebuttal of Ms Ford's original letter to the same circulation list: Dr McCormick; our accounting officer; the head of our internal audit; and me. At the end of August, the permanent secretary wrote to my chief, saying that there was a possibility of an internal audit investigation. I did not bring it to the board at that stage because I was clear in my mind that the chair acts as the accountability go-between between the Fire

and Rescue Service, the Department and the relevant Minister. I felt that there had been a clear line of accountability. The issues around corporation tax and non-uniform directors' pay had been dealt with. It was only when the new allegations came in October and November that that came to the board.

Mr Hazzard: Who did you consult with at the time?

Dr McKee: We talked at length in the Health Committee about this. We did not talk about it. I looked up some other notes on my chair's priorities for the period from September through to Christmas. I put that to the corporate management team and conveners of the committees. The priorities of the audit and risk committee between September and December were the risk register, statement of internal controls, review of policies, and progress of live grievances of whistle-blowers, etc. I was clear in my mind that it was being dealt with at the top end by the Department and the Audit Office. We were not involved in it.

Mr Hazzard: So, the letter of the grievance dated 18 July —

Dr McKee: No. The original one, as far as I recall, was dated 25 July 2011.

Mr Hazzard: We have it here that the grievance was dated 18 July. It is a letter from NIPSA to HR.

Dr McKee: It must be a mistake.

Mr Hazzard: It is about grievances.

Dr McKee: Who is it from?

Mr Hazzard: From NIPSA to HR. I am asking who, on receipt of the letter, did you consult and what advice did you seek.

Dr McKee: I did not consult. At that time, we were dealing with a long-running issue down in Enniskillen, principal officer appointments and, as I mentioned, all those acting up. We were dealing with the possibility of £3 million of cuts in the budget and possible industrial action over pensions, and we were still working through the recommendations of the delivery and innovation division (DID) report. I genuinely felt that all this stuff was being dealt with at the right level by the Department and the Audit Office. There is absolutely nothing to hide here.

Mr Hazzard: Just for a bit of clarity, I will read a little of what the letter says:

"the grievance was sent to the Chair of the Board in keeping with the policy as it was against the Chief Fire Officer and therefore it was appropriate to do so. This grievance was dated 18 July 2011."

Dr McKee: You are talking about two different things.

Mr Hazzard: Linda then received a letter from the Chief Fire Officer addressing the grievance. Obviously you had passed the grievance on to the Chief Fire Officer.

Dr McKee: That is the one we talked about a moment ago to do with the accessing of files.

Mr Hazzard: Yes.

Dr McKee: I thought that we were talking about the whistle-blower letter.

Mr Hazzard: No, the grievance letter, dated 18 July. The letter was addressed to you, and the reply then came via the Chief Fire Officer, which contravenes the policies we outlined. Who gave you the advice to pass that grievance to Peter Craig?

Dr McKee: I had not realised that he had written to NIPSA. I spoke to him about the risk of somebody going in to look at the files. He said that he would have a chat and see which files she wanted to see. There had been concerns about people digging through our files. You would not want that.

Mr Hazzard: You would not want the Chief Fire Officer responding to a grievance that was about him either. I presume that you accept that?

Dr McKee: I was not aware of that letter.

Mr Hazzard: So, it is fair to say that you did not consult with anybody on best practice or what, in keeping with policy, the response to the letter should have been.

Dr McKee: I am at odds about that. I cannot understand that at all.

The Chairperson: I appreciate that you have not seen a copy. We will get you a copy of it.

Mr Hazzard: I just wonder whether, in hindsight, you think it was wise to discuss the grievance with Mr Craig.

Dr McKee: In hindsight, no. I would not do that again.

Mr Hazzard: That is something that no doubt Ms Ford herself —

Mr Clarke: Mr Craig has left. She will be OK.

Mr Hazzard: There are errors of judgement and then there are severe errors of judgement.

The Chairperson: We will get you a copy.

Dr McKee: Thank you.

Mr Hazzard: I just think that, as a member of the HR committee especially, this represents a severe error of judgement. I am not sure what sort of apology to Ms Ford would ever make it up. A lot of my comments have been made by other members, so I will leave it there.

Mr Clarke: It goes back to the right people in the right jobs. That work calls you into question again. At that time of year, you had been in the post for some months. By your own admission, you were on the HR committee from the very start of your appointment. Does it not strike you that, even if you had not been on the HR committee, where a letter had been disclosed to you from a member relating to another senior member of staff, you should never have had a conversation with that individual, given the high position you hold in the organisation?

Dr McKee: I would not make the mistake again. When the initial grievance came in about the accessing of files, I asked Peter whether we were at risk. I should have just gone ahead straight into the grievance.

Mr Clarke: You are in a total quagmire with the whole thing. You had the conversation about the suspension at that stage, and I have been guided to a document in our file on the events around that. You gave a response to John Dallat earlier on that. Following on from what Chris said, one piece of evidence suggests that you had the conversation with an officer who was referred to you by Ms Ford. Then Mr Craig came to you and told you that he will suspend that member of staff on two counts. Now, what we —

Dr McKee: Sorry; that was not the same issue.

Mr Clarke: It may not be the same issue but it is the same individual, and you were involved in both incidents. It strikes me and most members of the Committee that Ms Ford was suspended because of her whistle-blowing. We can look at the catalogue of events around that. Yes, an acting head of HR at that time advised Mr Craig to speak to legal services, but when someone else had a conversation with legal services, it turned out that Mr Craig did not get any legal advice from it. That suggests to me

that you are caught up in the whole debacle with Linda Ford, Peter Craig and the suspension and how you handled it as the head of the organisation. I think the same as I thought on the last day that we had a session on this matter, although you were not there to give evidence. I believe that your position in the organisation is untenable and, for the clarity of the organisation, the sooner you go, the better. It can then get someone in to steer the ship out of the muddy waters that it is in.

Dr McKee: Normally, Peter Craig would have taken legal advice from the contract that we have with Belfast City Council.

Mr Clarke: Did you satisfy yourself that he did that, given that you had a conversation with him about Ms Ford previously —

Dr McKee: No.

Mr Clarke: — and given that he suggested to you that you should suspend that member of staff, who you had had a conversation about?

Dr McKee: We were in a very weak position with our —

Mr Clarke: You were in a very weak position as the leader of an organisation. You should no longer be in that position. You should resign from that position and give someone the opportunity to turn the organisation around rather than dragging its good name through the mud year in, year out and destroying the good name of the men and women who respond to calls daily. The media are focusing on the Fire and Rescue Service, and the public think of the Fire and Rescue Service as the men and women who respond to the 999 calls. They do not understand the debacle at the head of the organisation, which is a position that you hold. As far as I am concerned, you are steeped in this debacle with Ms Ford and Peter Craig. I will repeat: your position is untenable, and the sooner you tender your resignation, the better it will be for the organisation.

The Chairperson: Do you want to respond?

Dr McKee: No, I have heard that before. It was an incredibly difficult set of circumstances, and when people look at my performance in the other areas for which the chair has responsibility, they will see that there is a different picture. It was all handled poorly.

The Chairperson: Dr McKee, Linda Ford's grievances against Peter Craig were never heard. That was because a decision was taken that the hearing of the grievance could not take place until the disciplinary case against Linda was concluded. The Department's internal auditors said in their report at paragraph 7.4 that the denial of grievance hearings was contrary to the Fire and Rescue Service's disciplinary policy. Who made the decision that the grievance hearings could wait? Was it you? Did you know that the decision breached the Fire and Rescue Service procedures?

Dr McKee: It was the advice given to me by human resources. The letter that I sent out was written in association and consultation with the professionals in HR.

The Chairperson: Who was the head of HR?

Dr McKee: At one period, two managers were alternating back and forward. So, we would need to check, without naming that person, who the correct person was. We had a cover period. What was the date?

The Chairperson: I am not sure of the date, but it is in paragraph 7.4 of the report. Who made that decision is key information.

Dr McKee: I will need to get back to you on that.

The Chairperson: At the time, Ms Ford raised your failure to follow the proper procedures in her evidence to the Health Committee. She said:

"If the chairman of the organisation does not follow due process, how can staff or the public have faith in the corporate governance of the organisation?"

How would you respond to those comments?

Dr McKee: In many ways, I wish that I could do a lot of that again. I wish that we had policies that were more robust. The grievance policy, the harassment policy and the discipline policy do not even refer to the board or the chair; there is nothing. I did a word search for both recently, and there was no reference anywhere there to where those things go. The only reference to the chair was in a policy that was signed off by the chair and the chief executive some years ago.

Where we dropped the ball in that first year was in concentrating on the operational front of the service and letting the HR position go on. When we came in at the start, we were instructed that we were not to appoint an HR director until there had been a full review of HR services. The person who was seconded in had such a workload of day-to-day stuff that that review did not take place. It has taken us quite a while. We were six months' late in getting to where we were because of a simple administrative error in an earlier process. I am relieved that we now have someone in post who is bringing that strength and professionalism to the unit.

Mr Hussey: Who gave the instruction?

Dr McKee: To?

Mr Hussey: You said that you were instructed not to appoint until you had done something else. Who gave that instruction?

Dr McKee: The HR advice was that we could not proceed with a grievance while there was a discipline was in place.

Mr Hussey: You said that, when you started, there was an instruction not to appoint.

Dr McKee: It came from the Department.

Mr Hussey: Who in the Department?

Dr McKee: Ultimately, from the permanent secretary.

The Chairperson: We can get that clarified. We can write to you about that other bit.

Mr Rogers: You are welcome. In your opening remarks, you talked about the Fire and Rescue Service — I think that this has to be said over and over again, and Trevor has said it before as well — being dogged by highly critical reports. We are not talking about the men and women who respond to 999 calls or those who service the tenders, etc. Why is morale low?

Dr McKee: Over the years, we seem to take one step forward and two back. I admit that the handling of this grievance stuff has been flawed. I think that a lot of the other governance issues that we have at the moment are moving in completely the right direction. I will give you an example. There was criticism of the payment principles and the way we organised the whole-time recruitment. There is a major exercise going on this weekend and next week around the G8. The approach to that has been completely different from the word go. We needed to see what that would cost, how overtime would be awarded and what the overtime would be. That is all in place, so we know exactly where we are on that. No major projects on the operational side can be undertaken now without the Chief Fire Officer signing those off. So, there are controls there that we did not have even a couple of years ago.

Mr Rogers: I suggest to you that morale is low because of the many things that we have seen going on at senior management level, whether it is a senior person who seems to interpret HR policy as they like and does not return a Land Rover when they are supposed to, or things such as not seeming to have a stock control system. Lawnmowers seem to come and go, and all these things happen. Is that not the real reason? The ordinary person on the ground looks at the people who are supposed to be leading the organisation giving themselves a handshake before they retire and that type of thing.

Dr McKee: To be factually correct: no one gave themselves a handshake before they left; that has not happened. It has not happened on our watch, and I do not think that there is any evidence that it happened on any other watch.

Mr Rogers: From our last evidence session, it was quite obvious that people got a pay rise, in some cases without the board knowing. There was one particular case — I do not know whether you were chair of the board at the time — in which the chair of the board knew about the pay rise but that was not communicated to the rest of the board.

Dr McKee: That was in 2008-09, and it caused a major turnaround. An interim board was put in place. That cannot happen now. Apart from anything else, a departmental official now sits in on every board meeting and every committee meeting. Instead of two accountability meetings a year with the Department, we have four. The delegated limits were halved. Punitive measures were quite rightly put in place, and those are in place to this day. There is this notion about people awarding themselves pay rises, but that does not happen.

Mr Rogers: But it did happen.

Mr Hussey: Mr Rogers, can I support you in that by asking a question? There were so many officers in acting roles who retired in acting roles. Did they not get the pension for the role that they were acting in if they had been acting in it for a substantial period? That would be a handshake and a pat on the back as you go.

Dr McKee: Those people did not retire. Nearly all the people who retired were on a list that I have seen in —

Mr Hussey: No; there were several senior fire officers who were acting senior officers and who retired at the rank that they were acting in. Is that not the case?

Dr McKee: There is one who I know of; that was not common practice.

Mr Hussey: There was at least one.

I am sorry, Mr Rogers, for interrupting.

Mr Rogers: I accept what you say that that cannot happen today, but there have been situations in the past in which the board and the Department did not know about it.

Dr McKee: That was that one occasion, and it was dealt with ruthlessly at the time. The other issue that that often gets mixed up with is the unapproved bonuses that went through. The interpretation was that each of the sums was less than £5,000, which was the delegated limit. However, put together, the four of them put it over the delegated limit. That is where the difficulty came on that one.

Mr Rogers: Do you accept that those sort of events contributed to low morale?

Dr McKee: They were very damaging.

Mr Rogers: You also said in your opening remarks that there was instability at board level after the audit office report and other investigations came out. Can you tell us a wee bit more about that?

Dr McKee: When the irregular payments to non-uniform directors in 2008-09 came to light through DFP, the permanent secretary took rigorous actions. He instated a transitional board for a few months in 2010. We then set up a new board, which, effectively, was at the very end of 2010 and into 2011. There was a previous chair, an interim chair and an acting chair before I came long. So, in the space of a couple of years, there were four chairs and three or four people occupying the role of Chief Fire Officer. That all led to a lack of stability.

Mr Rogers: You mentioned the appraisal of board members. In April, the DSD corporate investigations unit reported that the Fire and Rescue Service's internal audits were under-resourced and consistently failing to complete their planned programme of work. How have you appraised the work of your audit committee?

Dr McKee: A decision was taken in, I think, 2006-07, which again was before our time, to reduce the number of internal auditors from three to two and to put one of those persons into finance, because there was a perceived need there, and to take the round of audits into a different phase. Now, a number of high risk areas are audited every year, and the lower risk areas are audited every three years. A proposal is with the internal audit and risk committee this week to look at various options around internal audit to see how that might be strengthened.

Mr Rogers: How many board members are on that internal audit committee?

Dr McKee: There are four or five. It is the one I do not attend.

Mr Rogers: Can I take you on to the external overview? I want to go back to a point that Trevor made at the beginning and that I tried to get in on. Maybe I did not hear the answer, so could you repeat it for me? Were you aware of the Scottish audit office report into Brian Sweeney? Were you aware of that report at that stage?

Dr McKee: No.

Mr Rogers: You were not aware of the report?

Dr McKee: No.

Mr Rogers: Is that not a failing? You were aware of his CV, etc, and all the other things that he got, but you were not aware of that. Is that not a failing on your part?

Dr McKee: I judged the man on what I saw of him. The fire commissioner in London is a hugely regarded man. A number of those chief officers went through that process. From what I know, there was nothing irregular. Maybe Mr Wallace knows more.

Mr Wallace: Purely for clarity, Chair: the process by which we went about the external review was not with Mr Sweeney. The first port of engagement was with the Chief Inspector of Scotland. We sought his advice on two things: first, whether he felt it appropriate to come and do the review; and secondly, what process that would involve. It was his suggestion, even though he would be leading on it, that the Chief Fire Officer of Strathclyde would support him in doing that. It was not a question of engaging directly with the Chief Fire Officer of Strathclyde. It was on the advice of the Chief Inspector of Scotland to support him. Therefore, the Chief Inspector was leading on it, rather than the direct engagement of CFO Sweeney.

The Chairperson: So, you did not go and seek him out yourselves. Is that what you are saying? You did it through the Chief Inspector?

Mr Wallace: My approach was for the Chief Inspector. I thought that it was appropriate —

The Chairperson: Through the Chief Inspector?

Mr Wallace: Yes. My approach was, with support, that the Chief Inspector of Scotland be asked whether they would consider, through the inspectorate, undertaking the external review. That was my suggestion, which was supported. Given the nature of the terms of reference that were drafted to support the Chief Inspector to do that, he felt that the expertise that could be brought to that review by the Chief Fire Officer of Strathclyde, for a number of the reasons that the chairman has touched on, would give more kudos and credence to the review. I was content to be guided by him. I was certainly aware that there was an investigation — sorry; an Audit Scotland review — but my understanding at the time was that it was about governance rather than about Mr Sweeney himself, and I am still of that view. That is for clarification, Chairperson.

Mr Rogers: Mr Wallace, did you know this man in a professional or personal capacity before?

Mr Wallace: Mr Sweeney?

Mr Rogers: Yes.

Mr Wallace: I only knew him as the chief of Strathclyde through meeting him occasionally at meetings. Certainly, in the latter part of my time in the Scottish Government, I had almost no contact with him at all. Obviously, though, Scotland being a relatively small place means that you do meet from time to time.

Mr Rogers: Did you discuss the audit office report with the chief executive at that time?

Mr Wallace: The audit — no.

Mr Rogers: You said that you were aware of a Scottish audit office report.

Mr Wallace: No. My discussions were all with the Chief Inspector of Scotland.

Mr Rogers: Right. If you were aware of the Scottish audit office report, why did you not investigate what was in it before that person was appointed?

Mr Wallace: For the purposes of what was being carried out for the Northern Ireland Fire and Rescue Service and discussions with the Chief Inspector of Scotland, my understanding was that the investigation or the fact-finding was around the governance arrangements and how the board had gone about the retirement process of the Chief Fire Officer. As was mentioned, the arrangements were not unique to that individual. It happened elsewhere. It did not appear to me that any concerns were relevant to the work that that individual was going to be carrying out through the direct control of the Chief Inspector of Scotland.

Mr Rogers: Do you accept now that you should have?

Mr Wallace: I still do not believe that there was any conflict about what the individual was looking at. I have not followed the course of action from the report, but I am still of the view that it was around the governance arrangements, and not about the individual's competence or capability to discharge his role as Chief Fire Officer, which was the expertise that was being brought to the external review.

Mr Rogers: Did you not believe that that review had to be credible and totally impartial?

Mr Wallace: Yes, and I believe that it was because I was using the chief inspector. I still maintain that his view and integrity are intact and of the highest level. I was content to take his professional advice.

Mr Rogers: With hindsight, do you still believe that that was the right course of action?

Mr Wallace: I believe that it was.

Mr Rogers: With regard to the review, why do you think that it came to a view on disciplinary action? How was that exercise carried out?

Dr McKee: We looked at all the other reports that we had and conducted a desktop review. Those boys had been round the track. They know how fire services work. They know the culture and the working practices. Their judgement was that some of the custom and practice was less than ideal. They came to a judgement. They referred to what they called "sins of commission and omission". I think that their view was that no one had wilfully done anything that should give us great grounds for concern.

Mr Rogers: Do you accept that that review could be looked upon as a real whitewash?

Dr McKee: No. I do not think so. As I said, those were very experienced professionals. They are not fools. They had an honest look at it. That is the conclusion that they came up with.

Mr Rogers: How would you reconcile that with the view of DARD's central investigation service, which concluded that Fire Service managers had not ensured the proper use of public funds and suggested that disciplinary proceedings be instigated? How would you reconcile those two views?

Dr McKee: Where is that?

Mr Rogers: It is in a report from DARD's central investigation service.

Dr McKee: I am sorry to be pedantic. What page is it on?

Mr Rogers: I am not sure.

Dr McKee: I am looking at the conclusions. It may well have related to criticism that we did not have a correct overtime policy on detached duties. What they used was an out-duty policy that was really too blunt an instrument for that. Afterwards, we were told that part of the rationale was that a number of the people who were involved in that were retained part-time firefighters. Those people would be giving up a day's work. Really, it should have been specified in hours, rather than a day. It went back to custom and practice. As I said with regard to the very illustration that I gave about how we are looking at payments for the G8 summit this weekend, we have closed that down.

Mr Rogers: OK. Can I just take you to page 50 of the report, which talks about the Department's key performance at quarterly accountability meetings. Can you tell me how those accountability meetings have changed under your stewardship?

Dr McKee: I do not know how they were run before I came into post. They are an established feature of the interaction between the Department and the service —

Mr Rogers: Sorry. I must interrupt you. You do not know how they happened before? Is there no paper trail?

Dr McKee: I thought that you meant the conduct of the meetings. There are two sides, two parts, to the meeting. One looks mostly at governance issues. The second part of the meeting takes a much broader remit. That is the change.

Mr Rogers: Paragraph 67 on page 50 states that the:

"lack of opportunity to challenge reduces the scope".

Is there little opportunity to challenge in those accountability meetings?

Dr McKee: I read that more as something that the Department, which convened the meetings, needs to look at. The Department does that challenging, so I think that we need to have that conversation with it.

Mr Rogers: How are things challenged in your accountability meetings?

Dr McKee: It is really an interchange of ideas, identifying risks that will come up in the future. That is the main thrust of it, from what I see. This is so that the Department knows what we intend to do, so the philosophy or tactic of no surprises is there and identifying emerging issues are important at the end of it. That is my reading of it.

Mr Rogers: How was your new board brought up to speed with all this?

Dr McKee: A good programme called On Board was organised, I think that it was through the Chartered Institute of Public Finance and Accountability (CIPFA). It was generic corporate governance stuff. We felt that it was useful. Nearly all of us had done something similar before, because people had all been on boards.

Mr Rogers: You made another point that also alarmed me. In answer to a previous question, you talked about there being little reference in the documentation to the chair, through the hierarchy, particularly about what was happening with HR, etc. Had that been a problem in the past?

Dr McKee: Little reference to which chair?

Mr Rogers: To you, as chair.

Dr McKee: From?

Mr Rogers: You, as chair or chief of the organisation, the hierarchy; you know, if you go back to the problems with HR reports being open to interpretation or whatever else. Are those links now stronger throughout the organisation? For example, if something is wrong in HR, is your HR person held accountable?

Dr McKee: Yes, and that is one of the main changes in the agenda, so that rather than being swept up by a chief executive of a Chief Fire Officer, each director presents on behalf his or her directorate. I have also tried to instil that the main nuts-and-bolts work goes in those committees and is then brought to the board, so that we do not re-run, other than challenge, significant issues at the full board.

Mr Rogers: Finally, what progress are you making with the 129 recommendations?

Mr Wallace: I should impress upon you that they have gone up. I think that there is more than that now, given another recent audit report. However, we have cleared 52 or 53 of them, with another 16 pending, which are owned and managed through the organisation improvement committee that meets monthly and reports back to the board. Some of the recommendations concern longer-term organisational change, and we are picking those up within a wider programme but still making progress.

Mr Rogers: Thank you.

Dr McKee: The report on the accounts from the Comptroller and Auditor General (C&AG) outlined a number of recommendations, including that the Fire Service board needs to build up its scrutiny role. We have highlighted that, with vacancies on the board coming up in September, we have been asking for a chartered accountant to be put on the board. That has been communicated to the Department. Another recommendation was to provide timely and relevant information to the committees, which we do. We are very fussy about getting stuff out in time. The report queries the audit and risk committee being responsible for ensuring that its information requirements are met. We are doing that. A conflict of interest statement on purely financial conflicts of interest was changed a few years ago. That was broadened and the chair now asks at every meeting whether anything constitutes a possible conflict of interest. The capacity of internal audit needs to be built up. The audit and risk committee will do that this week.

I am satisfied that on the specific recommendations in the report about the board building up its scrutiny role, that does happen. Someone being light-hearted towards the end of a Health Committee meeting said that we sat around drinking tea. That has never happened at our meetings. Some of them have been very feisty.

Mr Girvan: We do.

Dr McKee: No embarrassment intended, gentlemen, but we do not do that. We had an away day early in our second year to demystify some of the areas that were, perhaps, not as open. Some of our secretaries at that event said, "I heard stuff today that I never knew about." We think that the thing is moving and there are signs that we are going in the right direction.

Mr Clarke: Did you all go in the Land Rover to that?

Dr McKee: The Land Rover is a huge —

Mr Clarke: I just wondered whether the secretaries who had not heard anything about the organisation knew about the Land Rover.

Dr McKee: There is not a Land Rover joke that I have not heard in the past year.

Mr Rogers: I would not deny anybody their cup of tea. Is there any opposition on the board to the implementation of those recommendations?

Mr Wallace: Not at all. None whatsoever. We fully support the implementation. In fact, some of the challenge that we get through the organisational improvement committee is almost in the sense of trying to beef up some of the recommendations to help to provide even greater assurance. Those who sit on that committee have been very supportive and are demanding that the recommendations are implemented as quickly as possible. That has been very helpful from my perspective.

Mr Dallat: There are just a few remaining matters that I would like demystified, to use your term. You know that the Committee was refused a copy of the Dr Ackah report.

Dr McKee: Yes.

Mr Dallat: You very kindly supplied us with two pages. I have a couple of wee questions that I am sure will not infringe on your secrecy.

Dr McKee: I think that data protection is probably —

Mr Dallat: Well, we know that data protection is used for many things but I will ask you the questions. I will not ask you to elaborate. Just give us short, sharp answers, please.

Why did it take Dr Ackah one and a half years to publish her report? Sorry, "publish" is the wrong word; "issue" would be more appropriate.

Dr McKee: Why did it take that time to publish?

Mr Dallat: Yes.

Dr McKee: She was challenged several times by the director of finance at the time —

Mr Dallat: Who was the director of finance at the time?

Dr McKee: Mr McGonigal.

Mr Dallat: Yes. I would like to ask you a couple of questions about Mr McGonigal. What has happened to him?

Dr McKee: Mr McGonigal resigned.

Mr Dallat: He resigned.

Dr McKee: Not to go to any job that we know about, but he resigned and left the organisation.

Mr Dallat: What was the nature of the allegation against Mr McGonigal that Dr Ackah was investigating?

Dr McKee: It was around harassment. It was basically harassment.

Mr Dallat: It was harassment against Mr Boyle, yes?

Dr McKee: It was.

Mr Dallat: Would you like to tell the Committee what happened to Mr Boyle during that complaint?

Dr McKee: Mr Boyle was asked to work elsewhere.

Mr Dallat: Is elsewhere called Enniskillen?

Dr McKee: Yes.

Mr Dallat: Yes. So he was just requested to work in Enniskillen; he was not ordered to? This is the person who made the complaint, of course.

Dr McKee: Yes. It is part of the process that the harasser and harassed should not bump into one another. Mr Boyle lives in Derrylin, which is close to Enniskillen, so there would have been an agreement that he was working on various tasks that he was given there. It was closer to where he lived. He also worked for a time for the World Police and Fire Games.

Mr Dallat: It is my understanding that he was given an office with no phone, but that is probably not quite correct. When did you become aware of Dr Ackah's report?

Dr McKee: It came into the building sometime in October. Mr Craig, the Chief Fire Officer, held onto it.

Mr Dallat: Sorry, Dr McKee. What did you do about the report? You are the chairperson. Upon learning of the contents of the report, a report that the rest of us are not allowed to see, what did you do about it?

Dr McKee: The Chief Fire Officer said that he would deal with it.

The Chairperson: Why are we not allowed to see it? Why are we not allowed sight of that report?

Dr McKee: It is very sensitive. It gives a lot of detail about conversations that may or may not have happened in offices. You can work out who the people are. The real concern at the time was that there were people who were prepared to leak anything and it would not have been in the interests of the individuals referred to to have that material out and treated in some sort of a tabloid way.

Mr Clarke: Protectionism.

Mr Dallat: Well, certainly, you cannot be accused of that because you have refused to publish the report and even to give this Committee access to it.

Dr McKee: We took strong legal advice about that, so it was not just done on a whim.

Mr Dallat: You, personally, did nothing about it. You just passed it over to Craig, who is totally discredited.

Dr McKee: A staffing issue, like that, I regard as an executive matter. The executive runs the service and I run the board.

Mr Dallat: You run the board? Is this the type of leadership that you will offer in the future?

Dr McKee: When he gave the thing to me, I gave it to a member of the board who had legal training. She had a look at it. There were various issues around that. It ties in, again, unfortunately, with our harassment policy, which is one of the older policies. There were procedural issues around that that were going to land us in a lot of hot water.

Mr Dallat: Dr McKee, I am conscious that we are probably running out of time. Can you confirm that a member of the board accompanied Mr McGonigal during the investigation process with Dr Ackah?

Dr McKee: Yes.

Mr Dallat: Do you think that that was fair and reasonable, given that the person who was making the complaint was John Boyle? He is another honourable member of the fire authority, now restored to his original position, though probably still awaiting an apology for what happened to him, I am sure, because I do not regard your communication with Linda Ford as an apology. It was far from it. So a member of the board was accompanying Mr McGonigal to these—

Dr McKee: The member of the board is a professional trade unionist. When the board was set —

Mr Dallat: Can you name him please?

Dr McKee: Mr Jim Barbour.

Mr Dallat: Yes. Would you regard Mr Jim Barbour as impartial and independent?

Dr McKee: He is an executive officer of his union at national level. I think that he is vice president. When this board was set up in 2010, one of the requirements from the Minister at that time was that there should be four elected representatives and a trade unionist.

Mr Dallat: Would you be surprised if I were to tell you that Mr Jim Barbour rates very low among your personnel and is regarded as one of the lackeys at the top?

Dr McKee: I have never heard that.

Mr Dallat: You have not? OK. At a Health Committee meeting, a former CFO, Mr Jones, stated that he had arranged for that report to be considered by the board when complete. If that is the case, was the board member's attendance with Mr McGonigal inappropriate at best, and a complete —

Dr McKee: It has not come to the board yet. He knows that if it comes to the board, he will not be allowed to have any discussion around that.

Mr Dallat: You have probably answered the last question. What actions did you take against the board member in question? Do you feel now that disciplinary action should be taken against that individual?

Dr McKee: Against the board member?

Mr Dallat: Yes.

Dr McKee: For doing what?

Mr Dallat: For accompanying Mr McGonigal to these disciplinary meetings.

Dr McKee: He was representing him as a professional trade unionist with the agreement of another trade union. There is absolutely nothing improper in that.

Mr Dallat: Nothing. So tell me, what is going to happen to this report now?

Dr McKee: The chief executive has been —

Mr Wallace: The report has been with the service for some time. As the chairman has said, a commitment was made that it would be taken to the board at some time. We are very conscious of that and we are also conscious of the needs and expectations of John Boyle. We have had discussions with him. There are ongoing discussions about how we will deal with the Ackah report to reflect what we have not done or what the organisation has not done on John's behalf. I will not say any more at the moment, because, as I say, we are having discussions with John to reach an agreement as to how we will deal with it in a way that would be acceptable to him, given what he has experienced.

Mr Dallat: Sorry, I have been exceptionally rude. I must let my colleague Mr Hussey back in again, but, in conclusion, given what you have just told me, Dr McKee, I do not think that you or Mr Wallace or Jim Barbour are fit people to lead this organisation. I am sorry about that.

Mr Hussey: Can I follow up on your question, John, before I go on to mine? Did you say that this report would be taken to the board at some time? Has this report gone to your board?

Dr McKee: No.

Mr Hussey: How long have you had it?

Dr McKee: Since October.

The Chairperson: So, it has been put to bed.

Mr Dallat: Literally.

Mr Hussey: It seems strange that we, as a Public Accounts Committee, representing the electorate of Northern Ireland and representing value for money and everything else, are being told that we cannot see a report that you seem to have had for seven or eight months. This report has not seen the light of day. You two have seen it. Conspiracy theories would nearly start to form in people's heads. If I were a member of your board, which fortunately I am not, I would be appalled that you have held this back for so long.

Dr McKee: Under the 'Reporting the Facts' section of the NIFRS harassment policy under which the terms of reference were, the manager undertaking the investigation, Dr Ackah, should:

"prepare a written report outlining the facts indicating his or her facts whether or not a case for harassment is substantiated. Where the manager has not the authority to take the necessary action to follow up, this report will be forwarded to a more senior manager or ultimately to the Chief Fire Officer or the chief executive to make a decision on any appropriate management or disciplinary action."

Mr Hussey: It is amazing that you can find these little quotes from the NIFRS. I am sure there is also something in the NIFRS code on whistle-blowing and how you are meant to deal with it that has not been used, but you are able to quote to me now sections from the NIFRS code that you could not use when it came to whistle-blowing.

I will go into what I wanted to, anyway. First, I will start by again putting my support in line for the McCluskey family. I also want to record mine and my party's support for the fire officers in Northern Ireland who do an exceptional job. They carry the can, and I have absolutely no criticism of those who are out there on the ground. They deserve all the credit that they get.

There are some comments made here today that make me realise that it is no wonder I am going grey. Corporate memory seems to be corporate lapse of memory. We know in the past that people have used the fact that they do not have the paperwork as an excuse and various papers have disappeared. Any organisation keeps a record of what they do. I always make reference to Omagh District Council, because it is perfect. It could nearly go back 100 years to when it was Omagh Urban District council, but, there we go.

I will start with you, Dr McKee. You told the Health Committee in December 2012 that you had previously served on the boards of three small arts bodies: the Grand Opera House, the Ulster Youth Orchestra and the Tyrone Guthrie Centre. Do you think this experience has really equipped you to take responsibility of leading an organisation with over 2,000 staff and a budget of £80 million a year?

Dr McKee: All I can say is that I did not appoint me. It was an open, public —

Mr Dallat: You must have applied.

Dr McKee: Yes, I applied. It was an open, public enterprise with the Northern Ireland Public Appointments unit.

I am sure that I was not the only applicant. I have extensive — *[Inaudible.]* — in the arts in the North and in the Republic. I was deputy chair at the Opera House, where there was a large capital project in the past few years. I was on the board of the Tyrone Guthrie Centre at Annaghmakerrig. In my executive work, I have the professional qualification for headship; I did head teacher induction training in the States and Berlin with my area education and library board. I have been company director of two registered companies, and am now company director of one. I am a member of the chairperson's forum.

Mr Hussey: I asked —

Dr McKee: I have had a long working experience.

Mr Hussey: Do you think that that experience has equipped you to deal with the responsibility of leading an organisation with over 2,000 staff? I could sit here and tell you that I also have done the On Board training that you have mentioned. I also have been a director of a company; I worked for a major company and was responsible for its budget for all of Northern Ireland. I have asked you, specifically, whether you think that the experience that you have gives you the ability to control the Northern Ireland Fire Service in the role that you currently hold?

Dr McKee: I think that the situation that I walked into was the most challenging thing I have ever had to experience.

Mr Hussey: Right, you walked into it, and it was a very challenging experience; I accept that. Do you think that the Department could have done any more to help you when you went into that role? Did you ask for any further assistance?

Dr McKee: No, the Department was very, very supportive, and has continued to be supportive. I am appraised at the end of each year. I was appraised at the end of the first financial year and the second year. Each of those appraisals said that I had given very good leadership to the board and that I had done a good job in amazingly difficult circumstances.

Mr Hussey: Let us look at those, because I want to ask you a question in relation to recruitment. You prioritised the recruitment of firefighters, even though you were aware that vacancies persisted in key internal governance roles. Why did you prioritise the recruitment of firefighters, without the internal composition —

Dr McKee: To go back to what I said at the start, the business of the Fire Service is the front end. We were being told, and we knew, that there were great gaps there that needed to be filled, and if we got that right, we filled in these other areas.

Mr Hussey: This is the answer —

Dr McKee: It is a capacity issue. You cannot do everything at once.

Mr Hussey: This is the answer you gave to Mr Girvan. You said that previous senior staff felt that the main role was to do with firefighters, as opposed, perhaps, to the clerical and senior management roles. Then again, you, as officer in charge, should have been aware —

Dr McKee: I am not the officer in charge.

Mr Hussey: No, you, in your role as chairman of the Northern Ireland fire authority should have been aware of the fact that the management structures were weak, and that should have been a priority.

Dr McKee: I admit that I was almost drawn into a position of becoming an executive chair, because there was so much to be done. It has been such a difficult project.

Mr Hussey: When you arrived, you said there were four, I think, acting commanders.

Dr McKee: The four principal officer positions were not filled.

Mr Hussey: There were 175 acting ranks.

Dr McKee: That was not my fault.

Mr Hussey: I accept that that was something that you discovered when you arrived. I am not suggesting for one minute that it was your fault; take that as read. However, there seems to have been an attitude of, "We'll have these acting ranks." Earlier, I made the point that some of those people may have retired on the acting ranks and, if they did, they would have retired on a higher pension than they would have done normally.

Dr McKee: No, they were all substantiated up into their roles.

Mr Clarke: That is worse.

Dr McKee: I think that Mr Jones was the only one. He retired, and he was the full chief when he retired.

Mr Hussey: For how long? He had only been acting —

Dr McKee: For a short time.

Mr Hussey: Therefore, he was able to retire; it is the pat on the back that we were talking about earlier. The more we listen to this, the more it seems that there were major issues. You were able to make reference to your guidebook and what it says and does not say. In my opinion, the whistle-blowing policy seems to have been disregarded or not used. Whistle-blowing policies have been in place for quite a long time. I think that you will find that in any Department, politicians have been pushing for them to be used and used effectively. The problem that you face is that the whistle-blowing policy was not effective in the Fire Service. I know that, if I worked for the Fire Service and I saw something wrong, based on what happened to Ms Ford, I would not say anything. I think I would find myself just going away, and not mentioning it at all.

Dr McKee: We have had conversations about that. We think that we are quite close to getting the whole thing sorted. We have challenges around internal communication. What we tend to put out is very formal technical data. We need to put out much more people-friendly, softer stuff to encourage —

Mr Hussey: This is the 21st century, and I am looking at a poster on the wall about an open night. You could not get anything more user friendly than a poster of that type. That is not going to cost much. This is something you should have resolved some time ago. This should be ingrained not only in the Fire and Rescue Service but in all public services. There should be something along these lines: "If you see something wrong, report it."

This complaint was actually given to the Chief Fire Officer who was complained about. Why did no one think about perhaps involving the chief inspector for Scotland, who you use for other issues? The position in the Police Service — I declare that I am a member of the Policing Board — is that, if you have a complaint against an officer, it goes to a higher ranked officer for investigation. You cannot get much higher than the Chief Fire Officer. Therefore, the chief inspector could have been asked to become involved. Total disrespect was shown to Ms Ford by having the investigation carried out by the person she complained against. That seems totally illogical to me. I also have a strong trade union background, and I am a past president of a trade union in Northern Ireland. I would have felt totally isolated in those circumstances.

Mr Clarke: Shame on you.

Mr Hussey: A unionist — that is what I always have been.

Clearly, Ms Ford was hung out to dry. You have no credibility in relation to that policy, which still is not enforced. I think that that is a shame on yourself and your board. That should have been the first thing that you resolved when she was brought back to work.

Because of the shortness of time, I do not intend to ramble on any longer. However, I believe that there are a lot of issues here. Some of my colleagues have called on you to fall on your sword. I think that that is something that you must seriously consider because there have been a couple of years of failures, which have not been resolved. The effect on morale is serious. Fire officers themselves should have very high morale because they are brilliant at what they do, but if there is low morale among you and your board, I could understand that. That would be justified.

The Chairperson: The Health Committee stated that the Audit Office could have a copy of the Ackah report and that it would be sent to the Comptroller and Auditor General. Perhaps you would look into that, Kieran?

Mr Kieran Donnelly (Northern Ireland Audit Office): I am more than happy to look at that.

The Chairperson: Thank you.

Mr Clarke: It is useful to hear that. That report should influence us as we proceed, and before we draw this to an end. I am sure that there will be some interest in its findings when the C&AG gets a look at it.

Dr McKee, we should maybe have focused on this next point earlier, before we got into the more in-depth stuff. In a Health Committee meeting, our friend Mr Peter Craig stated that he had discussed with the board the acquisition of the Land Rover, and said that the board was content. I appreciate that that was before your time, but you seem to be fairly well versed in the evidence that we have taken. You know what has been said, and who said what. Mr Lammey, the Chief Fire Officer at that time, gave a specific instruction to Mr Craig to return the Land Rover. What is your view on Mr Craig's actions?

Dr McKee: The Fire Service is a hierarchical organisation. People are in no doubt as to who is their boss or who is below them. If the man above — I do not mean it in that way — tells you to get rid of something, you should get rid of it.

Mr Clarke: Were you aware of that when Mr Craig was appointed?

Dr McKee: No.

Mr Clarke: You were never aware of the Land Rover issue?

Dr McKee: No.

Mr Clarke: When did you first become aware of the Land Rover?

Dr McKee: When somebody, after it came back from a trip to Rathlin for an annual inspection, asked me whether I knew that there was a bit of history about it.

Mr Clarke: When was that?

Dr McKee: I think that it was in June 2011. I made quiet enquiries of someone who was involved with our fleet, and I did not get the type of reassurance that I wanted at all. It had not been recorded in our gifts and hospitality, so I brought him in and —

Mr Clarke: Brought who in?

Dr McKee: Mr Craig. I suggested that the Land Rover be removed from the premises immediately.

Mr Clarke: You suggested or told him?

Dr McKee: I told him. I am not allowed to instruct staff to do anything.

Mr Clarke: In the evidence that you gave to the Health Committee in December 2012, you said that you instructed him, in June 2011, to take it back.

How do you feel about Peter Craig's suitability then as the Chief Fire Officer, given that you had to subsequently follow up that instruction about the Land Rover?

Dr McKee: In the first instance, he should have respected the order that he was given by his superior. He did not; he brought it back. I dealt with it immediately — that afternoon. I said to the corporate management team the following week that the chief had made a major error of judgement, that the Land Rover was off site, and that we needed to get on with running the team because I did not want that to be used as an opportunity —

Mr Clarke: Given that there seems to be an arrangement with the board in respect of sponsorship, where was the error of judgement if it was appropriate for him to have the Land Rover?

Dr McKee: It was not the current board. We did not approve the Land Rover. That was the previous board.

Mr Clarke: No, but it was the board. Where was the error of judgement? Was it the board granting permission —

Dr McKee: No. The advertising company had written in its contract that it was to provide sponsorship to the service in kind or in funding. It came forward with that vehicle. I believe that it had been approached by the supplier. Peter Craig was happy to accept that. Allegedly, it was a cashless transaction.

Mr Clarke: Would you endorse sponsorship arrangements such as that?

Dr McKee: If it goes through proper channels, yes.

Mr Clarke: What are the proper channels?

Dr McKee: It would have to come to the board —

Mr Clarke: Which it did.

Dr McKee: — with a business case.

Mr Clarke: Which it did.

Dr McKee: Did it come to the board with a business case?

Mr Clarke: Well, it came to the board. What I am saying is —

Dr McKee: No. In the time of our board, he made a throwaway comment about a sponsorship vehicle.

Mr Clarke: No. You said that it went to the previous board.

Dr McKee: Well, I presume that it went to the previous board. It happened in the previous board's time.

Mr Clarke: You said that it went to the previous board.

Dr McKee: Sorry. I presume that it went to the previous board. If it was part of a sponsorship package, that would have had to be done.

Mr Clarke: Assuming that it went to the previous board, and assuming that it was done —

Dr McKee: Sorry. I do not know whether it went to the previous board.

Mr Clarke: Well, you said earlier that it did. Assuming that it went to the previous board and assuming that it was all done correctly, what was wrong with the sponsorship vehicle?

Dr McKee: The concept of the vehicle was fine, but it came in a cashless transaction as a gift, and it was not registered as such.

Mr Clarke: That is interesting.

Mr Dallat: Could I just chip in, if you do not mind, Trevor? Was the supplier of the Land Rover also the major contractor for the supply of tyres to the Fire Service?

Dr McKee: That is correct.

Mr Dallat: Would that really have been your concern?

Dr McKee: The whistle-blower report stated that no Fire and Rescue Service staff were involved in the drawdown contract for the tyres. That was CPD, so there was a separation of those interests.

Mr Clarke: Sorry; what was that about CPD?

Dr McKee: The tyres came through some type of drawdown contract. It was not evaluated by our people.

Mr Clarke: OK. Can we come back to the Ackah report? Who is in receipt of Ackah report currently?

Dr McKee: I have the Ackah report.

Mr Clarke: Who is supposed to be working on the findings of the report today?

Mr Wallace: When the whole issue of the grievances was transferred to me at the end of last year, the Ackah report eventually came to me as well. I took the recommendations of the report and responded formally to John Boyle, who had raised a number of the issues. I spoke with him. There were a number of management actions that I had planned to put those in place, and a form of mediation, which I had set down. Unfortunately, once that proposal had been put in place, the other individual, who was the subject of the harassment claim, left the organisation. I was then unable to complete the elements of the recommendations that I had taken on board. That goes back to my earlier comments: we are still in discussions with John as to how we can try to close this down in a way that is acceptable to him and others.

Mr Clarke: Is "close this down" the correct terminology?

Mr Wallace: Sorry; complete the process.

Mr Clarke: There has been an awful lot of closing down, so I think that the terminology you used would not be the best, Jim, in the current climate. There is closing down of this report, given that you do not want us to have sight of it. When was the Ackah report first handed to you, Dr McKee?

Dr McKee: It came into the service in October.

Mr Clarke: When did Mr Craig leave?

Dr McKee: He left in June of the following year, 2012.

Mr Clarke: Did you share any of the contents of the report with him?

Dr McKee: With whom?

Mr Clarke: With Mr Craig. You said that he left in the year following the report.

Dr McKee: He left in June.

The Chairperson: You mentioned October. Which year was that?

Dr McKee: 2011.

Mr Clarke: When did Mr Craig leave?

Dr McKee: June 2012.

Mr Clarke: When you got the report, what did you do with it?

Dr McKee: I give it to a board colleague who had legal training.

Mr Clarke: Did Mr Craig have sight of the report?

Dr McKee: He did.

Mr Clarke: Was Mr Craig referred to in the report? Was there reference to some of his misdemeanours?

Dr McKee: I do not believe so.

Mr Clarke: You do not believe so. Is that a yes or no? You have had the report and looked at it. That is more than we have been privileged to do. I am asking you whether Mr Craig is named in the report.

Dr McKee: I do not know whether he is named. It is a large report, and it is mostly about finance directorate. It is almost exclusively around —

Mr Clarke: Which he was the head of, because he was the accounting officer at the time that the report was written about.

Dr McKee: He was not in the finance directorate.

Mr Clarke: He was the accounting officer.

Dr McKee: Yes, but it was to do with relationships within those.

Mr Clarke: He was the accounting officer of the organisation at the particular time that the report was compiled, and Mr Craig has had sight of it.

Dr McKee: Yes.

Mr Clarke: With respect to your pen profile, one of the other members, who has now left, was curious about it. You say that you have not been politically active for the past five years.

Dr McKee: That is right.

Mr Clarke: Can we presume that you were politically active before that?

Dr McKee: I have never been involved in politics.

Mr Clarke: So, as opposed to saying that you have not been politically active for the last five years —

Dr McKee: That was the question posed to me.

The Chairperson: There are no further questions. That leaves me to conclude. On behalf of Committee members, I should say that we cannot stress enough how proud we are of the service that the Fire Service provides for our citizens. Firemen and firewomen do fantastic work in the service they provide to the public for their safety, as well as the work that they do in communities, schools and with other organisations.

We have to reflect on the damage that the whistle-blowing policy in the organisation has had on the morale of the staff: the workforce from the bottom up. I believe that there are still some individuals in the organisation who are fighting to come forward with allegations because of what has gone on in the past. That is a personal view. We do not want to send a message to the public that this can just be put to bed and that what has happened and been allowed to go on in the past can continue. I take on board what Dr McKee and Mr Wallace said about the recommendations. We want to restore public faith in the service that is provided to our citizens. There are very many brave firefighters who work at the front line and whose morale is very low as a result of what has been allowed to happen. We talked about good leadership, and a lot has been said about individuals. However, with regard to leadership from here on, I would like to ask both of you what you intend to do when you go back to

your organisation. As a result of what has been said here today, what will you be doing in your organisation to ensure that your whistle-blowing policies will be upheld and that anyone in your organisation who has an issue or an allegation will be allowed to come forward without any hindrance at all?

Mr Wallace: Chairperson, in an ideal world, you would not need a whistle-blowing policy. I do not think that anyone would disagree with that. However, the reality is that it is a vital cog in what we or any other organisation do. I have talked publicly and privately about the value of a whistle-blowing policy. You are absolutely right: people should have comfort and confidence in their ability to use such a policy. Of course, if the organisational culture gets to the point that I would be happy with, people would not feel the need to whistle-blow; they would feel content to come forward. I think that that sentiment is coming through from Committee members.

I have to be honest and say that it has been quite difficult to look forward when we have spent so much time recently looking back, albeit for the right reasons. That said, I will try to put in place more of what I have been trying to build, namely openness, transparency, trust and confidence. That is not just confidence within the organisation, but the sustained confidence of the communities that we serve. You made reference in the meeting and on previous occasions to the commitment of all our people — all 2,100 of them, from our firefighters to our control and support staff — the majority of whom have maintained a very high level of performance throughout all the difficulties. I take personal pride in that.

We do have to change cultures and attitudes and, as has been said earlier by the chairman and has been recognised elsewhere, that will not happen overnight. We have the support of the Department, I know that we have the support of our chair, and we certainly have the support of the board, which has been working harder, possibly, than it has for some considerable time. I consider it to be a productive and open relationship, which, again, will help to take the organisation forward. Through our actions from the top, whether that be the board or the corporate team, which I now consider to be working effectively, albeit with some capacity issues, we can demonstrate that we want the service to look and feel different, while still taking pride in what we do. That is what I will be taking away from here, Chair.

The Chairperson: Before I let Trevor in, I cannot let you go without quoting from a member of your audit committee. I know that Mr Clarke will agree with me that this is a damning thing for a member of your audit committee to say:

"if this were in a private company, individuals would be directed to the door. People would be saying, 'Here's your hat, where's your hurry?'. It is not the way that we want to operate, but it is the way that we have to operate, because there are so many rules and regulations on disciplining people and being able to get rid of them. It is very, very hard; it is not that easy."

I know that you have heard that before, Mr Wallace. That was a comment from a member of your audit committee.

Mr Wallace: It may be difficult, but it is not impossible.

Dr McKee: It has been very difficult. Mistakes have been made, and I am convinced that we have learned from those. When I review the whole thing, it does not make for good reading. We need to do something about our internal communications. We have to bring people along and create a new vision for the service. We need to get the good-news stories out, because — this is the natural order of things — bad stories have come out all the way through the past two and a half years.

Only a couple of weeks ago, there was a most impressive display of a new service for enhanced flood response in this part of the country, using wonderful vehicles and equipment. I was at Crescent Link a couple of weeks ago, where hundreds of local schoolchildren were being given fire safety lessons to take home. We need to do our firefighters a big favour by getting those stories out. They will be in the media this weekend. Every day, when I get up, there is a story about what they have done, and we need to get that out.

I agree with Mr Hussey; we need to start turning around the culture on this. We have talked recently about response times — I am not talking about league tables — and about getting a sense that we are all part of a big team. We will do our best to get this improvement programme, which has been formally instituted, heading at speed and doing what it should be doing.

Mr Clarke: In your closing remarks, Mr Wallace, you said that you still had problems with capacity. Where are those problems and when are you going to tackle them? I am still thinking about the remarks about Dr McKee earlier. Mr Hussey spoke about his background, and I think that, perhaps, the opera is the place where Dr McKee should be. Where is the capacity problem, Mr Wallace?

Mr Wallace: The capacity issues to which I specifically referred probably start with the corporate team. I have said to the Committee before that we have moved towards getting a substantive corporate management team in post. That aside, the capacity issues are around my expectations. I have, obviously, been brought in to try to change the organisation in a number of areas, and I wanted to start moving on that very quickly. My expectations for my colleagues on the corporate team have probably been quite unreasonable at times. I would suggest that their capacity to deliver what I want has, quite rightly, been challenged with me, and I expect to be challenged at all times. To be fair to them, they have responded superbly to my expectations, but that does not stop me wanting more. The capacity, for me, is around us delivering the service that I want from the organisation, and which the board would expect from me. It is about my expectations.

Mr Dallat: Thanks a million for letting me in again, Chairperson. Obviously, we are not going to reopen the debate at this point, but the Committee has listened for the best part of three hours, and we will write our report and make our decisions. However, we are all very conscious that, outside this room, there are a lot of people looking for hope and inspiration that things in the future may be different. Some of those people have been mentioned today, including Linda Ford, John Boyle, and you know that there are others. There is also the McCloskey family, whose members have sat through this session. They, above all, need closure on the decisions of really bad management in the past.

I thank Trevor for his support. I was not impressed by your commitment at the beginning. I hope that, after this, you will not only not oppose an independent inquiry into the death of Joe McCloskey but will enthusiastically support it and give your board all the evidence in the world to convince them, because some of them may be new, that that is absolutely critical. Unless all those things are done, I will hold judgement on what the future holds.

Everyone here has, time and again, endorsed the courage and commitment of our firefighters, including Joe McCloskey. Those people, above all, need senior management that is capable and responsible. The Minister has ordered several reports in recent times, during your time in office, into strange things that were happening. Quite honestly, the people who conducted the reports did not appear to make a lot of progress. Not a single person has been interviewed by the PSNI or been disciplined in any way. So, as you make your way back to Belfast or Lisburn or wherever you come from, you have a heavy burden. The two of you need to have a serious discussion, and you need to share that with Jim Barbour as well.

The Chairperson: The Committee will consider the evidence and produce its report in due course. We may also want to call further witnesses during our deliberations on the report. I concur with the Deputy Chairperson. I thank the people in the Public Gallery, particularly the members of the McCloskey family, for being here today. It was not easy for them, and I commend them for the hard work that they are doing to ensure that they get the right and proper answers to their questions about the untimely death of their father.

I thank you, Jim and Joe, and the members of the public for being here today at our meeting. I would also like to thank Hansard.