

**M. Pearson
CLERK TO THE AUTHORITY**

**To: The Chair and Members of the
Human Resources Management and
Development Committee
(see below)**

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HUMAN RESOURCES MANAGEMENT AND DEVELOPMENT COMMITTEE
(Devon and Somerset Fire and Rescue Authority)

Wednesday 14 April 2010

A meeting of the Human Resources Management and Development Committee will be held on the above date, **commencing at 10.00 hours in Conference Room B in Somerset House, Service Headquarters** to consider the following matters.

M. Pearson
Clerk to the Authority

AGENDA

1. **Apologies**
2. **Minutes** of the previous meeting of the Committee held on 14 January 2010 attached (Page 1).

3. **Items Requiring Urgent Attention**

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

4. **Declarations of Interest**

Members are asked to consider whether they have any **personal/personal and prejudicial interests** in items as set out on the agenda for this meeting and declare any such interests at this time. *Please refer to the Note 2 at the end of this agenda for guidance on interests.*

PART 1 – OPEN COMMITTEE

5. Staff Survey

Report of the Director of People and Organisational Development (HRMDC/10/6) attached (Page 5)

6. Update On Positive Action Strategy

Presentation by the Director of People and Organisational Development.

7. The European Community (EC) Drivers' Hours and Tacograph Rules for Goods Vehicles (Regulation 561/2006)

Report of the Director of Service Delivery (HRMDC/10/7) attached (Page 13)

8. Absence Management

Report of the Director of People and Organisational Development (HRMDC/10/8) attached (Page 18)

9. Exclusion of the Press and Public

RECOMMENDATION that, in accordance with Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 4 of Part 1 of Schedule 12A of the Local Government Act 1972, namely information relating to consultations on labour relations matters between the Authority and its employees.

PART 2 – ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PRESS AND PUBLIC

10. Update On Establishment

Report of the Director of People and Organisational Development (HRMDC/10/9) attached (Page 25).

MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

Membership:-

Councillors Wallace (Chair), Boyd, Burrige-Clayton, Cann, Manning, Mrs. Nicholson and Turner

Substitute Members

Members are reminded that, in accordance with Standing Order 36, the Clerk (or his representative) MUST be advised of any substitution prior to the start of the meeting.

NOTES

1. ACCESS TO INFORMATION

Any person wishing to inspect any minutes, reports or lists of background papers relating to any item on this agenda should contact Sam Sharman on the telephone number shown at the top of this agenda.

2. DECLARATIONS OF INTERESTS BY MEMBERS

What Interests do I need to declare in a meeting?

As a first step you need to declare any personal interests you have in a matter. You will then need to decide if you have a prejudicial interest in a matter.

What is a personal interest?

You have a personal interest in a matter if it relates to any interests which you must register, as defined in Paragraph 8(1) of the Code.

You also have a personal interest in any matter likely to affect the well-being or financial position of:-

- (a) you, members of your family, or people with whom you have a close association;
- (b) any person/body who employs/has employed the persons referred to in (a) above, or any firm in which they are a partner or company of which they are a director;
- (c) any person/body in whom the persons referred to in (a) above have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of which you are a Member or in a position of general control or management and which:-
 - you have been appointed or nominated to by the Authority; or
 - exercises functions of a public nature (e.g. a constituent authority; a Police Authority); or
 - is directed to charitable purposes; or
 - one of the principal purposes includes the influence of public opinion or policy (including any political party or trade union)

more than it would affect **the majority** of other people in the Authority's area.

Anything that could affect the quality of your life (or that of those persons/bodies listed in (b) to (d) above) either positively or negatively, is likely to affect your/their "well being". If you (or any of those persons/bodies listed in (b) to (d) above) have the potential to gain or lose from a matter under consideration – to a **greater extent** than **the majority** of other people in the Authority's area - you should declare a personal interest.

What do I need to do if I have a personal interest in a matter?

Where you are aware of, **or ought reasonably to be aware of**, a personal interest in a matter you must declare it when you get to the item headed "Declarations of Interest" on the agenda, or otherwise as soon as the personal interest becomes apparent to you, **UNLESS** the matter relates to or is likely to affect:-

- (a) any other body to which you were appointed or nominated by the Authority; or
- (b) any other body exercising functions of a public nature (e.g. membership of a constituent authority; other Authority such as a Police Authority);

of which you are a Member or in a position of general control or management. In such cases, provided you do not have a prejudicial interest, you need only declare your personal interest if and when you speak on the matter.

Can I stay in a meeting if I have a personal interest?

You can still take part in the meeting and vote on the matter unless your personal interest is also a prejudicial interest.

What is a prejudicial interest?

Your personal interest will also be a **prejudicial** interest if **all** of the following conditions are met:-

- (a) the matter is not covered by one of the following exemptions to prejudicial interests in relation to the following functions of the Authority:-
 - statutory sick pay (if you are receiving or entitled to this);
 - an allowance, payment or indemnity for members;
 - any ceremonial honour given to members;

- setting council tax or a precept; **AND**
- (b) the matter affects your financial position (or that of any of the persons/bodies as described in Paragraph 8 of the Code) or concerns a regulatory/licensing matter relating to you or any of the persons/bodies as described in Paragraph 8 of the Code); **AND**
- (c) a member of the public who knows the relevant facts would reasonably think your personal interest is so significant that it is likely to prejudice your judgement of the public interest.

What do I need to do if I have a prejudicial interest?

If you have a prejudicial interest in a matter being discussed at a meeting, you must declare that you have a prejudicial interest (and the nature of that interest) as soon as it becomes apparent to you. You should then leave the room unless members of the public are allowed to make representations, give evidence or answer questions about the matter by statutory right or otherwise. If that is the case, you can also attend the meeting for that purpose.

You must, however, leave the room **immediately after you have finished speaking (or sooner if the meeting so decides)** and you cannot remain in the public gallery to observe the vote on the matter. Additionally, you must not seek to **improperly influence** a decision in which you have a prejudicial interest.

What do I do if I require further guidance or clarification on declarations of interest?

If you feel you may have an interest in a matter that will need to be declared but require further guidance on this, please contact the Clerk to the Authority – preferably before the date of the meeting at which you may need to declare the interest. Similarly, please contact the Clerk if you require guidance/advice on any other aspect of the Code of Conduct.

HUMAN RESOURCES MANAGEMENT AND DEVELOPMENT COMMITTEE

(Devon and Somerset Fire and Rescue Authority)

14 January 2010

Present:-

Councillors Boyd, Burridge-Clayton, Manning, Mrs. Nicholson and Wallace

Apologies:-

Councillors Cann and Turner

***HRMDC/10. Minutes**

RESOLVED that the Minutes of the meeting held on 27 October 2009 be signed as a correct record.

***HRMDC/11. Declarations of Interest**

Members of the Committee were invited to consider whether they had any **personal/personal and prejudicial interests** in items as set out on the agenda for this meeting and to declare any such interests at this time.

No interests were declared.

***HRMDC/12. Absence Management**

The Committee received for information a report of the Head of Human Resources Management & Development (HRMDC/10/1) that updated the Committee on the position in respect of Service performance on both short term and long term sickness absence levels and the reasons behind this.

The corporate target for sickness absence was “to reduce the levels of sickness absence to the regional average of 9.0 days by 2010/11” The target for 2009/10 was 9.6 days per person and the actual performance to November 2009 was at an average 5.36 days as compared with 6.84 days in the previous year. This was a reduction of 16.7%.

The Head of Human Resources Management and Development made reference to a report to be considered by the Committee later in the agenda (report DSFRA/10/5 refers) that set out details of proposed targets for sickness absence in 2010/11. This was the final year of a three year target and there had been some discussion as to whether the Service should consider a more stretching, longer term target which was benchmarked against other UK fire and rescue services in order to move towards the vision of an “excellent” performing service.

Attention was drawn to the increase in sickness absence level for Control staff in October 2009. The Head of Human Resources management and Development reported that this was probably due to the uncertainty of control staff as a result of the Regional Control Centre (RCC) project together with seasonal colds and flu. Work had been undertaken with Control Staff to try to allay fears including one to one sessions. Forward recruitment for the RCC was due to commence shortly and therefore, there would be a clearer picture of the staff displacement and the impact for the Service.

***HRMDC/13. Wholetime Recruitment Campaign 2009**

The Committee considered a report of the Head of Human Resources Management & Development (HRMD/10/2) that set out the work that had been undertaken to date on recruitment leading to the appointment of a total of 31 firefighters in 2009/10.

The Head of Human Resources Management and Development advised the Committee that sufficient appointments had been made as a result of this recruitment campaign and as a result, a decision had been taken not to maintain a waiting list in the future. It was noted that even though the rate of female applicants attracted was higher than previous recruitment levels, this had not resulted in increased numbers of females being appointed. The Service needed to address this in the future with positive, focussed action to move towards meeting the recruitment target. Analysis of results showed that female candidates “dropped out” during the physical test stages of the recruitment process. There had also been issues identified in respect of the initial sift of applications that had been carried out in accordance with the procedures set down in the National Firefighter Selection process. It was felt that this may have removed a disproportionate number of candidates at a very early stage and therefore, the Committee was asked to consider reviewing the Commitment to Diversity and Integrity (CDI) weighting in the process to address this in future recruitment campaigns. This, together with other measures set out within the recommendations in report HRMDC/10/2, was supported by the Committee.

RESOLVED

- (a) That the CDI weightings in the process be removed i.e. all PQA questions are marked (no sift on Q1) and a separate pass mark at interview is not used;
- (b) That all practical tests are reviewed to ensure they are fit for purpose, job related and do not have an adverse impact on under-represented groups;
- (c) That a rolling programme be introduced for WT recruitment to run concurrently with the RDS one. This will become feasible with the introduction of the e-recruitment system;
- (d) That targeted action interventions are considered to aid the recruitment of under-represented groups. The organisations has signed up to the governments ‘stretch targets’ for recruitment and a small working party has been formed to look at suitable strategies;
- (e) That, subject to (a) to (d) above, the report be noted.

***HRMDC/14. The New Fire and Rescue Service Equalities Framework and the current "Migration" Assessment**

The Committee considered a report of the Head of Human Resources Management & Development (HRMDC/10/2) that detailed the launch recently of the new Fire and Rescue Service Equality Framework (FRS EF) against which the Authority was required to measure its equality and diversity outcomes. The new Framework superseded the Equality Standard for Local Government (EFLG). It was based on the same principles in the EFLG and was outcome focussed. There were three achievement levels, namely, Developing, Achieving and Excellent and the report set out the migration level for DSFRS together with the progress made towards implementation of the new Framework to date.

RESOLVED to endorse and adopt the Fire & Rescue Service Equality Framework ("The Journey to Excellence") as the framework against which the Authority will measure its equality & diversity outcomes.

***HRMDC/15. Positive Action Strategy - "STAIRWAY"**

The Committee considered a report of the of Human Resources Management & Development (HRMDC/10/4) that set out details of the positive action strategy "STAIRWAY", which aimed to meet the commitment of Devon and Somerset Fire and Rescue Service in respect of its recruitment targets.

It was noted that grant funding in the sum of £34,000 had been secured from the Department for Communities and Local Government (CLG) in order to support the work required to achieve the stretch targets set out within the strategy. Concern was expressed in respect of the grant funding should the Service be in the position that the target was not achieved in the future.

RESOLVED that the strategy entitled "STAIRWAY" be endorsed.

***HRMDC/16. Target Setting for Goal 2 of the Devon & Somerset Fire & Rescue Authority Corporate Plan 2010/11 to 2012/13**

The Committee considered a report of the Head of Human Resources Management and Development (HRMDC/10/5) that set out options in respect of targets under Goal 2 "to be an employer of choice" for inclusion within the Corporate Plan for 2010/11 to 2012/13.

RESOLVED

- (a) That the following targets be included within Goal 2 of the Corporate Plan for 2010/11 to 2012/13:
 - (i) By 2013, the percentage of recruits from minority ethnic groups across the whole organisation to be 7.29%;
 - (ii) by 2013, 18% of firefighters recruited into the service to be women;
 - (iii) to reduce the proportion of working days/shifts lost per person due to sickness absence to 9.0 days by 2010/11;
 - (iv) to ensure that 90% of retained posts are filled;

- (b) That, with the inclusion of the targets set out above, the Corporate Plan for 20010/11 to 2012/13 be submitted to the Devon and Somerset Fire and Rescue Authority on 19 February 2010 for final approval.

NB. Minute HRMDC/15 above also refers.

*** DENOTES DELEGATED MATTER WITH POWER TO ACT**

The meeting started at 10.00hours and finished at 11.20hours.

DEVON & SOMERSET FIRE & RESCUE AUTHORITY



REPORT REFERENCE NO.	HRMDC/10/6
MEETING	HUMAN RESOURCES MANAGEMENT & DEVELOPMENT COMMITTEE
DATE OF MEETING	14 APRIL 2010
SUBJECT OF REPORT	STAFF SURVEY
LEAD OFFICER	Director of People and Organisational Development
RECOMMENDATIONS	<p>(a) <i>that the Member Champion For Equality and Diversity continue to be part of the Project Steering Group for the outcome of staff survey(s)</i></p> <p>(b) <i>that the Committee continue to oversee the progress of actions identified in the staff survey(s)</i></p> <p>(c) <i>that, subject to (a) and (b) above, the report be noted.</i></p>
EXECUTIVE SUMMARY	This report contains an update on the progress against the programme of activities identified from the 2008 Staff Survey, and gives details of the methodology, communications plan and time table of the 2010 Staff Survey.
RESOURCE IMPLICATIONS	Resources have been contained and planned for within the Corporate Services (Communications) Budget.
EQUALITY IMPACT ASSESSMENT	The survey includes all staff groups. Arrangements have been made to allow those staff on the Retained Duty System to have additional time during drill nights to complete the survey as this was identified as an under-represented response group in the 2008 survey, and represents the largest part of our workforce.
APPENDICES	<p>A. Staff Survey newsletter October 2008 (enclosed separately).</p> <p>B. Staff Survey newsletter March 2009 (enclosed separately).</p> <p>C. Copy of Staff Survey 2010 (enclosed separately).</p> <p>D. Timetable and Communication Plan.</p>

	E. "You said" "We did" posters (enclosed separately).
LIST OF BACKGROUND PAPERS	nil

1. **INTRODUCTION**

- 1.1 In November 2007, the Human Resources Management and Development (HRMD) Committee noted the arrangements for undertaking the first ever Devon and Somerset Fire and Rescue Service Staff Survey. As a newly combined fire and Rescue service it was essential that an employee survey was conducted to measure Staff opinion following such a major period of change. It was considered important to conduct a survey to establish how staff felt about being employees of the Service and to identify any issues that may require improvement. Given the significant amount of change that has taken place, (combination, rank to role and job evaluation being some of the major ones) the survey would provide an important baseline to be used in any future assessment.
- 1.2 To ensure that the survey was independent, Opinion Research Services (ORS), the contractor providing consultation services to the Fire Services Consultation Association (FSCA), was commissioned to undertake the initial survey.
- 1.3 The survey was carried out between 18 February 2008 and 21 March 2008. Every member of staff was given the opportunity to complete the survey and 647 were returned. With a total workforce of 2165 this represented a return rate of 30%, which is considered a good response for surveys of this kind.
- 1.4 Statistical analysis of the survey returns began in August 2008 and a working group was established in September with a view to identifying the key issues arising from the results. The working group was chaired by the Head of Human Resource Management and Development and included both uniformed and non-uniformed managers from Human Resources, Training and Development, Equalities & Diversity, Operations Support and Communications. A newsletter was sent out to all staff at the end of October 2008 to provide initial feedback on the survey results and to begin the process of wider staff engagement in identifying key improvement actions.
- 1.5 The initial newsletter was issued to staff in accordance with the planned, published timeframe and meetings were held with Representative Bodies to begin the process of engagement and involvement with work to identify key improvement actions. The full survey results were published on the Service Intranet at the end of November 2008. This is regarded as an important step in demonstrating openness and transparency over the results and that nothing is being covered up.
- 1.6 It was emphasised to staff that employee engagement, including surveys would be an important and essential tool in helping the organisation move forward, and it was made clear that Staff Surveys would be conducted on a bi-annual basis, to ensure a process of continuous improvement and a genuine willingness to listen and learn, and allocate resources and implement initiatives designed to address identified issues. It is important that staff are aware that this method of employee engagement and involvement is supported and valued by Members of The Authority and Senior Management and that the organisation really is keen to hear the views of staff on what it is like to work for Devon and Somerset Fire and Rescue Service and to learn about its strengths and areas for improvement.

- 1.7 The improvement activities identified were approved and incorporated into Service Plans and managed as a programme of projects overseen by this Committee. This Committee received regular updates of the programme throughout 2009 and agreed, amongst other things, that the Member Champion for Equality and Diversity should be a member of the Staff Survey Steering Group and contribute to newsletters about progress on actions identified in the Staff Survey. A second newsletter
- 1.8 The organisation is currently embarking on the 2010 second Staff Survey since combination and will be comparing results of both surveys to show areas where we have improved, areas of strengths and areas still requiring further progress to be made.
- 1.9 The communications plan leading up to the launch of the 2010 survey has been more robust, and accompanied by a set of posters, “*you said*” “*we did*” and are attached in the appendices. More consideration has been given to initiatives to improve response rates and encourage involvement and participation.

2. 2008 SURVEY RESULTS

- 2.1 Following the initial analysis of the survey results, a summary of the main ‘high spots’ and ‘hot spots’ was produced together with a brief commentary regarding specific sections. This formed the basis of the October 2008 newsletter that was issued to all staff, a copy of which is attached to this report as an Appendix A for information.
- 2.2 This initial analysis identified some key areas for further work and action but it was also recognised that it is important to involve staff groups so that improvement actions deliver changes that employees will recognise as improving the position from their perspective. The focus of analysis was clearly on the ‘hot spots’ and that is entirely proper because the whole purpose of conducting the survey was to identify things that needed to be done better. It is also important to continue to maintain areas of activity where staff considered the Service to be performing well.
- 2.3 The work with the staff groups allowed open discussion and debate to identify the specific actions to deliver most impact. However, early stages of the survey results indicated that it was evident that specific action was required around the perception of senior management, recognition, communication, levels of consultation and the incidence of bullying.
- 2.4 The existing Corporate Plan in 2008 and supporting Departmental Service Plans already contained some development activities that would address some, or part of the issues identified by the survey responses. Consequently, an important part of the next stage was to focus on the key areas of improvement that would make a real difference to the issues identified by the survey responses.
- 2.5 Improvement action overload is a potential barrier to effecting meaningful change and it was important that this should be avoided. This does not mean that areas that need to be addressed will be forgotten, but it does mean that we will have to be realistic about what can be achieved within the resources available.
- 2.6 Initial meetings have been held with Representative Bodies and they have indicated a willingness to work together with management in identifying the priority areas for improvement action. A cross cutting project team was established to complete this work and the main project deliverable was a clearly defined set of improvement activities, including an assessment of resourcing requirements, which were incorporated within the relevant Service plans for 2009 and beyond.

- 2.7 The Staff Survey Steering Group identified key areas of focus grouped into the following themes as identified in the Staff Survey.
- communications;
 - fair treatment and values;
 - work-life balance and managing pressure and stress at work;
 - recruitment, selection and promotion; and
 - training, development and leadership.
- 2.8 The themes and resulting improvement activities were approved and incorporated into Service Plans and managed as a programme of projects and the HRMD Committee agreed to oversee of the programme and has received regular updates.
- 2.9 A second newsletter, issued in March 2009 (attached as Appendix B to this report), gives give a comprehensive review of progress against the key themes, but particular areas of note follow in sections 3, 4, 5, 6 and 7 in this report

3. COMMUNICATION THEME PROGRESS

- Communications Strategy
- Staff Suggestion Scheme “Flaming Good Idea”
- ALERT –single focus topics of interest to inform staff
- Staff forums
- Middle Manager and Watch Manager Workshops
- Regular and improved and larger edition of in-house magazine “Your Shout”
- Improved Branding and Corporate Identity
- Improved Internet and Intranet site (more improvements planned)
- Exit Interviews

4. FAIR TREATMENT AND VALUES THEME PROGRESS

- Refreshed and revised Bullying and Harassment Policy
- Improved Employee Monitoring
- New, simpler Discipline and Grievance Policy including investigation guidance for managers
- Staff Supporters network re-launched and underpinned by professional training
- Mediation Service
- “Making the Connections” Single Equality Scheme
- Terms of Reference of Joint Safety Committee more holistic focussing on the “health of the organisation”

5. WORKLIFE BALANCE THEME PROGRESS



- Managing Pressure and Stress at Work Policy and guidance
- Improved range of flexible working and work life balance policies
- a group taking its roots from the staff survey looking at a range of innovative and inspiring work life balance initiatives and self improvement sessions.

6. RECRUITMENT, SELECTION AND PROMOTION THEME PROGRESS

- A process to transfer staff between whole time and retained duty systems, the first ever fire and rescue service in the UK to do this for all roles above firefighter
- Assessment and Development Centres for all operational staff
- A more comprehensive, and robust recruitment and selection process
- Innovative Positive Action Strategy and campaign

7. TRAINING, DEVELOPMENT AND LEADERSHIP THEME PROGRESS

- Harmonised system in place for conducting staff appraisals for all areas of the Service from April 2010
- Staff Skills Bank
- High Potential Leadership Scheme Pilot
- Restructure of Senior Management Team to be more cross cutting and prevent silo working
- Service Improvement Group
- Flexible Training Strategy
- Risk-Based Training to improve Fire-Fighter Safety
- Flexible contracts for Trainers to enable more localised time critical training
- Information Exchanges for Investigating Officers

8. 2010 STAFF SURVEY

- 8.1 Opinion Research Services (ORS), the contractor providing consultation services to the Fire Services Consultation Association (FSCA), has been commissioned to undertake the second 2010 Staff Survey. The methodology adopted is similar in that there are a range of questions the same as the 2008 survey to allow benchmarking against the initial survey with the expectation that we can ascertain improvement and progress in key areas. Benchmarking will also be available against other organisations where appropriate. A copy of the questionnaire is attached for information at Appendix C.
- 8.2 There are also new questions around our corporate vision and increase emphasis on communication and equality and diversity.

- 8.3 The timetable and communications plan is attached at Appendix D to this report. Staff received the Survey on 1st March with a completion deadline of 30th April. A range of options to complete was also given, including on line and paper based. Circulation was preceded by Service Updates, team briefings, ALERT notices and is being backed up by a range of “*you said*” “*we did*” posters (copies of which are attached as Appendix E to this report) during the consultation period. Staff are being given paid time to complete the survey to specifically encourage more of our Retained Duty Staff to become involved, as this was identified as an underrepresented response group in the initial 2008 Staff Survey. There is a prize of an “experience day” (an exciting option of sporting or leisure/hobby events for the winner to choose from) to incentivise and encourage an improved response rate, as the more staff who participate the more valid and valuable are the results which can be analysed, and more wide ranging commentary of employees views.
- 8.4 The employee survey has been running since the beginning of March and so far feedback from ORS are that 692 questionnaires have been returned to ORS. This number gives a response rate of 31.5%. In 2008 employee survey 647 surveys were returned achieving a 30% response rate, so already the total return rate of the last survey has been exceeded. With four weeks still to go we have the opportunity to inject added impetus to increase the rate of response. The more returns we receive the better chance we have of developing a clearer understanding of opinion and therefore the Service is encouraging any opportunities to promote participation to be maximised. There are posters promoting the employee survey around headquarters and on stations that also identify some of the achievements from the last survey. April 2010 Service Update also contains a few words on the latest numbers received and a reminder to complete the questionnaire. A schedule of further communications to remind staff to complete their questionnaire has been planned for each week until the closing date of the survey on 30 April.
- 8.5 Results are to be fed back to staff in November 2010 and will be reported to the HRMD committee in late autumn, together with initial plans to progress issues identified and celebrate successes
- 8.6 Results of the Staff Survey will be considered alongside the DSFRS Retained Duty System Survey which went to staff and families/partners in 2009. The national RDS survey results recently undertaken should also be available at this time to compare and contrast national and local themes.

JANE SHERLOCK

Director of People and Organisational Development

Timetable & Communications Plan

	DSFRS	ORS
Agree timescales with ORS	3 rd December	
First amends to ORS	3 rd December	
List of question amends to working group	2 nd /3 rd December	
Email to SMB detailing project timescales and reminding of old survey	8 th December	
Email to Unions detailing project timescales and reminding of old survey	11 th December	
First draft survey received from ORS		14 th December
Minor amends to initial draft given to ORS	15 th December	
Amended draft received from ORS		16 th December
First draft survey to SMB	17 th December	
First Draft Survey to unions	17 th December	
Amends from SMB and Unions to AHB	11 th January	
Working group agree final amends by email	13 th January	
Final amends to ORS	18 th January	
Sign off survey	25 th January	
ORS set up and print		25 th January – 9 th February
AHB and TD meet to look at communications plan	End of January	
Surveys delivered to DSFRS		10 th February
Stuff envelopes	15 th – 19 th February	
Delivery to stations	22 nd -26 th February	
Completion	1 st March – 30 th April	
Data processing		3 rd – 7 th May
Data Analysis		10 th – 29 th May
ORS draft report writing		1 st – 30 th June
ORS report sign off		1 st – 31 st July
SMB report writing	19 th July – 16 th August	
SMB Meeting	Second August meeting	
Working group meet to discuss results	During week 6 th – 10 th September	
Development of newsletter to feed back results	13 th September – 31 st October	
Newsletter and results published	November	

DEVON & SOMERSET FIRE & RESCUE AUTHORITY



REPORT REFERENCE NO.	HRMDC/10/7
MEETING	HUMAN RESOURCES MANAGEMENT & DEVELOPMENT COMMITTEE
DATE OF MEETING	14 APRIL 2010
SUBJECT OF REPORT	THE EUROPEAN COMMUNITY (EC) DRIVERS HOURS AND TACHOGRAPH RULES FOR GOODS VEHICLES (REGULATION 561/2006)
LEAD OFFICER	Director of Service Delivery
RECOMMENDATIONS	<p>(a) <i>that the management actions to limit the impact on employees of Devon and Somerset Fire and Rescue Service the impact of the above Regulations be endorsed, and;</i></p> <p>(b) <i>that, subject to (a) above, the report be received and noted.</i></p>
EXECUTIVE SUMMARY	<p>The EC Drivers Hours and Tachograph Rules for Goods Vehicles (Regulation 561/2006) limit driving time and ensure that proper break and rest periods are taken so that road traffic accidents are prevented.</p> <p>These regulations have a potential impact on all employees who drive an “in scope” vehicle either for the Fire and Rescue Service or in other employment or voluntary work. This is especially important in relation to the recruitment and retention of “on call” (Retained Duty) firefighters who drive “in scope” vehicles in their primary employment.</p> <p>The Service has taken a pragmatic view to this and have developed a policy to ensure that “on-call” firefighters who are “in scope” are dealt with in a sympathetic manner.</p> <p>This policy has minimised the number of “on call” firefighters who have been unable to continue with their firefighting duties and has been adopted by a large number of other Fire and Rescue Services.</p> <p>This policy has demonstrated the Service ambition to be an employer of choice in line with Goal 2 of the Corporate plan.</p>
RESOURCE IMPLICATIONS	There are no resource implications associated with this paper

EQUALITY IMPACT ASSESSMENT	An initial Equality Impact Assessment has been carried out and no further action is deemed necessary
APPENDICES	None
LIST OF BACKGROUND PAPERS	The EC Drivers Hours and Tachograph Rules for Goods Vehicles (Regulation 561/2006)

1. BACKGROUND

- 1.1 The EC Drivers Hours and Tachograph Rules for Goods Vehicles (Regulation 561/2006) came into effect on 11th April 2007. The purpose is to limit driving time and ensure proper break and rest periods are taken so that road traffic accidents are prevented.
- 1.2 The EU rules do not provide an exemption from the daily and weekly rest periods for firefighters employed on the “on call” (RDS) or other duty systems, who drive vehicles which fall within the scope of the legislation in their primary employment or their secondary employment (for example, full-time firefighters or other staff who have a second job driving an “in-scope” vehicle).
- 1.3 The driving of fire appliances is exempt from the regulations.
- 1.4 The following are the key provisions of the EU rules:
- the Rules apply to anyone who drives an “in-scope” vehicle. “In-scope” describes a goods vehicle over 3.5 tonnes, or a passenger vehicle with nine or more passenger seats;
 - there is a maximum daily driving limit of nine hours (extendable to ten hours twice a week);
 - there is a maximum weekly driving limit of 56 hours (and 90 hours during any two consecutive weeks);
 - a driver must take a break of at least 45 minutes after no more than four and a half hours of driving;
 - a driver must have 11 hours’ uninterrupted daily rest. This may be reduced to a minimum of nine hours no more than three times between any two weekly rest periods. The daily rest can be taken in two periods but the first period must then be at least three hours and the last at least nine hours.

2. IMPACT

- 2.1 The main requirement of the regulations on Fire and Rescue Service staff is the mandatory rest breaks that drivers must take on a daily and weekly basis. There is potential for this to limit the availability of an individual to carry out the duties of an “on call” firefighter without impacting on their primary employment. This also affects the ability of full time staff to undertake secondary employment driving an “in scope” vehicle.
- 2.2 A survey of all “on call” firefighters was undertaken in conjunction with the Chief Fire Officers Association (CFOA), which identified sixty four “on call” staff across the Service who could be deemed to be “in scope” of the regulations. Clearly the implication of the regulations was that all sixty four firefighters would be unable to continue with their firefighting role, this would have impact on the ability of some stations to maintain emergency response availability.
- 2.3 Of the Fire and Rescue Services who took part in this survey Devon and Somerset had by far the most firefighters (sixty four) affected by the Regulations.

3. MANAGEMENT ACTIONS

- 3.1 On becoming aware of the regulations and the potential impact, guidance was sought from the Vehicle and Operator Services Agency (VOSA) who are the enforcing agency. The guidance received confirmed that there is no exemption for “on call” firefighters from the regulations but indicated that whilst a firefighter remained on call and not engaged in any activity for the Service they would be at rest and therefore accruing the uninterrupted rest period. However, once engaged in any activity such as responding to an emergency, training or administration, they would not be ‘at rest’ and would therefore be required to ensure that they took the minimum break before returning to their primary employment.
- 3.2 Research was undertaken into the detail of the guidance and it was established that a number of key exemptions applied to the regulations such as driving milk tankers. This resulted in a reduction in the number of staff affected by the regulations.
- 3.3 The Service position was to apply the regulations in a manner that would minimise the impact on our firefighters. This would be achieved through adopting a common sense approach to the regulations and working with firefighters and their primary employers to agree a joint solution on a case by case basis.
- 3.4 Using the guidance, a policy was formulated which sought to provide advice to all staff to enable them to continue with their firefighting duties. This is in line with the core values of the service and goal 2 of the Corporate Plan (to be an employer of choice).
- 3.5 Meetings were held with managers and staff to identify how contracts could be amended to allow staff to meet the needs of their primary employment, whilst ensuring that they continue to provide cover at their local fire station. Where appropriate, primary employers were contacted by Service managers to try to reach agreement on arrangements when Fire and Rescue Service activity meant that their employee would not be able to report for work at the normal time.
- 3.6 During these meetings it quickly became apparent that affected firefighters were well aware of their responsibility under the regulations and in most cases had already discussed the situation with their primary employer and had identified ways to minimise the impact and continue their firefighting roles. A number had changed their primary employment to ensure that they could continue with their firefighting role.
- 3.7 As a result of these actions, the number of staff affected has been reduced to twenty seven and only one firefighter has been unable to continue with his firefighting duties because his employer was unable to agree to a flexible arrangement. The Committee should note that work continues with a small number of firefighters to reach an acceptable solution.

4. GUIDANCE FROM THE DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT (CLG)

- 4.1 CLG guidance was issued in March 2010 which seeks to provide clarity and guidance for all Fire and Rescue Services on the application of the regulations
- 4.2 This guidance has been reviewed and it has been determined that the approach of this Service is appropriate and proportionate. However, confirmation is being sought from VOSA at this time.

4.3 In addition to this further guidance will be provided to all “on call” firefighters who drive “in scope” vehicles and full time staff who drive an “in scope” vehicle in a second job.

5. CONCLUSION AND RECOMMENDATION

5.1 The adoption of a common sense approach to dealing with this matter has been appreciated by all concerned, the staff affected directly, their employers and their Service managers. The impact on the availability of fire appliances for emergency response has been kept to the lowest possible level, and this approach has been adopted by many other Fire and Rescue Services across the region and the country.

5.2 The Committee is requested to note the contents of this report and to endorse the approach taken by officers to minimise the impact on the Service.

ASSISTANT CHIEF FIRE OFFICER PETER SMITH
Director of Service Delivery

DEVON & SOMERSET FIRE & RESCUE AUTHORITY



REPORT REFERENCE NO.	HRMDC/10/8
MEETING	HUMAN RESOURCES MANAGEMENT & DEVELOPMENT COMMITTEE
DATE OF MEETING	14 APRIL 2010
SUBJECT OF REPORT	ABSENCE MANAGEMENT
LEAD OFFICER	Director of People and Organisational Development
RECOMMENDATIONS	<i>That the report be noted.</i>
EXECUTIVE SUMMARY	<p>The progress with Absence Management has been included as a standing item for the Human Resources Management & Development Committee for some time. This report includes an update of the Service performance for absence levels and also the long term absence levels.</p> <p>The report also includes a copy of the new 'fit' note which replaces the GP medical certificate from the 6 April 2010.</p>
RESOURCE IMPLICATIONS	As set out within this report.
EQUALITY IMPACT ASSESSMENT	None indicated.
APPENDICES	None
LIST OF BACKGROUND PAPERS	None

1. **INTRODUCTION**

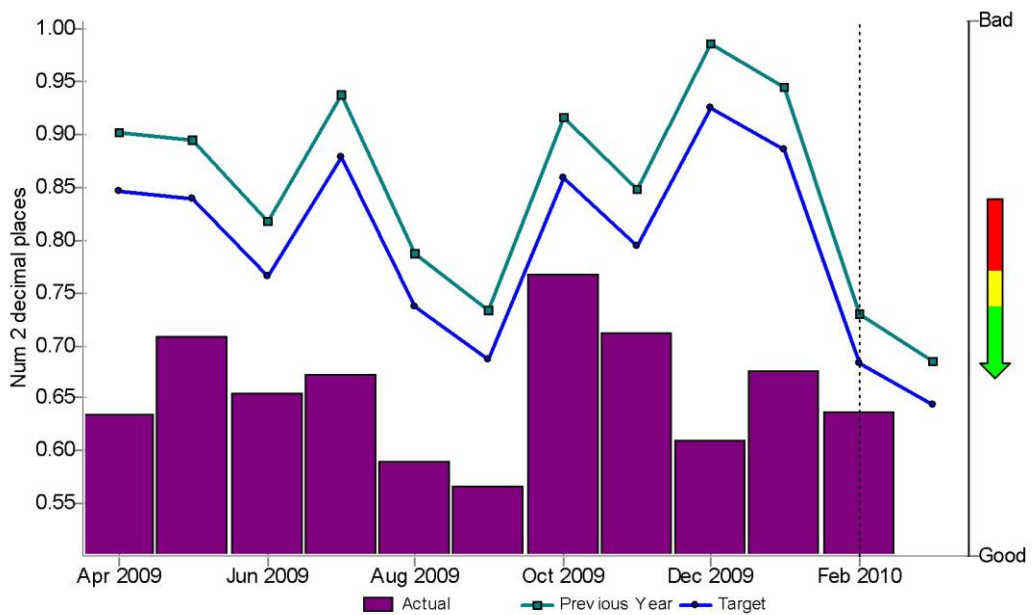
1.1 Absence levels have been identified previously as a key measure that the HRMD Committee will monitor and review as a standing item. Progress towards our target remains good and ahead of target as part of the Service Performance Reporting.

2. **CURRENT PERFORMANCE**

2.1 The Service has a corporate target to reduce the levels of sickness absence to the regional average rate of 9.0 days/shifts lost per person by 2010/11. The target for 2009/10 is 9.6 days per person.

2.2 The absence levels for 2008/9 were lower than the target level and this overall good performance has been maintained into 2009/10. The Service has seen a 23.9% decrease in absence when compared with the same period last year. At this point in time, the previous year was at an average of 9.5 days absence per person compared with our actual level for 2009/10 of 7.23 days. This is 18.8% better than our target level of 8.9 days per person at this point in time.

All Staff Sickness Rates by Month 2009/10

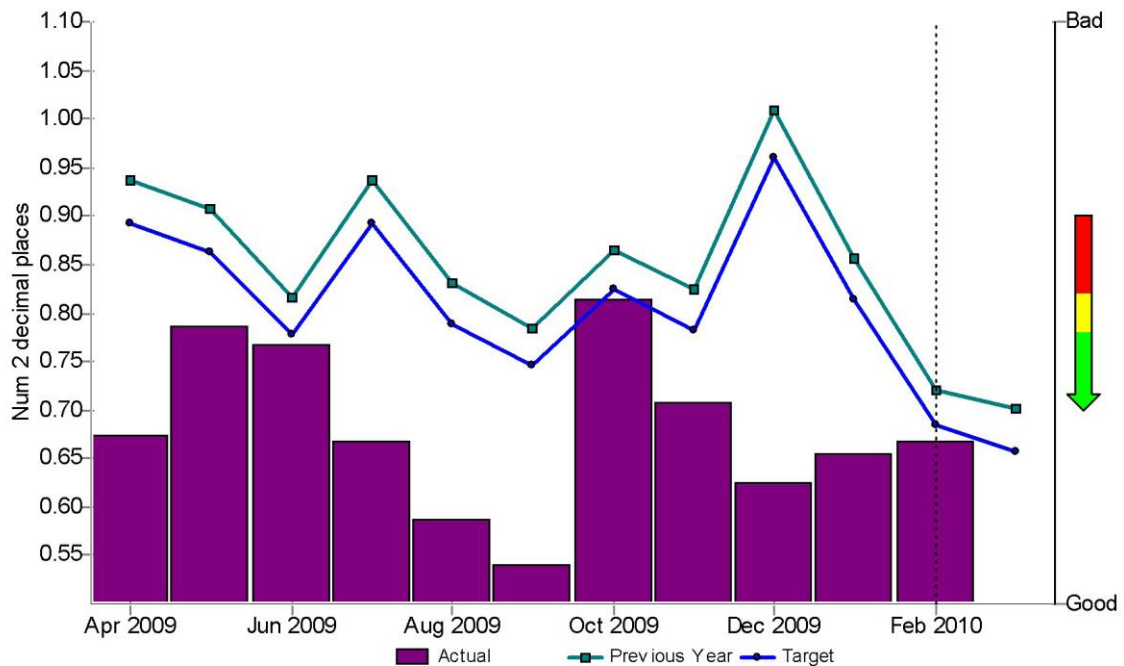


All Staff – Sickness Rates per Person – by Month

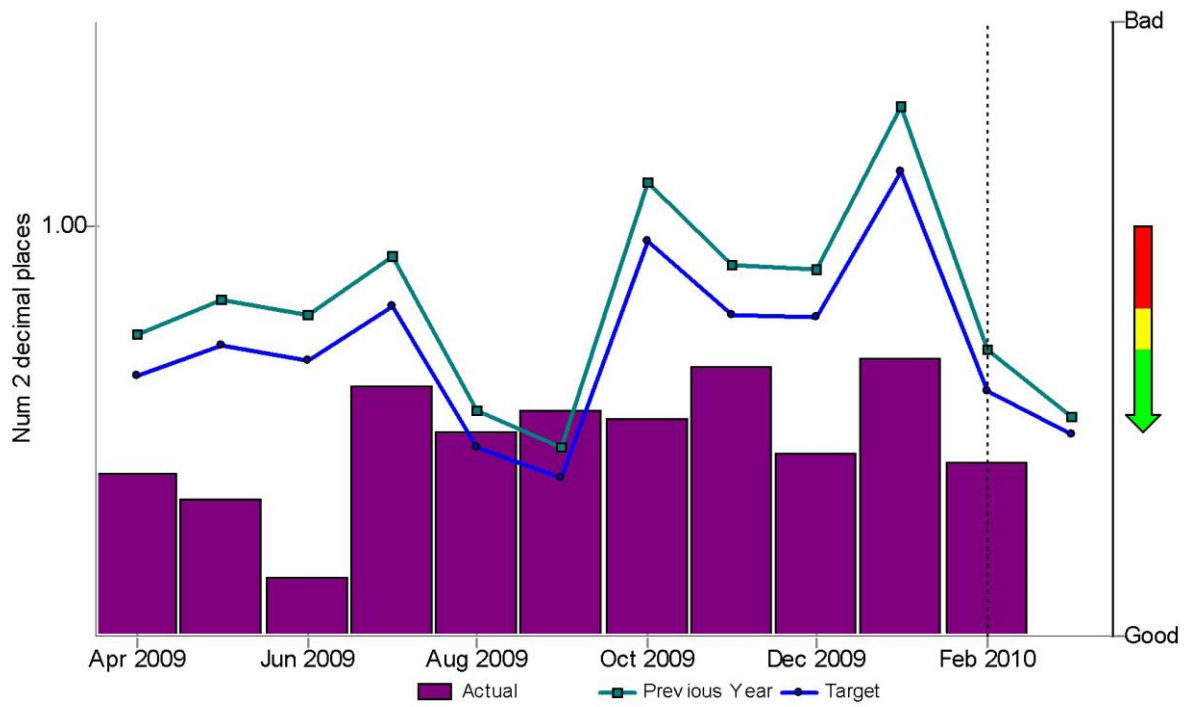
	Actual 09/10	Previous Year 08/09	% variance on previous year	% variance on target
Apr-09	0.64	0.90	-29.6%	-24.9%
May-09	0.71	0.90	-21.2%	-16.0%
Jun-09	0.66	0.82	-20.0%	-14.5%
Jul-09	0.68	0.94	-27.8%	-23.0%
Aug-09	0.6	0.79	-23.2%	-18.0%
Sept 09	0.57	0.73	-22.7%	-17.5%
Oct 09	0.77	0.92	-16.1%	-10.6%
Nov 09	0.71	0.85	-16.1%	-10.4%
Dec 09	0.61	0.99	-38.3%	-34.2%
Jan 09	0.68	0.94	-28.4%	-23.6%
Feb 09	0.64	0.73	-12.8%	-6.9%
YTD	7.23	9.5	-23.9%	-18.8%

2.3 As usual, the figures can then be further broken down by staff category and the rates for uniformed, control and non-uniformed are shown below.

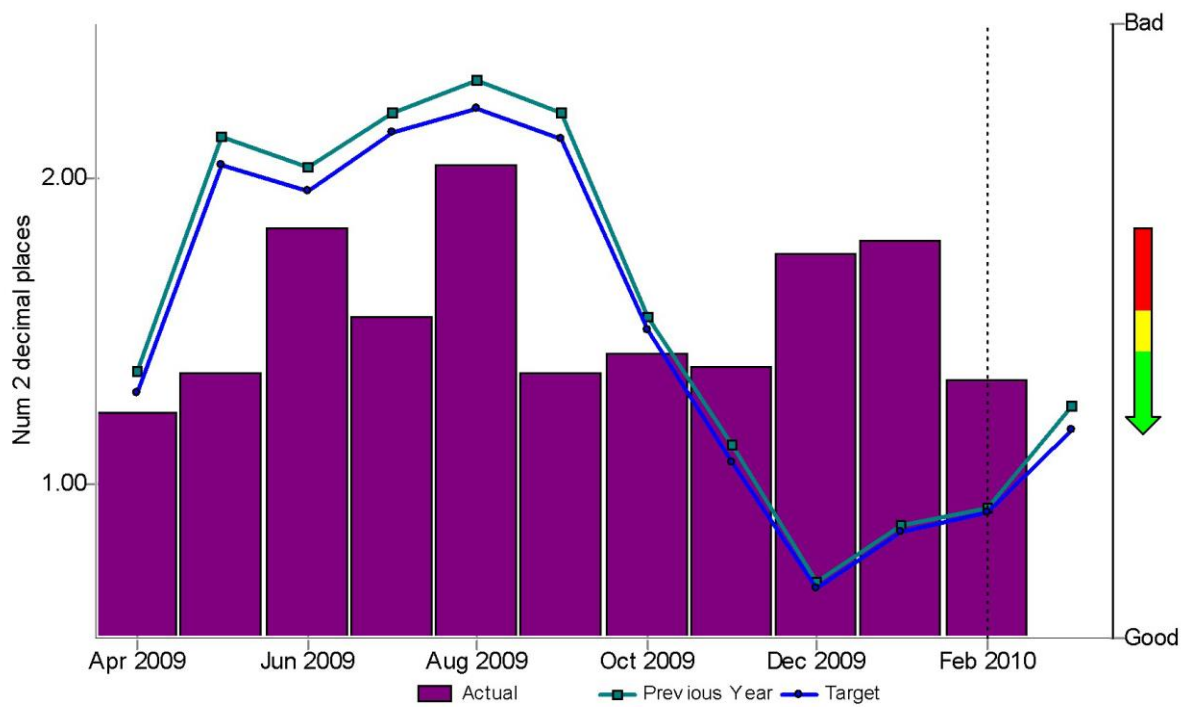
Uniformed Staff Sickness Rates by Month 2009/10



Non-uniformed Staff Sickness Rates by Month 2009/10



Control Staff Sickness Rates by Month 2009/10



3. COST OF ABSENCE

- 3.1 The cost of absence is part of the provided data although it is recognised that the Service has a ridership factor applied at station level to account for absences including annual leave, training and sickness. So, when a member of station based staff is absent, it does not necessarily mean that a further cost has been incurred.
- 3.2 The costs that have been calculated relate to direct salary costs only and do not take into account any indirect costs or allowances eg flexi-duty.

Period	Salary Cost
Apr	£87,587
May	£101,148
Jun	£96,004
Jul	£92,069
Aug	£78,357
Sep	£72,569
Oct	£108,758
Nov	£98,452
Dec	£84,379
Jan	£89,943
Feb	£86,707

Of the total:

- 52.3% of this cost is due to long-term sickness
- 17.4% of this cost is due to certified sickness
- 30.4% of this cost is due to uncertified sickness

4. DETAILED BREAKDOWN OF LONG TERM SICKNESS

- 4.1 The monitoring of long term sickness (i.e. those over 28 days) is reported on a monthly basis and includes those who are long term sick and those on restricted duties. The number of long term sick since 2008 is shown below. These are also shown graphically with trendlines. Both uniformed (Wholetime and Control) and non-uniformed show a downwards trend whilst the Retained Duty System has been on the increase. Overall the trend is downwards.

2008

Number of staff	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Uniformed	31	27	28	23	23	19	19	20	23	17	20	18
Retained	16	14	17	10	10	8	10	8	9	12	14	20
Non-uniformed	6	3	6	6	7	6	2	4	2	3	6	5
Total	53	44	51	39	40	33	31	32	34	32	40	43

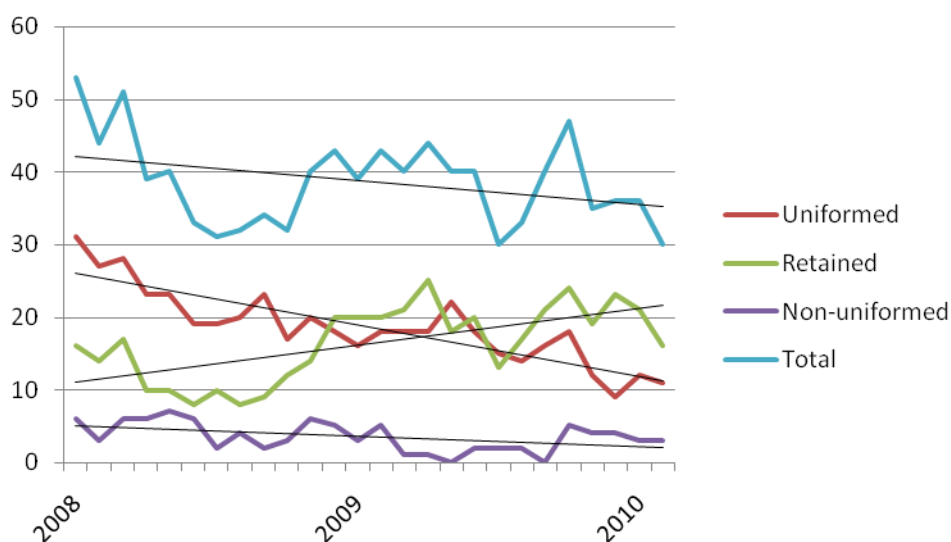
2009

Number of staff	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Uniformed	16	18	18	18	22	18	15	14	16	18	12	9
Retained	20	20	21	25	18	20	13	17	21	24	19	23
Non-uniformed	3	5	1	1	0	2	2	2	3	5	4	4
Total	39	43	40	44	40	40	30	33	40	47	35	36

2010

Number of staff	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Uniformed	12	11										
Retained	21	16										
Non-uniformed	3	3										
Total	36	30										

Long-term Sickness 2008 to 2010 – Number of Staff



5. NEW 'FIT' NOTES TO REPLACE 'SICK' CERTIFICATES

5.1 From the 6 April 2010, the format of General Practitioners' medical certificates or sick notes will change. The new 'fit' note is intended to assist both employees and employers by helping people back to work as soon as possible. The main changes will mean:

- A GP will be able to say if they think an employee is 'not fit for work' or 'may be fit for work';
- A GP can add advice to the note for an employer on how simple changes to the job may allow an employee to return to work earlier
- There will be fewer kinds of medical statements forms issued by GPs

5.2 These changes will link in with our sickness policy and contribute to the work we do with employees, their GP's and Occupational Health to facilitate the return to work of employees as soon as it is safe for them to do so.

6. CONCLUSION

6.1 The Service has seen an overall improvement over the previous year at a level better than targeted for 2009/10.

JANE SHERLOCK
Head of People and Organisations