

**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)

Friday 26 July 2013

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

A G E N D A

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

1. **Election of Chair**
2. **Apologies**
3. **Minutes** of the meeting held on 18 March 2013 attached (Page 1).
4. **Items Requiring Urgent Attention**

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

5. **Election of Vice Chair**

PART 1 – OPEN COMMITTEE

6. **Health, Safety and Welfare Framework for the Operational Environment**

Report of the Director of People and Commercial Services (HRMDC/13/1) attached (page 3).

7. **Equality Strategy - 'Safer Lives, Brighter Futures' – 6 Monthly Monitoring Report – November 2012 to April 2013**

Report of the Director of People and Commercial Services (HRMDC/13/2) attached (page 6).

8. **Equal Pay Audit**

Report of the Director of People and Commercial Services (HRMDC/13/3) attached (page 14).

9. **Plymouth and Devon Racial Equalities Council (PDREC)**

The Service is directly supporting PDREC through the secondment of Crew Manager Dave Evans. Dave will be providing Members with a verbal update at the meeting on the value and benefit of his secondment, including an explanation of the areas of work the Service has been able to support and the range and breadth of projects that we are able to support with some of the most vulnerable in our communities.

10. **Firefighters' Pension Scheme Internal Disputes Resolution Procedure**

The Committee is required to appoint 3 of its Members to serve on the Firefighters' Pension Scheme Internal Disputes Resolution Procedure Stage 2 Panel (IDRP). (Membership in 2012/13 was Councillors Bown, Knight and J Smith).

The Committee is **RECOMMENDED** to appoint (from amongst its membership) 3 members to serve on the Panel until the first meeting of the Committee following the Annual Meeting of the Authority in 2014.

11. **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 Paragraphs 3 and 4 of Part 1 of Schedule 12A (as amended) to the Act, namely information relating to the financial or business affairs of any particular person, including the Authority and information relating to contemplated consultations or negotiations in connection with any labour relations matter arising between the Authority and its employees.

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

12. **Firefighters' Pensions Scheme Update and Business Continuity**

The Director of People and Commercial Services to report at the meeting.

MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

Membership:-

Councillors Bown (Chair), Brooksbank (Vice Chair), , Burrridge-Clayton, Chugg, Horsfall, Knight and J Smith.

NOTES	
1.	<p><u>Disclosable Pecuniary Interests (Authority Members only)</u></p> <p>If you have any disclosable pecuniary interests (as defined by Regulations) in any item(s) to be considered at this meeting then, unless you have previously obtained a dispensation from the Authority's Monitoring Officer, you must:</p> <ul style="list-style-type: none"> (a) disclose any such interest at the time of commencement of consideration of the item in which you have the interest or, if later, as soon as it becomes apparent to you that you have such an interest; (b) leave the meeting room during consideration of the item in which you have such an interest, taking no part in any discussion or decision thereon; and (c) not seek to influence improperly any decision on the matter in which you have such an interest. <p>If the interest is sensitive (as agreed with the Monitoring Officer), you need not disclose the nature of the interest but merely that you have a disclosable pecuniary interest of a sensitive nature. You must still follow (b) and (c) above.</p>
2.	<p><u>Part 2 Reports</u></p> <p>Members are reminded that any Part 2 reports as circulated with the agenda for this meeting contain exempt information and should therefore be treated accordingly. They should not be disclosed or passed on to any other person(s). Members are also reminded of the need to dispose of such reports carefully and are therefore invited to return them to the Committee Secretary at the conclusion of the meeting for disposal.</p>
3.	<p><u>Substitute Members (Committee Meetings only)</u></p> <p>Members are reminded that, in accordance with Standing Order 35, the Clerk (or his representative) must be advised of any substitution prior to the start of the meeting. Members are also reminded that substitutions are not permitted for full Authority meetings.</p>
4.	<p><u>Access to Information</u></p> <p>Any person wishing to inspect any minutes, reports or lists of background papers relating to any item on this agenda should contact the person listed in the "Please ask for" section at the top of this agenda.</p>

HUMAN RESOURCES MANAGEMENT AND DEVELOPMENT COMMITTEE

(Devon and Somerset Fire and Rescue Authority)

18 March 2013

Present:

Councillors Bown (Chair), Brooksbank, BurrIDGE-Clayton, Knight and J Smith.

Also in attendance in accordance with Standing Order 36:

Councillors Gribble and Radford.

Apologies:

Councillor Chugg.

***HRMDC/21. Minutes**

RESOLVED that the Minutes of the meeting held on 11 January 2013 be signed as a correct record.

***HRMDC/22. Firefighters Pensions Schemes**

The Committee received for information a presentation by the Human Resources Manager on firefighters pensions schemes. The presentation covered, amongst other things:

- different pension types (e.g. occupational; personal) and arrangements (e.g. money purchased; defined benefits);
- the main features (eligibility, benefits, contributions) of both the 1992 and 2006 Firefighters Pensions Schemes;
- definitions of pensionable and non-pensionable pay;
- proposals for and likely outcomes of the Firefighters Pensions Scheme 2015.

The Human Resources Manager stated that the Fire Brigades Union had raised concern over the proposals for the Firefighters Pensions Scheme 2015, specifically in relation to the proposed normal retirement age of 60 which, the Union felt, may prove unattainable for many firefighters given the physicality of the role.

***HRMDC/23. Devon & Somerset Fire & Rescue Service Equality and Diversity Recognition - Stonewall Top 100 Employer**

The Committee received for information a presentation by the Community and Workplace Equalities Manager on the achievement of the Devon & Somerset Fire & Rescue Service of securing a ranking of 91st in the Stonewall Top 100 Employers for 2013. Stonewall existed to support and promote equality for lesbian, gay, bisexual and transgender (LGBT) people. Stonewall produced, each year, an index of the top 100 employers in the UK based on evidence put forward by organisations on culture, processes, policies and training designed to impact positively on the work environment for LGBT staff, ensuring that people were protected and happy at work, able to be themselves and thereby achieve their full potential.

The Service was one of only five fire and rescue services to secure a ranking in the top 100 – other organisations in the top 100 being major, national or international concerns such as Tesco and Barclays Bank. The achievement meant that the Service had been recognised as promoting and demonstrating an inclusive working culture for staff, underlining its core values.

The presentation highlighted particular Service initiatives for this equality strand (such as the establishment of the Fire Pride network) and indicated that, going forward, the Service would be preparing an action plan based on feedback from Stonewall to contribute to its overall ambition to secure an excellent rating in its approach to equality and diversity by 2014.

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

The meeting started at 10.00hours and finished at 11.00hours



DEVON & SOMERSET FIRE & RESCUE AUTHORITY

REPORT REFERENCE NO.	HRMDC/13/1
MEETING	HUMAN RESOURCES MANAGEMENT AND DEVELOPMENT COMMITTEE
DATE OF MEETING	26 JULY 2013
SUBJECT OF REPORT	HEALTH, SAFETY AND WELFARE FRAMEWORK FOR THE OPERATIONAL ENVIRONMENT
LEAD OFFICER	Director of People and Commercial Services
RECOMMENDATIONS	<i>That the report be noted.</i>
EXECUTIVE SUMMARY	<p>This Health, Safety and Welfare Framework as published by the Department for Communities and Local Government for all Fire and Rescues Services is intended to assist in balancing the health, safety and welfare of our staff while they are at work with the risks that they are faced with on a day to day basis. It supersedes and replaces a number of existing health and safety documents.</p> <p>The paper sets out the scope of the Framework and the action being taken to ensure that the principles set out within it are followed.</p>
RESOURCE IMPLICATIONS	
EQUALITY RISK & BENEFITS ASSESSMENT	
APPENDICES	None
LIST OF BACKGROUND PAPERS	None

1. **INTRODUCTION**

- 1.1 This document has been published by the Department for Communities and Local Government as a framework for all fire and rescues services that is intended to assist in balancing the health, safety and welfare of our staff while they are at work with the risks that they are faced with on a day to day basis.
- 1.2 It has been developed with the involvement of the Health and Safety Executive (H.S.E), the Fire Brigades' Union (FBU), health and safety professionals and the Chief Fire Officers' Association (CFOA) and follows a number of incidents that have resulted in fire fighter fatalities; it supersedes and replaces a number of existing health and safety documents.
- 1.3 Although not published as an approved code of practice (ACOP) it is implied that the principles of the framework should be followed and it is anticipated that it will be used for the purposes of peer review of Fire and Rescue Services and by the H.S.E. should they have cause to investigate a Service following an accident.
- 1.4 During the development of the new Organisational Safety Assurance (OSA) department, that incorporates Health and Safety and Operational Assurance, the Service was made aware of this document and did take part in the consultation process. Consequently we have been able to shape the new departments focus in accordance with the final published framework.

2. **SCOPE OF THE DOCUMENT**

- 2.1 The document covers all areas of health, safety and welfare in an operational context and therefore cuts across many Service departments in addition to OSA.
- 2.2 To give an appreciation of the wide remit of this document some of the areas covered are:
- Health and Safety Policy
 - Operational Policy and risk critical information
 - Operational decision making (including dynamic and analytical risk assessment)
 - The safe person principles including leadership and supervision
 - Monitoring and measuring performance
 - Operational assurance/monitoring and auditing
 - Post incident learning and debriefing
 - Investigations and learning from reviews
 - Welfare at incidents including critical incident defusing.
- 2.3 The Joint Safety Committee Terms of Reference, scope and attendees are being refreshed and reviewed to ensure that a holistic approach to Health, Safety, Wellbeing & Environment is considered.

- 2.4 The OSA department is developing an action plan of the recommendations in this framework to ensure that the Service is complying and can demonstrate compliance should the need arise and will report progress on this to the Chief Fire Officer and HRMD Committee and Joint Safety Committee on a regular basis.
- 2.5 In respect of the operational assurance areas of this document, the Service is developing its own framework that would ensure compliance with this National guidance.

JANE SHERLOCK

Director of People and Commercial Services



DEVON & SOMERSET FIRE & RESCUE AUTHORITY

REPORT REFERENCE NO.	HRMDC/13/2
MEETING	HUMAN RESOURCES MANAGEMENT AND DEVELOPMENT COMMITTEE
DATE OF MEETING	26 JULY 2013
SUBJECT OF REPORT	EQUALITY STRATEGY – ‘SAFER LIVES, BRIGHTER FUTURES’ 6-MONTHLY MONITORING REPORT: NOVEMBER 2012 TO APRIL 2013
LEAD OFFICER	Director of People and Commercial Services
RECOMMENDATIONS	<i>That the report be noted</i>
EXECUTIVE SUMMARY	<p>The Equality Strategy 2012-2016 – ‘Safer Lives, Brighter Futures’ was approved by the Authority in May 2012. The objectives and action plan show what we must achieve in order to meet the requirements of the Public Sector Equality Duty and the ‘Excellent’ level of the Fire & Rescue Service Equality Framework.</p> <p>The Strategy is monitored by the cross-departmental Equality Steering Group and a six-monthly monitoring report is prepared for Human Resources Management and Development Committee. This report provides an update on actions between November 2012 and April 2013. Progress on the strategy is very good with no areas for concern at present.</p>
RESOURCE IMPLICATIONS	No additional resource implications
EQUALITY RISK & BENEFITS ASSESSMENT	Monitoring Equality Strategy objectives and actions includes reviewing the Equality Risk & Benefits Analysis process.
APPENDICES	None
LIST OF BACKGROUND PAPERS	Equality Strategy 2012-2016 ‘Brighter Lives, Safer Futures’

1. **BACKGROUND**

- 1.1 The Equality Strategy 2012-2016 – ‘Safer Lives, Brighter Futures’ was approved by the Authority in May 2012. The objectives and action plan that form part of the strategy show what we must achieve in order to meet the requirements of the Public Sector Equality Duty and the ‘Excellent’ level of the Fire & Rescue Service Equality Framework.
- 1.2 The Equality Act 2010 provides legal protections for people based on their ‘protected characteristics’. These are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation. The Act also created a new Public Sector Equality Duty which states that a public authority must, in the exercise of its functions and in relation to the legally protected characteristics, give due regard to the need to:
- Eliminate discrimination, harassment, victimisation and any other prohibited conduct.
 - Advance equality of opportunity (i.e. remove or minimise disadvantage; meet people’s needs; take account of disabilities; encourage participation in public life).
 - Foster good relations between people (i.e. tackle prejudice and promote understanding).
- 1.3 We also have responsibilities to publish information to show how we are complying with the Public Sector Equality Duty and the Act and to prepare, publish and monitor equality objectives.
- 1.4 In December 2011, following an evidence gathering exercise and a peer assessment, we reached the ‘Achieving level of the Fire & Rescue Service Equality Framework. This national framework provides a focus for improving our equalities work and helps us to measure our performance. We are now working towards the final ‘excellent’ level of the framework which we aim to achieve by 2014. The actions required in order to reach that goal are built into the Equality Strategy.

2. **MONITORING ARRANGEMENTS**

- 2.1 Internally, the strategy is monitored by the Equality Steering Group which has a membership of fifteen employees drawn from the main work areas and includes representative bodies and a member of the Fire Pride (lesbian, gay, bisexual and transgender) network and WANDS (Women’s Action Network).
- 2.2 Externally, we consult and seek advice on the strategy from Community Advisory Groups. Twice a year we facilitate discussion groups with members of community and voluntary sector organisations in north Devon, Taunton, Exeter and Plymouth.

3. **EQUALITY STRATEGY MONITORING NOVEMBER 2012 – APRIL 2013**

3.1 Progress on the strategy continues to be very good with significant progress in a number of areas as can be seen in the commentary below.

Monitoring Report November 2012 – April 2013

	Action	Notes/Comments
1	Continue to provide support and attendance for Respect, Pride, Networking Women in the Fire Service and consider other annual festivals and events	<ul style="list-style-type: none"> • In 2012 DSFRS hosted the NWFS annual development weekend, and this year we are funding 4 places to attend the development weekend in June. • The service provided a significant presence at Exeter Pride 2013 with the Fire Pride network this year, including two appliances and the CFO, the Chair of the Authority and other staff marching in the parade, and an opportunity to dress up as a Fire-fighter. • Exeter and Plymouth Respect festival attendance is already in the planning stages • Members of the Fire Pride network attended and delivered a workshop at the Annual Stonewall conference • The Plymouth and Devon Race Equality Council secondment post holder and the Equality Manager are attending the Asian Fire Service Association annual development event
2	Review Core Values with employees	Work has begun on planning the involvement of all staff in an initiative to review our culture and values, as announced by CFO Lee Howell in the March Service update. The outcome we want to achieve is a framework of values that allows staff and managers at all levels to know what is expected of them and what they can expect from the organisation.
3	Ensure action plans are developed under each theme following staff survey analysis	Initial results on the staff survey were published in June. Work is underway on the action plan in conjunction with the cultural review project.
4	Review and promote bullying and harassment policy and procedures	This is to be completed during 2013/14
5	Continue to be Stonewall	Achieved top 100 employer status in the index this year

	Action	Notes/Comments
	Diversity champions and enter the workplace index annually	and aim to improve our ranking next year.
6	Develop a forward plan for the women's network, WANDS	An action plan is being put together and a development day is being considered. The WANDS steering group will be involved in the Equal Pay action plan actions which include developing a strategy to aid the progression of more women into senior uniformed roles.
7	Develop annual action plan for lesbian, gay and bisexual staff following Stonewall feedback	The action plan has been developed and is in progress.
8	Review and promote all aspects of Dyslexia support	The dyslexia support group continues to investigate and promote dyslexia support in terms of offering initial screening and visual aids, and championing dyslexia friendly resources. More work is to be done in promoting awareness of the group and developing guidance for managers around dyslexia.
9	To develop, launch and promote a community and voluntary sector partnership policy, protocol and register	Work has begun to map the partnerships across the organisation which is the first step in developing a new protocol fit for CVS partnerships. Work has also started on a community engagement strategy.
10	To evaluate all agency Partnerships using a new Community and Voluntary Sector partnership protocol	Work has begun to map the partnerships across the organisation which is the first step in developing a new protocol fit for CVS partnerships.
11	To review consultation arrangements to allow for more creative solutions	The consultation on the corporate plan this year involved face to face engagement with a range of reflective groups through the Equality team Community Advisory Groups, in addition to the open public and staff meetings
12	Develop an 'Engaging with the community and voluntary sector' workshop for service delivery	A workshop was designed and delivered with members of the community and voluntary sector at the Networking Women in the Fire Service Development weekend event held at DSFRS SHQ last year. This is planned to be set up and delivered as an open seminar for staff later this year.

	Action	Notes/Comments
13	Develop Group level relationships with community and voluntary sector organisations representing Black, Asian and minority ethnic communities	<p>A secondment with the Plymouth and Devon Race Equality Council is underway and is achieving against its objectives to:</p> <ul style="list-style-type: none"> • Enhance engagement and foster good relations with BAME people in Plymouth and demonstrate DSFRS support for diversity • Identify opportunities to empower and train community members and support workers in Fire Safety and prevention • Advance organisational learning with regard to race relations, hate crime, race equality and community cohesion Exeter group are engaging with BME communities through extensive attendance at the 2013 Respect Festival.
14	Develop a Community Use strategy for stations	Consultation has commenced on developing the strategy to allow improved use and promotion of community stations.
15	Develop a process for involving target community and voluntary sector groups in campaign and intervention design and delivery.	A community engagement strategy is currently being drafted which will facilitate this action. Further details to follow in subsequent update when the strategy is finalised.
16	Recruit and train volunteer Fire Safety advocates including from BME communities, disabled and Deaf communities	A policy for volunteering has been developed and a pilot is to be run in Exeter Group. The pilot will be evaluated after three months to determine its future development.
17	Review our instant translation services	The instant translation service is in place for control and operational crews to be able to access the service, but there are possible improvements to be made. A meeting will be set up with control managers and response and resilience to ascertain where the current facility is accessible and is used.
18	Develop and roll out British Sign Language and Makaton emergency response flash cards	This is completed, and has been rolled out to groups, with a copy for each appliance. Early feedback indicates they are well received by crews, with further copies being requested for co-responder vehicles. There is much interest from other Services and agencies, and the licence for the images will be negotiated for perpetuity to allow us to share the cards, either as good practice at cost or as a commercial opportunity.

	Action	Notes/Comments
19	Regularly communicate equality priorities, commitments and activities to our people and local communities	<p>An overview of the Equality plan, Safer Lives, Brighter Futures has been developed and promoted across the service and into communities via events and networks. It is also used in the Equality Training for Managers classroom session as an exercise in leadership in equalities.</p> <p>Regular articles on equality topics are published in Your Shout and via Alerts and press releases.</p>
20	Establish regular use of our website for sharing good practice and the Chief Fire Officers' Association notable practice site and forums	The Equalities team use the CFOA site to share good practice and knowledge with other practitioners, for example the ERBA process we have developed but this is still to be expanded across the service and embedded.
21	Ensure key corporate publications are converted to an Easy Read format (to assist people with learning disabilities and/or limited English	Although a plain English version of the Equality plan has been developed and promoted, an easy read version has not yet been completed. An easy read fire safety leaflet is being produced.
22	Provide signposting to counselling services and support networks on website following large incidents	Discussions are underway as to the best sources of advice and support to promote through the website.
23	Maintain our Two Ticks status and promote key messages about disability and operational roles in recruitment	Our Two Ticks status is currently maintained and a recruitment code of practice has been rolled out which includes messages around positive action. The positive action toolkit also includes messages to promote a wider attraction pool for each opportunity available, including people with disabilities.
24	Implement positive action aimed at increasing the number of women in senior roles	This is being taken forward by workforce development this year, and will be developed using evidence from the Equal pay audit, WANDS feedback and a report on the progression of uniformed women in the workplace.

	Action	Notes/Comments
25	Review positive action strategy and investigate high performing Fire and Rescue Services in workforce diversity and incorporate benchmarked targets and good practice	A positive action toolkit has been developed and is in place, but as yet the strategy has not been reviewed in the light of limited recruitment. Performance will be analysed this year to determine the best use of resource in reviewing the strategy.
26	Embed positive action toolkit for retained recruitment	This has been completed and is being used for each Station recruiting. Every station now holds an open event and using the toolkit, attracts a wide range of interested people from varied backgrounds. Recruitment figures will be monitored by the next six monthly update.
27	Roll out and promote Recruitment Code of Practice to managers	This code of practice is a comprehensive guide for managers underpinned by the Equality Act 2010.
28	Develop an interview skills workshop for communities where we are recruiting and target in conjunction with positive action toolkit	This is an action brought forward from Making the Connections the 2009-2012 Equality Scheme and there is not currently sufficient recruitment to prioritise this piece of work. It is currently parked.
29	Develop a strategy for engaging local employers in retained recruitment	Currently in development
30	Investigate and report retention demographically	This is part of the Equal pay action plan and is primarily aimed at analysing whether there is any one equality group disproportionately leaving the service. A previous report in 2012 had promoted the exit interview policy, but as yet the exit interview results have not been analysed. A report will be delivered in detail in the next six monthly update.
31	Review efficacy of exit interview policy	As above
32	Develop a dyslexia policy/guidance	The Dyslexia support group and sub groups are working to integrate good practice in dyslexia friendly resources and awareness throughout the service. Guidance for managers is still to be developed.

	Action	Notes/Comments
33	Implement the Equal Pay action plan	This has been approved by SMB and is on the HRMD agenda for information.
34	Equality Risks and Benefits Analysis methodology used to review each training school offering	The Equalities team will be working with workforce development this year to develop an overarching Equality Risks & Benefits Analysis (ERBA) on training delivery, to be translated into guidance. The training team involved will undertake ERBA workshops in July and a meeting to develop an initial ERBA, which will then be consulted on with the Equality Steering Group, Staff Networks and Rep bodies.
35	To establish and maintain a community/workforce data hub for employee access	The data team has been relocated and the responsibility for this action is to be clarified. The range of information collected and published is to be reviewed. A recent example of this is the data provided to those carrying out ERBAs on the corporate plan proposals.
36	Develop data sharing protocols with key agencies and voluntary sector to enable more targeting of those at risk	This forms part of the information governance project. A comprehensive update will be provided at the next six monthly review.
37	Review Employment data collected to address any gaps	Data is being requested from the performance team to ensure a comprehensive range of information is published.
38	Standardise equality monitoring collection	This has been standardised for Staff survey and equality monitoring forms used in the application process.
39	Re-run diversity monitoring for all staff	A new HR Self Service portal will allow us to re-run diversity monitoring in stages later this year.
40	Develop electronic process for collecting diversity monitoring	This has been developed and a new 'self-service' system will be launched in stages this year to allow employees to update personal details.

3. **RECOMMENDATION**

3.1 That the report be noted.

JANE SHERLOCK

Director of People and Commercial Services



DEVON & SOMERSET FIRE & RESCUE AUTHORITY

REPORT REFERENCE NO.	HRMDC/13/3
MEETING	HUMAN RESOURCES MANAGEMENT & DEVELOPMENT COMMITTEE
DATE OF MEETING	26 JULY 2013
SUBJECT OF REPORT	EQUAL PAY AUDIT
LEAD OFFICER	Director of People and Commercial Services
RECOMMENDATIONS	<i>That the report be noted.</i>
EXECUTIVE SUMMARY	<p>The Equality Act 2010 affords women (and men) a right to equal pay for equal work. This replaced previous legislation, including the Equal Pay Act 1970 and the Sex Discrimination Act 1975, and the equality provisions in the Pensions Act 1995. The Equality Act's provisions on equal pay and sex discrimination are intended to ensure that where women and men in the same organisation are doing equal work, they should receive the same rewards for it.</p> <p>The Equality Act created a new Public Sector Equality Duty, which states that we should give due regard to eliminating discrimination, advancing equality of opportunity and fostering good relations between people. We also have responsibilities to publish information annually to show how we are complying with this duty and to publish equality objectives at least every four years.</p> <p>A woman carrying out equal work in the same employment as a man (and <i>vice versa</i>) is entitled to equality in pay and other contractual terms, unless the employer can show that there is a material reason for the difference which does not discriminate on the basis of his or her sex.</p> <p>Pay is one of the key factors affecting motivation and relationships at work. It is therefore important to develop pay arrangements that are right for the organisation and that reward employees fairly. Although conducting an equal pay audit is not mandatory, it demonstrates that appropriate action is being taken to identify and eliminate gender pay discrimination and as such it is best practice to undertake the audit.</p>

	<p>Within the Service, we consider that men and women are paid equally for the work they do under the two nationally approved (and union agreed) systems and so the emphasis of the audit has been on an analysis of the number of people in various categories who are in particular salary grades.</p> <p>From the audit, DSFRS has developed an action plan to address a number of issues including the lack of numbers of women in uniformed roles and, particularly in senior roles within the Service.</p> <p>The Audit is attached to this report as an Appendix for reference.</p>
RESOURCE IMPLICATIONS	
EQUALITY RISK & BENEFITS ASSESSMENT	The report forms part of our work on Equalities reporting and action plans.
APPENDICES	A. Equal Pay Audit as at 31 March 2013
LIST OF BACKGROUND PAPERS	None



**DEVON &
SOMERSET**
FIRE & RESCUE SERVICE

APPENDIX A TO REPORT HRMDC/13/3

Equal Pay Audit

As at 31 March 2013

HR Services Department

Devon & Somerset
Fire & Rescue Service

May 2013

DSFRS Equal Pay Audit

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DSFRS Equal Pay Audit

Introduction

The Equality Act 2010 (the Act) affords women (and men) a right to equal pay for equal work ('like' work or work of 'equal value'). This replaced previous legislation, including the Equal Pay Act 1970 and the Sex Discrimination Act 1975, and the equality provisions in the Pensions Act 1995.

The full-time gender pay gap has narrowed nationally since 1975 when equal pay legislation first came into force but there remains a gap of over 16%, between men's and women's pay. (The figure quoted is the mean gender pay gap between full-time employees' earnings in the UK, based on the Office for National Statistics (ONS) Annual Survey of Hours and Earnings 2009.)

The Equality Act's provisions on equal pay and sex discrimination are intended to ensure that pay and other employment terms are determined without sex discrimination or bias.

A woman carrying out equal work in the same employment as a man (and *vice versa*) is entitled to equality in pay, unless the employer can show that there is a material reason for the difference which does not discriminate because of his or her sex. The equal pay provisions in the Act also apply to all contractual terms that are directly or indirectly related to remuneration. This would include, for instance, holiday entitlement.

Equal Pay Audits

The benefits to an organisation of carrying out an equal pay audit include:

- identifying, explaining and, where unjustifiable, eliminating pay inequalities;
- having rational, fair and transparent pay arrangements;
- demonstrating to employees and to potential employees a commitment to equality; and
- demonstrating the organisation's values to those with whom it does business.

Background

Both in the Fire and Rescue Service nationally and in Devon and Somerset Fire and Rescue Service (DSFRS), various schemes of pay and conditions apply. For uniformed employees, 'Gold Book' (for the most senior officers) and 'Grey Book' conditions apply. For support employees, 'Green Book' conditions apply. These are nationally agreed schemes of conditions of service. Support roles within DSFRS are evaluated using the Greater London Provincial Council Job Evaluation Scheme 2000 which was specifically designed for local authorities. Grey book posts are classified according to national role maps in line with guidance contained in various circulars published by the Local Government Authority.

Within DSFRS, there are many more men than women in the uniformed service (other than in 'Control'), and particularly at senior levels. This can be partly explained by the long history and development of the Fire and Rescue service. As a result of the Air Raid Precautions Act 1937, all fire brigades in existence were required to recruit volunteers (men and women) to become part of the Home Office funded Auxiliary Fire Service (AFS). 1941 saw the creation of the National Fire Service (NFS): then following the war, in 1948, the NFS ceased to exist, fire brigades were handed back to Local Authority control as 'Fire Authorities', and the women in the service went back to domestic life and traditional 1940's female roles. From the 1990s onwards, efforts have been made to recruit more women into the Service through positive action, but numbers of women in the operational Service are still very low, the average being 4% nationally. Consequently women have had less time to progress in any number, and there is still much to do to dispel the stereotypes around the roles and its requirements. In the absence of national support, the DSFRS positive action strategy is to be reviewed to include recruitment, selection, retention and progression.

This equal pay report reveals that the low numbers of women in the operational service contributes to an imbalance in favour of men of 15% if full-time equivalent salaries are computed (ie if part-time salaries are "scaled up" to full time).

If actual salary received is used, the gap is currently 14% in favour of women. This is due to the high proportion of men working part time on the Retained Duty System – who receive a relatively high hourly rate but work a relatively small number of hours per week. Since, this figure depends on the number of hours individual people work and various allowances (such as the Flexi duty allowance and various on-call allowances), it is, consequently, difficult to draw meaningful comparisons.

We are confident that men and women are paid equally for the work they do under the two nationally approved (and union agreed) systems. Consequently, the emphasis in this audit is on an analysis of the number of people in various categories who are in particular salary grades.

A woman (or man) can claim equal pay and other remuneration related contract terms with a male (or female) comparator for doing work that is:



- the same or broadly similar, provided that where there are any differences in the work these are not of practical importance (known as '**like work**');
- different, but which is rated under the same job evaluation scheme as being work of equal value (known as '**work rated as equivalent**');
- different, but of equal value in terms of factors such as effort, skill and decision-making (known as '**work of equal value**').

If there are differences of practical importance in the work actually performed then roles are not considered to involve "like work" or of "equal value". Differences such as additional duties, level of responsibility, skills, the time at which work is done, qualifications, training and physical effort could all be of practical importance. A contractual obligation on a man (or a woman) to perform additional duties is not sufficient: it is what happens in practice that counts. The employer would have to provide objective justification for any discrepancy, ie it would need to prove that the difference relates to a 'proportionate means to achieve a legitimate end' which is not related to sex.

The nationally recognised job evaluation scheme for Green Book employees and national role-maps for Grey Book employees can be said to provide assurance within the pay scales, ie men and women are paid equally for the work they do within the scales and within national conditions of service. However, the two schemes are completely different in nature and it is not possible to make meaningful comparisons between them.

The key issues identified in this audit are essentially the same as in the previous audit in 2011. These are:

- women are under-represented in senior operational roles;
- women are under-represented in uniformed roles other than in 'Control';
- the majority of support posts in grades 1-3 are women;
- there is a low level of LGB employees' self-identification in the Service;
- a substantial number of employees have preferred not to state their ethnicity and/or sexuality.

DSFRS has developed an action plan to address a number of issues including the lack of numbers of women in uniformed roles and, particularly in senior roles in the service. This is attached as an appendix.

Guidance on the Equal Rights Act may be found [here](#) and [here](#).

Summary of findings (see tables 1 and 2)

Please note that all percentages in this analysis are rounded to the nearest 1%.

On average within the Service, men are paid 14% more than women when Full Time Equivalent (FTE) salaries are taken into account.

This is a reflection of the historically overwhelmingly male workforce and larger number of senior posts on the operational side. Also, because of the operational commitment, 'uniformed' employees are generally paid more than Support ('non-uniformed') employees in otherwise similar posts.

There are very few employees categorising themselves as being in ethnic minorities, but the number of people preferring not to state their nationalities is substantial. Given the small numbers, there is no evidence of bias against ethnic minorities.

Similarly, the number of people in sexuality categories other than heterosexual is so small as to make any statistical analysis meaningless – particularly since there are large numbers preferring not to state their sexualities.

Table 1 - Total Salaries by category

These figures are based on actual earnings (other than overtime) so part time salaries, including those on the Retained Duty System ('Retained') will, by definition, be lower than full-time. This also includes allowances (such as the 20% allowance paid to officers on the Flexible Duty System).

Table 1		All		Part-time		Disability		Non-White-British		Ethnicity Not Stated	
Total salaries		Number	Average Salary	Number	Average Salary	Number	Average Salary	Number	Average Salary	Number	Average Salary
Wholetime	Male	693	33230	42	16636	14	37800	11	37980	53	31960
Control	Male	9	31501	0		2	32030	0		0	
Support	Male	149	26407	14	12308	6	27407	1	29236	16	25240
Retained	Male	1165	6786	338	5170	17	7717	7	5418	46	6661
Wholetime	Female	23	30826	2	23272	1	53037	0		2	21749
Control	Female	37	28211	4	13658	1	29997	1	27575	0	
Support	Female	154	20269	54	12618	5	29805	5	20803	19	17363
Retained	Female	35	6076	12	4660	0		0		0	
		2265									
Wholetime	All	716	33153	44	16938	15	38816	11	37980	55	31589
Control	All	46	28855	4	13658	3	31352	1	27575	0	
Support	All	303	23288	68	12554	11	28497	6	22208	35	20964
Retained	All	1200	6766	350	5153	17	7717	7	5418	46	6661
All	Male	2016	17437	394	6646	39	22792	19	25524	115	20905
All	Female	249	20429	72	11645	7	33151	6	21931	21	17780

Note: "Retained" refers to 'on-call' employees on the Retained Duty System

Table 2 - FTE salaries by category

These figures are based on full time equivalent salaries so part time salaries will, by definition, be comparable to full-time and allowances are not included.

Table 2		All		Part-time		Disability		Non-White-British		Ethnicity Not Stated	
FTE salaries		Number	Average Salary	Number	Average Salary	Number	Average Salary	Number	Average Salary	Number	Average Salary
Wholetime	Male	693	32858	42	31804	14	35831	11	34699	53	31496
Control	Male	9	30530	0		2	31771	0		0	
Support	Male	149	27560	14	21125	6	27407	1	29236	16	28478
Retained	Male	1165	28402	338	28091	17	29410	7	25687	46	27076
Wholetime	Female	23	31040	2	33156	1	46892	0		2	28481
Control	Female	37	29305	4	27057	1	29997	1	27057	0	
Support	Female	154	23735	54	21256	5	35505	5	24036	19	19942
Retained	Female	35	27502	12	26146	0		0		0	
		2265									
Wholetime	All	716	32800	44	31866	15	36569	11	34699	55	31386
Control	All	46	29545	4	27057	3	31180	1	27057	0	
Support	All	303	25616	68	21229	11	31087	6	24903	35	23844
Retained	All	1200	28376	350	28024	17	29410	7	25687	46	27076
All	Male	2016	29881	394	28239	39	31528	19	31091	115	29308
All	Female	249	25767	72	22724	7	36345	6	24540	21	20755

Note: "Retained" refers to 'on-call' employees on the Retained Duty System



Wholetime (see table 3)

There are fewer women than men at every level above Firefighter, compared to the overall ratio of women to men in this category (i.e. 14 of the 23 Wholetime women are at Firefighter level). In addition, there are only 23 women, compared to 693 men across all the levels. The last wholetime recruitment campaign in 2009 was underpinned by a positive action message aimed at women, and resulted in 2 women recruits in a cohort of 24, or 12%. There has been little opportunity to increase the number of women in the Wholetime workforce since then, other than from the existing retained workforce into Fixed Term contract posts.

Table 3 - Wholetime grades by gender

Table 3										
Wholetime Grades		Number	% of total	% of grade	% of gender		Number	% of total	% of grade ^{*2}	% of gender
CFO	Male	1	0%	100%	0%	Female	0	0%	0%	0%
DCFO	Male	1	0%	100%	0%	Female	0	0%	0%	0%
ACFO	Male	2	0%	100%	0%	Female	0	0%	0%	0%
AM	Male	9	0%	100%	1%	Female	0	0%	0%	0%
GM	Male	38	2%	97%	5%	Female	1	0%	3%	4%
SM	Male	65	3%	98%	9%	Female	1	0%	2%	4%
WM	Male	124	5%	98%	18%	Female	3	0%	2%	13%
CM	Male	103	5%	96%	15%	Female	4	0%	4%	17%
FF	Male	350	15%	96%	51%	Female	14	1%	4%	61%
Total	Male	693	31%	97%	100%	Female	23	1%	3%	100%

^{*1} uniformed members of the Senior Management Board

^{*2} percentage of gender within grade



Retained Duty System (Retained or 'on-call' firefighters) (see table 4)

In some ways, the situation here is similar to that of the wholetime category. The most senior category open to employees on the Retained Duty System is that of Station Manager. Of the 1165 male members of the Retained Duty System, 9% (107) are Watch Managers, 16% (183) are Crew Managers and 75% (875) are Firefighters. There are no female Watch Managers and only three female Crew Managers (equivalent to 9% of the women on the Retained Duty System) – though this has increased from 1 person (2%) in 2011. This leaves 32 (91%) as Firefighters. The Retained Duty System provides the clearest opportunity to recruit more women into the operational service and a positive action toolkit has been embedded into the retained recruitment process.

Table 4 - Retained Duty System (RDS) grades by gender

Table 4										
Retained Grades		Number	% of total	% of grade	% of gender		Number	% of total	% of grade ^{*2}	% of gender
CFO	Male	0	0%	0%	0%	Female	0	0%	0%	0%
DCFO	Male	0	0%	0%	0%	Female	0	0%	0%	0%
ACFO	Male	0	0%	0%	0%	Female	0	0%	0%	0%
AM	Male	0	0%	0%	0%	Female	0	0%	0%	0%
GM	Male	0	0%	0%	0%	Female	0	0%	0%	0%
SM	Male	0	0%	0%	0%	Female	0	0%	0%	0%
WM	Male	107	5%	100%	9%	Female	0	0%	0%	0%
CM	Male	183	8%	98%	16%	Female	3	0%	2%	9%
FF	Male	875	39%	96%	75%	Female	32	1%	4%	91%
Total	Male	1165	51%	97%	100%	Female	35	2%	3%	100%

^{*2} percentage of gender within grade



Control (see table 5)

The ratio of women to men in control is approximately four to one (decreasing from 5:1 in 2011). There is one Group Manager in Control who is a woman. However, there are fewer women than men at the other three 'officer' grades ie at Station Manager, Watch Manager and Crew Manager, compared to the overall ratio of women to men in Control.

Table 5 - Control grades by gender

Table 5										
Control Grades		Number	% of total	% of grade	% of gender		Number	% of total	% of grade ^{*2}	% of gender
CFO	Male	0	0%	0%	0%	Female	0	0%	0%	0%
DCFO	Male	0	0%	0%	0%	Female	0	0%	0%	0%
ACFO	Male	0	0%	0%	0%	Female	0	0%	0%	0%
AM	Male	0	0%	0%	0%	Female	0	0%	0%	0%
GM	Male	0	0%	0%	0%	Female	1	0%	0%	3%
SM	Male	1	0%	33%	11%	Female	2	0%	67%	5%
WM	Male	3	0%	33%	33%	Female	6	0%	67%	16%
CM	Male	3	0%	27%	33%	Female	8	0%	73%	22%
FF	Male	2	0%	9%	22%	Female	20	1%	91%	54%
Total	Male	9	0%	20%	100%	Female	37	2%	80%	100%

^{*2} percentage of gender within grade

Support (“non-uniformed”) (see table 6)

Overall the numbers of men and women in this category are very similar. Most grade 1 employees are women. These women are all cleaners and although there are a total of 15 cleaners (including 3 men) they all work a very small number of hours together making the equivalent of less than 2 full time posts. There are very many more women than men in grade 2 and 3 posts – most of the women being in clerical or administrative posts and the men in caretaking or technician roles. There are significantly more men than women at grades 4, 5, 7 and 8 – though the total numbers at the more senior grades (9, 10 and 11) are similar.

There are rather more women than men at grade 6 which includes both senior administration and junior management. There is no obvious explanation for this.

Table 6 - Support grades by gender

Table 6										
Support Grades		Number	% of total	% of grade	% of gender		Number	% of total	% of grade ^{*2}	% of gender
SMT	Male	2	0%	67%	1%	Female	1	0%	33%	1%
Grade 11	Male	3	0%	75%	2%	Female	1	0%	25%	1%
Grade 10	Male	4	0%	57%	3%	Female	3	0%	43%	2%
Grade 9	Male	5	0%	42%	3%	Female	7	0%	58%	5%
Grade 8/9	Male	1	0%	100%	1%	Female	0	0%	0%	0%
Grade 8	Male	6	0%	75%	4%	Female	2	0%	25%	1%
Grade 7	Male	22	1%	61%	15%	Female	14	1%	39%	9%
Grade 5/7	Male	0	0%	0%	0%	Female	1	0%	100%	1%
Grade 3/7	Male	10	0%	83%	7%	Female	2	0%	17%	1%
Grade 6	Male	7	0%	30%	5%	Female	16	1%	70%	10%
Grade 5	Male	28	1%	62%	19%	Female	17	1%	38%	11%
Grade 4/5	Male	1	0%	100%	1%	Female	0	0%	0%	0%
Grade 4	Male	38	2%	69%	26%	Female	17	1%	31%	11%
Grade 2/4	Male	1	0%	100%	1%	Female	0	0%	0%	0%
Grade 3	Male	12	1%	31%	8%	Female	27	1%	69%	18%
Grade 2	Male	6	0%	15%	4%	Female	34	2%	85%	22%
Grade 1	Male	3	0%	20%	2%	Female	12	1%	80%	8%
Total	Male	149	7%	49%	100%	Female	154	7%	51%	100%

*1 non-uniformed members of the Senior Management Board

*2 percentage of gender within grade

Ethnicity (see table 8), disability and part-time employees (see tables 1 and 2), and sexuality (see table 7)

The number of those declaring themselves as of black and minority ethnic origin (18 including 11 'white-other') is low and not reflective of the working age population average across Devon and Somerset. However, a substantial number of employees (136) have not stated their ethnicity and, consequently, it is difficult to draw any conclusion from this. Equality monitoring is currently undertaken on recruitment and periodically thereafter. An update exercise is due in 2013.

Similarly, the number of people in sexuality categories other than heterosexual is so small as to make any statistical analysis meaningless – particularly since there are large numbers preferring not to state their sexualities.

The number of employees with disabilities is also relatively small. As the majority of the workforce consists of operational firefighters, the level of disability is likely to be lower than the population as a whole and whilst having a disability is not necessarily a barrier to operational fire-fighting, some types of disability would lead to unsuitability for this type of work. However, the service has attained the "Two Ticks", positive about disabled people accreditation and an objective in the Equality Plan 2012-16 is to promote key messages about disability and operational fire-fighting in recruitment.

The average salary for people with disabilities is consistently higher than those without a declared disability, in all areas of the Service, with the exception of the Retained Duty System. This could be taken to indicate that the Service has been successful in retaining disabled people in roles by making 'reasonable' adjustments – though there are other ways of explaining these figures.

Table 7 Sexuality

Table 7						
Sexuality		Heterosexual	Gay/Lesbian	Bisexual	Not Stated	Total
Wholetime	Male	453	0	1	239	693
Control	Male	6	1	0	2	9
Support	Male	95	1	0	53	149
Retained	Male	850	3	2	310	1165
Wholetime	Female	17	1	0	5	23
Control	Female	29	0	0	8	37
Support	Female	102	1	0	51	154
Retained	Female	22	3	0	10	35
Total		1574	10	3	678	2265

Table 8 Ethnicity

Table 8										
Ethnicity		Chinese	Mixed - White/Asian	Mixed - White/ Black Caribbean	Mixed - Other	White - British	White - Irish	White - Other	Not Stated	Total
Wholetime	Male	1	1	2	0	629	3	4	53	693
Control	Male	0	0	0	0	9	0	0	0	9
Support	Male	0	0	0	0	132	1	0	16	149
Retained	Male	1	1	0	0	1112	1	4	46	1165
Wholetime	Female	0	0	0	0	21	0	0	2	23
Control	Female	0	0	0	1	36	0	0	0	37
Support	Female	0	0	0	0	130	2	3	19	154
Retained	Female	0	0	0	0	35	0	0	0	35
Total		2	2	2	1	2104	7	11	136	2265

Note: "Retained" refers to 'on-call' employees on the Retained Duty System

Appendix

Action plan

To address the key issues identified in this audit, namely:

The key issues identified in this audit are essentially the same as in the previous audit in 2011. These are:

- women are under-represented in senior operational roles;
- women are under-represented in uniformed roles other than in 'Control';
- the majority of support posts in grades 1-3 are women;
- there is a low level of LGB employees' self-identification in the Service;

DSFRS has developed an action plan to address a number of issues including the lack of numbers of women in uniformed roles and, particularly in senior roles in the service.

Desired outcome	Action	How it will be measured	Who is responsible	When it will be completed
Increased number of women in Senior uniformed roles	Develop positive action progression strategy for women in uniformed roles	More women applying for ADC More women recruited into senior uniformed posts	HR/Training and Development	2014

More women in uniformed roles	<ul style="list-style-type: none"> Review the Positive action strategy Evaluate the positive action toolkit in the retained recruitment process 	<p>Revised strategy in place and toolkit embedded and evaluated.</p> <p>More women attracted and recruited into retained roles</p>	HR/CWE	Equality Plan action 2014
Ensure women are not disadvantaged in any Wholtime permanent or FTC recruitment	Carry out Equality Risks and Benefits Analysis on appointment criteria for Wholtime posts	Thorough consideration of criteria against ERBA principles	HR	Ongoing
To examine and eliminate any barriers to progression women in grades 1-3	Examine development opportunities offered and feedback at grades 1-3 PPD	<p>No barriers to progression identified</p> <p>Satisfactory development opportunities offered to men and women in grades 1-3</p>	Training and Development	2014
Increase the percentage of Ethnic minorities to reflect the working age population in the community	<ul style="list-style-type: none"> Review the Positive action strategy Embed the positive action toolkit in the retained recruitment process 	<p>Revised strategy in place and toolkit embedded and used.</p> <p>More ethnic minorities attracted and recruited into retained roles</p>	HR/CWE	2012/13 Equality Plan Action

Exit interviews /feedback forms reveal detailed reasons for leaving	Analyse the exit interview feedback	Improved information about reasons for leaving captured and analysed	HR	April 2014
Family leave and flexible working policies are robust and assist in the attraction and progression of women	Review family leave and flexible working provision	Attraction/ recruitment/ progression rates How many women return to work How many women progress after maternity /adoption leave Feedback on flexible working policy	HR	April 2014
Women staff, as a minority are informed and encouraged to fulfil their own potential	Continue to support the WANDS network, NWFS membership and development days	WANDS network supported and evaluated development days held	CWE	Equality Plan action 2013 and ongoing
Increased identification of LGB staff identified	Complete the Stonewall Diversity champions action plan	Remain in the Top 100 Stonewall employer's list and improve ranking in Top 100 by 2014	CWE	Equality Plan action 2013 and ongoing