

**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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Your ref :

Our ref : SS/SY/HRMDC/June 2015

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HUMAN RESOURCES MANAGEMENT AND DEVELOPMENT COMMITTEE

(Devon and Somerset Fire and Rescue Authority)

Thursday 11 June 2015

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

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 26 November 2014 attached (Page 4).
4. **Items Requiring Urgent Attention**

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

PART 1 – OPEN COMMITTEE

5. **Election of Vice Chair**
6. **Equality Strategy: 'Safer Lives, Brighter Futures' Monitoring Report**

Report of the Director of Operations (HRMDC/15/1) attached (page 8).

7. Retirement and Re-Employment

Report of the Director of People and Commercial Services (HRMDC/15/2) attached (page 22).

8. Pensions Discretions

Report of the Director of People and Commercial Services (HRMDC/15/3) attached (page 26).

9. Appointments to the Internal Disputes Resolution Panel

Report of the Director of People and Commercial Services (HRMDC/15/4) attached (page 28).

10. Absence Management

Oral update by the Director of People and Commercial Services at the meeting.

MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

Membership:-

Councillors Bown, Burrige-Clayton, Chugg, Horsfall, Knight, Wheeler (vacancy – Torbay).

NOTES	
1.	<p><u>Access to Information</u> 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>
2.	<p><u>Reporting of Meetings</u> Any person attending a meeting may report (film, photograph or make an audio recording) on any part of the meeting which is open to the public – unless there is good reason not to do so, as directed by the Chairman - and use any communication method, including the internet and social media (Facebook, Twitter etc.), to publish, post or otherwise share the report. The Authority accepts no liability for the content or accuracy of any such report, which should not be construed as representing the official, Authority record of the meeting. Similarly, any views expressed in such reports should not be interpreted as representing the views of the Authority. Flash photography is not permitted and any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairman or the Democratic Services Officer in attendance so that all those present may be made aware that is happening.</p>
3.	<p><u>Disclosable Pecuniary Interests (Authority Members only)</u> 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>
4.	<p><u>Part 2 Reports</u> Members are reminded that any Part 2 reports as circulated with the agenda for this meeting contain exempt information and should therefore be treated accordingly. They should not be disclosed or passed on to any other person(s). Members are also reminded of the need to dispose of such reports carefully and are therefore invited to return them to the Committee Secretary at the conclusion of the meeting for disposal.</p>
5.	<p><u>Substitute Members (Committee Meetings only)</u> 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>

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

26 November 2014

Present:-

Councillors Bown (Chair), Brooksbank, Horsfall, Knight and Smith.

Apologies:-

Received from Councillor Chugg.

***HRMDC/15. Minutes**

RESOLVED that the Minutes of the meeting held on 19 September 2014 be signed as a correct record.

***HRMDC/16. National Joint Council for Local Government Services 2014-16 Pay Settlement –Non- Consolidated Payments**

(An item taken in accordance with Section 100B(4)(b) of the Local Government Act 1972).

The Chairman decided that this item should be taken as an urgent matter to enable the Committee to make a decision at the earliest opportunity and should this be favourable for the staff concerned, to facilitate meeting the pay deadline for December 2014.

The Committee considered a report of the Chief Fire Officer (as circulated at the meeting) that advised upon the recently agreed 2014-16 pay settlement of 2.2% for staff conditioned to the National Joint Council for Local Government Services (the "Green Book") terms and conditions of employment.

It was noted that, in addition to the 2.2% cost of living increase applicable to all spinal column points, the award also featured one-off consolidated payments which, by virtue of the settlement, had only been applied to spinal column points 5 to 49 inclusive. The pay scales operated by Devon and Somerset Fire and Rescue Authority for Green Book staff extended to spinal column point 61, however, and the Committee was asked to consider an extension of the one-off non-consolidated payments on a local agreement to incorporate the 24 staff affected, subject to a cap of £200 on each of these payments.

In response to a question, the Clerk advised that the non-consolidated payments had been awarded as the pay award had been instigated for a two year period with effect from 1 January 2015 (and not 1 April 2014 as would normally have been the case) with no backdating. The payments were to be made in two stages – a flat rate of £100 payable in December 2014 and a further payment due according to the spinal column point in April 2015. The Committee considered the position carefully in the light of the current economic climate and felt that the consolidated payments should be awarded to the additional 24 staff but that this should not be at a higher amount payable to the majority of staff on spinal column points 5 to 49. With this in mind, Councillor Knight **MOVED** (and was seconded by Councillor Brooksbank):

“that approval be given to extending, locally, the one off non-consolidated payments approved as part of the National Joint Council for Local Government Services (“the Green Book”) 2014-16 pay settlement to Service staff on spinal column points 50 to 61 conditioned to the Green Book, subject to these payments being capped at a maximum of £150.00, with £100 payable in December 2014 and £50 payable in April 2015.

This was **CARRIED** unanimously, whereupon it was:

RESOLVED that approval be given to extending, locally, the one off non-consolidated payments approved as part of the National Joint Council for Local Government Services (“the Green Book”) 2014-16 pay settlement to Service staff on spinal column points 50 to 61 conditioned to the Green Book, subject to these payments being capped at a maximum of £150.00, with £100 payable in December 2014 and £50 payable in April 2015.

***HRMDC/17. Absence Management and Health of the Organisation**

The Committee received for information a report of the Director of People and Commercial Services (HRMDC/14/12) that updated the Committee in respect of the level of sickness absence within the organisation as compared with the target set, which was to achieve year-on-year improvements in performance.

The Director of People and Commercial Services reported that between April and September 2014, service employees had taken 4.6 days sickness absence which represented a 33.3% increase on the same period in 2013/14. The statistics for August and September 2014 showed lower sickness levels than the previous four months but these were still higher than in the same period in 2013/14. This was attributable largely to increases in sickness, particularly within Fire Control which had seen an overall increase of 77.2%. There had also been an increase in the sickness rate for support staff of 33.8% which was compounded by an increase in long term sickness of 62.2%. Short term sickness rates overall had decreased, however, by 10.4%.

Reference was made to the reasons behind the increase which it was felt may be partly as a result of the introduction of the new electronic sickness absence reporting portal from 1 April 2014. This may have skewed the statistics in terms of the number of days that were recorded as absence and an audit was being undertaken to check the validity of the information recorded initially. Work was also being undertaken on long term sickness absence additionally as this may also have contributed to the increase overall. The Director of People and Commercial Services added that one of the difficulties with the new system was that staff did not always wish to release the nature of their illness, particularly if it related to very personal conditions, so this information was not recorded which caused difficulties when collating the statistics.

A discussion ensued in respect of the sickness absence portal and the reasons for the increase in the absence level. The Committee expressed the view that the sickness absence portal should be amended to avoid the issues that had occurred. Additionally, it was felt that staff should report the nature of their absence at all times and if this was not to their Line Manager, then a facility should be introduced for this to be via a second line manager so the information was collected. The Clerk advised that the issues in respect of the sickness absence portal were being investigated but, depending on the outcome, this could be fixed fairly quickly. If it involved software development, however, this may take a lot longer in view of the development timescales.

***HRMDC/18. Exclusion of the Press and Public**

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

For item 6:

- paragraph 1 - information relating to any individual;
- paragraph 2 – information which is likely to reveal the identity of an individual;
- paragraph 3 - information relating to the financial or business affairs of the Authority and other companies;
- paragraph 4 – information relating to any consultations or negotiations or contemplated consultations or negotiations in connection with any labour relations matter arising between the Authority and its employees.

For item 7:

- paragraph 4 – information relating to any consultations or negotiations or contemplated consultations or negotiations in connection with any labour relations matter arising between the Authority and its employees.

***HRMDC/19. Employee Relations Issues - Further Considerations**

(An item considered in accordance with Section 100(A) of the Local Government Act 1972 during which the press and public were excluded from the meeting).

The Committee considered a report of the Director of People and Commercial Services (HRMDC/14/13) that set out details of a request from the Fire Brigades' Union for full time release of an employee for regional trade union duties.

RESOLVED that the recommendations as set out within report HRMDC/14/13 be approved.

***HRMDC/20. Consultation on Amendments to the Fire & Rescue National Framework – Firefighter Fitness Standards and Assessment**

(An item considered in accordance with Section 100(A) of the Local Government Act 1972 during which the press and public were excluded from the meeting).

The Committee considered a report of the Director of People and Commercial Services (HRMDC/14/14) that set out details of a consultation document that had been issued by the Department for Communities and Local Government (DCLG) on a proposed amendment to the Fire & Rescue National Framework addressing fitness standards and assessments for firefighters.

The Director of People and Commercial Services gave an overview of the Service's position in respect of the proposals within the consultation at the meeting for the Committee to consider.

RESOLVED that the Director of People and Commercial Services be authorised to draft a response based on the views expressed by the Committee for submission to the DCLG by the deadline of 9 December 2014.

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

The meeting started at 14:00hours and finished at 15:40hours.

REPORT REFERENCE NO.	HRMDC/15/1
MEETING	HUMAN RESOURCES MANAGEMENT & DEVELOPMENT
DATE OF MEETING	11 JUNE 2015
SUBJECT OF REPORT	EQUALITY STRATEGY – ‘SAFER LIVES, BRIGHTER FUTURES’ MONITORING REPORT
LEAD OFFICER	Director of Operations
RECOMMENDATIONS	<p><i>(a) That the decision not to undertake the planned peer assessment against the Excellent level of the Equality Framework in 2015/16 be approved; and</i></p> <p><i>(b) Subject to (a) above, the report be noted.</i></p>
EXECUTIVE SUMMARY	<p>Implementation of the Equality – “Strategy, Safer Lives, Brighter Futures” 2012-2016 helps to ensure that the Service is meeting its legal duties under the Equality Act 2010 and Public Sector Equality Duty. The Equality Strategy is regularly monitored by the corporate Equality Steering Group.</p> <p>Highlights since the last report include; work to improve gender diversity, embed the new core values and behavioural framework, and the Service is again a national Stonewall top 100 employer for the third consecutive year. Whilst the Service continues to use the FRS Equality framework as a guide for good practice in considering the different needs of people in all the Service’s work, as supported by CFOA, a decision has been taken by the Executive Board not to proceed with the resource intensive peer assessment against the Excellent level of the framework in this financial year.</p>
RESOURCE IMPLICATIONS	No additional resource implications
EQUALITY RISKS AND BENEFITS ANALYSIS (ERBA)	There is no requirement to carry out an ERBA on this report.
APPENDICES	Improving gender diversity – positive action plan
LIST OF BACKGROUND PAPERS	Equality Strategy 2012-2016 ‘Brighter Lives, Safer Futures’

1. **INTRODUCTION**

- 1.1 The Equality Act 2010 provides legal protections for people based on their 'protected characteristics' which are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.
- 1.2 The Act also created a new Public Sector Equality Duty which, in relation to the protected characteristics, requires the Service to give due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity and foster good relations between people.
- 1.3 The Service's Equality Strategy 2012-2016 – "Safer Lives, Brighter Futures", sets out the objectives and action plan that assist it in meeting the requirements of the Public Sector Equality Duty.
- 1.4 The Equality Strategy is regularly monitored by the cross-functional Equality Steering Group which has a membership of fifteen employees and includes the representative bodies and a member of the Fire Pride (lesbian, gay, bisexual and transgender) network and WANDS (Women's Action Network). The group is now chaired by Area Manager Chris Blackburn, a member of the Service Leadership Team and the Service's Equality Champion.
- 1.5 This report provides an update on the following areas of the Equality Strategy:
- Peer assessment against the Excellent level of the Equality Framework
 - The Stonewall equality index
 - A plan for improved gender diversity
 - Core Values
 - Dyslexia awareness
 - Secondment to the Race Equality Council
 - Planned work for 2015/16

2. **PEER ASSESSMENT AGAINST THE 'EXCELLENT' LEVEL OF THE EQUALITY FRAMEWORK**

- 2.1 In addition to assisting the Service in meeting the Public Sector equality duty and improving inclusion in working practices and the delivery of services, the equality strategy also assists us in working towards achieving the 'Excellent' level of the national Fire & Rescue Service (FRS) Equality Framework, (the Service attained the 'Achieving' level following a peer assessment in 2011). The framework provides a way of measuring and evidencing both good practice and a thorough consideration of the different needs of people in the Service's work.
- 2.2 Whilst the Service continues to use the FRS Equality framework as a guide for sound practice in diversity, equality and inclusion, as supported by the Chief Fire Officer's Association, (CFOA), following careful consideration the Executive Board recommends that the Service does not proceed with the previously planned, resource intensive, peer assessment against the Excellent level of the framework in this financial year.

- 2.3 It is felt that, at this time, employee time used to collect, assess and present evidence against the framework can be better deployed into priority areas aimed at both practical work to improve inclusion and in supporting our key priorities. The work towards fulfilling the 'Safer lives, brighter futures' strategy will continue and the framework will still be used to ensure the Service's progress in equality, diversity and inclusion continues. The Equality Steering Group and the Executive Board will review this decision at the end of this financial year and a peer assessment will be considered at another point in the future.

3. STONEWALL EQUALITY INDEX – TOP 100 EMPLOYER

- 3.1 The Service was successful again in the Stonewall top 100 employer's index this year, despite a change in criteria and standards. This is a significant achievement to be a top 100 employer over three consecutive years, competing with nearly 400 public and private organisations.
- 3.2 The result is based on the evidence submitted about the Service's gay-friendly policies and procedures, equality training for employees, development of new core values, regular internal and external communications on relevant issues and the important role played by Fire Pride, the service's lesbian, gay and bisexual (LGB) network. Fire Pride can provide support and confidential advice for LGB employees, as well as raising awareness of the need for a diverse, inclusive and friendly work place culture for all.
- 3.3 The Executive Board supports the Service's position as Stonewall Diversity Champions and inclusion in the annual index. The index provides a comprehensive measure of how inclusive the service culture, policies and support is for lesbian, gay and bisexual employees, and consequently our general workplace diversity performance. The Service is at position 85 and there are only three other Fire and Rescue Services in the index.
- 3.4 The Service will be demonstrating its support for lesbian, gay bisexual and transsexual colleagues and communities at the Exeter pride event on Saturday 16 May 2015. Members and Officers will be receiving invitations to join the parade from Fire Pride.

4. IMPROVING GENDER DIVERSITY - POSITIVE ACTION PLAN

- 4.1 A diverse, more representative workforce can bring many benefits in terms of better services, more satisfied, engaged employees and a positive workplace culture. To achieve this, the Service needs to take action to increase the representation of women, particularly in operational roles at all levels.
- 4.2 Largely due to low levels of wholetime recruitment in recent years and despite efforts to improve awareness and provide support, there has been no significant increase in the number of female operational employees in the Service, currently just below the national average of 5% at 3.4% (excluding Control). Additionally, the number of women in operational senior management roles remains low.
- 4.3 Recent research by Women in the Fire service and our own Women's Action Network (WANDS) demonstrates that other FRSs experience a similar gender imbalance. Comparisons are difficult due to different crewing arrangements and duty systems, but some are starting to make progress. A number of actions have been taken to start to address these issues including the establishment of the WANDS group, organising several personal development days primarily aimed at women and producing more inclusive recruitment materials.

- 4.4 The Chief Fire Officer recently took part in a national round table discussion on improving gender diversity in the Service. In preparation for this he met with a number of operational women to discuss issues, concerns and ideas. A recent conference hosted by South Yorkshire FRS also demonstrates a renewed FRS national interest in improving gender diversity in the sector, and the Service has been able to contribute to that purpose by pooling ideas and sharing its positive action plan.
- 4.5 The Executive Board recognises the benefits of a diverse workforce and the need for action in this area and has approved a proportionate, practical long term plan to improve gender diversity. This plan has drawn together existing actions and added some new ideas to create a cohesive approach to demonstrating leadership in the support and encouragement of women in the Service to meet their desired potential.
- 4.6 The WANDS steering group and the Equality steering group will be involved in monitoring the plan.

5. **CORE VALUES**

- 5.1 Since the launch of the new employee developed core values and behavioural framework, a number of actions are underway to progress and raise awareness of the values and encourage employees to integrate them into their daily working practices. This includes articles in Your Shout, the employee magazine, demonstrating the values in action, and a new core values workshop section in the managers' equality training, which has received excellent feedback.
- 5.2 As processes are reviewed, the core values will also be integrated into existing processes such as recruitment, progression and personal performance and development reviews. The core values will be integrated into a forthcoming review of the current Bullying and Harassment policy - also an action in the "Safer Lives, Brighter Futures" strategy - which will broaden the policy to promote the behavioural framework.
- 5.3 The equalities team has had positive feedback from managers and employees about the values and the framework. Many ideas and examples of how the framework can be used to support a healthy working environment have been offered by employees themselves and these are shared in the workshops.

6. **DYSLEXIA AWARENESS TRAINING**

- 6.1 Around 10% of the population are dyslexic which leads to difficulties with understanding words and, often, numbers. It is likely that the proportion of dyslexics is even higher in the fire service as the role of firefighter is more focused on tasks and problem solving and therefore appeals to people who struggle to make sense of written words. At present, around 2% of employees have been identified, through professional assessment, as being dyslexic. We know there will be more dyslexics in the Service, some of whom will be getting by using their own coping strategies and others who do not feel able, or choose not, to ask for support. There are risks associated with dyslexia as many of the policies and procedures put in place to keep people safe are written documents.

6.2 Dyslexics have protection under the Equality Act 2010 and the Service must put in place reasonable adjustments to allow the individual to carry out their role. It is essential to consider and plan for the implications of dyslexia, both for our employees and for the public. This includes thinking about dyslexia in relation to recruitment, progression, communications, design, training delivery, policy preparation and in developing systems and processes. We also need to ensure that there is sufficient awareness of the nature of dyslexia to help support a workplace culture where dyslexics feel able to seek support when necessary.

6.3 The equalities team recently arranged an 'Understanding Dyslexia' training course attended by employees representing the main sections of the Service. The training helped participants to understand more about dyslexia, the challenges and opportunities it creates and some of the adjustments we can put in place. As part of the day, the group discussed what support we provide for dyslexia at present and prepared an action plan to help us improve.

7. **SECONDMENT TO THE RACE EQUALITY COUNCIL**

7.1 A two year secondment with the Plymouth and Devon Race Equality Council concludes as a formal arrangement in March 2015. This secondment has achieved many successes in engagement, fire prevention and life skills with black and minority ethnic (BME) communities in Plymouth. In particular, there has been success with asylum seekers and refugees who are from countries in which codes and conventions may be different in relation to fire safety and the law. Whilst the secondment will cease, the relationship is set to continue and work will be carried out on an ad hoc basis. A full presentation on the work achieved will be scheduled with the Community Safety and Corporate Planning Committee in due course.

8 **PLANNED WORK FOR 2015/16**

8.1 The actions in the Equality strategy are embedded in department business plans. The Equality Steering group scrutinised all the outstanding actions in the strategy in line with our priorities of Public Safety, Employee Safety and Efficiency and Effectiveness. Some of the actions were adjusted in line with this, and work underway and planned for 2015/16 includes:

- An evaluated partnership protocol and register for Community and Voluntary Sector partnerships
- Develop data sharing protocols with key agencies and voluntary sector to enable more targeting of those at risk
- Develop an 'Engaging with the community and voluntary sector' toolkit' to support service delivery
- Develop hate crime awareness guidance
- Develop employee information around reasonable adjustments
- Involve communities in prevention campaign development
- Evaluate community safety activities incorporating Equality Risks and Benefits Analysis principles
- Ensure key corporate publications are converted to an Easy Read format
- Promote additional community specific training to relevant teams

- Ensure workforce planning decisions use Equality Risks and Benefits Analysis methodology
- Refresh diversity monitoring for all staff
- Review the bullying and harassment policy
- Review and implement a revised employee survey

9. **CONCLUSION**

9.1 The Equality Strategy, 'Safer Lives, brighter futures', is regularly monitored by the Corporate Equality Steering Group. The strategy was developed using evidenced based feedback from the 2011 peer assessment against the Achieving level of the Equality Framework for Fire and Rescue Services. The Executive Board has decided to continue to support the strategy and the national Equality Framework, however, whilst many improvements have been made, it will continue this practical work across equality and diversity objectives linked to key priorities rather than take part in a resource intensive peer assessment against the 'Excellent' level during 15/16.

10. **RECOMMENDATIONS**

10.1 That the decision not to undertake the planned peer assessment against the Excellent level of the Equality Framework in 2015/16 be approved; and

10.2 Subject to the above, the report be noted.

TREVOR STRATFORD
Director of Operations

DEVON AND SOMERSET FIRE AND RESCUE SERVICE

January 2015

POSITIVE ACTION PLAN

Executive Summary

A diverse, more representative workforce can bring many benefits in terms of; better services, more satisfied, engaged employees and a positive workplace culture. To achieve this, the Service needs to take action to increase the representation of women, particularly in operational roles at all levels.

Partly to due to a lack of wholetime firefighter recruitment, there has been no significant increase in the number of female operational employees in the Service, and this remains low at 3.4%.

Additionally, the number of women in operational management roles, continues to remain low.

A number of actions have been taken to start to address these issues including the establishment of the WANDS (women’s action) group, organising development days primarily aimed at women and producing recruitment materials that reflect women in the role. Though these actions have assisted some individuals, they have made very little difference to the overall representation.

Other FRSs experience a similar gender imbalance though some are starting to make progress. The Service is engaging with other Fire and Rescue Services and CFOA in an effort to pool ideas and share good practice.

This positive action plan has drawn together existing actions and added some new ones to create a cohesive approach to revitalising positive action and demonstrating leadership in the support and encouragement of women in the Service.

<p>Key Communication Messages</p>	<ul style="list-style-type: none"> • A diverse, more representative workforce brings many benefits in terms of; better services, more satisfied, engaged employees and a positive workplace culture • The Executive Board is committed to improving the representation of women in the Service • The Executive Board supports positive action to improve the situation and to support women to progress into more senior operational roles
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<p>Financial and Other Resource Implications</p>	<p>Resources</p> <p>The majority of the actions can be met from within existing resources. Where this is not the case, a business case will be made through the Improvement Framework.</p> <p>We will need to involve employees in identifying ideas for improvements which could include some participation in discussion and working groups.</p> <p>Monitoring</p> <p>The action plan will be monitored by the corporate Equality Steering Group which already monitors the Equality Strategy and provides update reports to HRMD committee. This is a long term ongoing plan and some actions are already underway. The plan will be monitored by the Equality Steering group using both qualitative and quantitative measures.</p>
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1. INTRODUCTION

A diverse, more representative workforce can bring many benefits in terms of; better services, more satisfied, engaged employees and a positive workplace culture. To achieve this, the Service needs to take action to increase the representation of women, particularly in operational roles at all levels.

There is no shortage of ideas for improvements we can make in the Service and we have people to lead on this in equalities, HR and the Academy, together with the Women's Action Network group.

Work is being revitalised with clear senior commitment to taking positive steps to increase the number of female firefighters and to support women to progress into management and senior roles across the Service.

This commitment is key to engaging and encouraging employees and managers, both men and women, to get involved in delivering the action plan.

2. BACKGROUND

Women are in a significant minority in the Service and are particularly under-represented in operational roles including at a senior level. As an organisation that continuously works to improve, we need to monitor our processes and ways of working to find ways of reducing the gender imbalance, thereby increasing diversity in the organisation and benefiting from a more representative workforce.

This positive action plan will help ensure that we do not inadvertently disadvantage women or fail to address some of the barriers they face. It will also allow us to set out some positive steps we can take to reduce the gender gap. It will help to keep us focused on doing whatever we can to attract women to the Service and support them to progress.

The purpose of this plan is to bring together a number of existing actions and objectives around positive action for women and to incorporate some new ideas, many of which were put forward at the WANDS Development Day in May 2014.

Many women say that they do not want to be treated differently from men or receive 'special' treatment. However, the gap between men and women in terms of numbers and seniority of role means that additional, proportionate and realistic, steps need to be taken if the gap is to be narrowed.

3. Steps to revitalise positive action

The evidence

At May 2014, women made up 11% of the total DSFRS workforce. Women working in wholetime and retained roles (excluding Control) were 3.4% of the workforce and this increased to 5% if female Control staff were included.

Very few wholetime and retained women are in management grades. 3.5% of crew managers are female and 1% of watch managers. (5.8% and 3.6% including women in Control).

In July 2014, data was gathered from the majority of Fire & Rescue Services in the UK on the number of female employees and their ranks and roles. This was to provide evidence for a discussion report for WANDS and Women in the Fire Service (UK). The results highlighted the low numbers of women in FRSs across the country in any roles, with the average being around 15% of the workforce but with some well under 10% (DSFRS is 11%). On average, less than a third of the women in the services are employed in operational roles (wholetime and on-call). The majority of operational women are firefighters and generally low numbers have progressed into more senior roles.

A renewed impetus is now emerging for the recognition of women as a minority in the Service, supported in particular by the Fire Minister, Penny Mordant MP. Momentum is needed to empower and allow individual Services to prioritise and examine the working environment and conditions they provide in relation to women and to provide practical positive action initiatives to help all women in the FRS, in both operational and non-operational career paths to reach their desired potential and career aspirations.

Taking positive action

Positive action is a way for employers to encourage people from particular groups, or with a particular disadvantage or where there is low-participation to take up employment-related opportunities. This could be around recruitment, training, development or promotion.

Equality law permits organisations to use positive action if they reasonably believe that a group of people who share a protected characteristic (in this case 'sex') is under-represented, disadvantaged or has different needs. They would need to have some evidence to show that this belief is reasonable and any actions taken must be proportionate so must be related to the level of disadvantage or under-representation that exists.

There is a large under-representation of women in the Service so it is lawful to take positive action to address this.

Positive action is not the same as positive discrimination which is unlawful.

Earlier positive action

A number of actions have been completed, for example:

- establishing WANDS, the women's action network
- producing a recruitment video and marketing materials showing female firefighters
- developing a positive action recruitment toolkit for retained stations
- producing a community version of equality strategies to help publicly demonstrate our commitment to equality in the Service

Existing actions/objectives

There is already evidence to draw upon regarding the barriers to female recruitment, retention and progression. This comes from both external and internal reports and from discussions with the WANDS network. These identified barriers include:

- Recruitment - public perception of the nature of the firefighter role, ability to reach the fitness standards
- Appointment – working in a male dominated environment, dealing with banter and cultural issues, caring responsibilities
- Progression – lack of role models, self-confidence, managing mainly male teams, additional pressures that minority status brings.

There are a number of existing actions which are underway and are relevant to this positive action plan. These are contained in the Equality Strategy – Safer Lives, Brighter Futures, Equal Pay Audit, Community & Workplace Equalities Business Plan and Human Resources Business Plan.

These actions can be summarised into two broad objectives. A number of new actions, mainly from the WANDS Development Day in May 2014, have also been incorporated.

The two broad objectives are:

- A. Increasing the number of female on-call firefighters. (Women are particularly under-represented in the operational workforce and the Service priority at present is to recruit on-call.)
- B. Increasing the number of women in management positions and other senior roles across the Service.

4. **Most of these actions are already in various department plans**

Positive Action Plan

Objective A - Increasing the number of female on-call firefighters.

Actions:

1. Review the on-call contract to introduce greater flexibility and the opportunity to offer fewer contracted hours than currently available.
2. Review all stages of the on-call attraction, recruitment and induction process to identify where it can be adjusted to support positive action for women. To include:
 - Reviewing the on-call positive action toolkit including how it is currently used, reviewing the contents and supporting materials and obtaining feedback from stations.
 - Improving the recruitment sections of the website, in particular, emphasising that firefighting is a role for women.
 - Exploring how social media can be used more effectively to target female applicants.
 - Reviewing station open days/evenings to see how they can be developed to increase female participation.
 - Consider holding women-only recruitment events/taster evenings with associated PR to promote female firefighters more widely.
 - Consider running a female recruitment campaign with local employers in areas of on-call shortage.
 - Encouraging more operational women to attend technical assessments to advise and support women who attend.
 - Regularly analysing the data on how many women attend and participate in each stage of recruitment and, where known, the reasons they drop out.

3. Review the induction process to ensure female recruits have access to appropriate support and contacts during their first few months in the Service.
4. Regularly analyse the exit interview feedback to provide detailed reasons why women leave the service.
5. Review family leave and flexible working provision to ensure policies are robust and assist in the attraction and progression of women. To include a review of attitudes towards flexible working, application of policies across the service and evidence of take-up.
6. Investigate high performing Fire and Rescue Services and other emergency services in workforce diversity and incorporate benchmarked targets and good practice.
7. Work with Women in the Fire Service (UK) and the Fire Minister to lobby for national campaigns and actions to increase female recruitment.
8. Consider how best to raise awareness amongst girls and young women that working as an on-call firefighter may be something they wish to consider in the future.

Objective B - Increasing the number of women in management positions and other senior roles across the Service.

Actions:

1. Identify and raise awareness of senior female role models in our Service and other services.
2. Introduce coaching, mentoring, secondment, shadowing and 'taster' sessions to allow participants to assess their suitability for roles.
3. Ensure that informal methods of advice, support, buddying and networking are available for women.
4. Consider bespoke training options for those interested in progression.
5. As part of the ADC review, ensure there are no barriers to women applying, participating and achieving success.
6. As part of the PPD review, consider how the process can be used consistently and effectively to encourage women to prepare and apply for promotion and be offered relevant support.
7. Offer command and control training for women in development or who are considering promotion.
8. Encourage more women to apply for instructor posts.

9. Continue to develop the role of WANDS across the Service as a supportive network for women.
10. Continue to organise local and regional development and 'have a go' days aimed primarily at women.

REPORT REFERENCE NO.	HRMDC/15/2
MEETING	HUMAN RESOURCES MANAGEMENT & DEVELOPMENT COMMITTEE
DATE OF MEETING	11 JUNE 2015
SUBJECT OF REPORT	RETIREMENT & RE-EMPLOYMENT
LEAD OFFICER	Director of People and Commercial Services
RECOMMENDATIONS	<i>That the requests for retirement & re-employment as identified in paragraphs 2.4 and 3.2 of this report be approved.</i>
EXECUTIVE SUMMARY	<p>At its meeting on 20 February 2015, the Authority approved – in accordance with the requirements of the Localism Act – its Pay Policy Statement to operate for the 2015-16 financial year (Minute DSFRA/48 refers).</p> <p>The Pay Policy Statement requires, amongst other things, for all requests for re-employment following retirement, for employees up to Executive Board posts, to be approved by this Committee.</p> <p>This report provides more information on the Authority's position in relation to retirement and re-employment and sets out specific requests for approval.</p>
RESOURCE IMPLICATIONS	Contained within the body of the report.
EQUALITY RISK & BENEFITS ASSESSMENT	The Retirement & Re-Employment Policy has had an equalities assessment.
APPENDICES	Nil.
LIST OF BACKGROUND PAPERS	Report DSFRA/14/6 - "Localism Act – Pay Policy Statement 2015-16" as considered by the meeting of the Authority held on 20 February 2015.

1. **INTRODUCTION**

1.1 At its meeting on 20 February 2015, the Authority approved – in accordance with the requirements of the Localism Act – its Pay Policy Statement (PPS) to operate for the 2015-16 financial year (Minute DSFRA/48 refers). This PPS includes the following stated position on the retirement and re-employment of employees:

“8.3 The Authority will, in principle, allow the re-employment of employees who have retired, subject to a break in service of at least one month, because it is recognised that this often represents an effective way of retaining specialist knowledge and skills without any increase in cost to the Authority (and noting that costs to the Pension Scheme are no more than would be the case for normal retirement). The re-employment of any employee who has retired will, however, be subject to:

- *the approval of the Human Resources Management and Development Committee for all employees up to Executive Board posts; or*
- *the approval of the full Authority for any Executive Board post-holder.*

8.4 *Where retired uniformed staff are re-employed, then the Fire-Fighters’ Pension shall be abated such that the income from the gross annual rate of pay whilst re-employed together with the gross annual pension (after commutation) will not exceed the gross annual rate of pay immediately prior to retirement. For staff within the Local Government Pension Scheme, where an individual is re-employed on the same terms and conditions [salary] as previously, the same abatement rules as apply to those within the Fire Fighters Pension Scheme will be applied. However, the Authority’s policy on Pension Discretions refers to flexible retirement and states that this “may be subject to abatement during such time as the individual remains employed by the Service”. This allows the Authority to use flexible retirement opportunities where key employees may wish to continue working as they get older but step down in grade or reduce their working hours. This can be beneficial to the Authority in retaining key skills, knowledge and experience whilst also reducing costs. The authorisation of any such flexible retirement arrangements will be subject to the approval mechanism detailed above.*

8.5 *The appointment, or re-employment, of any members of the Executive Board (the Chief Fire Officer, Assistant Chief Fire Officer, Director of Corporate Services and Director of People and Commercial Services) will always be subject to approval of the full Authority and any re-employment following redundancy or retirement will be subject to consideration of a robust business case and fully scrutinised against the above criteria”.*

1.2 This paper provides further details on the current position concerning the Authority’s policy on retirement and re-employment.

2. **RETIREMENT AND RE-EMPLOYMENT**

2.1 The Service policy on Retirement & Re-employment is linked to our workforce planning arrangements. Approval by the Authority of the 2013/14 – 2014/15 Corporate Plan at its meeting on 10 July 2013 (Minute DSFRA/20 refers) required a reduction of 149 wholetime posts. The Service has progressed well with reducing the staffing levels and has to date secured a reduction of 110 posts.

2.2 The Authority has a balanced budget for this financial year which supports the existing levels of staff. In light of this, it is considered appropriate for the Service to continue the reduction in staff numbers through natural turnover but at the same time using retirement and re-employment opportunities where appropriate.

2.3 The Firefighter Pension Scheme provides for employees to receive their maximum pension benefits after 30 years' service. As there is no longer a fixed age for retirement, however, it is difficult to predict precisely when individuals are likely to leave the Service. The use of retirement and re-employment opportunities encourages individuals to commit to an end retirement date, giving the Service more control over actual retirement and natural turnover. Through this process, employees have a 1 month break in service before returning on a fixed-term contract - either on a full-time basis or as a job share. In either case, the maximum contract term is normally 12 months. Where employees return on a job share basis, we see an immediate reduction in the workforce staffing levels.

2.4 The Service currently has expressions of interest from 2 uniformed employees:

Role	Station /Dept	Interested in Job Share
SMA	Central Command	Yes – at FF
CM	Torquay	Yes at CM or FF

2.5 None of these post-holders have skills that are irreplaceable but it would make good sense to accept such requests. There are no additional financial costs for the organisation since these employees have reached the point at which they can retire and are therefore entitled to receive their pension lump sum on retirement. Their pension payments would be abated if re-employed. In addition to giving certainty to a leaving date, the retirement and re-employments represent a saving to both the Service and employee as pension contributions are either:

- removed as the employee opts out of future pension contributions, or;
- they are reduced since staff from Firefighter to Watch Manager would join the 2015 Firefighters' Pension Scheme for which the employer contributions are lower than the previous 1992 Firefighters' Pension Scheme.

2.6 For positions at Station Manager or above, the employee would be eligible to join the LGPS. Once these employees leave the organisation, the Service will not recruit replacement personnel externally so these reductions will contribute to the required reductions in staffing numbers.

3. **FLEXIBLE RETIREMENT**

3.1 For non-uniformed support staff, the Service has a Pension Discretions Policy which states:

“That an employee may make a request to DSFRS to allow him or her to access pension benefits whilst still remaining employed and that any benefits paid as a result of flexible retirement may be subject to abatement during such time as the individual remains employed by the Service.

However if payment occurs before the age of 65, the benefits are actuarially reduced. The employer may choose to waive the reduction in whole or part. The cost of the waiving will have to be paid to the fund; this would only be in situations where the employee wishes to reduce hours and/or move to a lower graded post, and must be agreed by DSFRS.

Flexible Retirement is aimed at assisting a more gradual move into retirement over a period of years, by allowing an employee to work fewer hours and/or in a less demanding job, whilst at the same time drawing their pension. This may be of benefit to the employee, and also DSFRS in terms of retaining the services and skills of the employee. The key factors in this scheme are:

- *the acceptability to the employee of the level of pension he/she would receive; and*
- *the willingness of DSFRS to agree to the specific flexible retirement requested.*

DSFRS will only approve Flexible Retirement applications where there are no significant pension costs to DSFRS arising from the employee's flexible retirement, this will include not waiving the actuarial reduction except in the circumstances as stated above".

3.2 The Service has received the following request:

Grade	Job Title	Stn/Dept
G2	Clerical Assistant	Somerset Command

The employee is reducing from 0.6 to a 0.4 FTE i.e. from 3 to 2 days a week and the department support this reduction in staffing. The employee is 62 and would have a one month break before returning on a 12 month fixed-term contract. The pension would be subject to an actuarial reduction and it is recommended that this reduction is not waived by the Service. This Flexible Retirement with the reduction in hours will reduce the salary costs to the Service and also the employer pension contributions.

4. **RECOMMENDATIONS**

4.1 That the requests for retirement & re-employment as identified in paragraphs 2.4 and 3.2 of this report be approved.

JANE SHERLOCK
Director of People and Commercial Services

REPORT REFERENCE NO.	HRMDC/15/3
MEETING	HUMAN RESOURCES MANAGEMENT AND DEVELOPMENT COMMITTEE
DATE OF MEETING	11 JUNE 2015
SUBJECT OF REPORT	PENSIONS DISCRETIONS
LEAD OFFICER	DIRECTOR OF PEOPLE AND COMMERCIAL SERVICES
RECOMMENDATIONS	<i>That the report be noted.</i>
EXECUTIVE SUMMARY	<p>In recent years there have been a considerable number of changes to public sector pension schemes and specifically, from the perspective of this Authority, the Local Government Pension Scheme (LGPS) and various Firefighters' Pension Schemes (FPSs).</p> <p>Given the considerable changes to the Schemes over recent years, together with the current political and economic climate in which the Authority operates, an assessment of the various discretions within each of the pension schemes is currently in hand with a view to determining how those discretions might best be exercised. The outcome of this assessment will be reported to the Authority at its July meeting for determination.</p>
RESOURCE IMPLICATIONS	This will be reported in conjunction with the outcome of the review as above.
EQUALITY RISKS AND BENEFITS ANALYSIS (ERBA)	To be considered as above.
APPENDICES	None
LIST OF BACKGROUND PAPERS	<ul style="list-style-type: none"> • 1992 and 2006 Firefighters' Pensions Schemes, by virtue of the Firefighters' Pension Scheme (England)(Amendment)(No.2) Order 2013; • Firefighters' Pension Scheme (England) Regulation 2014. • Local Government Pension Scheme Regulations 2013

1. **INTRODUCTION**

1.1 In recent years, there have been a considerable number of changes to public sector pension schemes and specifically, from the perspective of this Authority, the Local Government Pension Scheme (LGPS) and various Firefighters' Pension Schemes (FPSs). These changes have included (not exhaustively):

- amendments to the 1992 and 2006 Firefighters' Pensions Schemes, by virtue of the Firefighters' Pension Scheme (England)(Amendment)(No.2) Order 2013;
- the introduction of a new Firefighters' Pension Scheme as of April 2015 (by virtue of the Firefighters' Pension Scheme (England) Regulation 2014.
- the Local Government Pension Scheme Regulations 2013.

1.2 Each of the Firefighters' Pension Schemes provide for a number of instances whereby the Authority can exercise discretion over what action it takes. This is also true of the Local Government Pension Scheme. The Schemes also provide for the exercise of these discretions to be delegated either to a Committee or to an officer.

2. **PENSIONS DISCRETIONS**

2.1 Given the considerable changes to the Schemes over recent years, together with the current political and economic climate in which the Authority operates, an assessment of the various discretions within each of the pension schemes is currently in hand with a view to determining how the discretions afforded might best be exercised.

2.2 This is a considerably complex matter. The initial intention was to submit the outcome of the assessment to this meeting with a view to the Committee then making appropriate recommendations to the full Authority. In practice, however, because of the complexity involved, the assessment is taking longer to complete than initially anticipated. Consequently, it is now intended to arrange a dedicated Workshop for HRMD members to consider the discretions prior to submitting a report to establish the Authority's policy in relation to the exercise of discretions under the various pension schemes at the next full meeting of the Authority on 29 July 2015.

JANE SHERLOCK
Director of People and Commercial Services

REPORT REFERENCE NO.	HRMDC/15/4
MEETING	HUMAN RESOURCES AMANAGEMENT AND DEVELOPMENT COMMITTEE
DATE OF MEETING	11 JUNE 2015
SUBJECT OF REPORT	APPOINTMENTS TO THE INTERNAL DISPUTES RESOLUTION PANEL
LEAD OFFICER	Director of People and Commercial Services
RECOMMENDATIONS	<i>To appoint from amongst its Members a Panel of three Members with delegated authority to consider and determine complaints made by individuals under Stage 2 of the Firefighters' Pensions Scheme Internal Dispute Resolution Procedure"</i>
EXECUTIVE SUMMARY	<p>The Firefighters' Pension Scheme Internal Dispute Resolution Procedure (IDRP) enables complaints related to a pension to be considered by the Service and Authority under a two stage process as follows:</p> <p>Stage One: the matters should be considered by the Chief Fire Officer, or a senior manager specified by him, who will give a decision in the matters; and</p> <p>Stage Two: the decision should be confirmed or replaced by the decision of elected Members of the Fire and Rescue Authority which may in turn delegate this function to a smaller grouping.</p> <p>It should be noted that the Service procedures for grievances, discipline or dismissals now align with ACAS practice and guidance (which replaced the statutory discipline regulations) and do not provide for any ultimate recourse to the Authority. The Service has no intention to change this arrangement but, given the revised Internal Disputes Resolution Procedure are linked to statutory pensions schemes, it is necessary in the case of pensions complaints to provide an ultimate recourse to the Authority.</p> <p>This matter has been delegated by the Authority to this Committee for determination (Minute DSFRA/10 refers). The Committee is requested, therefore, to appoint three of its Members to serve on the IDRP.</p> <p>In 2014/15, the Membership of the Panel was Councillors Bown, Brooksbank and Smith. Given the changes in membership of the Authority recently, it is suggested that the appointments should be Members who already have some experience of the Committee's work.</p>
RESOURCE IMPLICATIONS	An initial assessment has revealed no equality issues in this matter sufficient to warrant a full equality impact assessment.
EQUALITY RISKS AND BENEFITS ANALYSIS (ERBA)	Nil.

APPENDICES	None.
LIST OF BACKGROUND PAPERS	Firefighters' Pensions Scheme Circular 1/2009 – Firefighters' Pension Scheme: Internal Dispute Resolution Procedure (IDRP).