

**M. Pearson  
CLERK TO THE AUTHORITY**

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

**SERVICE HEADQUARTERS  
THE KNOWLE  
CLYST ST GEORGE  
EXETER  
DEVON  
EX3 0NW**

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Your ref :

Our ref : SS/SY/HRMDC/Dec 2015

Website : www.dsfire.gov.uk

Date : 27 November 2015

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**HUMAN RESOURCES MANAGEMENT AND DEVELOPMENT COMMITTEE**

**(Devon and Somerset Fire and Rescue Authority)**

**Monday 7 December 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

**A G E N D A**

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

1. **Apologies**
2. **Minutes** of the meeting held on 16 September 2015 attached (Page 4).
3. **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**

4. **Equalities Strategy - 'Safer Lives, Brighter Futures' Monitoring Report June 2015 to November 2015**  
Report of the Director of Operations (HRMDC/15/9) attached (page 8).
5. **Absence Management**  
Report of the Director of People & Commercial Services (HRMDC/15/10) attached (page 22).

**6. Retirement & Re-Employment**

Report of the Director of People & Commercial Services (HRMDC/15/11) attached (page 31).

**7. Exclusion of the Press and Public**

**RECOMMENDATION** that, in accordance with Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in:

- Paragraph 1 of Schedule 12A (as amended) to the Act, namely information relating to individuals:
- Paragraph 2 of Part 1 of Schedule 12A (as amended) to the Act, namely information likely to reveal the identity of individuals; and
- Paragraph 4 of Part 1 of Schedule 12A (as amended) to the Act, namely information relating to consultations or negotiations or contemplated consultations or negotiations in connection with a labour relations matter between the Authority and representative bodies currently recognised by the Authority.

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

**8. Working with Trade Unions**

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

**MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER**

Membership:-

Councillors Bown, Burridge-Clayton, Chugg, Horsfall, Knight, Thomas and Wheeler

<b>NOTES</b>	
<b>1.</b>	<p><b><u>Access to Information</u></b>  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>
<b>2.</b>	<p><b><u>Reporting of Meetings</u></b>  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>
<b>3.</b>	<p><b><u>Disclosable Pecuniary Interests (Authority Members only)</u></b>  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"> <li>(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;</li> <li>(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</li> <li>(c) not seek to influence improperly any decision on the matter in which you have such an interest.</li> </ul> <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>
<b>4.</b>	<p><b><u>Part 2 Reports</u></b>  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>
<b>5.</b>	<p><b><u>Substitute Members (Committee Meetings only)</u></b>  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)

16 September 2015

### Present:-

Councillors Bown, Chugg, Dyke (vice Horsfall), Knight, Thomas and Wheeler

### Apologies:-

Received from Councillor Burridge-Clayton.

### **\*HRMDC/9. Minutes**

**RESOLVED** that the Minutes of the meeting held on 11 June 2015 be signed as a correct record.

### **\*HRMDC/10. Absence Management**

The Committee received for information a report of the Director of Corporate Services (HRMDC/15/5) that set out the sickness absence levels for staff to date since combination in 2007, together with comparisons against the 2014/15 performance and benchmarking data for other fire and rescue services nationally.

It was noted that the current level of sickness absence was 3.11 days/shifts lost per person as opposed to 3.10 days/shifts lost in the same period in 2014/15. Long term sickness absence was starting to decrease, with 15 firefighters currently off (out of an establishment of 562) as opposed to 28 in 2007/08. Additionally, there was 4 support staff off on long term sickness absence currently with no absence in fire control.

Reference was made in particular to the benchmarking data showing comparisons with other fire and rescue services nationally. This showed that musculoskeletal injuries were the main cause of injury for both wholetime and retained duty staff. The Human Resources Manager advised that the Service had now corrected the issues with the sickness absence portal that had been reported to the Committee previously. In response to a question as to why it had taken some time to make the correction required to the portal, the Human Resources Manager indicated that the required changes had to be implemented by the Information and Communications Technology (ICT) Department who had other more pressing work on the Networked Fire Control Systems Project that had taken a higher priority.

In terms of the reporting of the sickness absence, the point was made that if the data for 2007/08 was taken out, the figures painted a different picture with a fairly stable line until 2014/15 when this had spiked again. The Human Resources Manager reported that in 2014/15, the Service had been subject to industrial action and there had been issues with morale and changes to crewing which had all impacted on the figures.

The Committee expressed the view that the Service's performance on sickness absence in 2014/15 had not been good and that it did not appear to have improved in 2015/16 to date. It was hoped that, with the actions set out in the Appendix to the report, the performance would improve in the latter part of 2015/16.

**\*HRMDC/11. Redundancy Compensation Rates**

The Committee considered a report of the Director of Corporate Services (HRMDC/15/6) setting out information required for the Committee to review the redundancy compensation rates for uniformed and non-uniformed staff in 2015/16 with a view to making a recommendation to the Fire and Rescue Authority thereon.

The Human Resources Manager referred to the Appendix circulated with the report that set out the level of compensation rates applied currently by other fire and rescue and local authorities in the South West. The report also referenced the legal basis for enhancements to redundancy compensation payments. The Local Government (Early Termination of Employment)(Discretionary Compensation)(England and Wales) Regulations 2006 applied compensation provisions to employing bodies listed in Part 1 of Schedule 2 to the Local Government Pension Scheme (Administration) Regulations 2008. The National Employers had previously advised, however, that the 2008 Regulations applied only to fire and rescue authority employees conditioned to the Local Government Pension Scheme and not to operational firefighters conditioned to one of the Firefighters' Pensions Schemes.

This position had been challenged recently, however, by two fire and rescue authorities and Queens Counsel opinion sought. This Opinion was unequivocal in stating that fire and rescue authorities could lawfully offer enhancements to redundancies for operational firefighters by virtue of the "power of competence" contained in Section 5A of the Fire and Rescue Services Act 2004 (as amended by the Localism Act 2011). The Opinion advised that, should an authority be mindful to apply enhancements, it should do so evenly (i.e. the same enhancement for staff conditioned to the Local Government Pension Scheme as for those conditioned to a Firefighters' Pension Scheme) to eliminate any risk of potential challenge under the equalities legislation.

The Opinion originally obtained had initially been challenged by the Department for Communities and Local Government (DCLG) and in light of this, further clarification sought. The second Opinion, however, reinforced the first and in light of this DCLG had indicated that it would not be pursuing the matter further. Consequently, it was considered that the unequivocal Queens Counsel opinion could be relied upon by the Authority should it wish to apply the enhanced rate of redundancy compensation to both uniformed and non-uniformed staff.

During a debate on this matter, the Committee made the following points:

- The Authority did not have to apply any enhancement to its redundancy compensation rate;
- The Queen's Counsel opinion had not been tested in court yet;
- There was a reluctance to apply the enhancement for operational firefighters before any other Service had implemented it;
- There was a need for equality in the redundancy compensation applied to both uniformed and non-uniformed staff in the Service;
- There was an issue of prudence and perception to be considered as provision would need to be made in the revenue budget should the enhanced rate be applied to uniformed staff to cover the increased costs at a time when the Authority's resources were reducing;

- The current redundancy compensation rate was out of kilter with other local authorities in the South West.

The Human Resources Manager confirmed that there was a need for equality in its approach on this matter. He added that the Service had a collective agreement with the Representative Body for non-uniformed staff in respect of payment of redundancy calculated on the basis of an actual week's pay rather than the indicative statutory maximum. Should the Authority wish to revert to payment of the statutory maximum, then notice would need to be given of the intention to terminate the collective agreement. The Democratic and Legal Services Manager also referred to paragraph 2.8 of the report in terms of the need to strike a balance between any additional cost to the Authority and what might be a suitable level of compensation to encourage appropriate staff to consider voluntary redundancy. In this respect, attention was drawn to the level of staffing reductions needed to meet the requirements of the approved Corporate Plan 2013/14 to 2015/16.

The view was expressed, however, that the potential increase in resources needed to meet any additional costs associated with applying an enhanced redundancy package to operational firefighters should be considered carefully in the current economic climate.

Councillor Knight **MOVED** (seconded by Councillor Dyke):

“that it be recommended to the Authority that it reduces its current redundancy compensation rate to a multiplier of 1 using the actual week's pay for both voluntary and compulsory redundancy and that this multiplier be extended to uniformed staff with effect from 7 October 2015”.

Upon being put to the vote (5 for, 1 against), the motion was **CARRIED** whereupon it was

**RESOLVED** that the Devon and Somerset Fire and Rescue Authority be recommended to:

- (a) reduce its current compensation rate to a multiplier of 1 using the actual week's pay for both voluntary and compulsory redundancy and that this multiplier be extended to uniformed staff;
- (b) implement the multiplier of 1 with effect from 7 October 2015;
- (c) endorse, subject to (d) below, that further reviews of the compensation rates should be undertaken on an annual basis by the Human Resources Management & Development Committee, with any recommended changes to the compensation rate [and associated date for application of any revised compensation rate] being made to the full Authority;
- (d) That any future proposed revision of the compensation rates would be subject to consultation with the trade unions.

**\*HRMDC/12. Firefighters' Pensions Schemes - Exercise of Discretions - Further Considerations**

The Committee considered a report of the Director of Corporate Services (HRMDC/15/7) identifying the pensions discretions available to the Authority under the various Firefighters' Pensions Schemes from 1992 onwards following consideration of this matter by the Local Pension Board on 4 September 2015.

It was noted that a revised Schedule had been prepared following the consensus reached at the Local Pensions Board meeting and this was now recommended to the Authority for approval.

**RESOLVED** that the Devon and Somerset Fire and Rescue Authority be recommended to approve:

- (a) the proposed general policies to apply in relation to those discretions from each of the Firefighters Pensions Schemes from 1992 onwards, as set out in Schedule 1 to report HRMDC/15/7;
- (b) that those discretions in the Firefighters Pensions Schemes from 1992 onwards of a more Scheme administrative or individualised, case-by-case basis, as identified in Schedule 2 to report HRMDC/15/7, be exercised in accordance with Section 2, paragraphs 2.5 and 2.6 of the report;
- (c) those recommendations as set out in Section 3 of report HRMDC/15/7 and relating to Firefighters' Pensions Schemes prior to 1992; and
- (d) authorising the Clerk, pending approval of the above recommendations, to make any consequential changes to the Authority Constitutional Framework documents (notably, the Committee Terms of Reference, the approved Scheme of Delegations and Financial Regulations), to reflect the above approvals.

**\*HRMDC/13. Retirement & Re-Employment**

The Committee considered a report of the Director of Corporate Services (HRMDC/15/8) that set out a request that had been made by a uniformed member of staff for retirement and re-employment in accordance with the requirements of the Authority's Pay Policy Statement.

**RESOLVED** that the request for retirement & re-employment as identified in paragraph 2.4 of report HRMDC/15/8 be approved.

**\* DENOTED DELEGATED MATTER WITH POWER TO ACT**

The meeting started at 10.00hours and finished at 11.55hours

<b>REPORT REFERENCE NO.</b>	<b>HRMDC/15/9</b>
<b>MEETING</b>	<b>HUMAN RESOURCES MANAGEMENT &amp; DEVELOPMENT</b>
<b>DATE OF MEETING</b>	<b>7 DECEMBER 2015</b>
<b>SUBJECT OF REPORT</b>	<b>EQUALITY STRATEGY – ‘SAFER LIVES, BRIGHTER FUTURES’ MONITORING REPORT JUNE 2015 to NOVEMBER 2015</b>
<b>LEAD OFFICER</b>	<b>Director of Operations</b>
<b>RECOMMENDATIONS</b>	<i>That the report be noted.</i>
<b>EXECUTIVE SUMMARY</b>	Implementation of the Equality Strategy 2012-2016, Safer Lives, Brighter Futures, 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 monitored regularly by the Strategic Equalities Group. Highlights since the last report include the employee survey, dyslexia awareness, review of the bullying and harassment policy and a pilot recruitment of Plymouth advocates with specific language skills and these are explored further within this report.
<b>RESOURCE IMPLICATIONS</b>	No additional resource implications
<b>EQUALITY RISKS AND BENEFITS ANALYSIS (ERBA)</b>	There is no requirement to carry out an ERBA on this report
<b>APPENDICES</b>	Appendix A – Strategic Equalities Group Terms of Reference Appendix B – Employee Survey 2015 Headline Results
<b>LIST OF BACKGROUND PAPERS</b>	Equality Strategy 2012-2016 ‘Safer Lives, Brighter Futures’ Business case for the pilot project to recruit community advocates in Plymouth with specialist language skills.



## 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 Equality Strategy 2012-2016, Safer Lives, Brighter Futures, sets out the objectives and action plan that assist the Service in meeting the requirements of the Public Sector Equality Duty. This report provides an update on progress over the past five months.

## 2. **MONITORING THE STRATEGY**

- 2.1 Since the Strategy was approved in 2012 by the Fire and Rescue Authority (Minute DSFRA/12(b)(ii) refers), it has been monitored regularly by a cross-functional steering group which has a membership of fifteen employees. This 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 guided by the Equalities Manager and is chaired by Area Manager Chris Blackburn, a member of the Service Leadership Team and the Service's Equality Champion.
- 2.2 The group has recently reviewed its terms of reference to ensure that it continues to provide an effective role in both monitoring the Strategy and embedding equality and diversity across the Service. Best practice from other Fire and Rescue Services was considered as part of the review.
- 2.3 The revised terms of reference (see Appendix A of this report):
- provides a greater emphasis on using data and evidence to make recommendations for improvements;
  - clarifies that the scope of the group includes legislative and organisational issues; the latter including core values, expected behaviours and respect and dignity at work;
  - provides for closer links with the Executive Board.
- 2.4 The group also amended its title to the Strategic Equalities Group.

## 3. **A NEW EQUALITY STRATEGY FOR 2016-2020**

- 3.1 The current Strategy has a life of four years and will come to an end in March 2016. There is a requirement under the Public Sector Equality Duty to publish equality objectives at least every four years to help focus attention on priority equality issues in order to further improve service planning and delivery and employment practices.

- 3.2 The Service is in the process of planning for the new Strategy which will involve:
- a review of the action plan in the current strategy;
  - consideration of the equality aspects of corporate priorities;
  - seeking guidance from the national Equality Framework for Fire and Rescue Services;
  - internal and external consultation.
- 3.3 A draft of the revised Strategy will be brought to the Human Resources Management and Development Committee for consideration.

#### **4. EMPLOYEE SURVEY 2015**

- 4.1 An employee survey is one of the key tools for measuring and improving employee engagement and satisfaction and the Service has carried out such surveys for a number of years. This year, a steering group, led by the Equalities Manager, reviewed the approach to the survey as it was increasing in length (it took around 45 minutes to complete) and there had been a reduction in response rates.
- 4.2 The steering group took into account the accessibility and time constraints of our workforce and carried out research into the primary indicators of employee satisfaction. Based on this research, employees were invited to indicate their strength of agreement or disagreement with nine core questions. These were:
- I understand how my role contributes to the work of the Service;
  - I am satisfied with the level of personal control and influence I have in my role;
  - If I put forward ideas and opinions I know they will be listened to and taken seriously;
  - My line manager's leadership and management style encourages me to do a good job.;
  - I receive the right level of communication about what is happening across the Service;
  - If I want to develop I have the opportunity;
  - My day to day experience at work is consistent with the Service's Core Values;
  - I am able to achieve a good work / life balance;
  - I am satisfied with my overall experience of working for DSFRS.

Employees were also invited to provide additional comments against each question.

- 4.3 The survey closed in September 2015 and the overall response rate was 28.2% which was a 10% improvement on the previous survey. Response rates were fairly high for some parts of the Service (over 50% for Control and support staff), however, the response rate from retained employees was particularly low at 10% and the reasons for this will be explored in more detail.

4.4 The headline results were communicated to employees shortly after the survey closed and these are attached at Appendix B of this report for information. The steering group is now analysing and theming the many additional comments that were made and a final report with an action plan for improvements will be published in January 2016.

## **5. DYSLEXIA AWARENESS**

5.1 This year the Service has carried out more work to support its dyslexic employees. Around 10% of the population is dyslexic which, for most, causes difficulties with reading, writing and spelling. In the fire service, it is thought to be a higher percentage as the firefighting role requires many of the strengths that dyslexics demonstrate such as completion of physical tasks, problem solving, visualising, creative problem solving and empathy. However, most roles now require the ability to read and write to a reasonable standard, for example to understand bulletins and policies and when in training.

5.2 At present, around 2% of employees have been identified, through professional assessment, as being dyslexic. It is known that there will be more dyslexics in the Service, some of whom will be using their own coping strategies and others who do not feel able, or choose not, to ask for support. The Service needs to ensure that there is sufficient awareness of the nature of dyslexia so that the workplace culture encourages dyslexics to seek support when necessary.

5.3 Earlier in 2015, the Equalities Manager arranged an 'Understanding Dyslexia' training course to help participants develop greater awareness of dyslexia, the challenges and opportunities it creates and some of the adjustments the Service can put in place to assist.

5.4 In October 2015, the Service marked Dyslexia Awareness Week with a number of activities. These included information displays at Academy Plympton and Service Headquarters; commissioning photography for a new poster campaign; a demonstration of dyslexia support software and awareness-raising sessions through station and team visits. The Service's Dyslexia Support Network participated in the week and contact details for some of the members were included in publicity materials for anyone seeking support and advice.

5.5 The Service also had the support of a dyslexia advisor, Denis McCann, during the week. Denis is a recently retired Area Commander with over thirty years' service with Lancashire and Avon. He is also dyslexic and is an excellent role model, demonstrating that dyslexia doesn't have to be a barrier to progression. During the week he spoke to various teams, providing advice and answering questions and met members of the Dyslexia Support Network. He also gave a presentation to the Executive Board and visited a couple of drill nights.

5.6 During and shortly after the awareness week a further four dyslexic employees came forward to seek advice and support.

## **6. REVIEW OF THE BULLYING AND HARASSMENT POLICY**

6.1 One of the actions in the Equality Strategy was to review the Bullying and Harassment policy and this has been taking place this year. The policy emphasises the Service's zero tolerance approach to bullying and harassment and sets out the procedures to be followed when reporting and investigating incidents.

6.2 Employees were involved in the review and were invited to complete a questionnaire. Individual and group discussions were held and initial conversations took place with representative bodies. Best practice was also researched and drawn upon. Key changes in the draft policy include:

- Retitling the policy to 'Respect and Dignity in the Workplace' in order to focus on the desired behaviours;
- More emphasis on the core values and behavioural framework with the expectation that these will form an important part of general monitoring of behaviours as well as resolution of issues;
- Setting out the expectation that employees will have made their feelings known to the person concerned (via an intermediary if necessary) and attempted a resolution before a grievance will be heard (except in serious cases).

6.3 The draft policy will shortly be going out for formal consultation.

## 7. **RECRUITMENT OF COMMUNITY ADVOCATES IN PLYMOUTH WITH LANGUAGE SKILLS**

7.1 A pilot project is currently underway to recruit community advocates in Plymouth with particular language skills in Arabic, Farsi, French, Kurdish, Polish or Tigrinya. These advocates will help the Service to reach some vulnerable communities who are likely to have a limited understanding of English.

7.2 Particular risks for some communities were identified including:

- limited understanding of fire safety legislation;
- limited awareness of fire prevention/protection devices and plans e.g. smoke detectors, planning escape routes;
- overcrowding in some accommodation;
- different cultural practices e.g. cooking methods using oil and flames, use of candles and fireworks;
- wearing of flowing traditional garments when cooking.

7.3 The ability to converse with someone in their own language, allowing the exchange of information and opportunity for questioning and clarifying is important to ensure that key safety messages are conveyed, understood and acted upon. It also allows trust and rapport to be developed.

7.4 The pilot is being run for Plymouth advocates with one of the essential requirements for the job being to have good conversational skills in at least one of the top five languages in Plymouth in addition to English.

7.5 The recruitment is open to people of any nationality/ethnic background; the specific language requirement is the key skill that distinguishes this recruitment from the general advocate person specification. The role has recently been advertised and it is anticipated that interviews will take place in the new year.

**8. ASIAN FIRE SERVICE ASSOCIATION DEVELOPMENT DAY 2016**

8.1 The Service was recently honoured to be approached by the Asian Fire Service Association with a request to host a national Development Day in May 2016 for Fire and Rescue Services. Discussions are now underway to agree themes, workshops and case studies.

8.2 The main focus of the Asian Fire Service Association is to mainstream equality and diversity issues, both in service provision and employment practices. The development days provide an opportunity for Fire and Rescue Services to share ideas and best practice on, for example, keeping communities safe, considering individual needs, fostering good relations (including tackling prejudice and promoting understanding) and supporting community cohesion.

**9. CONCLUSION**

9.1 The Service's Equality Strategy continues to be implemented and regularly monitored by the Strategic Equalities Group. Work is now underway to plan for a new Equality Strategy which will be effective from 2016 to 2020.

9.2 It is recommended that the report be noted.

**TREVOR STRATFORD**  
Director of Operations

## **Strategic Equalities Group**

### **Terms of Reference**

#### **Purpose**

The role of the Strategic Equalities Group is to provide independent assurance of the Service's performance in relation to a range of specific people factors.

These factors include those that apply to staff and the Service's interactions with the community and voluntary sector.

A crucial role is played by the Group in ensuring that the Service complies with the Public Sector Equality Duty and maintains the principles of working to the national FRS Equality Framework. The Group will monitor the Equality Strategy and will also collect and monitor information (e.g. data, statistics, feedback) within its scope, specifically that relating to the protected characteristics within the Equality Act 2010, in order to identify issues, patterns and gaps. The Group will then make, as appropriate, recommendations for improving and developing performance and practices.

Examples of the measures that will be monitored include:

- Number of women employed in the Service
- Number of women employed in a supervision role
- Staff ethnicity within the Service
- Community demographics.

The Group will also provide a service to the Executive Leadership Team of reviewing and commenting on national and sector specific direction setting and guidance documents for equalities where feedback has been invited.

## **Scope**

The scope of the Group covers the following:

### **Legislative**

- Public Sector Equality Duty
- Equality Strategy
- Equality Risks and Benefits Analyses (ERBAs)
- Equalities and Diversity

### **Organisational**

- Behaviours
- Core Values
- Respect and dignity at work

The Group will not have:

- Ownership of strategies or policies
- Ownership of performance indicators
- Day to day management of people

## **Our commitment**

We will:

- be an influential group for positive change
- act as Equality Champions both inside and outside the organisation
- assist in promoting and embedding Core Values
- communicate effectively
- recognise and celebrate achievements.

## **Accountability**

Following each meeting, feedback will be provided to the Senior Leadership Team, to include:

- any issues arising from the review of the Equality Strategy
- latest figures/data being monitored and recommendations arising
- other equality or people-related issues arising.

Feedback, as described above, will also be provided to the Group's Executive Board lead who will discuss, as required, with other members of the Executive Board.

The Group will report progress on the Equality Strategy and other related matters to the Human Resources Management & Development Committee every six months.

## **Membership**

The membership of the Strategic Equalities Group will comprise of:

- Community Safety – AM Community Safety (Chair)
- Community and Workplace Equalities – CWE Manager (Vice Chair)
- Human Resources – HR Manager
- Community Safety – Communities Manager
- Analysis and Development – Corporate Planning Manager
- Service Delivery
- Control
- Training Academy
- Representative bodies
- Fire Pride representative
- WANDS representative
- Dyslexia representative.

In addition, the Executive Board lead will be invited to attend each meeting.

## **Meeting organisation**

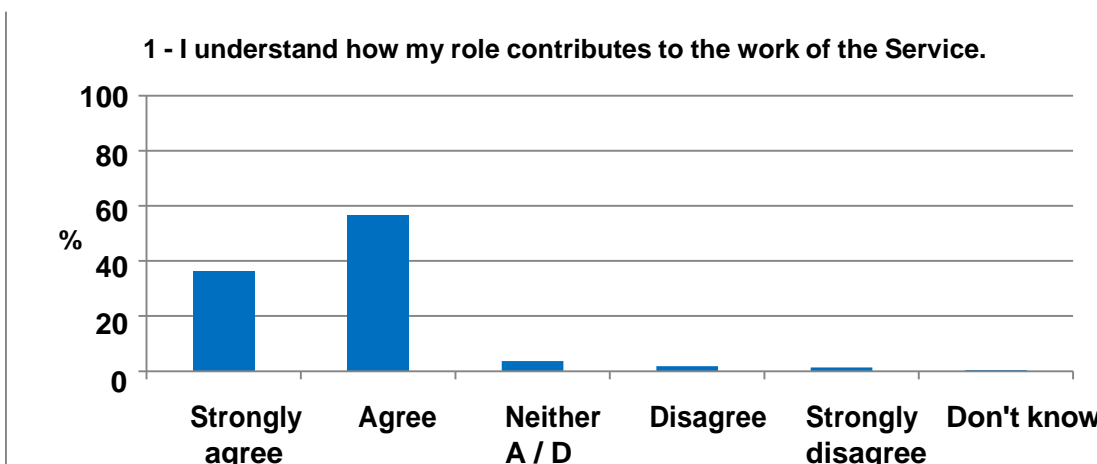
A minimum of two group meetings but normally three will be held each year.

Agendas are distributed prior to each meeting and minutes are taken. If issues arise between meetings, these will be dealt with by email communication



**Question 1 - I understand how my role contributes to the work of the Service.**

	Strongly agree	Agree	Neither A / D	Disagree	Strongly disagree	Don't know	Total	Text Response
#	199	309	20	10	7	2	547	132
%	36.4	56.5	3.7	1.8	1.3	0.4	100.1	24.1



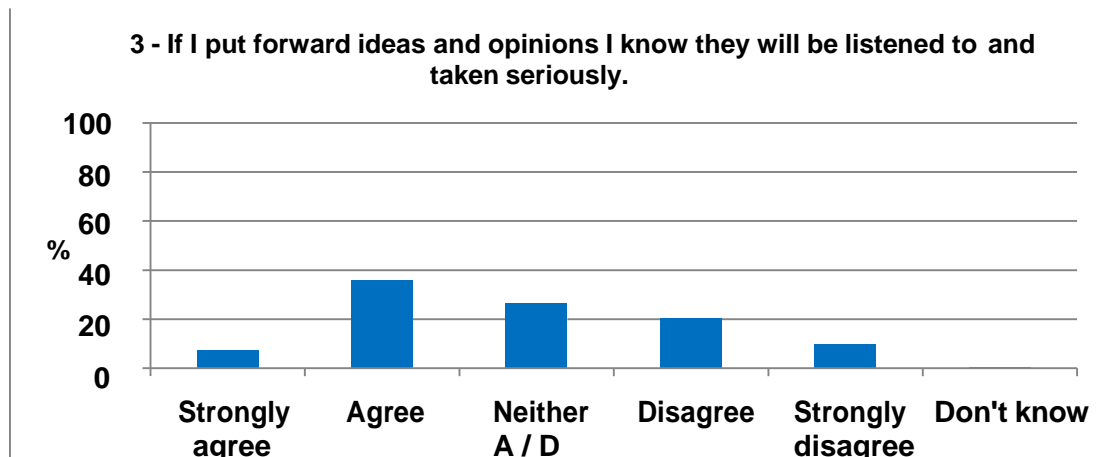
**Question 2 - I am satisfied with the level of personal control and influence I have in my role.**

	Strongly agree	Agree	Neither A / D	Disagree	Strongly disagree	Don't know	Total	Text Response
#	40	246	106	92	53	2	539	158
%	7.4	45.6	19.7	17.1	9.8	0.4	100.0	29.3



Question 3 - If I put forward ideas and opinions I know they will be listened to and taken seriously.

	Strongly agree	Agree	Neither A / D	Disagree	Strongly disagree	Don't know	Total	Text Response
#	39	192	142	109	52	2	536	195
%	7.3	35.8	26.5	20.3	9.7	0.4	100.0	36.4



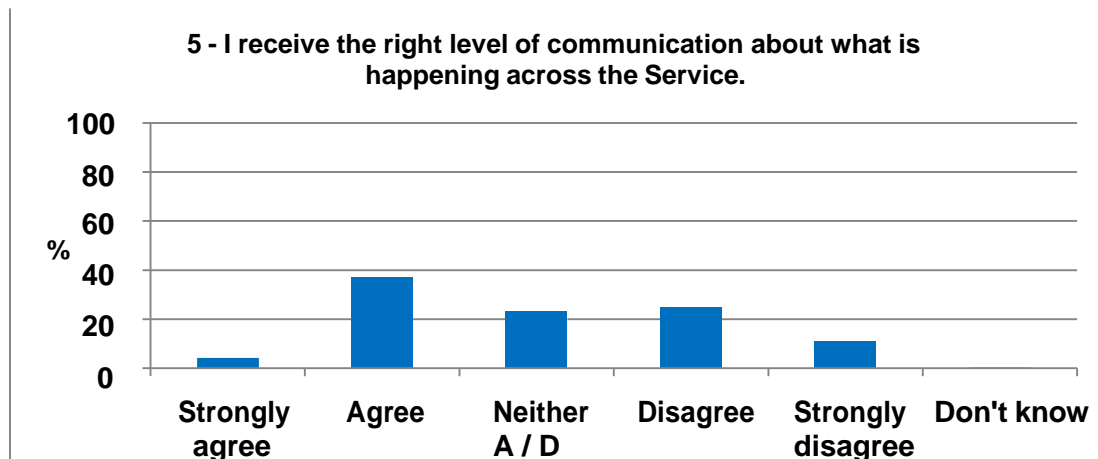
Question 4 - My line manager's leadership and management style encourages me to do a good job.

	Strongly agree	Agree	Neither A / D	Disagree	Strongly disagree	Don't know	Total	Text Response
#	115	221	87	63	34	3	523	170
%	22.0	42.3	16.6	12.0	6.5	0.6	100.0	32.5



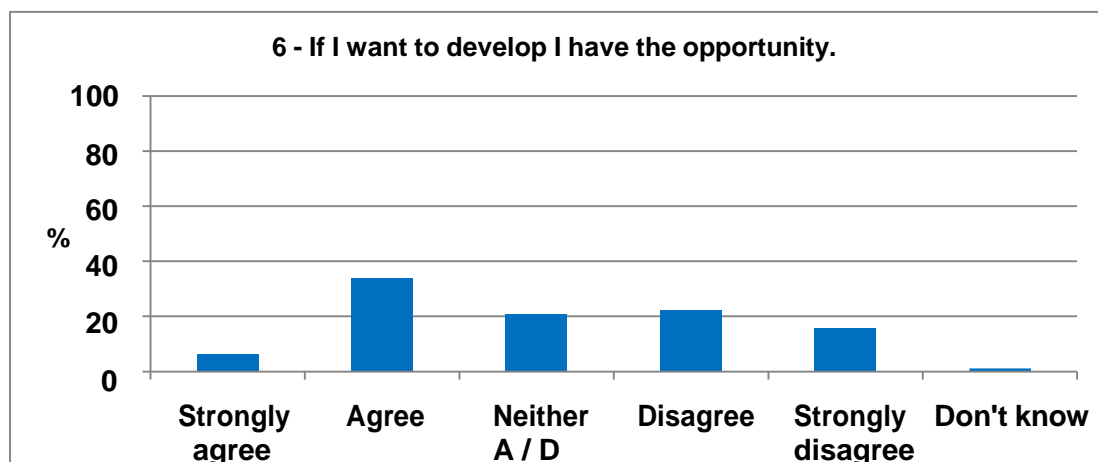
Question 5 - I receive the right level of communication about what is happening across the Service.

	Strongly agree	Agree	Neither A / D	Disagree	Strongly disagree	Don't know	Total	Text Response
#	22	193	120	129	57	1	522	194
%	4.2	37.0	23.0	24.7	10.9	0.2	100.0	37.2



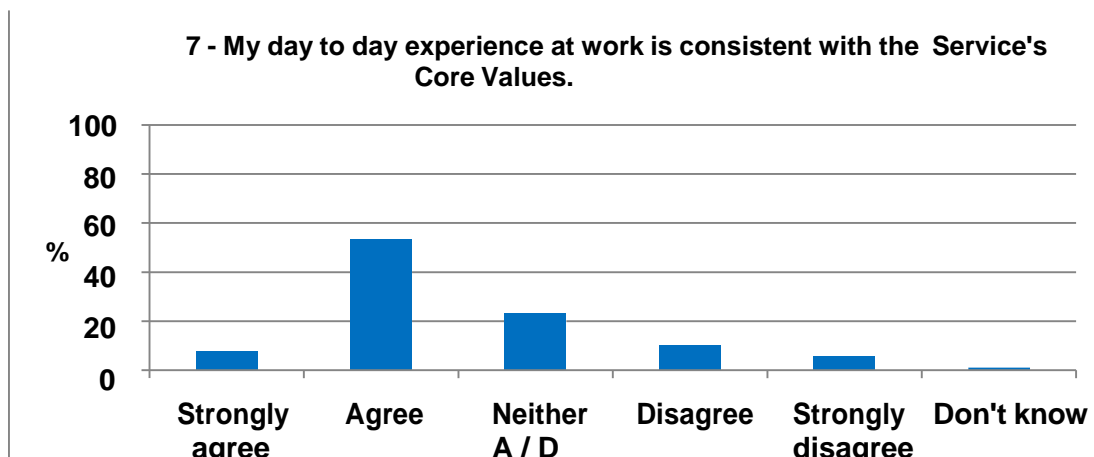
Question 6 - If I want to develop I have the opportunity.

	Strongly agree	Agree	Neither A / D	Disagree	Strongly disagree	Don't know	Total	Text Response
#	33	176	109	117	82	6	523	218
%	6.3	33.7	20.8	22.4	15.7	1.1	100.0	41.7



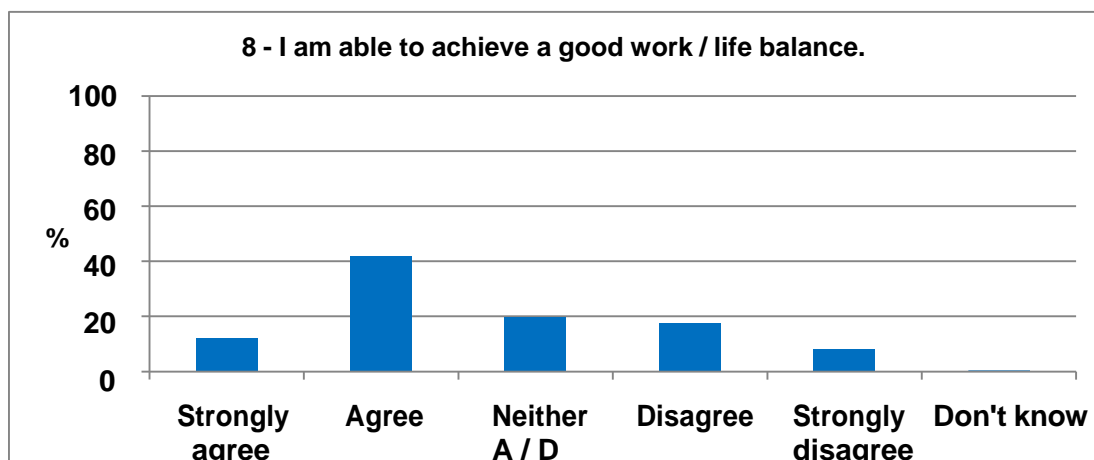
**Question 7 - My day to day experience at work is consistent with the Service's Core Values.**

	Strongly agree	Agree	Neither A / D	Disagree	Strongly disagree	Don't know	Total	Text Response
#	39	275	118	51	28	5	516	127
%	7.6	53.3	22.9	9.9	5.4	1.0	100.1	24.6



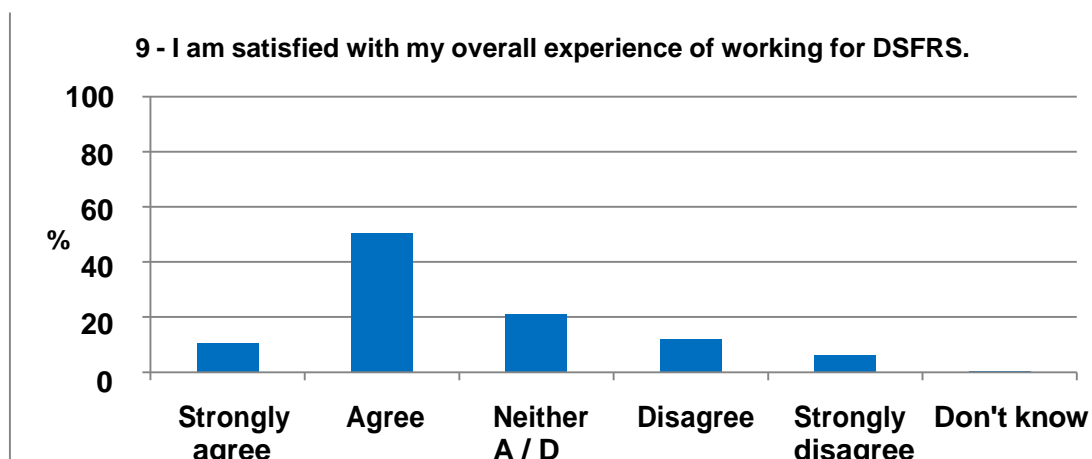
**Question 8 - I am able to achieve a good work / life balance.**

	Strongly agree	Agree	Neither A / D	Disagree	Strongly disagree	Don't know	Total	Text Response
#	63	215	102	91	41	2	514	216
%	12.3	41.8	19.8	17.7	8.0	0.4	100.0	42.0



**Question 9 - I am satisfied with my overall experience of working for DSFRS.**

	Strongly agree	Agree	Neither A / D	Disagree	Strongly disagree	Don't know	Total	Text Response
#	54	258	108	61	31	2	514	179
%	10.5	50.2	21.0	11.9	6.0	0.4	100.0	34.8



**Question: For your main job with DSFRS are you...?**

	Uniformed Wholetime duty system	- Uniformed - Retained duty system	Uniformed - Control	Support Staff	Not answered	Total
#	221	106	24	157	44	552
%	40.0	19.2	4.3	28.4	8.0	99.9

The overall response rate to the 2015 survey was 28.2%

**Question: Where do you work for your main job with DSFRS?**

	Central Command - Fire Station	Somerset Command - Fire Station	Western Command - Fire Station	Group HQ / STC / Workshops	Service Headquarters / Control	Not answered	Total
#	95	81	96	89	144	47	552
%	17.2	14.7	17.4	16.1	26.1	8.5	100.0

<b>REPORT REFERENCE NO.</b>	<b>HRMDC/15/10</b>
<b>MEETING</b>	<b>HUMAN RESOURCES MANAGEMENT &amp; DEVELOPMENT COMMITTEE</b>
<b>DATE OF MEETING</b>	<b>7 DECEMBER 2015</b>
<b>SUBJECT OF REPORT</b>	<b>ABSENCE MANAGEMENT</b>
<b>LEAD OFFICER</b>	<b>Director of People &amp; Commercial Services</b>
<b>RECOMMENDATIONS</b>	<i><b>That the Service continues with the action plan directed towards reducing down sickness absence.</b></i>
<b>EXECUTIVE SUMMARY</b>	<p>Absence Management is a standing item on the Human Resources Management and Development Committee agenda.</p> <p>During 2014/15, the Service saw an increase in sickness absence levels and is taking action to redress this in 2015/16 but at this stage, sickness levels have not improved.</p>
<b>RESOURCE IMPLICATIONS</b>	Increased staffing time associated with the action plan at a time when the support staffing levels are reducing.
<b>EQUALITY RISK &amp; BENEFITS ASSESSMENT</b>	The current Absence Management policy has had an equality impact assessment and a further ERBA will be required for a new Sickness Absence Management policy that is in development.
<b>APPENDICES</b>	None
<b>LIST OF BACKGROUND PAPERS</b>	CIPD Annual Absence Management Report 2015

1. **INTRODUCTION**

1.1 Within Devon and Somerset Fire & Rescue Service, the health, safety and wellbeing of our employees is taken seriously. As such, the Service provides a wide range of initiatives, interventions and policies to ensure that our employees enjoy a safe and supportive working environment. However, the Service recognises that employee absence has a significant cost to the organisation and is therefore something that needs to be measured, understood and addressed. The Service needs to strike a reasonable balance between the genuine needs of employees to take occasional periods of time off work because of ill-health and the Service's ability to continue to fulfil its role in serving our communities.

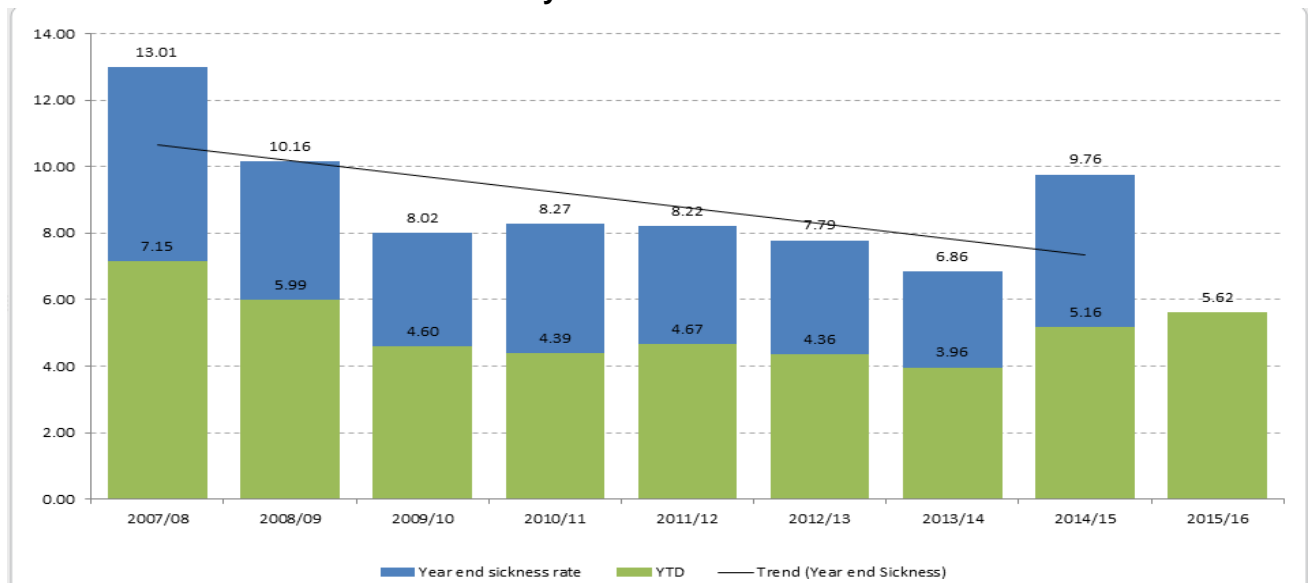
1.2 The Service performance for Absence Management has been included as a standing item on the agenda for the Human Resources Management and Development (HRMD) Committee since the formation of Devon & Somerset Fire & Rescue Service and has also featured within the Audit & Performance Review Committee (APRC) performance report. With the declining performance in 2014/15, the Service has put in place an Action Plan to redress this performance in 2015/16 but at this stage, sickness levels have not improved.

1.3 The key areas of focus within the Action Plan are as follows and further information on the progress made is included within this report:

- The provision of more timely and accurate information to managers;
- Leadership – making the link between sickness and performance, with managers taking a more active role in the management of individual sickness and in managing workloads and priorities;
- An appropriate blend of robust decisions, taken at an earlier stage, in relation to long-term sickness and appropriate preventative measures to prevent sickness; and
- The development and promotion of a health, fitness and wellbeing culture.

1.3 Since the formation of the combined Devon & Somerset Fire & Rescue Service in 2007, the absence levels are shown below. Whilst the overall trend is downward, the absence levels for 2014/15 and for this financial year show a marked upturn.

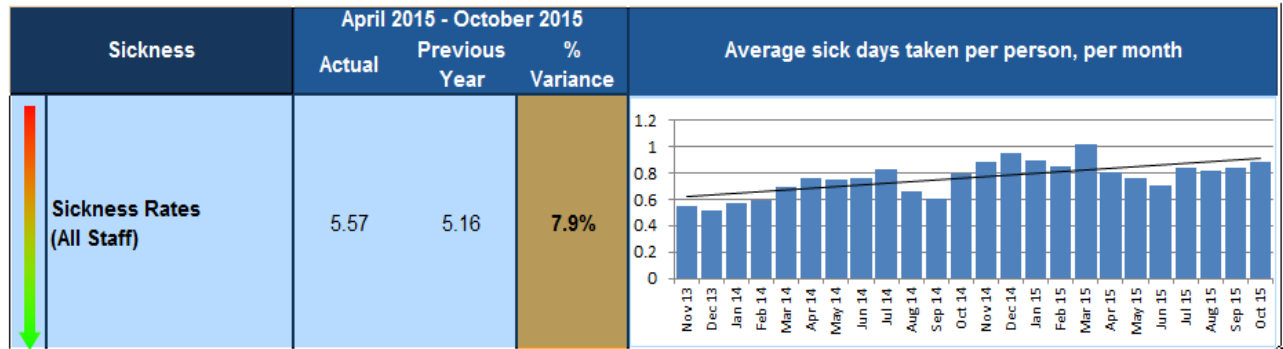
**Sickness Levels at YTD and full year since the formation of DSFRS**



## 2. 2015/16 ABSENCE PERFORMANCE

2.1 The graph below shows the monthly sickness rates for the last 2 years. On average, Service employees have taken 5.57 days of sick leave from April to October for the 2015/16 financial year. This is an increase of 7.9% from the same period last year. The graph shows an upward trend on a month-by-month basis over this 2 year period.

### Sickness Direction of Travel

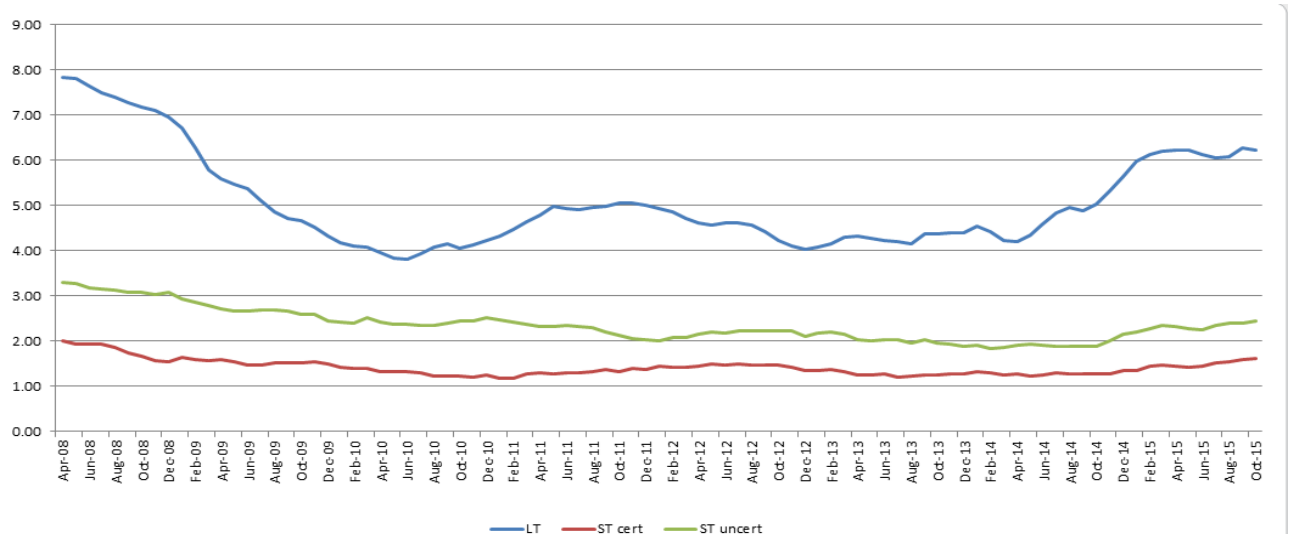


2.2 With monthly peaks and troughs in sickness, it is difficult to see the on-going longer term change in the rates over this time. The graph below shows the 12-month rolling sickness rate as measured at the end of each month. As this is a rolling rate, it removes any monthly peaks and troughs and enables us to see performance trends more clearly. There are 3 categories of sickness shown in the graph:

- **Short-term uncertified sickness** – periods of sickness up to 7 days
- **Short-term certified sickness** – periods of sickness between 8 and 28 days for which a GP certificate is required
- **Long-term sickness** – periods of over 28 days

2.3 This rolling rate shows the impact that the Long Term Sickness is having on our overall sickness, although this level appears to have levelled out. The Service is also, however, seeing an upturn in short-term sickness.


### Average sick days taken per person, per year on a rolling 12 month basis






- 2.4 The Service can then consider the breakdown of sickness rates between the different contract types as well as the length of sickness. There are 4 contract types for staff:
- Wholetime Station based staff;
  - Wholetime non-Station based staff;
  - Control Staff; and
  - Support Staff
- 2.5 Control has seen a tremendous improvement in their absence rates which brings them closer to the levels of Wholetime and Support Staff. The overall sickness rate of Wholetime station-based staff are marginally worse than 2014/15 primarily due to uncertified short-term sickness.
- 2.6 Support staff has seen an overall worsening of sickness by 14% due to short-term certified and long-term sickness.
- 2.7 Wholetime non-station based staff has seen a significant increase in sickness.

### Sickness Rates by Post Type

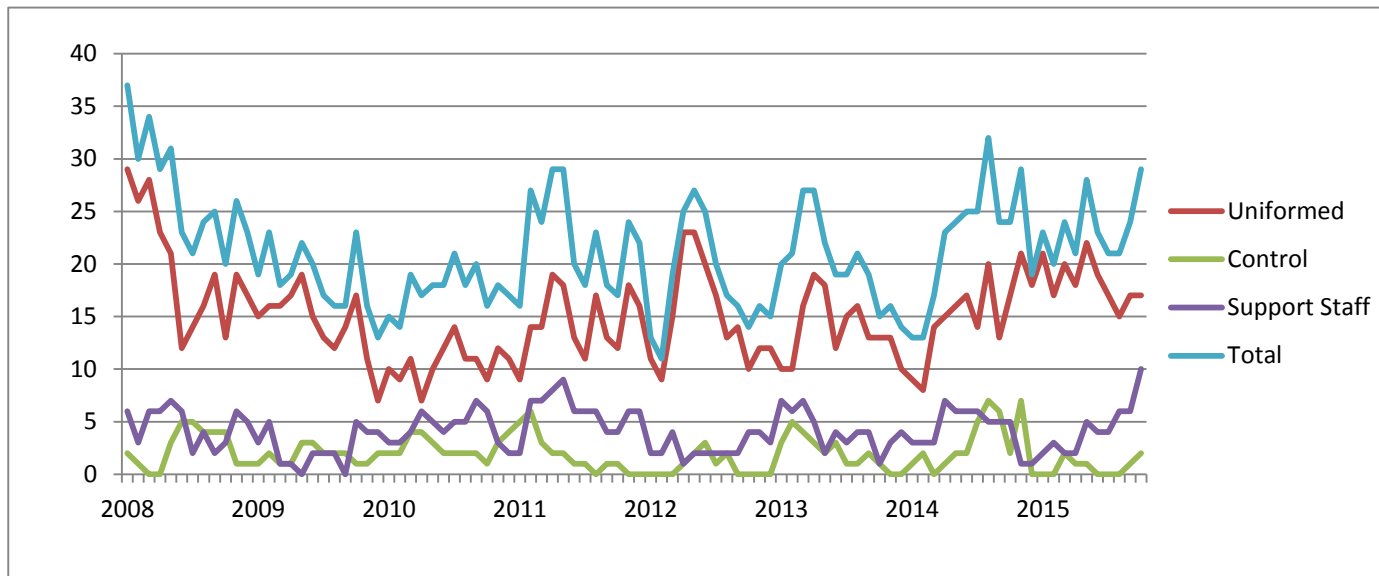
Sickness Rates by post type April 2015 - October 2015		Wholetime Station based staff			Wholetime Non Station staff (inc SHQ, STC, group support teams etc)		
		Actual	Previous Year	% Variance	Actual	Previous Year	% Variance
	Overall Sickness Rate	4.83	4.59	5.2%	7.07	4.83	46.4%
	Total # Days/shifts lost	1887	1893	-0.3%	1310	930	40.9%
	Sickness Rates - Long Term (over 28 calendar days)	3.06	3.02	1.1%	5.67	3.65	55.3%
	# Days/shifts lost LT	1194	1246	-4.2%	1049	703	49.2%
	Sickness Rates - ST Cert (8 - 28 calendar days)	0.59	0.65	-9.9%	0.69	0.69	0.1%
	# Days/shifts lost STcert	229	268	-14.6%	129	133	-3.0%
	Sickness Rates - ST Uncert (up to 7 calendar days)	1.19	0.92	29.7%	0.71	0.49	45.5%
	# Days/shifts lost STuncert	464	379	22.4%	132	94	40.4%

Sickness Rates by post type April 2015 - October 2015		Control			Support staff		
		Actual	Previous Year	% Variance	Actual	Previous Year	% Variance
	Overall Sickness Rate	5.99	14.00	-57.3%	5.58	4.90	14.0%
	Total # Days/shifts lost	244	583	-58.1%	1262	1180	6.9%
	Sickness Rates - Long Term (over 28 calendar days)	2.47	10.01	-75.3%	3.33	3.02	10.1%
	# Days/shifts lost LT	101	416	-75.7%	746	728	2.5%
	Sickness Rates - ST Cert (8 - 28 calendar days)	1.15	1.57	-26.7%	1.05	0.58	81.0%
	# Days/shifts lost STcert	47	66	-28.8%	237	139	70.5%
	Sickness Rates - ST Uncert (up to 7 calendar days)	2.36	2.42	-2.5%	1.21	1.30	-6.7%
	# Days/shifts lost STuncert	96	101	-5.0%	279	313	-10.9%

- 2.8 In order to understand how a small number of staff on long term sickness can have a big impact on absence levels, the Service can consider the number of staff that are on long-term sickness and these are shown below.
- 2.9 In the period since the last meeting of the Human Resources Management & Development Committee on 16 September 2015, the Service has seen an increase in the number of staff who are long-term sick, particularly within the Support Staff category where this averages at 4 staff at any one time but has increased to 10 in October 2015. This is the highest level since the Service combined in 2007, however, following this peak in October 2015, this number has reduced down again with a leaver and staff returning to work on a phased basis.

- 2.10 In Control, from June to August 2015, the Service had no long-term sickness but this has now risen to 2. In the Wholetime uniformed staff, there has been a slight increase to 17 when typically, the Service has between 10 and 20 staff off at any one time. It should be noted that, with uniformed staff, there has been an overall reduction in staffing numbers and so proportionally, this level will have a greater impact on absence levels.

### Numbers of staff on Long Term Sickness



### 3. BENCHMARKING DATA

- 3.1 Each year, the Chartered Institute of Personnel and Development (CIPD) produce an annual survey report which includes sickness levels by sector. The 2015 report found that there was considerable variation in absence levels across organisations with some reporting very high absence levels and therefore to avoid skewing results the top and bottom 5% of reporting organisations were removed from their statistics. Across all participating organisations, the average days lost per employee per year in 2014/15 was 6.9 and for public services 8.7. This compares with 9.76 days for the Service. For public sector organisations, the survey reported that sickness had increased by almost a day per person per year compared with the previous year in 2013/14. The survey found that of those organisations that set targets for absence management, only a quarter achieved their target with another 38% almost achieving it.
- 3.2 The survey found that organisations had seen an increase in stress and mental health problems with over half of public sector organisations reporting an increase. The survey recommended an effective approach to absence management coupled with a focus on health promotion and wellbeing. The survey challenged whether wellbeing was viewed as a 'nice to have' or fundamental to the way in which the business operated. Almost half of organisations reported that operational demands tend to take precedence over wellbeing considerations with a similar proportion saying they take employee wellbeing into consideration in business decisions and that it is on senior leaders' agendas and that line managers are bought into the importance of wellbeing. In terms of changes to the approach to absence management, the most common change was developing the capability of line managers to manage absence.

3.3

The Service also participates in a National Fire & Rescue Service Occupational Health Performance Report along with 26 other Fire & Rescue Services. This report is produced for each quarter and we have received the Q2 results. This includes the main causes of sickness across the UK by staff category and the results of the top 5 in each staff category for 2015/16 Q2 are as follows:

**Wholetime**

<b>Cause of Sickness Absence</b>	<b>% of total days/shifts lost</b>
Musculoskeletal	46%
Mental Health	16%
Gastro-Intestinal	9%
Respiratory	7%
Hospital/Post-Operation	3%

**On-call**

<b>Cause of Sickness Absence</b>	<b>% of total days/shifts lost</b>
Musculoskeletal	50%
Mental Health	20%
Hospital/Post-Operation	6%
Heart, Cardiac and Circulatory problems	5%
Respiratory	3%
Gastro-Intestinal	4%

**Support Staff**

<b>Cause of Sickness Absence</b>	<b>% of total days/shifts lost</b>
Mental Health	26%
Musculoskeletal	21%
Respiratory	7%
Hospital/Post-Operation	6%
Cancer and Tumours	6%

**Fire Control**

<b>Cause of Sickness Absence</b>	<b>% of total days/shifts lost</b>
Mental Health	29%
Musculoskeletal	21%
Hospital/Post-Operation	8%
Respiratory	6%
Gastro-Intestinal	6%

3.4

Within the survey for Q2, the average number of days lost to sickness for Wholetime Uniformed was 3.52 days with the highest being 5.54 days. Devon and Somerset Fire & Rescue Service was second highest at 4.97 out of the 27 organisations. For Support Staff, the average days lost to sickness was 3.49 days with the highest being 8.95 days. Devon and Somerset Fire & Rescue Service was sixth highest at 5.17. For Control Staff, the average days lost to sickness were 3.69 days with the highest being 12.56 days. Devon and Somerset Fire & Rescue Service was tenth highest at 4.97.

#### **4. THE PROVISION OF INFORMATION & DATA**

- 4.1 Having accurate data for absence management is absolutely key to knowing what the current levels are and being able to make internal comparisons within the Service. The issues around the Sickness Portal have been reported to this Committee previously and the requirement to have the sickness reason code as a mandatory field. This was resolved with some other improvements in the Portal version 2 including updating changes to reflect the current line manager and enabling certain tasks to be delegated, e.g. from the Watch Manager to Crew Manager. There is still further work to do on a Portal version 3 and the Information & Communications Technology department will also be moving the portal to a new system architecture. In order to obtain the missing data on the sickness codes, the Service will need to contact those staff with missing information to obtain the reason code.
- 4.2 In terms of Performance Management information, at present the Service can report on staffing categories but this information is produced specifically for this report and does not sit on the Performance Information Management System (PIMS). However, this system is being reconfigured to enable sickness at Departmental level to be accessed.
- 4.3 The 2014-15 Payroll audit completed by the Devon Audit Partnership (DAP) identified some control issues with the sickness recording system in relation to:
- Data accuracy
  - Systems Interface (between the Sickness Portal and the HR Workforce system)
  - End user compliance
- 4.4 Devon Audit Partnership gave partial assurance that appropriate controls were in place to manage the risk of incorrect sickness payments and accuracy of performance data and it was agreed that the Service Audit & Review Team would complete a review of the sickness portal and its operation. This audit has identified that there are further improvements required to our sickness recording system.

#### **5. MANAGEMENT OF LONG TERM SICKNESS**

- 5.1 Since Long Term Sickness has such a significant impact on our sickness absence levels, the Service has reviewed a number of aspects around this. For Grey book staff, sick pay benefits are available from day one of employment whereas for Green book staff the duration of sick pay increases each year over the first 5 years of service. These are contractual benefits but we have previously operated with a pay review panel to determine whether sick pay should be extended depending on the circumstances of the illness and the individual. The Service has subsequently removed this panel and is operating strictly to the national terms and conditions whereby exceptional circumstances are considered. Employees are provided with advance warning of sick pay reductions and they have the opportunity to make a written submission, should they consider that their case has exceptional circumstances. By its very nature, exceptional means an unusual or untypical situation and the normal situation is that sick pay is reduced at the appropriate time periods as set out in the Grey Book.
- 5.2 The Service is doing more to support employees with Long Term Sick (LTS) to help them back to work. This includes the following:
- Monthly reviews and updated records of those on LTS;
  - More contact and discussion with employees who are off work due to sickness;

- Better access to restricted duties;
- Exploring ways to speed up any medical delays by, where appropriate and with a business case, providing private medical assistance;
- Continually reviewing welfare and support arrangements; and
- Analysing data/info to inform the development of programmes and actions to help prevent sickness.

## **6. LEADERSHIP AND MANAGEMENT ON A DAY TO DAY BASIS**

- 6.1 The performance management of sickness is being focused on as a priority for our leadership teams. We are being far more proactive in our approach to absence management by focusing on the performance of our teams and individuals.
- 6.2 As part of this focus, the Service is also ensuring that we support staff in how they manage their workloads and priorities. The use of appraisals (PPDs) and regular one-to-ones with line managers will support this at a time when further public sector spending cuts will mean that we have reduced staffing resources and therefore will need to reprioritise our efforts. The Service will also deal with any non-genuine sickness.

## **7. DEVELOP A FITNESS, HEALTH AND WELLBEING CULTURE**

- 7.1 The Service is developing a new Wholetime Flexible Working Pattern and has been engaging with staff and trade unions on how this would operate. This will increase the ability of our staff to work in a way that best suits their needs and lifestyle at any one time. From a Service perspective, the working pattern will ensure that the organisation will have the right number of staff that are needed at any one time to crew our appliances. This mutually beneficial system would also potentially reduce short-term absenteeism.
- 7.2 The Service has been working on how we can improve our fitness levels amongst our staff both from a testing and a preventative perspective. The work has been undertaken as a 'light touch' project but it has now been determined that it warrants a full strategic project and it will need to be resourced accordingly. At present, the Service is not recruiting wholetime staff. With the changes in pensions which extend the working age of firefighters, coupled with staff being able to choose to continue working beyond 30 years, we will have a gradually aging workforce which we need to be able to support in maintaining the appropriate fitness levels through their extended career.
- 7.3 In terms of wellbeing, the Service has a range of support associated with mental health problems with counselling, staff supporters, workplace stress risk assessment (RA10), mediation services, and a dedicated Welfare Officer. The Service also has temporarily been utilising a uniformed watch manager to support with the co-ordination of the Mind Blue Light campaign. The Service is seeking to use the government funded support from MIND and has run our first line manager training course with a further 5 courses to follow.
- 7.4 The MIND programme is intended to help improve the resilience of staff, make staff more aware of the importance and value of mental health and to be more responsive when people experience mental health issues. Through this programme the Service should be able to reduce the stigma associated with mental health problems and therefore encourage people to talk about their issues which ultimately will help staff cope with their day-to-day working life.

7.5 Over the longer term this will help us reduce absence as a result of more preventative actions. As part of their Blue Light Campaign, MIND did a survey from November 2014 through to January 2015 and found that 87.57% of emergency services staff had experienced stress and poor mental health. As part of our work in this area, the Service is working towards meeting the requirements of the MIND “Time to Change” pledge.

## **8. CONCLUSION**

8.1 The Service has previously seen a downward trend in sickness absence levels since combination in 2007 with an exceptionally good year in 2013/14. In 2014/15, the Service experienced significantly higher absence levels which has prompted the development of an action plan to redress this position. It is noted that 2014/15 followed a year of considerable changes within the Service with significant reductions in staffing levels as a result of needing to meet Government grant reductions. There was also uncertainty around pensions and non-continuous periods of industrial action which may also have an impact on morale and this may be reflected in higher sickness levels. In 2015/16 we continue to have significant change with the uncertainty over government funding, working patterns and potential reductions in middle manager and support staff.

**JANE SHERLOCK**  
**Director of People & Commercial Services**

<b>REPORT REFERENCE NO.</b>	<b>HRMDC/15/11</b>
<b>MEETING</b>	<b>HUMAN RESOURCES MANAGEMENT &amp; DEVELOPMENT COMMITTEE</b>
<b>DATE OF MEETING</b>	<b>7 DECEMBER 2015</b>
<b>SUBJECT OF REPORT</b>	<b>RETIREMENT &amp; RE-EMPLOYMENT</b>
<b>LEAD OFFICER</b>	<b>Director of People &amp; Commercial Services</b>
<b>RECOMMENDATIONS</b>	<i><b>That the requests for retirement &amp; re-employment as identified in paragraph 2.4 of this report be approved.</b></i>
<b>EXECUTIVE SUMMARY</b>	<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>
<b>RESOURCE IMPLICATIONS</b>	Contained within the body of the report.
<b>EQUALITY RISK &amp; BENEFITS ASSESSMENT</b>	The Retirement & Re-Employment Policy has had an equalities assessment.
<b>APPENDICES</b>	Nil.
<b>LIST OF BACKGROUND PAPERS</b>	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 Pay Policy Statement 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 includes details of an application for retirement/re-employment in accordance with the approved policy.

## 2. **RETIREMENT AND RE-EMPLOYMENT**

2.1 The Service policy on Retirement & Re-employment is linked to 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 whole-time posts. The Service has progressed well with reducing the staffing levels against this target to date.



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 has received an expression of interest from the following uniformed employees:

Role	Station /Dept	Interested in Job Share
Watch Manager	Western Command	Yes as a CM
Station Manager	Western Command	Yes as a CM
Firefighter	Western Command	No

2.5 There are no additional financial costs for the organisation since this employee has reached the point at which they can retire and are therefore entitled to receive their pension lump sum on retirement. The 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 Local Government Pension Scheme. 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. **RECOMMENDATIONS**

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

**JANE SHERLOCK**  
**Director of People & Commercial Services**