



DEVON & SOMERSET FIRE & RESCUE AUTHORITY

M. Pearson
CLERK TO THE AUTHORITY

To: **Members of the Human Resources
Management & Development Committee**

(see below)

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

Your ref :
Our ref : SS/SY/HRMDC/Jun 2016
Website : www.dsfire.gov.uk

Date : 16 June 2016
Please ask for : Sam Sharman
Email : ssharman@dsfire.gov.uk

Telephone : 01392 872200
Fax : 01392 872300
Direct Telephone :

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

Friday 24 June 2016

A meeting of the Human Resources Management & Development Committee is to be held on the above date, **commencing at 10.00 am in Conference Room B, 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 previous meeting held on 10 March 2016 attached **(Pages 1 - 4)**

4 Items Requiring Urgent Attention

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

5 Election of Vice Chair

PART 1 - OPEN COMMITTEE

6 Absence Management (Pages 5 - 12)

Report of the Director of People and Commercial Services (HRMDC/16/6) attached.

7 Retirement and Re-employment (Pages 13 - 16)

Report of the Director of People and Commercial Services (HRMDC/16/7) attached.

8 Appointments to the Internal Disputes Resolution Procedure (IDRP) Panel (Pages 17 - 18)

Report of the Clerk (HRMDC/16/8) attached.

9 Update on Organisational Development

The Area Manager for Organisational Development to give a presentation at the meeting in respect of the progress made to date.

10 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

11 Trade Union Facilities and the Trade Union Act 2016 (Pages 19 - 24)

Report of the Director of People and Commercial Services (HRMDC/16/9) attached.

MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

Membership:-

Councillors Bown (Chair), Burridge-Clayton, Chugg (Vice-Chair), Knight, Thomas, Wheeler and Julian

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> |

This page is intentionally left blank

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

10 March 2016

Present:-

Councillors A Bown (Chair), Burridge-Clayton, Chugg, Dyke (sub Horsfall), Hill (sub Thomas), Knight and Wheeler.

HRMDC/20 Minutes of the meeting held on 7 December 2015*

RESOLVED that the Minutes of the meeting held on 7 December 2016 be signed as a correct record.

HRMDC/21 Interim Results of the Employee Survey 2015*

The Committee receive for information a presentation given by the Communities and Workplace Equalities Manager that provided an update on the results of the Employee Survey that had been undertaken in 2015.

The main points noted were:

- This was the fourth employee survey that had been undertaken since combination in 2007;
- There were 9 key areas in which the Service could measure employee satisfaction and engagement with the workforce and these had been utilised as the basis for the questions in the survey;
- Around 800 responses to the survey had been received;
- The responses had been split into 6 areas where satisfaction was gauged to be greater than 50% and 3 areas where it was less than 50%;
- There had been a mixture of positive and negative comments received in addition to the completion of the survey questions, with many practical suggestions made. The comments were made by people who had responded both positively and negatively to the question, with cross cutting themes emerging, i.e. the comments didn't always fit neatly within the question;
- Development work was underway to address the some of the outcomes of the survey which included employee engagement, communication, wellbeing, and learning and development issues.

HRMDC/22 Absence Management*

The Committee considered a report of the Director of People & Commercial Services (HRMDC/16/1) that set out the sickness absence levels for staff since combination in 2007 to date, with particular reference to the position in 2014/15 to 2015/16.

It was noted that during 2014/15, the Service had seen an increase in sickness absence levels which had continued into 2015/16. An action plan had been instigated to address this and the Service was starting to see the early signs of an improvement in sickness levels. As a result, in April to October 2016, the sickness absence level was 6.66 days which was a 4.8% decrease on the same period in 2014/15. One of the main areas of focus was on long term sickness where the Service had previously seen an increase but this had now reduced. The action taken to improve performance in this area included ensuring that management data entry for sickness absence was timely and accurate, the improved management of sickness absence and by addressing cultural issues which were impacting upon sickness.

The Committee requested that appropriate benchmarking data should be provided such as from the Office for National Statistics (ONS). The Human Resources Manager advised that the cycle period for this report was behind that of other benchmarking reports since it utilised a percentage of lost time rather than the number of days of sickness. This meant that the data was not comparable. He added that the data provided by the Chartered Institute of Personnel & Development (CIPD) and other fire and rescue services was available sooner and reported sickness in a compatible form. Members requested that information be included within future reports setting out the position for sickness excluding work related absence.

The Human Resources Manager made reference to the improvements that had been made to the recording of sickness data. He stated that there was still some outstanding work to be undertaken on this to elicit information from 275 staff to record the reasons for absences and he envisaged that this work would be approximately two weeks' work.

HRMDC/23 Applications for Retirement/Re-employment*

The Committee considered a report of the Director of People & Commercial Services (HRMDC/16/2) that set out requests that had been made by uniformed members of staff for retirement and re-employment in accordance with the requirements of the Authority's Pay Policy Statement 2015/16.

RESOLVED that the requests for retirement & re-employment as identified in paragraph 2.4 of report HRMDC/16/2 be approved.

HRMDC/24 Consultation on the Reform of Public Sector Exit Payments*

The Committee considered a report of the Director of People & Commercial Services (HRMDC/16/3) that set out details of the consultation issued by HM Treasury on proposals for the Reform of Public Sector Exit Payments, the response for which was due by 3 May 2016. The key changes proposed included:

- Further restrictions on public sector redundancy payments;
- The tapering of lump sum redundancy payments towards retirement; and,
- the introduction of a salary cap of £95,000 for calculating exit payments.

RESOLVED that the Chief Fire Officer, in consultation with the Chair of the Human Resources Management & Development Committee, be authorised to submit a response to the consultation on Reforms to Public Sector Exit Payments by 3 May 2016.

HRMDC/25 **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 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 3 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.

HRMDC/26 **Pension Discretion***

(An item considered in accordance with Section 100A(4) 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 Corporate Services (HRMDC/16/4) that sought approval to instigate the Authority's pension's discretion for a member of staff and which set out the financial implications of doing so in this individual case.

RESOLVED that approval be given for the instigation of the pension discretion as set out within report HRMDC/16/4 for the individual concerned.

HRMDC/27 **Update on Trade Union Facilities***

(An item considered in accordance with Section 100A(4) 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 & Commercial Services (HRMDC/16/5) that set gave an update on the position in respect of the current Trades Union facilities.

RESOLVED that the option discussed at the meeting be approved and that a report thereon be submitted to the next meeting setting out the progress made, together with an overview of the Trades Union Reform Bill.

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

The Meeting started at 10.00 am and finished at 12.05 pm

This page is intentionally left blank

Agenda Item 6

REPORT REFERENCE NO.	HRMDC/16/6
MEETING	HUMAN RESOURCES MANAGEMENT & DEVELOPMENT COMMITTEE
DATE OF MEETING	24 JUNE 2016
SUBJECT OF REPORT	ABSENCE MANAGEMENT
LEAD OFFICER	Director of People & Commercial Services
RECOMMENDATIONS	<i>That the Service continues with the action plan directed towards reducing down sickness absence.</i>
EXECUTIVE SUMMARY	<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 which had continued into 2015/16. As a result of this the Service has been taking action to redress this situation and over 2015/16 there has been an improvement in sickness levels.</p> <p>This report sets out the 2015/16 year end performance results and provides an update on the progress with the action plan.</p>
RESOURCE IMPLICATIONS	Increased staffing time associated with the action plan whilst there are other competing priorities and support staffing levels have reduced.
EQUALITY RISK AND BENEFITS ANALYSIS (ERBA)	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.
APPENDICES	None
LIST OF BACKGROUND PAPERS	None.

1. **INTRODUCTION**

1.1 Within Devon and Somerset Fire and Rescue Service (the Service), the health, safety and wellbeing of employees is taken seriously and as such the Service provides a wide range of initiatives, interventions and policies to ensure that 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. A reasonable balance needs to be struck between the genuine needs of employees to take occasional periods of time off work because of ill-health the Service's ability to fulfil its role in serving local communities.

1.2 The Service performance for Absence Management has been included as a standing item on the members Human Resources Management and Development (HRMD) Committee agenda since the formation of the Service and has also featured within the Audit & Performance Review Committee (APRC) performance report. During 2014/15, the Service saw an increase in sickness absence levels which had continued into 2015/16. As a result of this the Service has been taking action to redress this situation and over 2015/16 there has been an improvement in sickness levels.

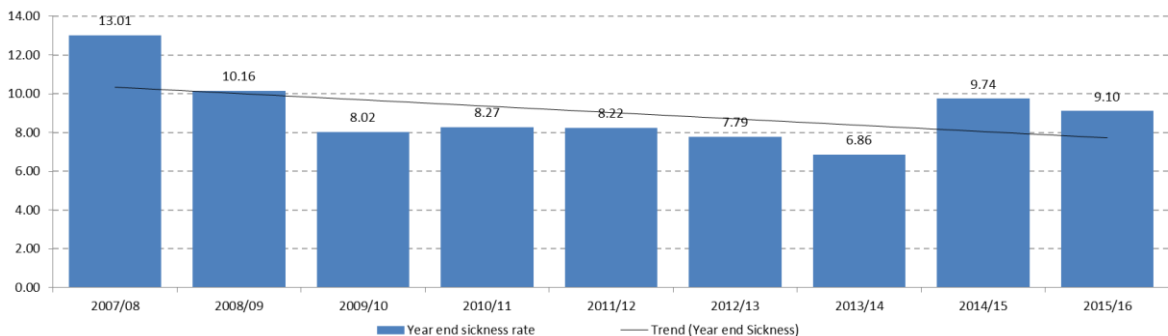
1.3 The Service does not set a target level for sickness levels but compares performance with previous years and bench-mark data. The Service is currently developing an outcome based approach to performance management and will be determining external and internal measures as part of this work. It is intended that these new measures will incorporate sickness level reporting.

1.4 The key areas of focus within the Service action plan are as follows and further information on progress 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.

1.5 Absence levels since the formation of the Service are shown below. Whilst the absence levels for 2014/15 and 15/16 showed an upturn, the overall trend is downward. Encouragingly, for 2015/16 the sickness levels at the year-end are below those for the same period in the previous year.

Sickness Levels since the formation of DSFRS

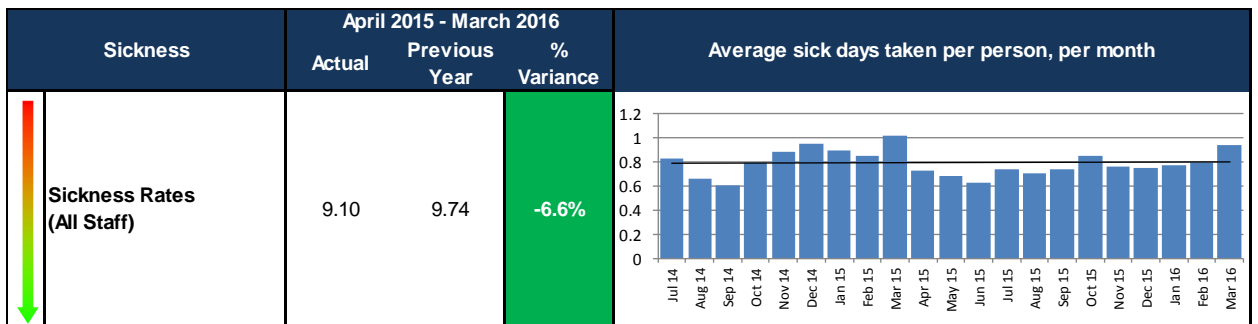


2. **2015/16 ABSENCE PERFORMANCE**

2.1 The graph below shows the monthly sickness rates for the last 2 years. On average, employees have taken 9.10 days of sick leave from April to March for the 2015/16 financial year. This is a decrease of 6.6% from the previous year. If we look back at the point-in-time sickness rates we saw an improving picture in the second half of the year:

- Q2 2015/16: 7.9% worse than the previous year
- Q3 2015/16: 4.8% better than the previous year
- Q4 2015/16: 6.6% better than the previous year

Sickness Direction of Travel



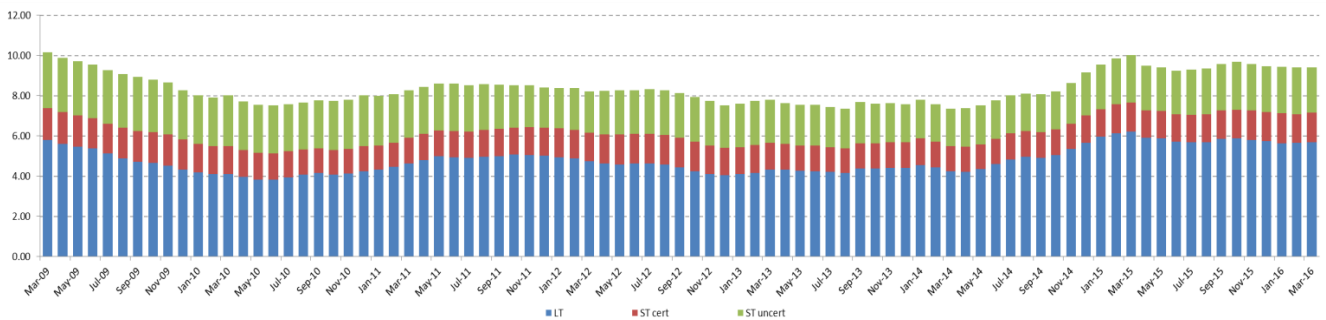
2.2 With monthly peaks and troughs in sickness, it is difficult to see the on-going longer term change in the rates over this time. The graph below shows the 12-month rolling sickness rate as measured at the end of each month. As this is a rolling rate it removes any monthly peaks and troughs and enables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

2.3 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

2.4 At Q4, the rolling rate for Long Term Sickness (LTS) has stabilised and has remained at a flat level over the final quarter.

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



2.5 We 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 that we consider:

- Wholetime Station based staff
- Wholetime non-Station based staff
- Control Staff
- Support Staff

2.6 Within Wholetime, long-term sickness and short-term certified sickness have improved since last year leading to a 27% reduction and an actual sickness rate of 7.16 days on average per person for the year.

2.7 Control has seen a tremendous improvement in absence rates primarily through a reduction of long-term sickness but it remains higher than other staff categories.

2.8 Support staff have seen an overall increase of sickness by 6.4% but this has improved from Q3 where it was 12.8% worse. Short-term sickness has improved over the full year.

2.9 Wholetime Non-station based staff is the poorest performing category when compared to the previous year with levels increasing by 46.4% at the end of Q2 but this improved at the end of Q4 when it was 15% worse. This position has not changed since Q3.

Sickness Rates by Post Type

Sickness Rates by post type April 2015 - December 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	7.16	9.83	-27.1%	10.98	9.55	15.0%
Total # Days/shifts lost	2836	3906	-27.4%	2129	1855	14.8%
Sickness Rates - Long Term (over 28 calendar days)	3.73	6.31	-40.9%	8.14	6.23	30.5%
# Days/shifts lost LT	1477	2508	-41.1%	1578	1211	30.3%
Sickness Rates - ST Cert (8 - 28 calendar days)	1.10	1.31	-16.2%	1.59	1.79	-11.0%
# Days/shifts lost STcert	436	522	-16.5%	309	348	-11.2%
Sickness Rates - ST Uncert (up to 7 calendar days)	2.33	2.20	5.7%	1.25	1.52	-18.1%
# Days/shifts lost STuncert	923	876	5.4%	242	296	-18.2%

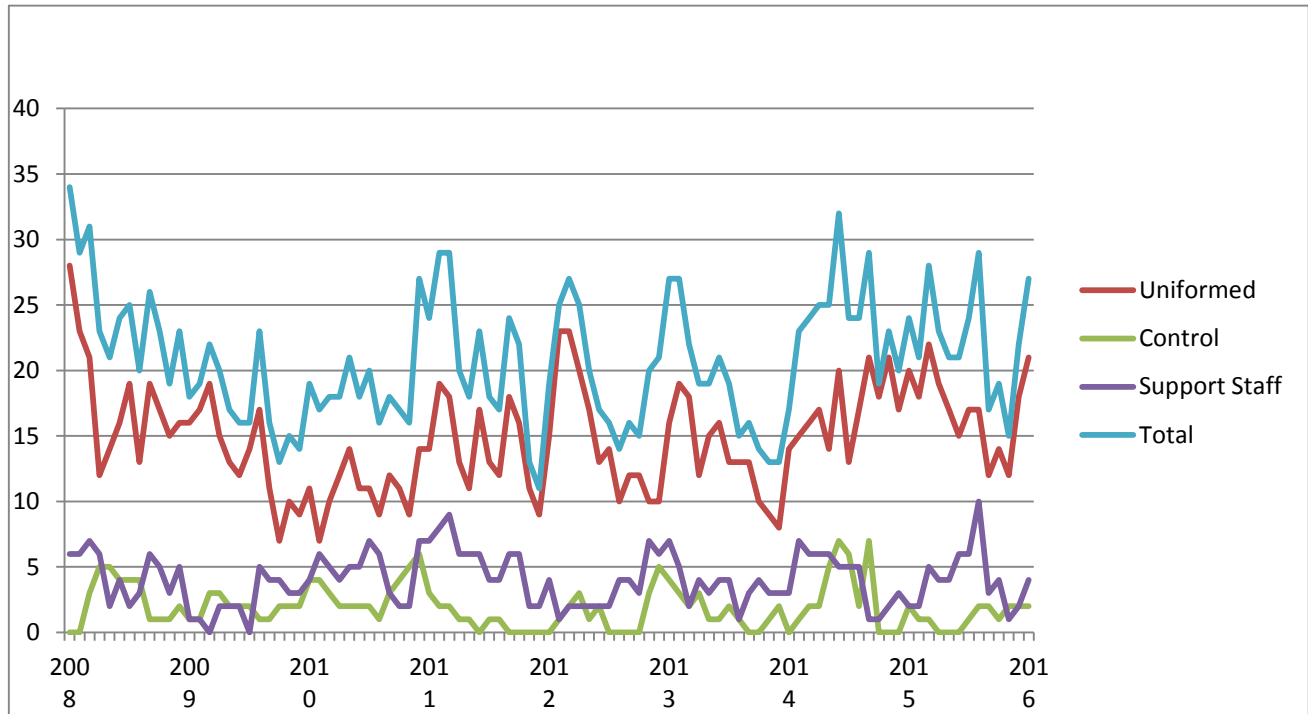
Sickness Rates by post type April 2015 - December 2015	Control			Support staff		
	Actual	Previous Year	% Variance	Actual	Previous Year	% Variance
Overall Sickness Rate	13.94	18.89	-26.2%	8.70	8.17	6.4%
Total # Days/shifts lost	563	785	-28.3%	2126	1965	8.2%
Sickness Rates - Long Term (over 28 calendar days)	7.45	12.51	-40.4%	4.70	4.27	10.0%
# Days/shifts lost LT	301	520	-42.1%	1149	1028	11.8%
Sickness Rates - ST Cert (8 - 28 calendar days)	2.60	2.41	8.0%	1.60	1.17	36.9%
# Days/shifts lost STcert	105	100	5.0%	391	281	39.1%
Sickness Rates - ST Uncert (up to 7 calendar days)	3.89	3.97	-2.1%	2.40	2.73	-12.1%
# Days/shifts lost STuncert	157	165	-4.8%	586	656	-10.7%

2.10 In order to understand how a small number of staff on long-term sickness can have a big impact on absence levels, we can consider the number of staff that are on long-term sickness at any one time and this are shown on the next page.

2.11 Support Staff on long-term sickness had previously risen from the average of 4 up to 10 in October 2015 but this reduced back down again to the average level. We have seen an increase in uniformed long-term sickness up to 21 which is above our average of 15.

2.12 When staff come off long-term sickness this can be as a result of a number of reasons including the person returning back to work with full fitness, returning on restricted duties, ill-health retirement or through leaving the Service on capability grounds.

Numbers of staff on Long Term Sickness



3. ACTION PLAN ACTIVITY

The specific highlights of our progress towards our Action Plan have been:

3.1 Management of long term sickness

- Removal of Sick Pay Review panels
- Provision of further information to managers to enable monthly reviews of employees with long-term sickness
- 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

3.2 Developing a fitness, health and wellbeing culture

- An Outline Business Case for Firefighter Fitness within the Service has been produced with the aim that we create a fitness culture against a backdrop of an ageing workforce. Following feedback through the Extended Leadership Team this is being revised and refocused.
- Vocational Fitness Tests are being trialled at stations with very positive feedback being received about the suitability of the tests.
- Shuttle run tests are being incorporated into the new Firefighter tests to provide an indication of fitness levels at an early stage in the selection process.

- Promotion of the MIND Blue Light Campaign 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. This has been backed up with the signing of the Blue Light Time to Change pledge with an associated action plan.
- Training of managers in the Blue Light Line Manager courses which have been provided by MIND. The funding period for this campaign has now ended but in order to maintain consistency and to continue the legacy of the Blue Light campaign, it is proposed that we will continue with courses being provided over the next 3 years. Our plan is to run 10 courses per year which will provide a further 450 course places.
- It is also proposed that we rebrand Staff Supporters as there is shrinking interest in the current group possible due to capacity issues. This group will be extended to include volunteers who can specifically provide Mental Health support. The group would be referred to as Peer Supporters with nominees sought from each Group Command. Mental Health First Aider training will be provided for these staff and Organisational Assurance are likely to play a lead role in this volunteer team.
- Other considerations include a web based forum which encourages people to discuss Mental Health issues online. This avenue is thought to appeal to the more social media savvy staff and we will be exploring whether we could use it in the Service. Wellbeing Policy: We will review our overall policies and Mental Health should be considered in wider policy decision making. We currently have a Welfare policy and Stress Awareness policy and we will determine whether we should have a Mental Health policy or over-arching Wellbeing policy in addition to the existing policies.
- Personal Wellbeing Action Plans: These are a useful tool and we think that they could be used as an Occupational Health or Welfare recommendation.
- Appraisals: The existing annual Personal Performance and Development plans include a welfare section and managers should be reminded of this aspect to discuss with staff. Future development work on appraisal processes should also incorporate this.

3.3 The provision of information & data

- Improvements have been made to the sickness reporting portal and where sickness reason codes were previously not recorded the Service has been seeking this information. This data loss occurred from 1st Apr 2014 to the 21st Jul 2015 when Version 1 was in use. Originally, it was identified that there were 235 missing absence reasons and 142 showing 'none' as in none of the sickness reasons listed in the system. This amounted to 252 staff. Return to work interview records were checked and where the reason was included in these reports the data was updated within the HR Workforce system. For the remainder, HR has emailed Wholetime, Control and Support staff (128 people) and written to the On-Call staff (67 people) i.e. there were 195 people to contact. Follow-up calls are being made to any that do not respond.
- An improved Sickness 'App' is close to completion, which includes a 'Lite' version that can be accessed via a smart phone. These products will replace the existing sickness portal and give easier access for inputting data and enable the provision of real time, better quality management information.

- The sickness absence codes have been modified so that they are aligned to the national categories as used through the Cleveland FRS national reporting standards.
- Our Performance Management Information System has been reconfigured to enable departments to access performance data by location but this will need to be adjusted as a result of the Service restructure.
- We still need to incorporate on-call sickness data into our overall reporting system and seek benchmarking data via the national reporting.

3.4 **Sickness absence policy**

- The Service policy is being rewritten to incorporate changes and to make it easier to obtain information on our procedures.
- Where staff have agreed an appointment with Occupational Health but fail to attend the Service has introduced a charging mechanism for staff.
- Sick pay panels have been removed and employees now automatically move to half pay or no pay at relevant junctures unless they make an application for consideration of extreme extenuating circumstances.
- The policy will modify the payments for restricted duties and provide consistency across different staff categories.
- The policy will give improved guidance on trigger points and Return to Work Interviews.
- We have received feedback from the FBU and RFU and are reworking aspects of the policy.

3.5 **Other Activities**

- The Service re-organisation which will reduce the number of temporary appointments within the uniformed service and create a more stable workplace, which is expected to increase levels of employee satisfaction.
- There have been a number of Service wide communications in relation to sickness through Alert messages.
- The existing Occupational Health contract has been novated from Devon County Council to IMASS and the transfer arrangements are being put in place including the transfer of medical records.
- Development of a proposed new Wholetime Flexible Working Pattern to ensure that we have the right number of staff that are needed at any one time to crew appliances whilst at the same time giving more flexible working arrangements, which will help reduce short-term absenteeism. This project is currently awaiting the outcome from discussions with Trade Unions.
- The whole aspect of cultural change is being developed through the introduction of Our Values and a behavioural framework. Input from the staff survey has been beneficial in helping to set the direction for further work which will be part of the Organisational Development plan.

4. CONCLUSION

- 4.1 We had previously seen a downward trend in sickness absence levels since the formation of the Service with an exceptionally good year in 2013/14. In 2014/15, we experienced significantly higher absence levels which prompted the development of an action plan to redress the 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 have contributed to higher sickness levels.
- 4.2 In 2015/16 we continued to have significant change with responsibility for the fire and rescue service moving from the Department of Communities and Local Government to the Home Office, reviews of working arrangements and equipment and reductions in middle managers and support staff. We are also in discussions concerning enhanced collaboration with other blue light services which would also represent significant change for the organisation.
- 4.3 Overall, we have seen an improvement in the sickness absence levels for 2015/16 and will continue to progress with the action plan.

JANE SHERLOCK
Director of People & Commercial Services

Agenda Item 7

REPORT REFERENCE NO.	HRMDC/16/7
MEETING	HUMAN RESOURCES MANAGEMENT & DEVELOPMENT COMMITTEE
DATE OF MEETING	24 JUNE 2016
SUBJECT OF REPORT	RETIREMENT & RE-EMPLOYMENT
LEAD OFFICER	Director of People & Commercial Services
RECOMMENDATIONS	<i>That the requests for retirement & re-employment as identified in paragraph 2.4 of this report be approved.</i>
EXECUTIVE SUMMARY	<p>The Authority has prepared a Pay Policy Statement in accordance with the requirements of the Localism Act. The Pay Policy Statement requires, amongst other things, that for employees up to Executive Board posts all requests for re-employment following retirement are to be approved by the Human Resources Management and Development 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 retirement/re-employment 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	

1. **INTRODUCTION**

1.1 The Authority's 2016/17 Pay Policy Statement includes the following stated position on the retirement and re-employment of employees:

"8. 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 applications for retirement/re-employment in accordance with the Pay Policy Statement.

2. **RETIREMENT AND RE-EMPLOYMENT**

2.1 The Service's 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 wholetime firefighter posts. The Service has progressed well with reducing the staffing levels against this target and is likely to achieve the overall reduction in this current financial year.

- 2.2 The Authority has a balanced budget for the current 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. However, as there is no longer a fixed age for retirement it is difficult to precisely predict 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	Notes
Firefighter	Crownhill	No	
Firefighter	Bridgwater	No	
Firefighter	Barnstaple	Yes	Job share or a part-time contract
Firefighter	Crownhill	Yes	

- 2.5 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. The pension payments would normally be abated if re-employed. In addition to giving certainty as 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, who decide to join a pension scheme, will be in 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 paragraph 2.4 of this report be approved.

JANE SHERLOCK
Director of People & Commercial Services

This page is intentionally left blank

Agenda Item 8

REPORT REFERENCE NO.	HRMDC/16/8
MEETING	HUMAN RESOURCES MANAGEMENT AND DEVELOPMENT COMMITTEE
DATE OF MEETING	24 JUNE 2016
SUBJECT OF REPORT	APPOINTMENTS TO THE INTERNAL DISPUTES RESOLUTION PANEL
LEAD OFFICER	Clerk to the Authority
RECOMMENDATIONS	<i>To appoint from amongst the Committee 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 style="padding-left: 40px;">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 style="padding-left: 40px;">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 Panel.</p> <p>In 2015/16, the Membership of the Panel was Councillors Bown, Burridge-Clayton and Knight. Given the need for Panel Members to have some experience in this area, it is suggested that it would be appropriate for the current Members who have already built up some experience to continue to serve on this ad hoc Panel.</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).

By virtue of paragraph(s) 1, 2, 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank