



**DEVON & SOMERSET
FIRE & RESCUE AUTHORITY**

**M. Pearson
CLERK TO THE AUTHORITY**

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

(see below)

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HUMAN RESOURCES MANAGEMENT & DEVELOPMENT COMMITTEE

(Devon & Somerset Fire & Rescue Authority)

Wednesday 21 October 2020

A meeting of the Human Resources Management & Development Committee will be held on the above date, **commencing at 10.00 am by Video Conference via Cisco Webex** to consider the following matters.

M. Pearson
Clerk to the Authority

PLEASE NOTE: This meeting will be livestreamed on the Devon & Somerset Fire & Rescue Service YouTube channel. This can be accessed by following the link below and then clicking on the Videos and Livestream buttons:

<https://www.youtube.com/dsfireupdates>

AGENDA

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

- 1 Apologies**
- 2 Minutes (Pages 1 - 6)**
of the previous meeting held on 5 November 2019 attached.

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 Health, Safety and Wellbeing Progress Report (Pages 7 - 18)

Report of the Director of Governance & Digital Services (HRMDC/20/1) attached.

5 People Strategy Update (Pages 19 - 34)

Report of the Deputy Chief Fire Officer (HRMDC/20/2) attached.

6 Requests for Retirement/Re-employment (Pages 35 - 38)

Report of the Deputy Chief Fire Officer (HRMDC/20/3) attached.

7 Consultation Response to Reforming Local Government Exit Payments (Pages 39 - 46)

Report of the Deputy Chief Fire Officer (HRMDC/20/4) attached.

MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

Membership:-

Councillors Best, Clayton, Hannaford (Chair), Peart, Thomas, Wheeler and Vjeh (Vice-Chair)

NOTES

1. **Access to Information**

Any person wishing to inspect any minutes, reports or lists of background papers relating to any item on this agenda should contact the person listed in the “Please ask for” section at the top of this agenda.

2. **Reporting of Meetings**

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 Chair - 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 Chair or the Democratic Services Officer in attendance so that all those present may be made aware that is happening.

3. **Recording of Meetings**

Given the social distancing measures introduced in response to the Covid-19 pandemic, Authority meetings will be held virtually and livestreamed on the Devon & Somerset Fire & Rescue Service YouTube channel. The meetings may also be recorded for subsequent viewing on the YouTube Channel. Any such recording does not constitute the official, Authority record of the meeting.

4. **Declarations of Interests at meetings (Authority Members only)**

If you are present at a meeting and you are aware that you have either a disclosable pecuniary interest, personal interest or non-registerable interest in any matter being considered or to be considered at the meeting then, unless you have a current and relevant dispensation in relation to the matter, you must:

- (i) disclose at that meeting, by no later than commencement of consideration of the item in which you have the interest or, if later, the time at which the interest becomes apparent to you, the existence of and – for anything other than a “sensitive” interest – the nature of that interest; and then
- (ii) withdraw from the room or chamber during consideration of the item in which you have the relevant interest.

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 an interest of a sensitive nature. You must still follow (i) and (ii) above.

Where a dispensation has been granted to you either by the Authority or its Monitoring Officer in relation to any relevant interest, then you must act in accordance with any terms and conditions associated with that dispensation.

| | |
|-----------|---|
| | NOTES |
| | Where you declare at a meeting a disclosable pecuniary or personal interest that you have not previously included in your Register of Interests then you must, within 28 days of the date of the meeting at which the declaration was made, ensure that your Register is updated to include details of the interest so declared. |
| 5. | <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. |
| 6. | <u>Substitute Members (Committee Meetings only)</u> Members are reminded that, in accordance with Standing Order 37, 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. |
| 7. | <u>Other Attendance at Committees (Standing Order 38)</u> Any Authority Member wishing to attend a meeting of a Committee of which they are not a Member should contact the Democratic Services Officer (see “please ask for” on the front page of this agenda) in advance of the meeting to obtain details of the Webex meeting invitation. |

HUMAN RESOURCES MANAGEMENT & DEVELOPMENT COMMITTEE

(Devon & Somerset Fire & Rescue Authority)

5 November 2019

Present:-

Councillors Best, Hannaford (Chair), Peart, Thomas, Wheeler and Vijeh (Vice-Chair)

Apologies:-

Councillor Clayton

* **HRMDC/6** **Minutes**

RESOLVED that the Minutes of the meeting held on 10 July 2019 be signed as a correct record.

* **HRMDC/7** **Absence Management Performance Report**

The Committee received for information a report of the Director of Service Improvement (HRMDC/19/10) that set out the Service's performance in relation to absence management for the period April to August 2019.

The following points were noted during discussion on this report:

- current performance in respect of absence was 3.09 days/shifts lost as compared with 3.37 days/shifts lost for the same period in 2018/19. This was also the lowest level achieved since 2013/14 (2.76 days/shifts lost). The Head of Human Resources advised the Committee that the Service was in a good position and ahead of target;
- that the Service would need to develop a target for absence for On Call staff but was still collecting data presently and would report to a future meeting on this matter;
- In terms of the different staff categories, absence for On Call staff had increased slightly in the period April to August 2019 from 4.79 days to 5.24 days when compared with the same period in 2018/19. The RAG rating was still amber, however, despite performance being only 9.4% worse than in 2018/19. The Committee enquired as to whether this may be due to motivational issues arising as a result of the proposed changes in service delivery under the Safer Together Programme that had been consulted upon during the summer of 2019 and if so, what course of action the Service was taking to mitigate against this. The Head of Human Resources replied that this was possible but that the Service had taken steps to support staff through this period. The Service had established a range of supporting mechanisms for staff and had increased the number of officer visits to stations.

- Comparative data with other fire and rescue services together and the national statistics from the Chartered Institute for Personnel & Development (CIPD) would be submitted to the Committee in due course;
- Work related injuries were monitored via the Health & Safety department and a separate report was included on the agenda for this meeting for reference;
- It was suggested that the way in which the data for sickness rates by post type was not the most helpful way of reporting sickness absence to the Committee.

Councillor Thomas **MOVED** (seconded by Councillor Peart):

“that an additional recommendation be added to the report to the effect that future sickness rate charts were RAG (Red, Amber, Green) rated against the current target for absence (8 days/shifts lost) and no longer against the previous year actuals”.

The motion was **CARRIED** unanimously.

RESOLVED

- that future sickness rate charts were RAG rated against the current target for absence (8 days/shifts lost) and no longer against the previous year actuals; and
- Subject to (a) above, the report be noted.

* **HRMDC/8 Health, Safety & Welfare Report**

The Committee received for information a report of the Director of Governance & Digital Services (HRMDC/19/11) that set out the approach being taken by the Service in respect of the health, safety and wellbeing of its employees with both proactive and reactive monitoring and its performance in this area during 2019/20.

The report was a new report presented to the Committee to reflect the importance being placed on the health, safety and wellbeing of its staff. The Department for Communities and Local Government had set out a framework entitled “Health, Safety and Welfare for the Operational Environment” and the Service had aligned its practices to this. This required clear and positive safety leadership and to this end, the Chair of the Fire & Rescue Authority would be signing an annual Health, Safety and Welfare Policy statement jointly with the Chief Fire Officer.

The new approach facilitated the provision of more information for the Committee regarding the Service's performance in this area. The Service's Health and Safety Manager advised the Committee on how the Service was managing health safety and welfare of its staff through both the proactive and reactive monitoring of incidents. The following points were noted:

- Proactive monitoring – this involved the use of a safety management system audit together with workplace inspections and assessment. In 2018/19, the Service had 45 audit areas where it was not compliant but by quarter 2 of 2019/20 (July to September 2019) this had been reduced to 4. In quarter 2 of 2019/20, the Service had 11% of workplace inspection and assessments overdue against a target of 0%;
- Reactive monitoring – the Service undertook monitoring via the Reporting of Injuries, Disease and Dangerous Occurrences Regulations 2013 (RIDDOR) which required the reporting of certain types of work related safety event outcomes such as, amongst others, the death of a worker/non-worker from a work related accident, specific injuries to workers such as fractures, amputations, loss of sight, over 7 day injuries and reportable occurrences such as carpal tunnel syndrome.

In 2019/20 to quarter 2, the Service reported 6 over 7 day injuries, 3 dangerous occurrences and 2 specified injuries. The Service also monitored the number of personal injuries together with vehicle incidents. In quarter 2 of 2019/20, the Service recorded 48 personal injuries compared with 59 in 2018/19. On vehicle incidents, the Service recorded 105 vehicle incidents to quarter 2 of 2019/20 as compared with 188 in 2018/19;

- Work was ongoing in respect of enhancing the Service's safety event reporting mechanisms and a cultural survey had been commissioned in order to ascertain any work necessary to improve the safety culture.

The Committee noted that this was the first report to the Committee on health, safety and welfare and that future reporting would evolve as new mechanisms were implemented.

* **HRMDC/9 People Strategy & People Development Project**

The Committee considered a report of the Director of Service Improvement (HRMDC/19/12) that introduced the People Strategy to the Authority and set out how it had been created. The report also informed the Committee of the associated work undertaken under the People Development Project within the Safer Together Programme.

The Head of Human Resources advised the Committee upon the steps taken in preparation of the People Strategy. The Service had undertaken workshops and this had resulted in the following areas of focus within the strategy:

- Leadership;

- Inclusion;
- Ways of working;
- Learning and development; and
- Wellbeing.

The Committee received a presentation at the meeting that set out the process involved at the workshops held together with an explanation of the content of each of the strategic themes.

The Head of Human Resources further advised that the Strategy was prepared following the workshop and following feedback from staff and consideration of the Safer Together Change & Improvement Programme. A final version of the Strategy was then prepared and endorsed by the Service's Extended Leadership Team for publication online. A Monitoring and Review group involving a cross section of staff and Trade Union representatives has been established in order to assess the Service's progress on implementation of the Strategy.

The Area Manager (Organisational Development) advised the Committee that the People Development Project under the Safer Together Programme was in progress currently. This project was moving towards completion of a business case to introduce a more joined up approach to how the Service ensured it was recruiting, retaining, supporting and developing the very best people with the right skills, experience, passion and commitment to support these changes both now and in the future.

The three key workstreams within this project were:

- Inspiring leadership;
- Building career pathways; and
- Developing our people.

The Area Manager (Organisational Development) advised the Committee that the overarching Leadership Strategy had been prepared in line with the National Fire Chiefs Council's Leadership Strategy. The presentation at the meeting covered the work that had been undertaken to date during the Project.

* **HRMDC/10 Workforce Culture, Diversity & Inclusion - Quarterly Update**

The Committee received for information a report of the Director of Service Improvement (HRMDC/19/13) that set out the progress made in the second quarter of 2019-20 towards achieving a more diverse workforce and a more inclusive working environment.

The Committee noted the following points in terms of:

Inclusive culture/leadership:

- The People Strategy had been published and linked to this, the Diversity & Inclusion Plan for 2019-20 had also been published. This would give a focus to diversity and inclusion objectives for future years to reflect the aims in the People Strategy;
- A Fairness & Respect Policy and “living the values” guidance had also been published to provide a framework for staff in terms of the Service’s culture and how staff were expected to treat one another;
- The People Impact Assessment (PIAs) project had undergone extensive trials and learning points had been identified as a result. Wider implementation of the PIAs would be instigated shortly;
- A Dignity at Work review had been instigated by the Estates Department to identify whether Service premises complied with legal requirements and provided dignity for staff in their work locations. The lightweight Personal Protective Equipment (PPE) project had found that many female operational staff had not been issued with or wearing female specific PPE and this would now be addressed.

Recruitment, Promotion & Retention:

- In support of both the Integrated Risk Management Plan and the Fire & Rescue Plan, multiple initiatives had been instigated or were planned to increase diversity in the workforce;
- In terms of On Call, an analysis of the relative levels of success in recruitment practices had been completed. The findings had been utilised to review and refine the On Call recruitment process and the role of service delivery within this;
- A Recruitment Working Group had been established and was working towards the planning of positive action, initiation of new recruitment processes and preparation of a communications plan;
- The Government Equality Office had released guidance in respect of how to reduce the gender pay gap, highlighting the importance of creating an inclusive culture and supporting women’s careers and progress for part time workers. Within this, a sponsorship programme had been instigated for women and the Service was collaborating with Devon & Cornwall Constabulary, Dorset Constabulary and Devon County Council to facilitate implementation of the Programme.

Community Inclusion:

- In relation to the recent consultation exercise in respect of the Service Delivery Operating Model proposals, a wide range of consultation exercises had been undertaken within local communities;

- Specific engagement events were undertaken with groups of people who may be impacted by the proposed changes to the Service delivery model such as the Devon Disability Network, Taunton Together and the Gypsy and Traveller community;
- An internal Consultation & Engagement Task to Finish Group had been established to increase the efficiency and consistency of campaign messages and also to prevent consultation overload.

The Committee enquired as to the percentage of white, British, heterosexual male applicants in previous recruitment exercises. The Diversity & Inclusion Manager advised that she did not have this information to hand but she was aware that it was a high percentage. The Deputy Chief Fire Officer added that it was recognised that recruitment had been dominated largely by white, British, heterosexual males as in other fire and rescue services and that national work was ongoing via the NFCC to address this. The Service was aware of the need to work on this actively but this was not an issue that would be solved in the short term. It was anticipated that the work being undertaken within the Service on its People Strategy would assist with retention as well as recruitment of staff but it was recognised that there were challenges to be overcome in terms of culture.

* **HRMDC/11 Requests for Retirement and Re-employment**

The Committee considered a report of the Director of Service Improvement (HRMDC/19/14) setting out requests for retirement and re-employment in accordance with the approved Pay Policy Statement for 2019/20. The Committee also considered an additional request for retirement and re-employment as set out within a supplementary report (HRMDC/19/14(a)).

RESOLVED that the requests for retirement and re-employment as set out within reports HRMDC/19/14 and HRMDC/19/14(a) be approved.

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

The Meeting started at 10.00 am and finished at 12.07 pm

Agenda Item 4

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| REPORT REFERENCE NO. | HRMDC/20/1 |
| MEETING | HUMAN RESOURCES MANAGEMENT & DEVELOPMENT COMMITTEE |
| DATE OF MEETING | 21 OCTOBER 2020 |
| SUBJECT OF REPORT | HEALTH, SAFETY AND WELLBEING REPORT |
| LEAD OFFICER | Director of Governance & Digital Services |
| RECOMMENDATIONS | <p>(a) <i>That the sickness absence target for on-call of an average of 12 days per person per year be implemented as the performance measure; and</i></p> <p>(b) <i>That subject to (a) above, the report be noted.</i></p> |
| EXECUTIVE SUMMARY | <p>Devon and Somerset Fire and Rescue Service (“the Service”) takes the health, safety and wellbeing of employees seriously and as such it provides a wide range of initiatives, interventions and policies to ensure that employees enjoy a safe and supportive working environment.</p> <p>The Health, Safety and Wellbeing report has been adjusted to include the Wellbeing report, this approach aligns with the Services People Strategy. The inclusion of this report to the Human Resources Management and Development Committee (“the Committee”) reflects the importance the Service views the Health, Safety and Wellbeing of its staff.</p> <p>The detail of the report will evolve to provide greater information regarding performance in this area.</p> |
| RESOURCE IMPLICATIONS | Staff and financial resources associated with the management of health, safety, welfare and wellbeing. |
| EQUALITY RISKS AND BENEFITS ANALYSIS | The Health and Safety policy and Absence Management policy have an equality impact assessment. |
| APPENDICES | None |
| BACKGROUND PAPERS | None |

1. **INTRODUCTION**

- 1.1 Devon and Somerset Fire and Rescue Authority recognises and accepts ultimate responsibility for the health, safety and welfare of Devon and Somerset Fire and Rescue Service (the Service) employees and others who may be affected by our work activities. It is our aim to ensure that the Service will, so far as is reasonably practicable, comply with the requirements of the Health and Safety at Work etc. Act 1974 and all statutory provisions associated with it and support staff in meeting their obligations under the Act. Ultimate responsibility for Health and Safety rests with the CFO, the principal officer with strategic responsibility for health and safety performance is the Director of Governance & Digital Services who must be supported with a high degree of commitment from managers and supervisors at every level for the effective management of health, safety and welfare. It is only by demonstrating this commitment that the Service can secure the well-being of its greatest asset, its employees, and reduce the rate of avoidable accidents, injuries and work related sickness to a tolerable level.
- 1.2 The management of Health, Safety and Welfare, and Wellbeing is supported through underpinning policies, procedures, training and monitoring activities. Monitoring activities are a key element of measuring performance and ensuring safe systems are functioning as intended. These can be achieved through Proactive or Reactive monitoring. Proactive measures help the Service to mitigate a safety event where as reactive measures allow us to learn from the safety event in order to prevent / reduce the likelihood of a recurrence.

2. **PROACTIVE MONITORING**

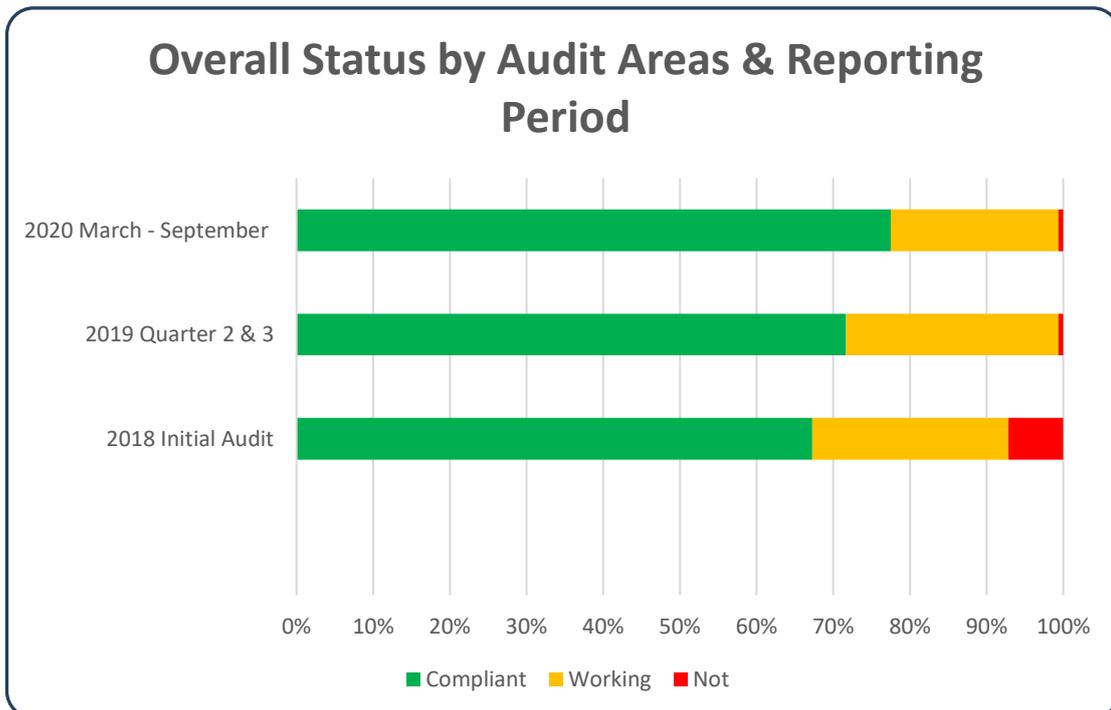
Safety Management System Audit.

- 2.1 In 2018, an audit of the Service Safety Management System was completed using an audit model developed by the National Fire Chiefs Council (NFCC) and endorsed by the Health and Safety Executive. It was anticipated the NFCC audit model, being new to the Service, would identify areas for improvement, however our performance was reasonable with 67% of areas reviewed identified as compliant and 26% as working towards. The Service approved and appointed a temporary Health & Safety Audit Support Officer to focus on progressing the audit recommendations to completion. They started work in March 2020, 2 days before business continuity measures were implemented due to COVID-19. The temporary Health & Safety Audit Support Officer continued to progress work in this area though it was impacted by COVID-19 and key stakeholders being otherwise engaged in critical work to support our response to COVID-19. Once staff return to business as usual, the Health & Safety Team will liaise with stakeholders to progress the remaining actions. Due to COVID-19 and to aid prioritisation, the focus has been placed on the recommendations which would also be required of the ISO 45001 audit methodology, those that do not will be addressed once capacity allows (35 recommendations).

Audit Progress:

| Audit Area | Not Compliant | Working Towards | Compliant |
|------------------------|---------------|-----------------|-----------|
| 2018 Initial Audit | 45 | 162 | 425 |
| 2019 Quarter 2 & 3 | 4 | 175 | 453 |
| 2020 March - September | 4 | 140 | 496 |

***Note:** the total count of each row has an increase of 8 for the 2020 March – September figures, this is due to previously unanswered questions being reviewed & completed.



2.2 The temporary Health & Safety Audit Support Officer also conducted a gap/resource analysis into ISO 45001 in order to identify the implications of moving across to this audit model. An in depth, 86 page report has been produced which the Health & Safety Manager is working through. It covers all elements of the ISO 45001 process, commenting on areas where the Service needs to adjust its processes to align and where it is already in line with this methodology. It is clear that any move to ISO 45001 will require financial and resource support in order to put in place the required measures needed to align and comply with the requirements of this audit. Initial costs to migrate to ISO 45001 are estimated at £35,000. This includes training a number of staff as ISO 45001 auditors plus stage 1 & 2 external verification audit fees. Beyond this there will be ongoing annual fees of around £12,000 which includes 3rd party continual assessment visits and the annual management fee.

- 2.3 There are numerous benefits from investing in a good Health and Safety Management system, these include:
- being able to benchmark the organisations Health & Safety performance against other Fire & Rescue Services (FRS's within our region are aligning to ISO45001 or already have) and like-minded organisations;
 - positioning the organisation with industry leaders;
 - increase trust and confidence in stakeholders;
 - fosters management involvement;
 - reduces risk;
 - improves individual as well as organisational safety;
 - improves managerial oversight; and
 - demonstrates a commitment to safety.

2.4 When liaising with Cornwall Fire & Rescue Service as part of the review into ISO 45001 (also OHSAS 18001, this superseded by ISO 45001) they commented on the cost with aligning to this audit model but quickly highlighted it is recovered through the reduction in other costs (accidents & injuries) as a result of improved health and safety management.

Workplace (Health and Safety) Inspection & Assessment.

2.5 Annually stations within Devon and Somerset conduct a workplace inspection and assessment, which is aimed at ensuring they conform to legal and policy requirements. There has been a decline in the completion of these assessments over Quarter 1 and 2 2020/21, aspects of this decline will be due to the impacts of COVID-19 and the reprioritisation of work plus staff moving into COVID-19 specific roles. The Health & Safety Manager is reviewing processes to aid the management of this area through increased visibility for those responsible for ensuring the assessments are completed, also the H&S Team will be working in the Groups more frequently enabling them to raise awareness and improve this process. The Area Manager for Service Delivery is supporting improvements in this area, a monthly report detailing each Groups performance has been developed so that they are able to positively address overdue Workplace Inspections.

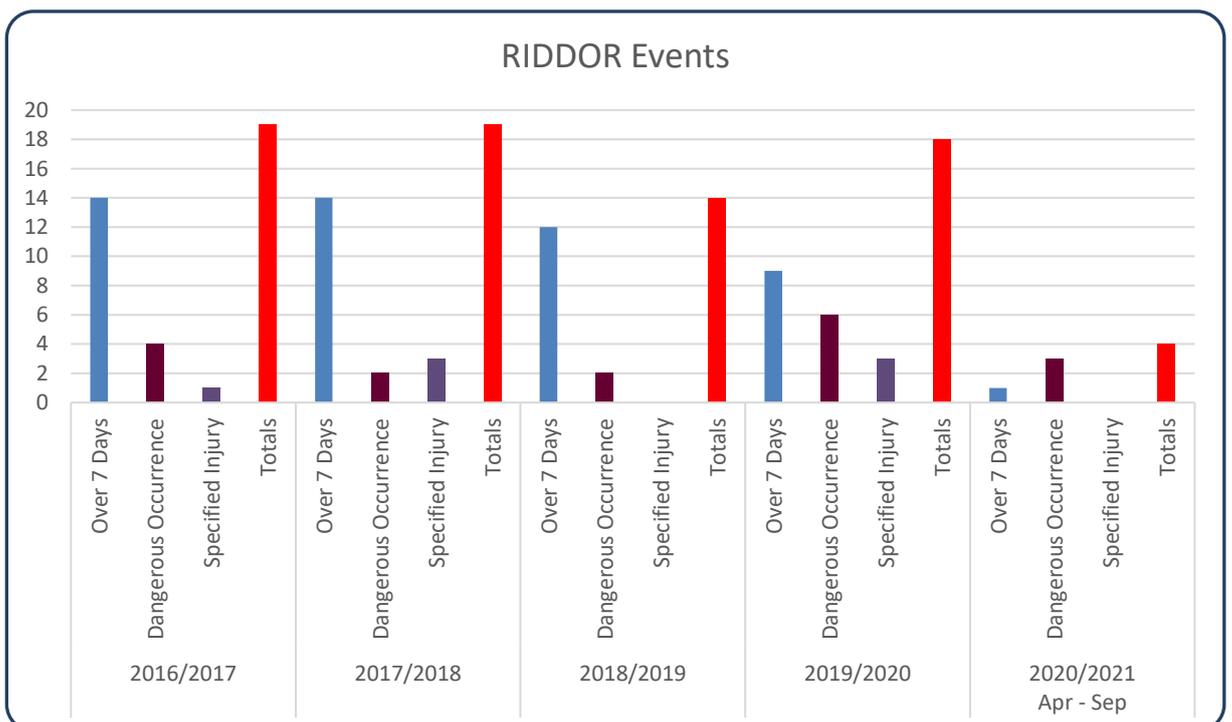
| Performance Indicator | Previous | Current | Overall Performance |
|--|------------|------------|---------------------|
| | Q1 2020/21 | Q2 2020/21 | |
| PI 2a: Percentage of Workplace Inspection & Assessments overdue review Target: 0% | 24% | 45% | Negative |

3. **REACTIVE MONITORING**

Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR).

3.1 The Service is required to report certain types of work related safety event outcomes to the Health and Safety Executive (HSE) as required under the RIDDOR. Types of RIDDOR reportable events include death to a worker and non-worker if they arise from a work related accident, specified injuries to workers (for example includes fracture other than fingers and toes, amputation, permanent loss or reduction of sight and unconsciousness caused by head injury or asphyxia), over seven day injuries to workers (where a worker is away from work or unable to perform their normal work duties for more than 7 consecutive days), injuries to non-workers (work related accident involving a non-worker who is taken from the scene to hospital for treatment), reportable occupational disease (examples include, carpal tunnel syndrome, hand-arm vibration syndrome and occupational asthma), dangerous occurrences are certain, specified near miss events. There are 27 categories of dangerous occurrence, an example being the collapse, overturning or failure of load-bearing parts of lifts and lifting equipment and gas incidents (this relevant to distributors, fillers, importers or suppliers of flammable gas and also gas engineers registered with the Gas Safe Register).

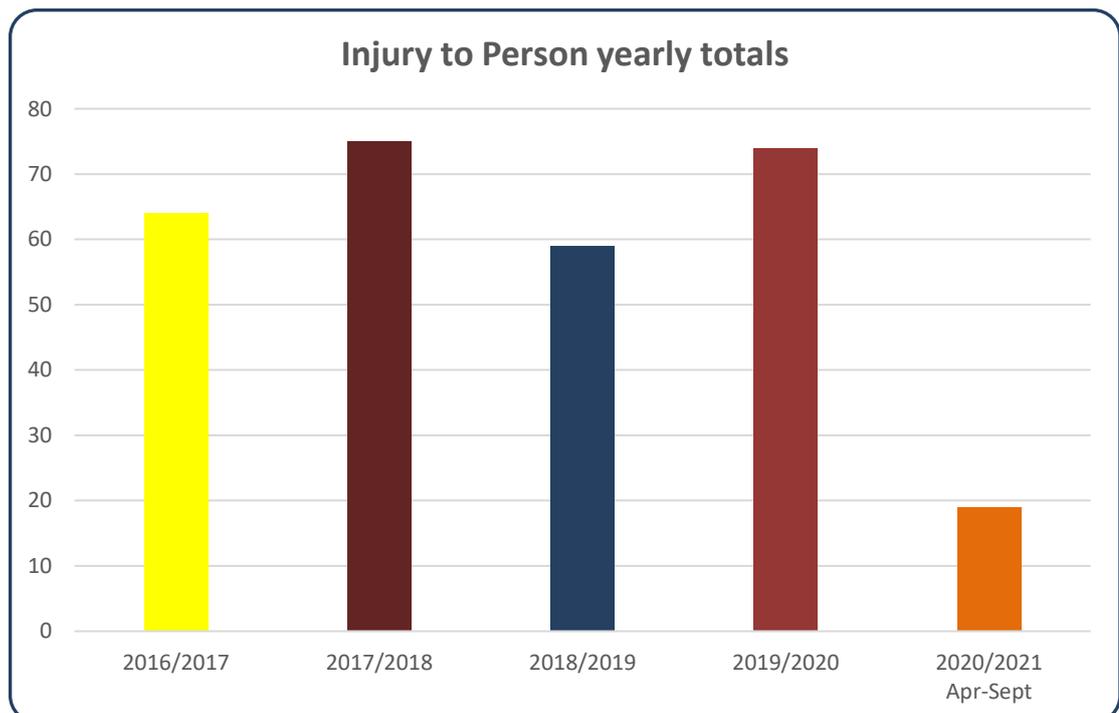
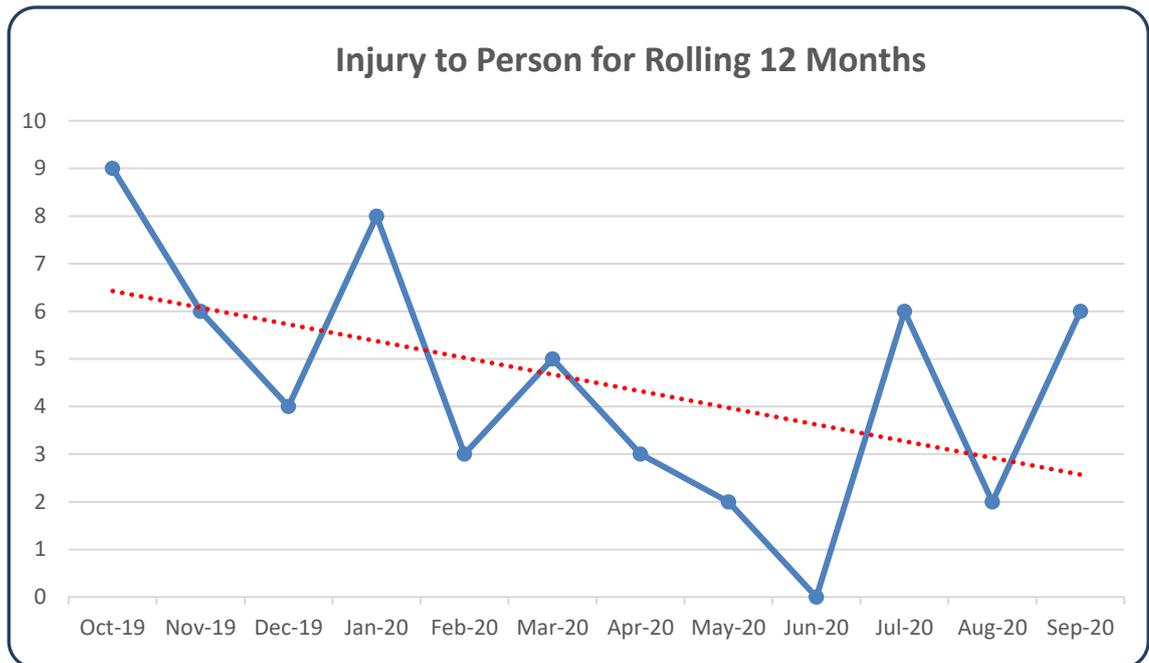
3.2 It is the responsibility of the Health & Safety Team to file these reports with the HSE. The graph overleaf compares RIDDOR reporting over the last 4+ years. The rates of RIDDORs have fluctuated little over this reporting period. The dangerous occurrences during 2019/2020 and 2020/2021 periods have primarily been Breathing Apparatus (BA) related. With the rollout of a new BA set into Service, this is an area that is continuing to be monitored closely, additionally a BA Working Group is being formed to bring key stakeholders together to discuss and deal with BA related issues.



Personal Injuries.

3.3

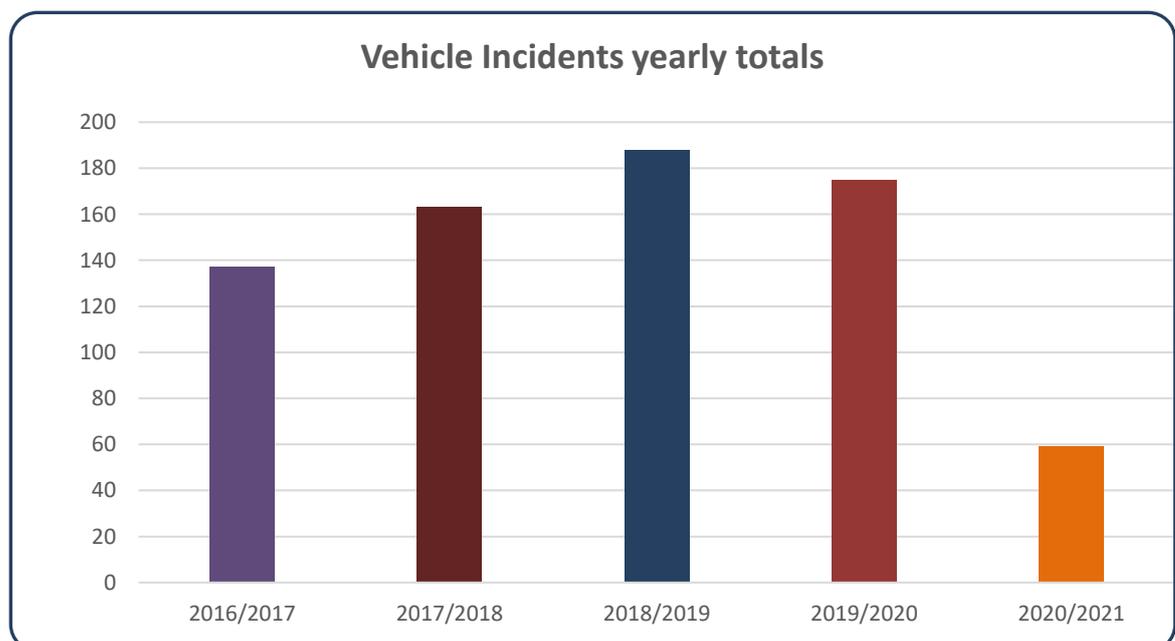
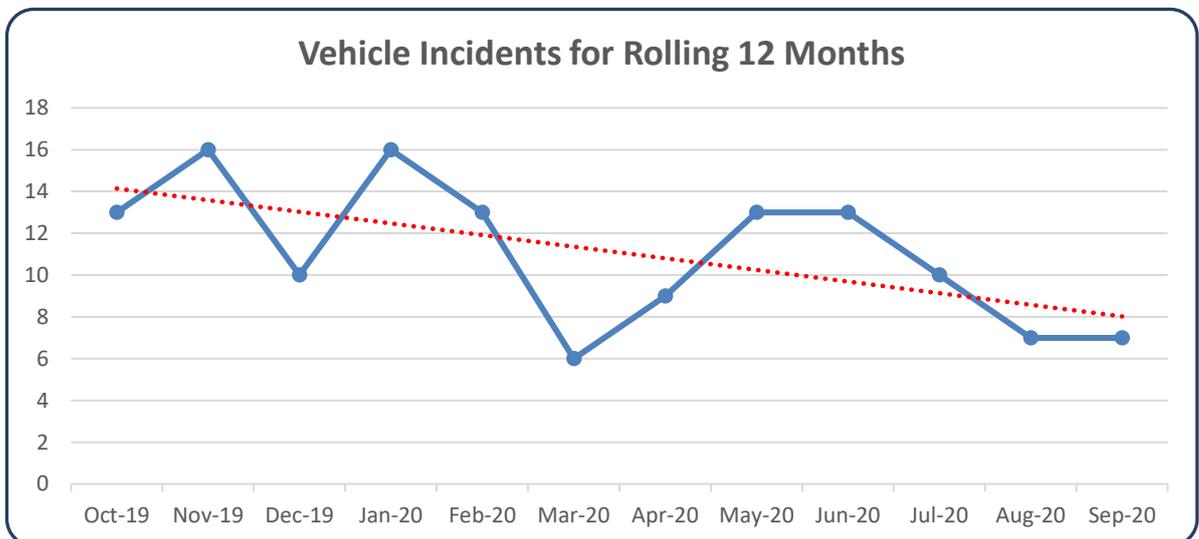
The charts below set out the Service's injury rates over the last 4+ years, which are continuing to reduce year on year. The Service takes the approach of reporting injuries as an investigable incident which has aided in learning from the incidents, thus reducing the occurrences. Sprains, strains and musculoskeletal injuries are the primary injuries received and is reflected within other Fire & Rescue Services, the HSE identifying musculoskeletal injuries as a target area for improvements across UK businesses. The Service has established the Musculoskeletal Group - a sub group of the Strategic Safety Committee - to review ways to reduce incidents of musculoskeletal injuries.



Vehicle Incidents.

3.4

The charts below set out the Service's vehicle related safety events over 4+ years, these incidents seeing a slight decrease in the 2019/2020 reporting period. This reduction is also reflected in the rolling 12 month report. Vehicle related incidents are primarily during non-blue light activity, of which the Fire Appliances (Red Fleet) & Cars / Vans (Light Fleet) have the majority. To help reduce the number of incidents & improve road risk, the Service has signed up to the Government's Driving for Better Business initiative. An assessment has already been completed which helps organisations identify areas for improvement. The Service will now develop plans to address any areas identified. The Occupational Road Risk Group meets quarterly to review vehicle related issues, projects and safety events, additionally some of this group meet to review any drivers who are identified as higher risk. During that review, corrective measures / procedures are identified which the driver will be asked to complete, this could be a driver psychometrics test, 1 to 1 coaching from driver training to removal from response driving pending additional training.



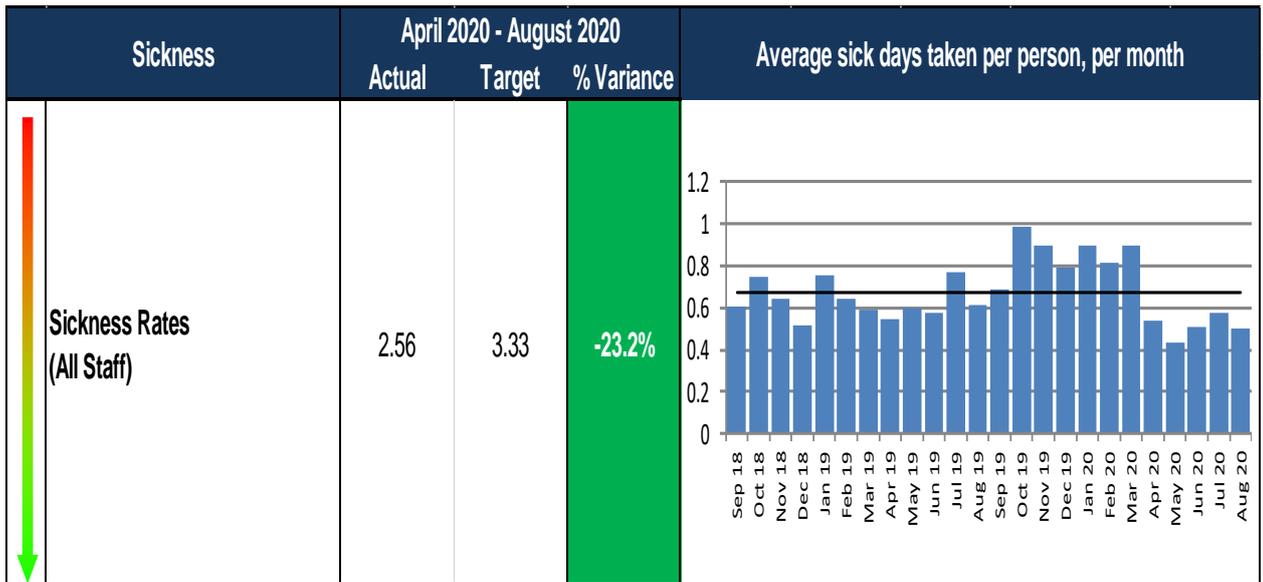
4. **HEALTH, SAFETY AND WELFARE ACTIONS**

- 4.1 The work with enhancing the Service's Safety Event Reporting Tool was paused due to COVID-19 and the need to prioritise other areas, however this development work has recommenced in August 2020. Once complete, it will allow staff to report swiftly any safety events, allocate an investigator and assign actions in order to mitigate or reduce the risk of a recurrence. The intent is this system will be released later in 2020.
- 4.2 The Health and Safety Team has provided advice, guidance and support throughout the COVID-19 pandemic; they have been directly attached to support cells formed in response to the pandemic and the Service's needs. The Team was attached to the Medical Cell, People Cell and Recovery Cell, though supported the other cells as necessary. To ensure staff safety and to comply with the 'COVID Secure' requirements numerous guidance documents, bulletins and communications have been developed by the team, and also by others with the support of the Health & Safety Team. There has been 120 risk assessments related to COVID-19 produced, as well as safe systems of work developed which included consideration of individual wellbeing and personal risks from COVID-19 via the Workplace Return Assessment with their line managers. Bringing the Service facilities across 2 counties to the requirements of 'COVID Secure' has required multiple teams to pull together as one team, staff from Estates, Procurement, Service Delivery, Communications & Engagement, Stores, Research & Development, Business Change Programme, Organisational Development, Service Delivery and Health and Safety. The level of support required provides an indicator of the size and complexity of the task in ensuring the Service estate is 'COVID Secure'. The majority of business as usual has continued though at a reduced rate; the Premises Audits have been on hold due to restrictions in accessing stations. COVID-19 support work has been time sensitive, challenging, varied, and rewarding.
- 4.3 The planned new approach the Health & Safety Team was to adopt in March 2020 has been delayed due to COVID-19, although the intent is still to have one Health & Safety Officer support 2 Groups each. A new Health & Safety Officer started in March 2020 as part of this plan. As the Service moves through recovery towards business as usual, this approach will be fully embedded. Improved access to Health & Safety guidance and support within the Groups will help to drive a positive safety culture, enhancing staff safety and wellbeing.

5. **APRIL - AUGUST 2020/21 ABSENCE PERFORMANCE**

- 5.1 At the Human Resources Management & Development Committee meeting held in November 2019, it was agreed that future sickness rate charts would be RAG rated against the current target for absence of 8 days/shifts lost and no longer against the previous year actuals (Minute HRMDC/7 refers). It was also felt that reporting by staff categories was not necessarily helpful and that reporting by exception would be more beneficial. For this financial year-to-date, the Service has been in the period of Covid-19 and during this period the sickness levels have reduced as indicated in paragraph 5.2 below.

Sickness Direction of Travel



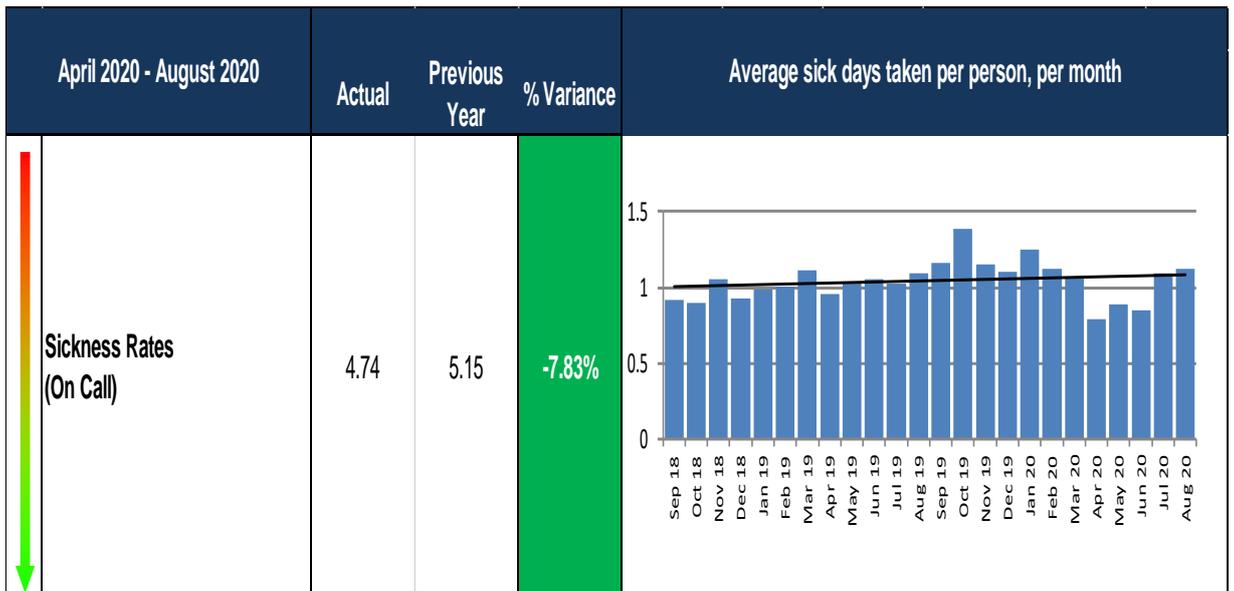
5.2 The chart above shows the current levels of sickness in comparison to the Service’s target of an average of 8 days sickness per person. It can be seen that since April 2020, whilst within Covid-19 the Service has seen an excellent performance. Service performance is 23.2% below target and it should also be noted that this is 17% below sickness levels at this same period in 2019/20. The chart below shows year-to-date compared with the total for the year.

Sickness in Previous Years

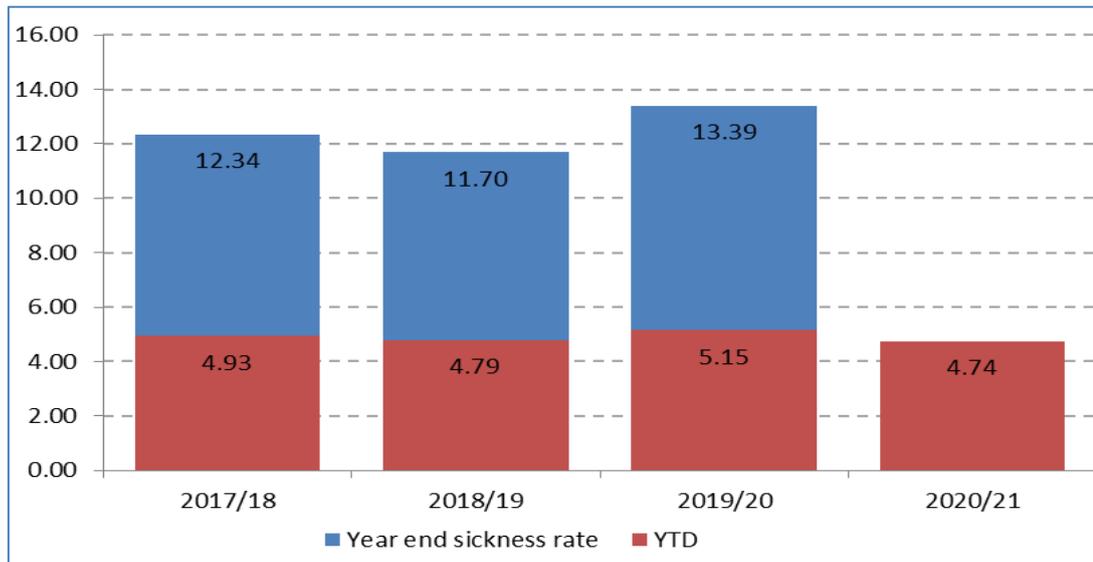


5.3 The On-call rates are also shown below. The level of sickness is higher than for other staff categories, however, for On-call Firefighters the Service records sickness over 7 days per week rather than lost shift or working days. The levels of sickness are shown as a comparison with the previous year.

On-call Staff

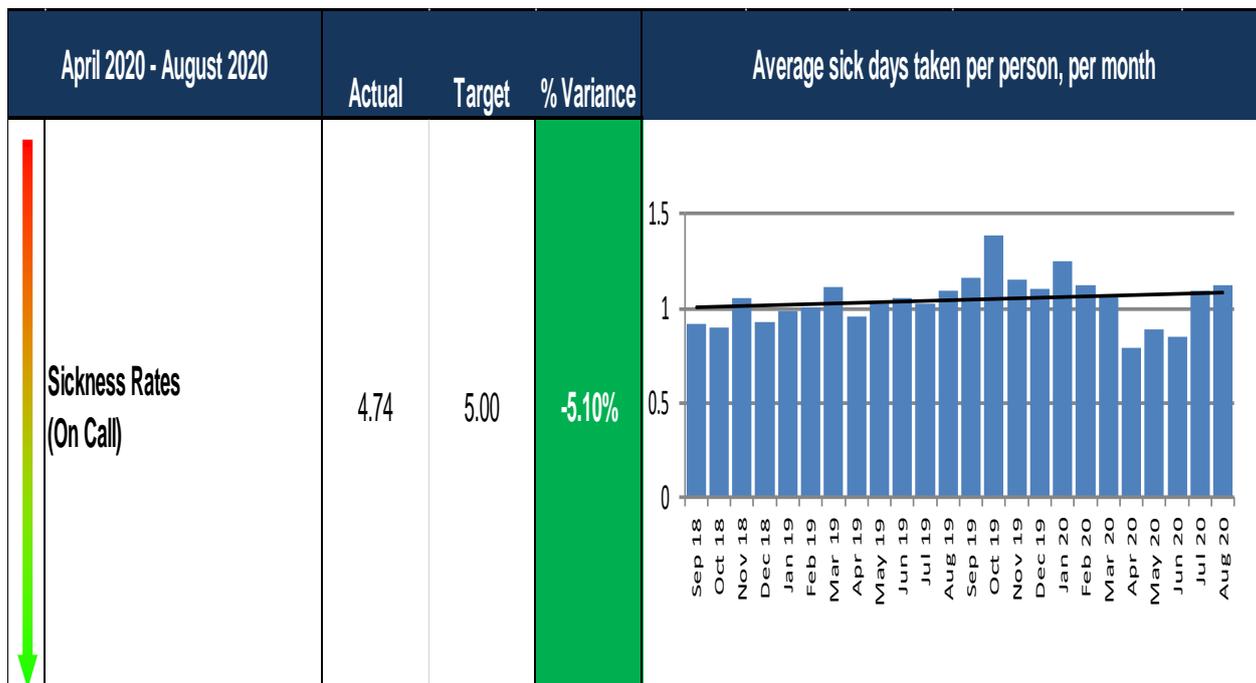


5.4 The Committee has previously requested that the Service sets an absence target for On-call staff. The Service did not have sufficient data on this previously to be able to fulfil this request. The Service has now measured On-call sickness over the last 3 years and the results are as follows:



5.5 If the same pro-rata ratio as that of Wholetime/Support Staff/Control is used, then the Service would propose a target of 12 days per person. This is because the Wholetime/Support Staff/Control are based on 4 working days in 8 or 5 working days per week. For on-call the calculation is based on 7 days per week. This target has been endorsed by the Service's strategic analysts on the basis that it is reviewed again in 6 months time as the Service moves back from business continuity into its Recovery Phase and business as usual following the Covid-19 pandemic.

5.6 The performance in relation to this target for 2020/21 year to date would then be:



5.7 With Covid-19, Devon & Somerset Fire & Rescue - as an emergency service - was able to access Antigen Testing from April 2020. The tests were, at a later stage, made available to the public through Test and Trace. As at 13 October 2020, 93 staff had been tested of which 12 had tested positive to Covid-19.5.8. Throughout the period of Covid-19, the Service has supported its staff with a range of support mechanisms including regular communications and information, flexible working arrangements, protected levels of pay as well as wellbeing support.

6. **CONCLUSION**

6.1 This paper contains proactive and reactive measures together with absence performance measures. As the report to the Committee evolves, it is intended that there will be more detail provided within the measures. At the same time, it is anticipated that improvements in the Service’s recording mechanisms will have been implemented. The present safety event recording system has restricted the ability to report detailed information regarding the reactive measures, this will be improved with the new system. The need to respond to COVID-19 has reduced the forwards momentum in some areas however staff and public safety has remained a priority throughout. The Health & Safety Team redirecting their focus and energy towards COVID-19 support works to ensure Health & Safety advice and guidance was available when and where needed; the intent now is to continue to support the recovery phase and reenergise business as usual.

MIKE PEARSON
Director of Governance and Digital Service

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Agenda Item 5

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| REPORT REFERENCE NO. | HRMDC/20/2 |
| MEETING | HUMAN RESOURCES MANAGEMENT & DEVELOPMENT COMMITTEE |
| DATE OF MEETING | 21 OCTOBER 2020 |
| SUBJECT OF REPORT | PEOPLE STRATEGY UPDATE |
| LEAD OFFICER | Deputy Chief Fire Officer |
| RECOMMENDATIONS | <p>(a) <i>That the progress towards achieving the aims set out within the People Strategy are considered as a standing item at the Human Resources Management & Development Committee and that the progress is updated at each meeting; and</i></p> <p>(b) <i>Subject to (a) above, the report be noted.</i></p> |
| EXECUTIVE SUMMARY | <p>At the meeting on the 5 November 2019, the Committee was introduced to the People Strategy which had been created through considerable engagement and involvement from our staff.</p> <p>The People Strategy includes five strategic themes which will enable us to create the ideal future workplace. The themes are:</p> <p>Leadership Inclusion Ways of Working Learning & Development Health, Safety & Wellbeing</p> <p>Each theme has been broken down into areas of focus and this report provides an update on the work that has been undertaken in progressing towards these strategic themes.</p> <p>Within each theme of the strategy, there is reference to the impact of the Covid-19 Pandemic on the progress of the People Strategy, and our responses to supporting the workforce during this time. This has presented both significant challenges and transformational opportunities in relation to every theme.</p> |
| RESOURCE IMPLICATIONS | These will be managed through the Departmental Plans and where associated with the Safer Together Programme then there will be further project management. |
| EQUALITY RISK & BENEFITS ASSESSMENT | The People strategy supports our requirements under the Public Sector Equality Duty. |
| APPENDICES | Appendix 1: Our Values - Pandemic icons |

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| |  Core values A4 V9 horizontal.pdf |
| BACKGROUND PAPERS | Home Office, Fire and Rescue National Framework for England, May 2018 National Fire Chiefs Council, Fire and Rescue People Strategy 2017/2022 |

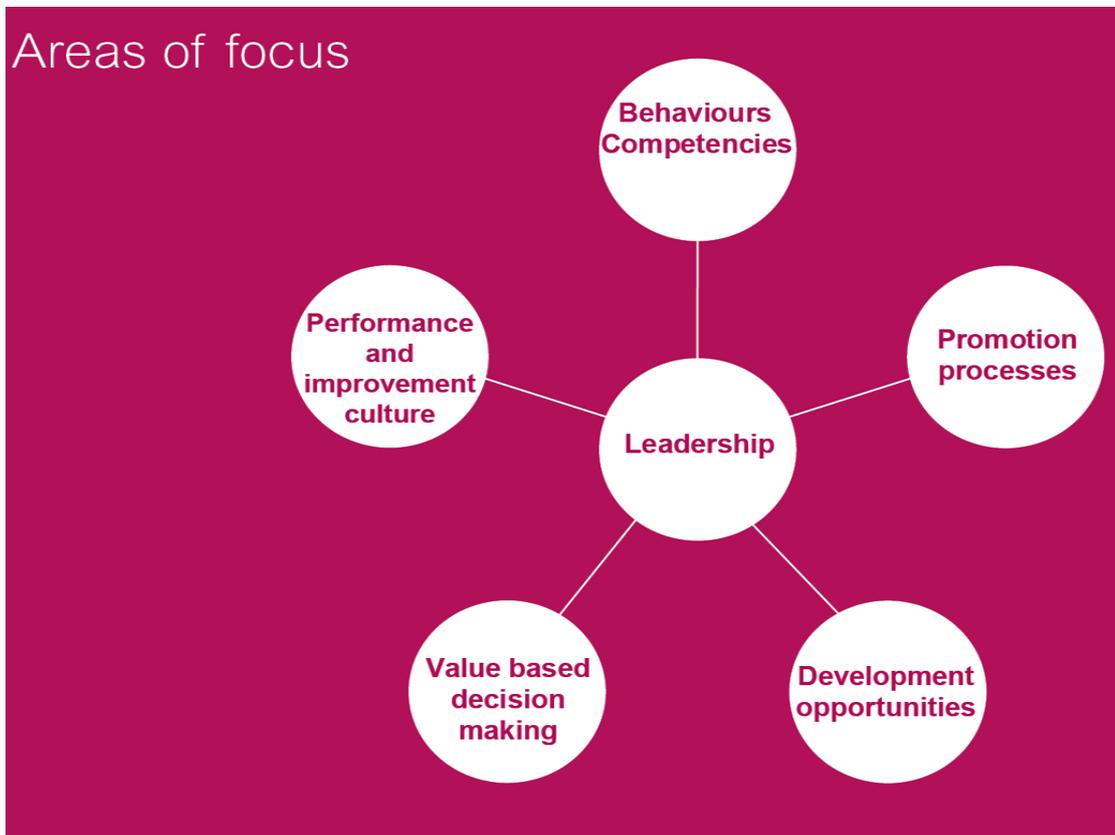
1. **INTRODUCTION**

- 1.1 At the meeting on the 5 November 2019, the Committee was introduced to the People Strategy which had been created through considerable engagement and involvement from our staff. The Authority has an Integrated Risk Management Plan that describes the risks in our community and there is a Fire & Rescue Plan that describes the challenges the Service faces and which sets out its strategic intent. From these plans, the Service has created the Safer Together Change & Improvement Programme.
- 1.2 Within the Fire & Rescue Plan, there are strategic themes and within the People strategic themes, there is an objective to develop a People Strategy for the Service. A People Strategy can be described as a strategic document that outlines the organisation's approach and relationship with its staff and how they will achieve the business aims of the organisation.
- 1.3 Within Devon & Somerset Fire & Rescue Service (the Service), the People Strategy enables us to set out what it will be like to work here and how we will treat one another. The strategy was built on evidence of how the Service needs to improve the workplace and the aspirations and ideas of our staff. This allows the Service to tell its story in terms of where it wants to be, how it can get there, what people will see, how they will feel and the behaviours they will exhibit and promote.
- 1.4 Externally, the Fire and Rescue National Framework for England sets out the Government's priorities and objectives for fire and rescue authorities. The National Framework provides an overall strategic direction to fire and rescue authorities, which includes driving forward an ambitious programme for workforce reform. The National Framework states that each fire and rescue authority should have in place a people strategy that has been designed in collaboration with the workforce. The national framework goes on to say that the People Strategy should take into account the principles set out in the National Fire Chiefs Council's (NFCC), Fire & Rescue People Strategy.
- 1.5 Through Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) inspection, the Service has been assessed in terms of its Effectiveness, Efficiency and how well we look after our People. For the HMICFRS assessment of People, the Service was rated as Requiring Improvement. The Service is good at getting the right people with the right skills but needs to improve on how it promotes the right values and culture, ensures fairness and promotes diversity and how it manages performance and develop its leaders. The aims within the People Strategy will support improvements to the organisation.

- 1.6 The report covers the five People Strategic Themes which will create the ideal future workplace, as prescribed by staff. These themes are Leadership, Inclusion, Ways of Working, Learning & Development and Health, Safety & Wellbeing. This report provides an update on how the Service is progressing work towards these strategic themes. Each theme has been broken down into areas of focus and this report provides an update on the work that has been undertaken in progressing towards these strategic themes.
- 1.7 This report includes an explanation under each theme of the impact of the Covid-19 Pandemic on the progress of the People Strategy, and the Service's responses to support the workforce. This has presented both significant challenges and transformational opportunities in relation to every theme.
- 1.8 The People Strategy Monitoring Group has increased its meeting frequency to every 6 weeks, and has developed some key statements designed to measure the Service's progress against the high level aspirations. These statements will form part of the next staff survey to be undertaken in the autumn of 2020. This will be reported to help demonstrate the outcomes of the work described in this report.

2. LEADERSHIP STRATEGIC THEME

- 2.1 Our aspiration: Our leaders will communicate a clear vision, take decisions and empower people to make change and improvement happen. They will be visible leaders with a diversity of backgrounds, skills and experiences who demonstrate open and honest listening and communication and are united in living our values.

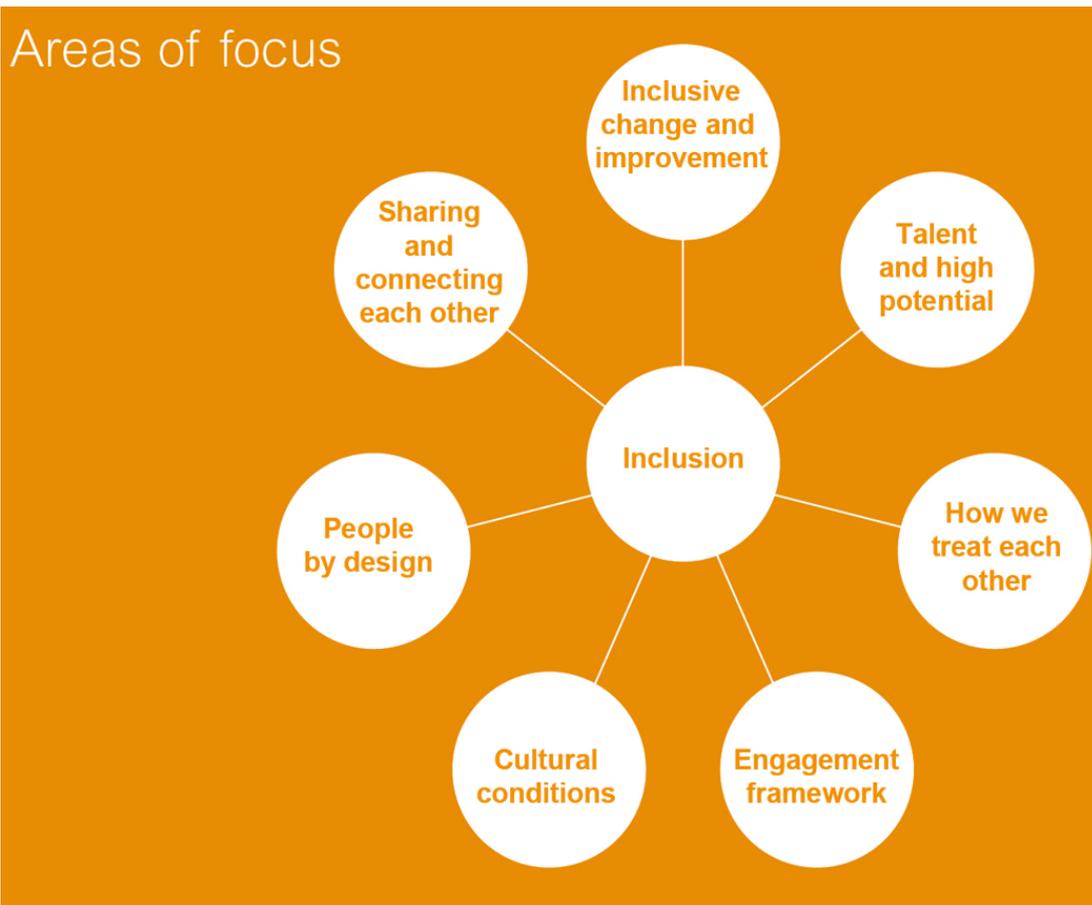


Our leaders, at all levels, will be developed and prepared to take us into the future together. Our Areas of focus are shown below:

- 2.2 The areas of progress since the last update to the Committee towards the Leadership theme have been in the following areas:
- 2.3 A leadership strategy has been prepared which is aligned to the NFCC Leadership Framework and sets out the Service's approach to Inspiring Leadership. The document describes where we are now and how we will move forward together.
- 2.4 A Talent Pool framework has been developed for each level in the organisation which will allow our leaders to be developed, in line with our vision and the NFCC framework, before they are placed into role. This talent pool will select staff who demonstrate leadership potential from both our operational and support services and they will learn and develop leadership and management skills together. Roles available will be identified through strategic workforce planning allowing the number of temporary roles to be reduced, whilst allowing some flexibility for organisational need and experiential development opportunity.
- 2.5 A staff led task and finish group was set up to look into empowerment and decision making in the Service. The group co-developed a decision making tool, which helps to identify where decisions should be made and who needs to be consulted and involved. The tool has Our Values as its basis, helping to ensure that decisions made are values led. This tool will be rolled out to the wider Service shortly.
- 2.6 The opportunities presented by virtual meetings and live Q and A sessions during the Response phase to the Pandemic has been embraced by teams and leadership to reach colleagues across the service more easily, and this engagement via Facebook Workplace has been received well by watches, improving the visibility and accessibility of senior leadership.

3. INCLUSION STRATEGIC THEME

- 3.1 Our aspiration: We will only benefit from a workforce that is more representative of our communities when everyone can be themselves and work together as one organisation regardless of role or workplace. We will recognise and utilise both diversity of thought and experience in the organisation for better decision making. We will be developing better solutions by engaging and involving employees in planning, idea generation and decision making. We will work ever closer with our trade unions for the benefit of all staff. Our Areas of focus are shown overleaf:



- 3.2 The areas of progress since the last update towards achieving a more diverse workforce and a more inclusive working environment has been in the following areas:
- 3.3 The Diversity & Inclusion Strategic Steering Group will now be led by the Deputy Chief Fire Officer to reflect the priority of this area within the organisation. Regular meetings will resume in the autumn to ensure continued progress against the People Strategy.
- 3.4 The ‘People by Design’ People Impact Assessment process is fully embedded in our project Governance and its value has been demonstrated in the outcomes, with staff engagement and involvement being planned and considered thoroughly. This has resulted in more sustainable and inclusive initiatives such as the On-call Pay for Availability and People Development projects. This approach is fully scalable and is now being applied to policy changes and smaller initiatives. We have been approached by other Fire and Rescue Services who are planning transformational changes and would like to use this tool.
- 3.5 The Service conducts an Annual Recruitment & Diversity report. The key findings this year are:
- The biggest number of female On Call new starters – 21. Together with 3 new female Wholetime staff starting in the same period we reached the highest ever female representation in operational roles with over a 100 women;

- Female representation in general has gone up by more than 1%. On Call female representation has gone up by 0.9% which is 4 times as much as the increase in 2018 of just 0.2%;
- The attraction rate from female applicants for Support vacancies (45%) has increased by 9% from 2018;
- The On Call vacancies female application percentage is 14.1%, twice as high as in 2018 (7.4%);
- The numbers of applicants with a different ethnic background, on average, are close to reflecting our community (5.3%) with Support 6.2%, On Call 4.5% and Wholetime (despite being only internal candidates) 5.5%;
- Application rates from LGBT for Support (7.3%), On Call (3.6%) and Wholetime (8.2%) are all higher than the community (2.2%);
- Within the workforce the identification as LGBT is 2.4% increased from 1.8%, and now higher than the community average of 2.2%. In addition, the non-disclosure rate has reduced;
- In the Support group the percentage of staff with a disability gaining a promotion was 17%;
- The rate of promotion in the On Call group (2%) is low in view of the percentage of women in that group (6%);
- Female representation in the senior management group (Area Manager and above and Grade 10 and above) increased from 18.5% to 28.5%; and
- Turnover has, in general and in all but 1 group, reduced.

3.6 Since 2019, the Service has been a member of the Employers Network for Equality & Inclusion (ENEI), which is a leading employer network covering all aspects of equality and inclusion in the workplace. They provide guidance, support around developing policies and facilitate benchmarking through an assessment called TIDE. This assessment measures an organisation's approach and progress on diversity and inclusion (D&I) in areas like Strategy, Leadership, Recruitment Training, Communication and Procurement.

3.7 In 2018/19, the Service completed the assessment for the first time and received a Bronze Award. This year (May 2019-June 2020), after improving many areas including leadership, recruitment, employment practices and procurement in line with our People Strategy, the Service is proud to announce receipt of the Silver Award.

3.8 Ninety eight organisations worldwide, including 4 Fire & Rescue Services, submitted the assessment and Devon & Somerset Fire & Rescue Service achieved 29th overall. This is a fantastic achievement, which highlights the progress that has been made and shows the increased awareness and support for an inclusive culture.

- 3.9 Partly as a result of the findings of the HMICFRS assessment, the Estates team has started a Dignity at Work review of all locations to identify whether they comply with legal requirements and provide dignity for those working at those locations. A plan has been drafted with identified priorities for those locations with the highest need. Although work has been postponed for a period, considerations will be given to resume this, taking into account any of the learning of the pandemic response period.
- 3.10 A Recruitment Working Group has developed two Firefighter recruitment processes, one for internal recruitment from On-call to Wholetime and one for external recruitment from the public to Wholetime.
- 3.11 The On Call to Wholetime process was opened up in June 2020 and has so far attracted 268 applicants from across the Service. The process includes Endorsement meetings with line managers and then Moderating Panels to ensure that there is consistency across the Service. The aim is for the first contracts to be issued in October 2020. The process will remain open on a rolling basis so staff will be able to apply or re-apply at a later stage, providing access to opportunities for more staff.
- 3.12 In preparation for the external process, the Service is planning positive action initiatives including targeted social media messages and distribution of posters and leaflets in areas with higher diversity. A specific plan, which will be under continuous review, has been drawn up.
- 3.13 Initiatives in relation to 'Progression' which are outside the scope of the People Development Project include the facilitation of cross organisational Action Learning Sets in collaboration with emergency service partners. Action Learning Sets are a structured method of problem solving which enable small groups to address complicated issues by meeting regularly and working collectively. This tool is especially geared to learning and personal development at the professional and managerial levels. We also have a collaboration with Devon & Cornwall Constabulary, Dorset Constabulary and Devon County Council which will facilitate the implementation of a sponsorship programme for women which is titled 'Our Time'. This programme has the aim to remove barriers to increasing diversity in middle and senior management. The initiative has 7 participants and will run for 12 months from September 2020.
- 3.14 Other ongoing initiatives to ensure an inclusive working environment are:
- The Service have achieved Disability Confident Level 2 status and we are looking to work towards level 3 in due course;
 - Setting up of a minority ethnic support and awareness group to discuss and explore the issues highlighted through the Black Lives Matter movement;
 - Contribution to the NHS producing a virtual Pride video;
 - National collaboration in relation to Gypsy & Traveller Equal Access to Services; and

- The 'Connecting to the Community' project which aims to connect Fire crews with the community they serve and raise awareness and understanding of the needs of those communities.

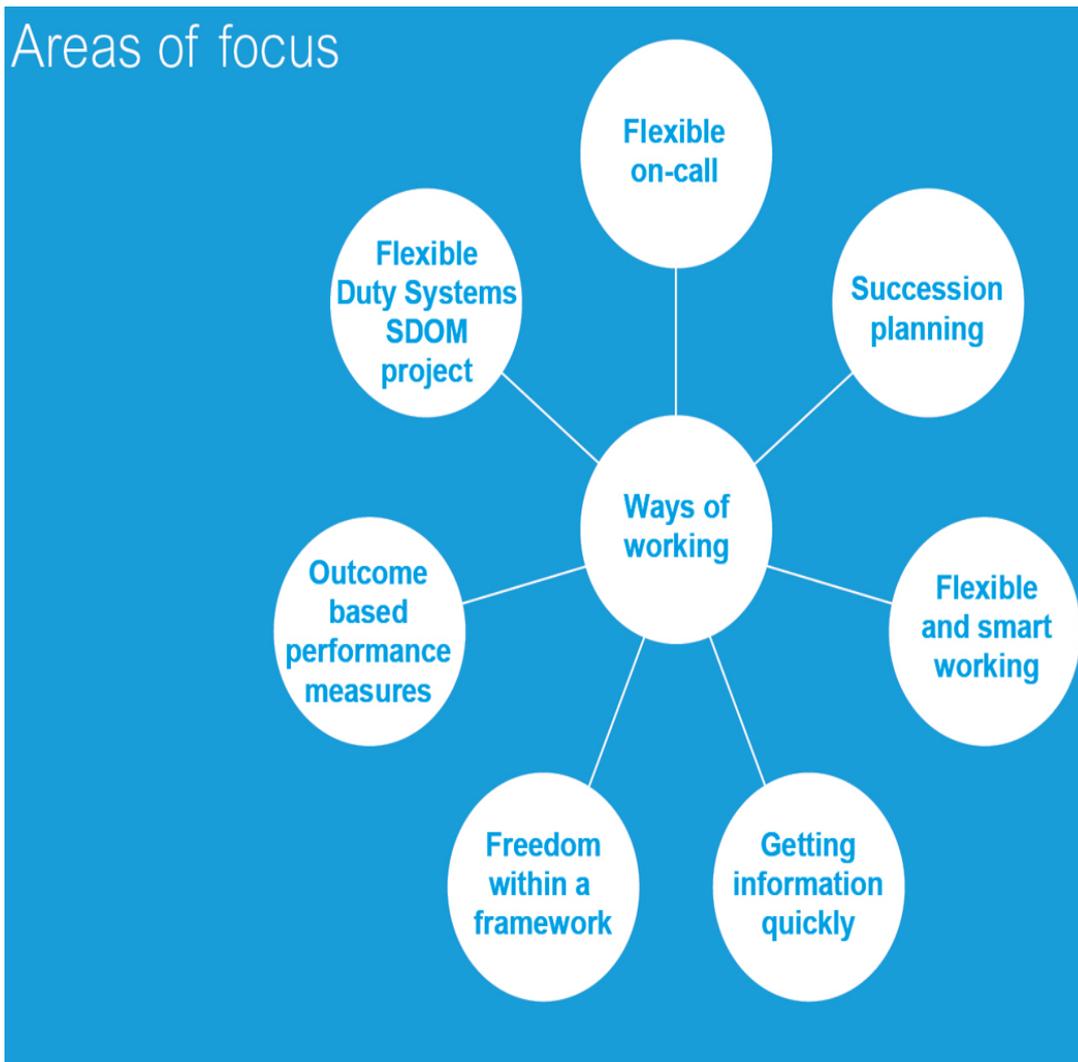
3.15 Person to person Community engagement has been significantly reduced due to the restrictions around Covid-19. All career fairs, cadet meetings, school visits, open days, 'Have a go' days, bike courses and many other activities, apart from virtual engagement, were ceased. However, partner collaboration and engagement in different areas, to support the community to cope with the unprecedented situation, were agreed and undertaken.

3.16 An engagement framework has been developed which sets out how we will engage with our staff, partners and communities. The framework sits under the Communication and Engagement Strategy and aims to bring all the engagement activity happening across the Service together under a set of principles and practices so that we can get the most out of our interactions with various stakeholder groups. Our use of Facebook Workplace and virtual meetings has increased during the Covid-19 Response phase and there are plans to develop a range of ongoing engagement mechanisms for different staff groups. This will help for better two-way communication across the workforce, and aid important conversations so that staff have more opportunities to share their thoughts and ideas on key issues.

3.17 Following a suggestion from station, the Service's Values icons were redesigned to reflect how we live the values and look after the Health, safety and Wellbeing of communities and each other throughout the Pandemic. The redesigned Values icons are set out at Appendix 1 for reference.

4. WAYS OF WORKING

4.1 Our aspiration: Our employees will be empowered and trusted with performance measured on productivity and outcomes. We will offer a range of flexible options that will improve inclusion, attract and retain a diverse workforce and enable us to match our resources to risk. Our technology and communications will be better and barriers to improving ways of working will be removed, with things that need doing quickly getting done. We will work together, as one organisation towards our vision and we will recognise and celebrate collaborative successes. The areas of focus are shown overleaf:



4.2 The areas of progress since the last update to the Committee are set out below.

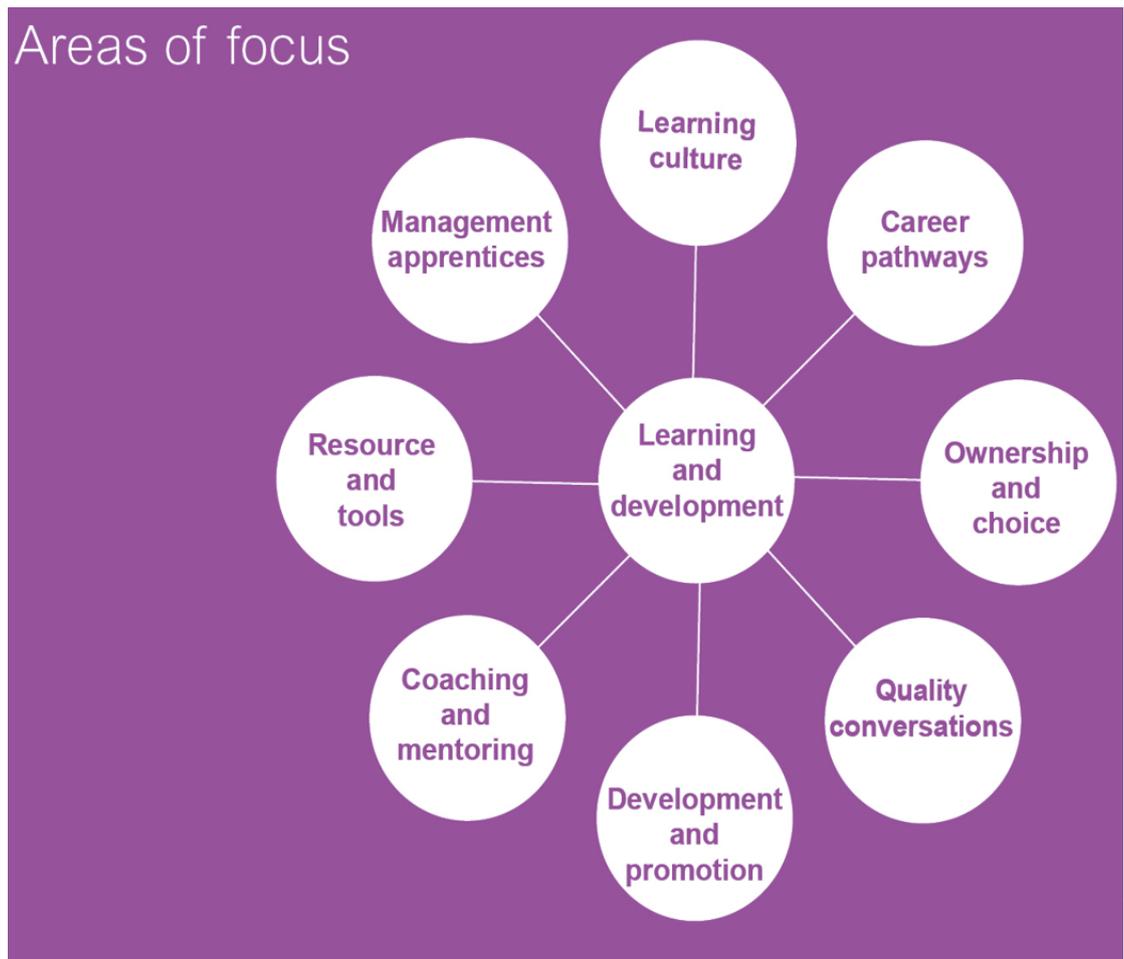
4.3 For the On-call Stations, the Service has worked with staff and Trade Unions to develop a new enhanced payment system for On-call staff which is referred to as Pay for Availability. Within this payment system, staff are paid in the usual way for work activity but also receive a payment for every hour of on-call cover that they give. This payment for availability represents a considerable investment in our on-call staff. This payment system is intended to recognise and reward the commitment from the Service's dedicated workforce in giving their availability to ensure that the Service can respond to emergency incidents across its two counties of Devon & Somerset. This payment system was one of those suggested by staff at the first engagement session and is expected to improve appliance availability, the retention rates for our On-call Firefighters and enable the Service to recruit new Firefighters for the future that will be more representative of our communities and improve diversity and inclusion within the workforce.

- 4.4 Prior to Covid-19, the Service and Fire Brigades Union (FBU) have been working on new duty systems that will improve the Wholetime Ways of Working. This work began with extensive staff involvement, asking them how they would like to work to help develop sustainable proposals. If agreed the proposed new duty systems will improve efficiency within the Service, be more effective for the public and improve the working lives of staff by providing a range of more flexible working options that will improve inclusion and attract and retain a diverse workforce. The intended approach is to have a modified 24/7 duty system and also a Day Duty System. This work was put on hold during the Covid-19 period of lockdown and further work will commence on this once the Service has completed the negotiations in relation to the Pay for Availability system.
- 4.5 For Support staff, the Service is seeking to create more flexible ways of working under smart working principles. During the Response phase of the Pandemic, the Service was able to accelerate its aspirations for more flexible working with a change to core hours along with working from home for all those without an essential need to be in the workplace. Many teams reported working from home to be more family friendly and flexible. Staff felt they have been more productive and task focused. Meetings with line managers whilst via video or phone are more regular, and more focused. Many staff have been able to reduce or remove travelling time. Work wear can be more relaxed at home particularly in the hot weather that was experienced during the lockdown period. However, there is no effective substitute in some cases for face to face engagement and the Service has had to change some of its established collaborative ways of working, such as workshops, to a more limited approach until it is safe to resume face to face interaction. Teams generally feel a blended approach to flexible working is preferable, as the benefits of social interaction are essential for a healthy workplace culture, and to support mental health and wellbeing. The Service is taking this opportunity whilst the culture is shifting to scope out a smart working vision with staff, and the physical, technical and cultural requirements. The Service will then move towards a new working model that will provide both ongoing resilience in business continuity and meet the aspirations set out in the people strategy.

5. LEARNING & DEVELOPMENT

- 5.1 The aspiration: We will create a learning culture which provides consistency and equality of opportunity to allow everyone to achieve their full potential. We will be innovative and creative in offering various opportunities and career pathways for people to develop and to ensure they have the right skills for their role. Our staff will benefit from regular performance conversations and development will be tailored, easy to access and available throughout our careers.

5.2 The Areas of focus are shown below:



5.3 The areas of progress since the last update to the Committee towards the Learning & Development theme have been in the following areas.

5.4 The Personal Performance & Development (PPD) system has been rolled out across the Service to support staff in having regular, quality conversations focussed on all aspects of staff development, performance and wellbeing. There was a decline in use of the system reported during the initial phase of Covid-19 and this will be addressed with a new policy including a minimum frequency for conversations.

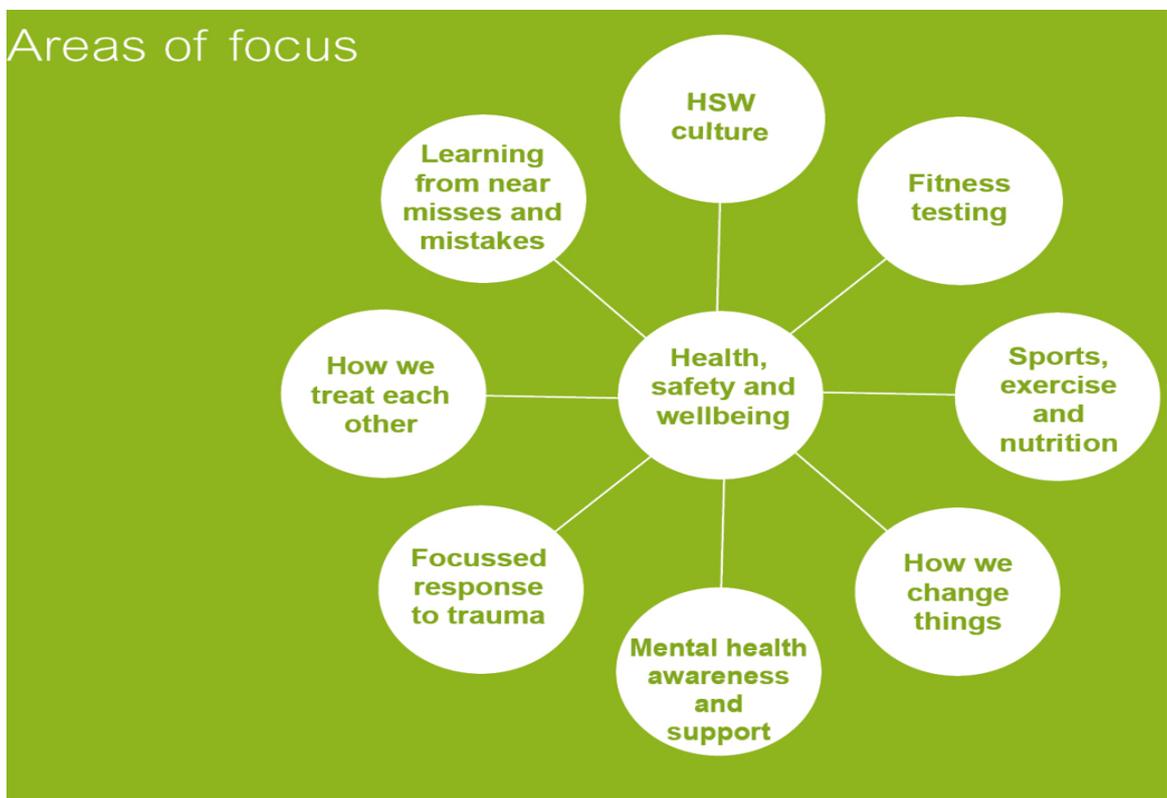
5.5 In the Covid-19 Response phase our internal coaches were brought together in a virtual session to support them in providing resilience coaching for managers to during this difficult time. 'Coaching Culture' tools and resources are to be implemented which include 360 feedback capability to support development.

5.6 Guidance for managers on team building exercises that can be carried out in the virtual environment was shared as part of our action plan to support staff whilst they work at home.

- 5.7 There was initially a significant impact for cohorts on leadership development programmes due to Covid-19 which were to be delivered face-to-face. In line with the creative approach to essential training put in place by the Academy, the Service has now created virtual learning environments and webinars, allowing this programme to resume, and to provide a resilient blended learning approach for the future. In our Recovery phase, any face to face sessions which are essential, will be limited in size and adhere to Covid-19 safe protocols.
- 5.8 Development programmes are being developed for each level in the organisation for both operational and non-operational staff with new ways of capturing evidence of achievements and a range of supporting online tools, which will be available to all. A robust and appropriately resourced Talent Management Delivery Framework is being scoped, to ensure that all staff can benefit from the new Leadership and Management development programmes being developed into the future.

6. **HEALTH SAFETY & WELLBEING**

- 6.1 The Strategic theme is defined as: We will be developing a holistic approach to health & safety, fitness and wellbeing which supports our staff so that they can remain fit, safe, healthy and fulfilled throughout their careers. We will encourage and support employees by building a positive health, safety and wellbeing culture and create an environment which improves work/life balance and quality of working life. A clear and supportive fitness testing policy will help keep our staff safe and healthy and a greater integration of work, sports and social activities will help break down barriers and bring people together. Our Areas of focus are shown below:



- 6.2 The areas of progress since the last update to the Committee towards the Health, Safety and Wellbeing theme have been in the following areas.
- 6.3 The health safety and wellbeing considerations in the Covid-19 Response and Recovery phases are wide reaching for both staff and the communities served. These include:
- the shielding and containment considerations of a phased return to delivering prevention services in the home;
 - considering the fall out for the on-call community who may have been affected by loss of primary employment; and
 - the changes that support staff rapidly made in their ways of working; and to those who very sadly suffered illness or loss.
- 6.4 In the Covid-19 Response phase, People Impact Assessment considerations have been captured, and action plans to support the health and wellbeing of our staff implemented via:
- Covid-19 Business Continuity Response People Impact Assessment (staff);
 - Desktop research into pandemic behaviour, the impacts of lockdown, the likely UK recovery plan and the needs of people in a Recovery phase;
 - A Recovery PIA workshop conducted with the People Cell (subject matter experts), the Recovery Lead and the Business Continuity manager;
 - One to one interviews with key stakeholders;
 - Covid-19 staff survey to test the temperature on a range of issues affecting staff;
 - Gathering information on team impacts across the service in terms of their health and wellbeing; and
 - Specific work with On-call staff to identify issues and ensure they have access to wellbeing.
- 6.5 This information has supported the Service in developing, for example: online access to wellbeing support, wide ranging guidance for managers and staff on remote working and in developing a process for staff to assess and discuss their individual risk levels using a Covid-19 Age risk calculator before they partially return to the workplace in Recovery phase 3. Staff who have been in the workplace throughout the Response phase are similarly encouraged to assess their risk using the Covid-19 Age risk calculator and to discuss this with their line manager in a health and wellbeing conversation should they have any concerns. Staff who have identified in higher risk groups are referred to Occupational Health for clinically assessed arrangements to be made.

- 6.6 As part of the People Strategy, the Service committed to creating a clear fitness testing policy and process with improved support and information to make sure that our staff remain physically fit for their roles. Firefighter fitness was raised as a cause of concern by the HMICFRS inspectors as at that time we had not sufficiently tested our staff under the new arrangements. We undertook an Interim Fitness Assessment of all Operational staff in September/October 2019. With Covid-19, the Service has not been able to fully implement its intended Fitness Policy, however, having completed Risk Assessments it is able to proceed with the Annual Fitness Assessments this autumn. The Service is also introducing an annual fitness assessment for uniformed officers. It has also recommenced the 3 yearly medicals which also incorporate a Fitness Test alongside the Occupational Health Medicals.
- 6.7 Across the People Strategy, the Service refers to creating the conditions to enable the culture it aspires to. A task and finish group was set up to look into how the Service promotes fairness and respect in the organisation.
- 6.8 Following on from this work, the Organisational Development team is developing a range of interventions where the fostering of one key cultural condition of 'psychological safety' will underpin improvements relating to several cultural targets. This includes promoting both fairness and respect and a robust health and safety culture. A series of interventions are being developed, learning from industry and military organisations to ensure that this is a prevalent feature of our culture.

7. **CONCLUSION**

- 7.1 This report provides an update on how the Service is progressing work towards the 5 strategic themes within its People Strategy which are Leadership, Inclusion, Ways of Working, Learning & Development and Health, Safety & Wellbeing.
- 7.2 This work has progressed very well despite the difficult circumstances in 2020/21 to date due to Covid-19, demonstrated with the progression of the ENEI Silver Award.

JOE HASSELL
Deputy Chief Fire Officer

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Agenda Item 6

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| REPORT REFERENCE NO. | HRMDC/20/3 |
| MEETING | HUMAN RESOURCES MANAGEMENT & DEVELOPMENT COMMITTEE |
| DATE OF MEETING | 21 OCTOBER 2020 |
| SUBJECT OF REPORT | REQUEST FOR RETIREMENT & RE-EMPLOYMENT |
| LEAD OFFICER | Deputy Chief Fire Officer |
| RECOMMENDATIONS | <i>That the request for retirement & re-employment as identified in paragraph 2.3 of this report be approved.</i> |
| EXECUTIVE SUMMARY | The Authority has an approved Pay Policy Statement for 2020/21 in accordance with the requirements of the Localism Act 2011 and which sets out the arrangements for consideration of any requests for re-employment of employees following retirement. This report sets out a specific request for approval from a support member of staff. |
| RESOURCE IMPLICATIONS | None. |
| EQUALITY RISK & BENEFITS ASSESSMENT | The Retirement & Re-Employment Policy has had an equalities impact assessment. |
| APPENDICES | Nil |
| BACKGROUND PAPERS | DSFRA Pay Policy Statement for 2020/21 |

1. INTRODUCTION

- 1.1 The Authority's Pay Policy Statement for 2020/21 sets out the arrangements for consideration of any requests for re-employment of employees following retirement. The re-employment of any employee (up to Area Manager or non-uniformed equivalent) who has retired will be subject to approval by of the Human Resources Management and Development Committee (the Committee).
- 1.2 The Pay Policy Statement sets out that 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).
- 1.3 The Pay Policy Statement also notes that the Fire and Rescue National Framework for England, published by the Home Office in May 2018, sets out that "fire and rescue authorities must not re-appoint principal fire officers after retirement to their previous, or a similar, post save for in exceptional circumstances when such a decision is necessary in the interests of public safety". In this context, Principal Officers refers to those officers at Area Manager and above, or those with comparable responsibilities to those roles. The Fire and Rescue National Framework also states that fire and rescue authorities will "have regard to this principle when appointing at any level".
- 1.4 For staff within the Local Government Pension Scheme, where an individual is re-employed on the same terms and conditions 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.
- 1.5 The Service's Executive Board has considered the request within this report for retirement and re-employment and considers that the request is beneficial in helping to retain key skills whilst we seek to bring in new staff through a planned succession process.

2. RETIREMENT AND RE-EMPLOYMENT

- 2.1 The Service policy on retirement & re-employment is linked to workforce planning arrangements. Retirement and re-employment provides us with certainty for the leave date for these employees whilst at the same time providing a suitable rate of staff turnover. It also provides a transition for the employee from full employment into retirement.

2.2 A full-time member of the Procurement Team who is returning from maternity leave has requested a temporary change to their working hours to work 0.5 FTE. This request has been approved on the basis that the Service will backfill the other half of the role on a fixed term contract to maintain capacity within the team. There is currently a comprehensive and detailed Procurement Resource Plan and significant work demands on the Procurement Department to support capital, revenue and project expenditure and non-pay spend reviews, which makes maintaining professional capacity an essential requirement.

2.3 Another member of the Procurement Team has submitted a request for retirement and re-employment on a part-time basis. The re-employment of this professionally qualified Category Manager on a fixed term basis provides flexibility and also enables the department to retain an experienced member of staff to cover the 0.5 FTE temporary vacancy created by the reduced working hours of the maternity returner outlined above. This retirement and re-employment has been considered by the Service’s Executive Board and this is now recommended to the Committee for approval.

| Role | Position | Station/Dept. | Decision |
|-------------------------|------------------|----------------------|---|
| Grade 7 (support staff) | Category Manager | Procurement | FTC for up to 1 year on 18 hours per week from mid-January 2021 |

2.4 There are no additional financial costs for the organisation since this employee has reached the point at which they can retire without any strain payment. If re-employed, it is recommended that should the overall earnings following retirement from the pension and re-employment be higher than earnings before retirement then abatement should be applied. This gives the Service certainty as to a leaving date, supports the natural turnover of staff and enables the Service to succession plan for the future.

JOE HASSELL
Deputy Chief Fire Officer

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Agenda Item 7

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| REPORT REFERENCE NO. | HRMDC/20/4 |
| MEETING | HUMAN RESOURCES MANAGEMENT & DEVELOPMENT COMMITTEE |
| DATE OF MEETING | 21 OCTOBER 2020 |
| SUBJECT OF REPORT | CONSULTATION RESPONSE TO REFORMING LOCAL GOVERNMENT EXIT PAYMENTS |
| LEAD OFFICER | Deputy Chief Fire Officer |
| RECOMMENDATIONS | <i>That the consultation response contained within this report is submitted to the Ministry of Housing, Communities and Local Government on behalf of the Authority.</i> |
| EXECUTIVE SUMMARY | <p>As part of the 2015 Spending Review, the government had announced that it was seeking to introduce an Exit Cap for public sector workers. Provision for the cap was included in legislation but as yet this has not been enacted. The Restriction of Public Sector Exit Payments Regulations 2020 were laid before Parliament on 21 July 2020 and were voted on by parliament on the 30 September 2020. Once the affirmative parliamentary procedure is completed which means includes approved by both Houses of Parliament then the regulations will come into force.</p> <p>The Ministry of Housing, Communities and Local Government (MHCLG) has opened a consultation on the reform of exit payments in local government. The consultation is concerning the effect that the reforms could have on redundancy compensation pay and early access to pensions in local government and the overall impact on the local government workforce. For the Authority, this therefore relates to Support Staff, Control Staff and non-operational Directors. These categories of staff have a pension provision through the Local Government Pension Scheme. This paper provides a draft response relating to this consultation which, if supported by the Committee, will be submitted to the MHCLG.</p> |
| RESOURCE IMPLICATIONS | None directly as a result of this paper but the change in legislation will limit the potential cost of exit payments in the future. |
| EQUALITY RISKS AND BENEFITS ANALYSIS | As part of the consultation MHCLG will complete a full impact assessment including equalities. |
| APPENDICES | Appendix A: Reforming Local Government Exit Pay Consultation, The Ministry of Housing, Communities and Local Government (MHCLG) |

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|--------------------------|------|
| BACKGROUND PAPERS | None |
|--------------------------|------|

1. **INTRODUCTION**

- 1.1 As part of the 2015 Spending Review, the government had announced that it was seeking to introduce an Exit Cap for public sector workers. This was intended to continue the modernisation of the terms and conditions for public sector workers and target areas where the public sector has more generous rights than most of the private sector. Provision for the cap was included in the Small Business, Enterprise and Employment Act 2015 which provided the power for Her Majesty's (HM) Treasury to make regulations implementing a £95,000 cap on exit payments in the public sector.
- 1.2 In September 2016, the government published a response to an initial consultation on the exit cap and concluded that it remained appropriate to reform exit payment arrangements across the public sector. In April 2019, HM Treasury consulted on draft Regulations and guidance on the implementation of the exit pay restrictions. The response to that consultation, was published on 21 July 2020 along with new draft Regulations. Initially, it had been proposed to implement the cap in stages but within the government consultation response it concluded that the whole public sector would be done as soon as possible. The draft Restriction of Public Sector Exit Payment Regulations 2020 were voted on by parliament on 30 September 2020 and once approved, through the full parliament stages will come into force 21 days after the approval.
- 1.3 The Ministry of Housing, Communities and Local Government (MHCLG) has opened a consultation on the reform of exit payments in local government which will close on 9 November 2020. The consultation does not relate to the principle of a cap on exit pay but is seeking to consult on the effect that the reforms could have on redundancy compensation pay and early access to pensions in local government and the overall impact on the local government workforce.
- 1.4 For Devon & Somerset Fire & Rescue Authority ("the Authority"), this therefore relates to Support Staff, Control Staff and non-operational Directors. These categories of staff have a pension provision through the Local Government Pension Scheme (LGPS). This paper provides a draft response relating to this consultation which if supported by the Committee will be submitted to the MHCLG.

2. **EXISTING ARRANGEMENTS CONCERNING REDUNDANCY AND PENSIONS IMPACTED BY THE EXIT CAP**

- 2.1 The current system for local government redundancy compensation payments will vary between employers but they must operate within a framework set by regulations which are set within the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006. These regulations provide that the total maximum lump-sum pay-out for redundancies is 104 weeks' (24 months') pay.

- 2.2 Devon & Somerset Fire & Rescue Service operates by using the statutory redundancy calculation for an employee with at least 2 years' continuous service which is based on the employee's age, salary and the length of service:
- Up to the age of 21: 0.5 week's pay for each completed year of service.
 - 22 - 40 years of age: 1 week's pay for each completed year of service.
 - 41+ years of age: 1.5 weeks' pay for each completed year of service.

NB. A "week's pay" is subject to the statutory maximum (currently £538) but the service has opted to use actual weekly pay if this is higher.

- 2.3 The current system for local government early access to pensions under the LGPS Regulations means that employees aged 55 or more who are members of the LGPS are currently entitled to immediate access to unreduced pension where:
- The member is dismissed from an employment on redundancy or business efficiency grounds, or
 - The employment is terminated by mutual consent on business efficiency grounds.

- 2.4 An employer participating in the LGPS which provides early, unreduced payment of pension benefits has to make additional payments to the relevant pension fund to make up the resulting shortfall in the pension funding. This is because the provision for early exits is not included in their standard employer contributions. This extra payment is also known as the pension "strain" cost.

3. PROPOSED NEW REFORMS FOR REDUNDANCY AND PENSION

- 3.1 The new proposals for reforms will modify the redundancy payments to set the following limits:
- A maximum tariff for calculating exit payments of three weeks' pay per year of service. Employers could apply tariff rates below these limits;
 - A ceiling of 15 months (66 weeks) on the maximum number of months' or weeks salary that can be paid as a redundancy compensation payment. Employers will have discretion to apply lower limits, as they do at present under the 2006 Early Termination Regulations; and
 - A maximum salary of £80,000 on which a redundancy compensation payment can be based, to be reviewed on an annual basis using an appropriate mechanism, for example: CPI (Consumer Prices Index).
- 3.2 The Service redundancy payments would be within these levels and the only posts with salary levels above the maximum salary of £80,000 would be Executive Board positions.

- 3.3 In terms of any strain payments, these will be taken into account along with any statutory or discretionary redundancy payments. In order to limit the strain payments, the pension regulations will need to be modified so that the Statutory Redundancy Pay is deducted from the strain payment and that any discretionary redundancy pay is either limited to ensure that the overall package is within the exit cap or the pension is actuarially adjusted in line with the revised strain cost. Alternatively, the employee can forgo any discretionary redundancy or defer their pension benefits.

4. **CONSULTATION QUESTIONS AND RESPONSES**

- 4.1 As mentioned in paragraph 1.3 above, the consultation does not relate to the principle of a cap on exit pay but is seeking to consult on the effect that the reforms could have on redundancy compensation pay and early access to pensions in local government and the overall impact on the local government workforce. The consultation questions and proposed responses are set out below for consideration.

- Q.1.** Are there any groups of local government employees that would be more adversely affected than others by our proposed action on employer funded early access to pension? If so please provide data/evidence to back up your views? How would you mitigate the impact on these employees?

Response: *The employees that would be more adversely affected by this action are those who are aged 55 or more and are members of the Local Pension Scheme. The Service only very occasionally utilises the strain payment and where this occurs it will be reported through the Annual Statement of Accounts as termination payments. It is noted that the government intends to undertake an impact assessment concerning protected groups and this Authority would expect this to consider any impact arising from potential indirect age discrimination. It would not be possible to mitigate the impact of this proposal on this group of employees.*

- Q.2.** What is the most appropriate mechanism or index when considering how the maximum salary might be reviewed on an annual basis?

Response: *The Consumer Price Index (CPI) would be the most appropriate mechanism and would enable the annual maximum salary to be reviewed on an annual basis.*

- Q.3.** Are there any groups of local government employees that would be more adversely affected than others by our proposed ceiling of 15 months or 66 weeks as the maximum number of months' or weeks' salary that can be paid as a redundancy payment? If so please provide data/evidence to back up your views? How would you mitigate the impact on these employees?

Response: *None within this Authority since the maximum number of weeks' payable for redundancy is already limited to 30 weeks.*

Q.4. Are there any groups of local government employees that would be more adversely affected than others by our proposal to put in place a maximum salary of £80,000 on which an exit payment can be based? If so please provide data/evidence to back up your views? How would you mitigate the impact on these employees?

Response: *The only posts with salary levels above the maximum salary levels would be two positions on the Service's Executive Board. The pay band for these two positions is £85k - £95k and is published on the Authority's website [here](#). It would not be possible to mitigate the impact of this proposal on this group of employees.*

Q.5. Do you agree with these proposals? If not, how else can the Government's policy objectives on exit pay be delivered for local government workers?

Response: *The Authority welcomes any flexibilities that provides additional options for employees impacted by the Exit Payment Regulations. However, the constraints on a local authority to exercise power to relax the cap set in paragraphs 4.10 to 4.13 are such that it effectively fetters any discretion an authority has in this respect. This Authority is concerned that this could have a detrimental impact on the Authority's ability to introduce workforce reform without increasing the risk of employment relations disputes or litigation through the employment tribunals.*

Q.6. Do you agree that the further option identified at paragraph 4.8 should be offered?

Response: *This is the option to defer pension benefits in order to remain under the exit cap. In all likelihood it will be the pension strain payments that take an employee over the exit cap and this mechanism seems to lack sufficient flexibility if the decision for the employee is simply to defer all the pension benefits at the point of the termination. If this option enabled the employee to select their retirement date adjusted for early payment based on the level of strain payment to be applied, then it is more likely to be an option that employees could utilise.*

Q.7. Are there any groups of local government employees that would be more adversely affected than others by our proposals?

Response: *Subject to government undertaking an impact assessment concerning protected groups and such impact assessment considering any impact arising from potential indirect age discrimination, there are no other groups of local government employees more adversely impacted.*

Q.8. From a local government perspective, are there any impacts not covered at Section 5 (Impact Analysis), which you would highlight in relation to the proposals and/or process above?

Response: *No, subject to such impact assessment considering any impact arising from potential indirect age discrimination.*

Q.9. Are these transparency arrangements suitably robust? If not, how could current arrangements be improved?

Response: *There is already sufficient transparency with Local Authorities that are required to publish Pay Policy Statements and also disclose Termination Benefits within the Annual Statement of Accounts.*

Q.10. Would any transitional arrangements be useful in helping to smooth the introduction of these arrangements?

Response: *The introduction of the legislation is likely to be before any changes to the LGPS regulations and we will therefore have a period when there is a conflict between the exit payment and pension regulations. Clarification on the legal standing of any transitional arrangements in this respect is essential and is required before the arrangements become effective.*

Q.11. Is there any other information specific to the proposals set out in this consultation, which is not covered above which may be relevant to these reforms?

Response: *No*

Q.12. Would you recommend anything else to be addressed as part of this consultation?

Response: *Yes. Confirmation of how any potential direct or indirect age discrimination has been considered should be shared with local government employers together with confirmation of how the conflict between the Exit Payment Regulations and the existing LGPS Regulations is to be managed.*

5 **CONCLUSION**

5.1 This paper sets out the background to the exit cap legislation and provides a draft consultation response for the Committee to consider prior to submission to the MHCLG by the deadline of 9 November 2020.

JOE HASSELL
Deputy Chief Fire Officer

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