

Proposed Delegation to Officers of Consideration of Outside Employment Applications

Report of the Chief Fire Officer

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1 Purpose of Report

This report asks Members to consider recommending to the Fire Authority that the process for dealing with requests from staff for permission to undertake outside employment be delegated to Officers, including the decision making.

2 Recommendations

The Committee is asked to recommend to the Fire Authority that the terms of reference of the Committee be changed in order that consideration of Outside Employment applications be delegated to officers.

3 Background

The terms of reference for the Human Resources (HR) Committee include the provision 'to consider and determine applications by uniformed personnel for permission to undertake outside employment, and to set conditions under which approval might be granted' and also 'to review and amend, where required, the processes and procedures for dealing with, amongst other things, applications for outside employment'.

The terms and conditions for uniformed staff (known as the Grey Book) states at Section 5 Part B paragraph 8 that:

'an employee (other than one on the retained duty system) shall not hold any other office or employment for gain or reward or carry on any trade or business without the express permission of the fire and rescue authority, which may be granted subject to any restrictions or conditions that authority thinks fit.'

Over many years the Service has had a process in place to allow members of staff to seek permission from the authority as their main employer to undertake employment with another employer or for themselves. This is known within the Service as an application for Outside Employment.

Currently this process involves up to 6 steps and 3 levels of management as follows:

- 1 The employee completes the application form and forwards it to their District Officer.
- 2 The District Officer considers the application and completes a further form. If the application is approved it is forwarded to the Human Resources Manager.
- 3 The Human Resources Manager then does one of two things:
 - a If there is an imminent HR Committee planned the application will be placed on the agenda for consideration by the committee in the exempt part of the meeting; or
 - b If there is no imminent HR Committee planned the application is sent to the Chair and Vice Chair of the HR Committee for their provisional decision.
- 4 In the case of 3b above:
 - a the provisional application is then put before the next scheduled HR Committee for consideration by the full Committee before the individual can be notified that their application has been approved/refused.; then
 - b The individual is then informed in writing that their application has been provisionally approved, subject to consideration at the next HR Committee
- 5 HR Committee consider all new and provisionally approved applications
- 6 The individual is then informed of the decision in writing, including any conditions.

4 Issues with the current process

It is proposed that the process above be streamlined through delegation of decision making to Officers. It is very unusual that an application is refused by Members because of the process it has to go through before it is sent to HR Committee. Indeed it has not been possible to find an example of a refusal to cite within this report.

Given that HR Committee now meet twice each year the potential delay between an application being received and full permission being granted is now up to six months. This seems to be an unreasonably long period of time to expect staff to wait for a final decision although a provisional one is given but this has the effect of duplicating work.

The process currently in place appears overly bureaucratic and generates several sets of paperwork, administrative processes and involves three different levels of management in considering the same application. At the same time the guidance and legislation this area is thorough and we can find no examples of an application being rejected after Officers have recommended it for approval.

5 Proposed delegation to Officers

In the current climate and in trying to make the best use of limited resources it is therefore recommended that the process is streamlined as far as possible and in time, becomes an electronic process which can be approved using a permissions structure when the technology allows.

For the time being, and before electronic processes can be implemented, it is proposed that Members agree that the process is modified to be restricted to steps 1, 2 and 6 (in section 3 above) without any further need for Member consideration. This will mean that the individual will still be interviewed by a District Officer (or relevant Section Head) and all applications will still be monitored and registered in HR but the final decision for permission will rest with the HR Manager who is able to consult those Officers and specialists as necessary to consider each case.

This will then enable the HR Department to manage the process and notify applicants of decisions in a timely manner without the need for further administration and possible delay in waiting to bring the matter to Committee. It is estimate that this will save a minimum of the equivalent of a minimum of 1 day in administration time each year, depending upon the volume of applications received.

6 Financial Implications

There are no direct financial implications arising from this report.

7 Legal Comment

There are no direct legal implications arising from this report.

8 Equality Impact Assessment

As this report refers to a proposed change to an existing process that the authority is required to have in place under the staff terms and conditions, an Equality Impact Assessment is not necessary.

9 Appendices

There are no appendices attached to this report.

10 Background Papers

There are no background papers associated with this report.