

**Non-Exempt Minutes of the Meeting of
Shropshire and Wrekin Fire and Rescue Authority
Human Resources Committee
on Thursday, 26 February 2009, at 2.00 pm
at Headquarters, Shrewsbury**

Present

Councillors Dr Drummond (Vice-Chair), Hartin, Mrs Holyoak (Chair), Hurst-Knight, Picken and Williams

1 Apologies for Absence

No apologies for absence had been received, although Councillor Gibbon did not attend the meeting.

2 Declarations of Interest

There were no declarations of interest.

3 Non-Exempt Minutes

Members received the non-exempt minutes of the Human Resources Committee meeting held on 4 December 2008.

Resolved that the non-exempt minutes of the Human Resources Committee meeting, held on 4 December 2008, be agreed and signed by the Chair as a correct record.

4 Mediation Review

This report provided the Human Resources Committee with an overview of the current mediation process and provided recommendations regarding the scheme.

Councillor Holyoak asked if there would be a list of mediators available, who could be called on immediately. The Equality and Diversity (E&D) Officer explained that, if the option of an external mediator was chosen, a Service Level Agreement would be drawn up with the specific provider, which would clearly set out how contact would be made.

Councillor Hartin asked for an explanation of the following issues:

- 1) If there are currently five internal mediators and only one is being used, why does the report indicate that training would be provided for eight further mediators?
- 2) What is considered best practice in other fire and rescue authorities (FRAs)?
- 3) Have the Unions been consulted with regard to the policy?

The E&D Officer provided the following responses:

- 1) It would not be necessary to train eight internal mediators; if lower numbers were trained then the cost of training would probably be about £5,000. The Assistant Chief Officer (ACO) explained that, if less than eight were to be trained, it is likely that the training would not be done in-house.
- 2) There appears to be a mix of both internal and external providers used by other FRAs. The Human Resources Manager (HRM) commented that the majority of FRAs do use external mediation providers.
- 3) The policy has been taken to Policy Group for discussion. Once a decision has been made about whether to use internal or external mediators, the policy will be fully developed and will then be issued to the Unions for consultation.

Councillor Williams commented that, given that internal mediation is cheaper and does not always meet expectations, have Shropshire Council and Telford & Wrekin Council be considered as meditation providers. The ACO responded that they could be considered but would still be external providers. The HRM suggested that ACAS could be looked at as a possible provider.

The ACO explained that the overriding concern when appointing a provider will be competence together with timescales for provision. The preference would be to use people, who undertake mediation as part of the regular work rather than as an add-on to their own jobs.

Councillor Hurst-Knight asked that, given that costs can be met from current budgets, would this be a growth item in future years. The E&D Officer replied that it might be but this issue would need to be looked at in the future.

Councillor Drummond commented that she felt that an external provider would be better. Councillor Hartin concurred with this and asked if the staff response to an external provider would be favourable and what would happen if staff were against it. The ACO explained that there is a 21-day consultation period with the Unions. This is for consultation and not negotiation. If a consensus cannot be reached with the Unions, the decision can be brought back to Members or Officers can seek to impose the decision.

Resolved that the Human Resources Committee:

- a) Note the contents of the report; and
- b) Agree to the recommendations, as detailed in the report, to source an external mediation provider.

5 Grievance Procedure

This report notified the Human Resources Committee of a current review of the Shropshire Fire and Rescue Service grievance procedure.

Resolved that the Human Resources Committee:

- a) Agree to extend the deadline for the completion of the revised Order to allow for the incoming ACAS guidelines to be incorporated; and
- b) Agree that an update should be provided to the Human Resources Committee in May 2008 with the revised Order attached.

6 Proposed Introduction of a Capability Policy

This report informed the Human Resources Committee of the progress to date on the introduction of a Capability Policy.

Councillor Hurst-Knight queried whether there should have been timescales included within the policy, e.g. for when appraisals take place. The ACO explained that there is a separate policy which covers Individual Personal Development Reviews (IPDRs), which are appraisals. The Capability Policy runs in parallel with the IPDR Policy and would only be invoked if there are issues that cannot be addressed through informal counselling of the individual concerned.

Resolved that the Human Resources Committee:

- a) Approve the draft Capability Policy;
- b) Agree to issue the draft Capability Policy for consultation with the executive management board and representative bodies in the usual manner; and
- c) Agree that the final version be brought to the Human Resources Committee at the next meeting on 28 May 2009.

7 Maternity Leave Policy

This report informed the Human Resources Committee of the current entitlements offered by Shropshire Fire and Rescue Service regarding maternity leave and the current union negotiations regarding proposals for enhancement to the existing policy.

Councillor Drummond referred to item 5 on page 6 of the report and asked what happens if an employee does not come back to work at the necessary time. The HRM explained that employees must return for a period of three months.

Councillor Hartin referred to the issue of contractual pay and suggested that he would prefer a move to Option B, as it appears to have more benefit for the retention of staff. The HRM commented that this suggestion was very positive but it does raise concerns over the cost to the Service, especially if increased numbers of females are recruited.

Councillor Hurst-Knight referred to item 6 on page 7 of the report and suggested that the word 'essential' be included with regard to co-operation.

Councillor Hartin proposed that all the recommendations be accepted as set out in Section 5 of the report with the exception of proposal 5, where Option B should be recommended. This amendment was seconded by Councillor Picken.

Councillor Hurst-Knight then moved that all recommendations be accepted as set out in Section 5 of the report including Option D at proposal 5. This was seconded by Councillor Drummond.

A vote was taken on the amendment proposed by Councillor Hartin that all the recommendations be accepted as set out in Section 5 of the report with the exception of proposal 5 where Option B should be recommended. With 2 members voting for and 4 members voting against, the proposed amendment fell.

A vote was then taken on the proposal moved by Councillor Hurst-Knight that all recommendations be accepted as set out in Section 5 of the report including Option D at proposal 5. With 4 members voting for and 2 members voting against, it was

Resolved, subject to the agreement of the Fire Authority, that the Human Resources Committee:

- a) Agree that the current revised Brigade Order No. 5, Part 3, Maternity Leave should not remain the same, and
- b) Agree the inclusion of each of the proposals at 1 – 6 and Option D at proposal 5, as set out in Section 5 of the report.

8 Physiotherapy Services

This report considered the trial fast track physiotherapy services provided by the Robert Jones and Agnes Hunt Hospital for Shropshire Fire and Rescue Service employees, introduced for a 12-month period on 1 April 2008.

Councillor Holyoak commented that this initiative has been a success story. Councillor Williams commented that the scheme provides value for money and is also good for staff morale.

Having considered the report and recommendations, the Human Resources Committee

Resolved:

- a) To continue to trial fast track physiotherapy services provided by the Robert Jones and Agnes Hunt Hospital for a further 12-month period from 1 April 2009 to 31 March 2010;
- b) To agree to early intervention / direct referral through Occupational Health for individuals requiring physiotherapy; and
- c) To agree to monitored funding beyond the maximum of £195.00 (in exceptional circumstances).

**9 Nottinghamshire and Lincolnshire Fire Authorities:
Co-Responding Legal Action**

The Human Resources Committee received a verbal update on the outcome of the Nottinghamshire and Lincolnshire Fire Authorities: Co-Responding Legal Action.

Resolved that the Human Resources Committee note the verbal update.

10 Local Government Act 1972

Resolved that, under the Local Government Act 1972, the public be excluded for the following items on the grounds that they involved the likely disclosure of exempt information, as defined by the provisions of Part I of Schedule 12A to the Act, by virtue of paragraphs 1 and 2.

It was proposed and agreed that the order of the agenda be varied at this point to allow Agenda Item 12 to be considered before Agenda Item 11.

12 Applications to Undertake Outside Employment (Approved Provisionally) (Paragraphs 1 and 2)

This report informed Members of eight applications from Fire Authority employees to undertake outside employment, which have been approved provisionally by the Chair and Vice-Chair of the Committee.

The Vice-Chair had highlighted several forms, which had information missing when they were sent for provisional approval. These had now been fully completed and a document containing the amendments was tabled to the meeting (copy to be attached to signed minutes). It was also noted that one of the forms was missing a signature, this will also be amended.

Councillor Hurst-Knight commented that the forms seem to be confusing with many not being completed correctly. The ACO suggested, and the Committee agreed, that the form should be redesigned and reissued.

Resolved that the Committee, having considered the eight applications for outside employment on their merits, with regard to all the circumstances and the health and safety of employees and the public, confirm the provisional approval given by the Chair and Vice-Chair of the Human Resources Committee

11 Exempt Minutes (Paragraphs 1 and 2)

Members received the exempt minutes of the Human Resources Committee meeting held on 4 December 2008.

One correction needs to be made to the minutes for reasons of accuracy.

Resolved that the exempt minutes of the Human Resources Committee meeting, held on 4 December 2008, subject to the amendment outlined, be agreed and signed by the Chair as a correct record.

The meeting closed at 3.10 pm.

Chair.....

Date.....