

**Non-Exempt Minutes of the Meeting of
Shropshire and Wrekin Fire and Rescue Authority
Human Resources Committee
held on Thursday, 3 September 2009, at 2.00 pm
at Headquarters, Shrewsbury**

Present

Members

Councillors Adams (Chair), Mrs Barrow, Groom and Hartin (Vice-Chair)

Officers

Chief Fire Officer, Corporate Services Manager, Equality and Diversity Officer,
Human Resources Manager and Management Support Officer

1 Election of Chair

It was proposed by Councillor Mrs Barrow and seconded by Councillor Hartin

That Councillor Adams be elected Chair of the Human Resources Committee.

There being no other nominations, Councillor Adams was duly elected Chair to hold office until the meeting of the Committee immediately following the Annual Meeting of the Fire Authority.

2 Appointment of Vice-Chair

It was proposed by Councillor Groom and seconded by Councillor Mrs Barrow

That Councillor Hartin be appointed Vice-Chair of the Human Resources Committee.

There being no other nominations, Councillor Hartin was duly appointed Vice-Chair to hold office until the meeting of the Committee immediately following the Annual Meeting of the Fire Authority.

3 Apologies for Absence

Apologies for absence had been received from Councillors Kiernan, Picken and Price.

4 Declarations of Interest

There were no declarations of interest.

5 Non-Exempt Minutes

Members received the non-exempt minutes of the Human Resources Committee meeting, held on 28 May 2009.

No Members present at the current meeting had attended the meeting, held on 28 May 2009. As it was not possible for the minutes of the latter to be agreed and signed as a correct record, this item of business was deferred for consideration at the next meeting of the Committee.

6 Public Questions

No questions, statements or petitions had been received from members of the public.

7 Constitution and Meeting Dates of Human Resources Committee

This report brought the latest version of the Committee's constitution to the notice of its Members and requested their agreement to revised meeting dates for the remainder of 2009 and for 2010.

It was proposed by Councillor Hartin, seconded by Councillor Mrs Barrow and

Resolved that the Human Resources Committee:

- a) Note the constitution of the Human Resources Committee; and
- b) Agree the Committee's revised meeting dates, set out at section 4 of the report.

8 Proposed Work Plan 2009-10

This report sought to establish a work plan for the Human Resources Committee for the period September 2009 to May 2009.

Councillor Groom asked when the Members have a chance to interact with the representative bodies. The Chief Fire Officer confirmed that the representative bodies receive a copy of agendas and have the option to attend all Fire Authority and Committee meetings, which they do regularly. It was emphasised how good the lines of communication are between senior officers, Members and the Unions, which has led to very good relationships when working together.

Councillor Groom requested that the word 'Training' be replaced with a more appropriate word in the Work Plan, as Members are already competent in their roles. The Chief Fire Officer suggested that 'Development' would be a more appropriate word, because Members would be receiving further development rather than being trained in a specific area.

It was proposed by Councillor Mrs Barrow, seconded by Councillor Hartin and

Resolved that the Human Resources Committee approve the Work Plan, subject to the amendment referred to above

9 Member Participation in Employee Discipline Procedure

This report reminded Members of the current process for considering appeals from staff against disciplinary sanctions awarded at Stage 3 of the Disciplinary Procedure (usually dismissal) and requested Members to decide whether or not they wished to retain their involvement in the process.

Commenting on a well written report, Councillor Mrs Barrow proposed that Members retain their involvement to maintain transparency and to ensure the procedure is fair to all involved. The Committee concurred and a general discussion took place, where all agreed to stay involved in the process as it would prevent resentment against individual officers, and accusations of bias.

Councillor Hartin asked what were the benefits of moving away from Member involvement. The Chief Fire Officer responded that there could be delays, whilst arranging a Disciplinary Appeals Tribunal. The delays, which had occurred recently, were, however, very unusual and were not likely to be repeated.

Councillor Mrs Barrow expressed an interest in being involved in hearing appeal cases.

It was proposed by Councillor Barrow, seconded by Councillor Groom and

Resolved that the Human Resources Committee agree to retain Member involvement in hearing appeals against sanctions awarded at Stage 3 of the Disciplinary Procedure

10 Internal Dispute Resolution Procedure

This report recommended that Shropshire and Wrekin Fire Authority update its Internal Dispute Resolution Procedures (IDRPs) in relation to pensions matters in line with the requirements of the Pension Act 1995, and subsequent amendments, and in accordance with the recommendations contained within Fire Service Pensions Scheme Circular 1/2009.

It was proposed by Councillor Hartin, seconded by Councillor Mrs Barrow and

Resolved that the Committee agree:

- a) The IDRP process set out be adopted for the Firemen's Pension Scheme, National Firefighters' Pension Scheme and the Firefighters' Compensation Scheme;
- b) That the standard letters provided be adopted;
- c) That the Health Panel no longer hear appeals at IDRP Stage 1;
- d) That the Appeals Committee hear appeals at IDRP Stage 2; and
- e) That the terms of Reference for the Appeals Committee be updated to include the consideration of an appeal at IDRP Stage 2

11 Proposed Committee Rationalisation

This report proposed the rationalisation of three Fire Authority committees into one due to changes in associated processes and responsibilities elsewhere within the Service and in the interests of effective use of Member time and maintenance of competence.

A discussion took place regarding the new merged committee and its membership. It was agreed that it should be made up of Members already on the three current committees and should comprise of 7 Members, with a minimal quorum, to provide a large enough pool from which to draw, when there were cases to be heard. This would also help to ensure that hearings were not cancelled at short notice, because of the lack of a quorum, which had happened recently with a Disciplinary Appeal Tribunal case.

It was proposed by Councillor Mrs Barrow, seconded by Councillor Hartin and

Resolved that the Committee agree that it be recommended to the Fire Authority that:

- a) The Health Panel be merged with the Appeals Committee;
- b) The Disciplinary Appeals Tribunal be merged with the Appeals Committee;
- c) The terms of reference of the Appeals Committee be broadened to encompass responsibilities arising from the merger of the two committees at a) and b) above;
- d) The refreshed Appeals Committee be an ad-hoc committee to be convened as and when appropriate;
- e) The membership of the Appeals Committee be reviewed in light of the merger of the Committees as set out in a) and b) above and the view of the representative bodies; and
- f) The new merged Appeals Committee consist of a membership of 7, with a minimal quorum.

The Corporate Services Manager was tasked with taking resolutions e) and f) forward in a report to the next Fire Authority meeting, including how it would affect the political balance.

12 Mediation Review - Update

This report provided the Committee with an update on the progress regarding the agreed actions to implement an external mediation provider.

Councillor Groom asked what the cost implications were. The Equality and Diversity (E&D) Officer responded that the costs were approximately £12,500 per annum for internal mediators, based on the training required, staff time and resources. To use an external provider would cost approximately £5,000 per annum, based on three cases per year, and using the external services as and when they are required. The E&D Officer confirmed that the Service would not be paying a retainer for the external service.

Resolved that the Committee note the report

13 New Single Equality Scheme

This report provided Members with information regarding the current equality schemes and the new proposed Single Equality Scheme

Councillor Hartin commented that he had received very positive feedback at the Integrated Risk Management Planning presentations and felt it made good sense to follow the 7 strands of diversity.

Councillor Groom asked for confirmation about who was included within the scheme. The Chief Fire Officer responded that everyone was covered within the seven strands of diversity.

It was proposed by Councillor Hartin, seconded by Councillor Groom and

Resolved that the Committee agree to:

- a) Endorse the approach of having a Single Equality Scheme; and
- b) Allow the Equality and Diversity Steering Group to oversee the development of the Single Equality Scheme

14 Equality Standard for Local Government Achievement of Level 4

This report provided the Committee with an update on the progress of Shropshire Fire and Rescue Service and the achievement of levels within the Equality Standard for Local Government.

The Committee congratulated all involved in achieving Level 4.

The E&D Officer explained that the Level 4 standard proves to internal and external agencies that the Service is progressing well, and is following good practice with service delivery. The E&D Officer added that the positive work

carried out by the Vulnerable Persons Officers and Rural Outreach Officer had also been identified as good practice.

Resolved that the Committee note the report

15 Fire and Rescue Service Equality Framework Consultation Response

This report provided the Committee with the consultation response on the new bespoke Fire and Rescue Service Equality Framework.

Resolved that the Committee note the report

16 Equality and Diversity Steering Group – Summary Report

This report provided the Committee with a summary report on the work of the Equality and Diversity Steering Group.

Councillor Adams asked what the financial implications were. The E&D Officer confirmed that there were no direct financial implications from the report. If the Service did not undertake its current Equality and Diversity work, there might be the potential for discrimination claims, resulting in costs to the Service.

Resolved that the Committee note the report

17 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

18 Exempt Minutes (Paragraphs 1 and 2)

Members received the exempt minutes of the Human Resources Committee meeting, held on 28 May 2009.

No Members present at the current meeting had attended the meeting, held on 28 May 2009. As it was not possible for the exempt minutes of the latter to be agreed and signed as a correct record, this item of business was deferred for consideration at the next meeting of the Committee.

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

This report informed Members of nine applications from Fire Authority employees to undertake outside employment.

Members considered the applications for outside employment on their merits, with regard to all the circumstances and the health and safety of employees and the public.

It was proposed by Councillor Mrs Barrow, seconded by Councillor Groom and

Resolved that the Committee:

- a) Approve eight applications for outside employment and defer one application to enable the Human Resources Manager to check the relevant Brigade Order and to liaise with the Committee's Chair and the Vice-Chair ; and
- b) Agree to delegate authority to the Chair and/or Vice-Chair of the Fire Authority to approve provisionally applications for outside employment in the absence of the Chair and/or Vice-Chair of the Human Resources Committee

The meeting closed at 3.30 pm.

Chair.....

Date.....