

**Non-Exempt Minutes of the Meeting of
Shropshire and Wrekin Fire and Rescue Authority
Human Resources Committee
held on Thursday, 14 January 2010, at 2.00 pm
at Headquarters, Shrewsbury**

Present

Members

Councillors Adams (Chair), Mrs Barrow, Hartin (Vice Chair), and Kiernan

Officers

Assistant Chief Officer, Human Resources Manager, Equality and Diversity Officer and Management Support Officer

1 Apologies for Absence

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

2 Declarations of Interest

The Chair reminded Members that they should declare any personal and/or prejudicial interests at this point and that they should leave the meeting room before any item, in which they have a prejudicial interest, was discussed.

There were no declarations of interest.

3 Non-Exempt Minutes

Two Members (Councillors Picken and Williams), who were present at the meeting of the Human Resources Committee, held on 28 May 2009, had agreed that the non-exempt minutes for that meeting were a correct record and had each signed a copy, indicating this to be the case.

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

Resolved that the non-exempt minutes of the Human Resources Committee meeting, held on 28 May 2009, be noted and signed by the Chair as a correct record

Members also received the non-exempt minutes of the Human Resources Committee meeting held on 3 September 2009.

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

Resolved that the non-exempt minutes of the Human Resources Committee meeting, held on 3 September 2009, be agreed and signed by the Chair as a correct record

4 Public Questions

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

5 Update of Progress against People Strategy

This report informed the Committee about further progress against the People Strategy, approved by the Committee in 2006.

The Assistant Chief Officer apologised for the error on the agenda, where it incorrectly stated that the report was 'For decision', rather than 'For information'.

Giving an overview of the report, she explained that there had been an increase in discipline and grievance work, in which the Human Resources department had been involved, because issues were now being dealt with at a lower level, and earlier in the process.

Key achievements highlighted in the report included the Healthcare Scheme, physiotherapy opportunities and the achievement of Level 4 of the Equality Standard for Local Government.

Resolved that the Committee note the contents of the report

6 Physiotherapy

This report asked Members to consider the continuation of the trial, fast-track, physiotherapy services provided by The Robert Jones and Agnes Hunt Hospital (RJAH) for Shropshire Fire and Rescue Service employees, introduced for a twelve-month period on 1 April 2008 and reviewed in February 2009.

Councillor Mrs Barrow felt that the physiotherapy service had been successful in reducing sickness absence and that the scheme was valuable to all staff.

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

Resolved that the Committee incorporate the fast-track, physiotherapy services into Occupational Health support with an annual progress report to be made to the Human Resources Committee for the first two years

7 Capability Policy

This report requested guidance from Members on the usage of the Capability Policy.

The Human Resources Manager highlighted the Unions' view, given on page 2 of the report. She explained that dismissals under capability issues were currently dealt with under disciplinary procedures. There was resistance from the Unions regarding the implementation of the Capability Policy, which had been recommended as best practice by an independent consultant.

Councillor Hartin asked how one could differentiate between capability and disciplinary. The Human Resources Manager responded that capability was where an individual was *unable* to do something and disciplinary was where they *refused* to do something.

The Assistant Chief Officer added that the history of the Policy was that management had previously tried to introduce it, but struggled because of resistance from the Unions. A policy, which was accessible to all staff, would give guidance to all involved in the process, and maintain transparency throughout the Service.

Councillor Mrs Barrow felt that Members had a difficult decision to make, because of the good relationship between the Unions and the Service but managers should have support and guidance in a policy.

Councillor Kiernan felt that, as it was recommended by the Advisory, Conciliation, and Arbitration Service (ACAS), then the Service should introduce the Policy.

The Chair felt the introduction of a Capability Policy would provide clarification to Service staff on how to deal with any capability issues, and inform them of the procedures involved. The Assistant Chief Officer confirmed that implementation of the Policy would support staff and managers, enabling them to make reasonable adjustments, offer support and provide further development.

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

Resolved that the Committee recommend to the Fire Authority the full adoption of the Capability Policy, dealing with any disputes raised by unions, if and when they arise

8 Grievance Policy

This report requested guidance from Members on the detail of the Grievance Policy.

The Human Resources Manager brought Members' attention to the Fire Brigade Union's response on page 3 of the report.

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

Resolved that the Committee agree to amend the grievance Brigade Order as per the Fire Brigade Union comments and add additional guidance notes to state that *“unless there are exceptional circumstances, demanding confidentiality, the presumption should always be that an employee has sufficient and timely information about any complaints being made against them”*.

9 Stress Audit

This report brought the Committee's attention to the 2009 Stress Audit and resulting activities, either already undertaken or planned.

The Assistant Chief Officer explained that conducting a stress audit was good practice, and recommended by the Health and Safety Executive. Opinion Research Services had collated the anonymous responses and conducted the analysis of the 69% questionnaires received. She gave an overview of the results achieved by the Service.

The Chair asked how the audit reflected on the Service and what the organisational need was for the audit. The Assistant Chief Officer responded the audit was for the Service's own purposes and was not externally assessed. It was important for managers to be more aware of issues affecting their staff and areas for stress improvement.

Resolved that the Committee note the contents of the report

10 Introduction of Shropshire and Wrekin Fire and Rescue Authority Single Equality Scheme

The Committee was requested to consider the proposed, new Single Equality Scheme and recommend to the Fire Authority that it be approved.

The Equality and Diversity Officer explained that the new Single Equality Scheme and Action Plan widened the scope of Equality and Diversity in the Service, bringing together and introducing new strands under equalities law. The Scheme had been created with assistance from other agencies, detailed at the back of the report.

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

Resolved that the Committee recommend to the Fire Authority that it approve the Single Equality Scheme and Action Plan

11 Employment of Members of Police Forces by Fire and Rescue Authorities

This report brought the attention of the Committee to the recently issued Fire Services Circular 62/2009, which provided advice regarding the employment of Police Special Constables (PSC) and Police Community Support Officers (PCSO) as Retained Duty System (RDS) firefighters.

The Assistant Chief Officer explained that approximately 12 months ago there had been a request from an RDS employee to become a PCSO. This had highlighted that, under the Fire and Rescue Services Act 2004, a member of the Police Force may not be employed by a Fire and Rescue Authority. Advice had now been received from Communities and Local Government and the National Policing Improvement Agency, which confirmed that there is no reason in law why inter-agency working cannot take place.

Resolved that the Committee note the contents of the report

12 Mediation Review

This report advised Members of the latest developments regarding the provision of external mediation services.

The Equality and Diversity Officer confirmed that training is to start to introduce the new external mediation service, provided by Mediation Works. It was not anticipated that there would be a high level of need for the service and a review would take place after a year. It was expected that an average of 1 to 2 days would be used for each case, and the cost could be met from within existing budgets.

A draft leaflet 'Resolving personal conflicts in the workplace – Mediation' was tabled at the meeting, a copy of which is attached to the signed minutes.

Resolved that the Committee note the contents of the report

13 Analysis of Wholetime Recruitment Monitoring Data 2009

This report informed the Committee of the equality outcomes of the recruitment of wholetime operational staff during 2009.

The Equality and Diversity Officer gave an overview of the report to Members, bringing their attention to the diversity targets. He explained that the Service had been participating in positive action work to change the public's views on female firefighters and ethnic minority firefighters. This included taster sessions, advertising, community events, career sessions and physical sessions.

The purpose of positive action was to enable groups to find out about the Service and to encourage and prepare different groups to apply for employment. All applicants must, however, participate in the same recruitment process.

A review of positive action would be started in February 2010, which would include feedback from people involved in the recruitment process. A report of outcomes, including what the Service can improve on, would be brought to the next meeting of the Human Resources Committee.

Councillor Hartin asked about review and evaluation. The Human Resources Manager responded that information gathered on recruits, who drop out of the process and those, who do not get through, was broken down into the various equality and diversity groups to highlight any issues, which needed to be addressed.

Resolved that the Committee note the contents of the report

14 Introduction of Fire and Rescue Service Equality Framework

This report informed the Committee about the new Fire and Rescue Service Equality Framework.

The Equality and Diversity Officer gave an overview of the report and confirmed Shropshire Fire and Rescue Service is achieving a level 4, which is moving towards excellence.

Resolved that the Committee note the contents of the report

15 Local Government Act 1972

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

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, 2 and 3

16 Exempt Minutes (Paragraphs 1, 2 and 3)

Two Members (Councillors Picken and Williams), who were present at the meeting of the Human Resources Committee, held on 28 May 2009, had agreed that the exempt minutes for that meeting were a correct record and had each signed a copy, indicating this to be the case.

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

Resolved that the exempt minutes of the Human Resources Committee meeting, held on 28 May 2009, be noted and signed by the Chair as a correct record

Members also received the exempt minutes of the Human Resources Committee meeting held on 3 September 2009.

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

Resolved that the exempt minutes of the Human Resources Committee meeting, held on 3 September 2009, be agreed and signed by the Chair as a correct record

17 Disciplinary Appeals Tribunal Exempt Minutes (Paragraphs 1 and 2)

Members received the exempt summarised minutes of the Disciplinary Appeals Tribunal meetings, held on 11 September, 13 October and 16 October 2009.

Resolved that the Committee note the exempt summarised minutes, held on 11 September, 13 October and 16 October 2009

18 Appeals Committee Exempt Minutes (Paragraphs 1, 2 and 3)

Members received the exempt summarised minutes of the Appeals Committee meeting, held on 19 October 2009.

Resolved that the Committee note the exempt summarised minutes, held on 19 October 2009

19a Application to Undertake Outside Employment

This report informed Members of one application from a Fire Authority employee to undertake outside employment, first raised at the Human Resources Committee on 3 September 2009, and updated them with the further information, requested at that time.

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

Resolved that the Committee, having considered the application for outside employment on its 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

19b Application to Undertake Outside Employment

This report informed Members of one application from a Fire Authority employee to undertake outside employment, which had been approved provisionally by the Chair and Vice-Chair of the Committee.

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

Resolved that the Committee, having considered the application for outside employment on its 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

The meeting closed at 3.30 pm.

Chair.....

Date.....