

**NOT FOR PUBLICATION AS THE REPORT CONTAINS INFORMATION RELATING TO CONSULTATIONS/NEGOTIATIONS IN CONNECTION WITH ANY LABOUR MATTER ARISING BETWEEN THE AUTHORITY AND EMPLOYEES OF THE AUTHORITY (LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 - ACCESS TO INFORMATION –TO SCHEDULE 12A)**

**TYNE AND WEAR FIRE AND RESCUE AUTHORITY**

**ITEM No 09.**

**HUMAN RESOURCES COMMITTEE: 21 FEBRUARY 2011**

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**SUBJECT: REGIONAL DIVERSITY AND EQUALITY ADVISOR**

**JOINT REPORT OF THE CHIEF FIRE OFFICER, THE CLERK TO THE AUTHORITY, THE FINANCE OFFICER AND THE PERSONNEL ADVISOR TO THE AUTHORITY**

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## **1 INTRODUCTION**

- 1.1 At a meeting of the Human Resources Committee, held on 19 February 2007, Members approved a revised Redundancy Policy and Procedure for all employees of the Tyne and Wear Fire and Rescue Authority. The policy provides that, when the Chief Fire Officer first becomes aware of the likely need for redundancies, an appropriate report will be compiled for consideration and/or approval of the Human Resources Committee or the full Authority.
- 1.2 The possibility of a redundancy has arisen by virtue of the fact that regional partners have withdrawn their requirement for the Regional Diversity and Equality Advisor post, employed by this Authority on behalf of the region. In this case the redundancy is due to the cessation of the employer's requirements for the employee to carry out specific work directly related to the region.
- 1.3 Consequently, the purpose of this report is to:
  - a) Provide members with details of the likely need for a redundancy.
  - b) Seek approval for the requisite number of redundancies consequent upon the deletion of the post.

## **2 BACKGROUND**

- 2.1 As members will recall, in 2005 agreement was reached with regional partners for the introduction of a regional Diversity and Equality Advisor post. In this case the regional partners were Cleveland Fire Brigade, Durham and Darlington Fire and Rescue Service, Northumberland Fire and Rescue Service and Tyne and Wear Fire and Rescue Service.
- 2.2 The post was designed to enhance the visibility of equality and diversity across the region; provide an additional resource which could be utilised by all four north east fire and rescue authorities and to raise the profile of this region nationally.

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2.3 Funding for the post was divided equally between the four fire and rescue authorities (25% contribution each).

### **3 RECENT DEVELOPMENTS**

3.1 The Chief Fire Officer has now received notification from the three regional partners that, primarily due to the financial restraints imposed by central government, they are no longer in a position to contribute to the funding of this post which therefore brings into question the sustainability of the post.

3.2 In any situation where there is potential for work of a particular kind to have ceased or diminished then the staff concerned become 'at risk' and the legislation (including internal policies and procedures) regarding redundancy is invoked. In this case there are less than 20 staff involved therefore the Authority is required to consult the affected staff on an individual basis. In addition, it is good practice to consult any representative body which the Authority has recognised for negotiation and consultation rights.

3.3 However prior to triggering the redundancy protocol, the first step in the process has been to review the entire staffing establishment to ascertain whether there was any possibility of redeployment for the affected post holder. This option is currently under consideration by the post holder and may negate the requirement for a redundancy. However, should no suitable alternative position be available then a redundancy situation will exist.

### **4 PROPOSAL**

4.1 Taking the above information into account and, subject to:

- a) approval by the Authority, and
- b) no suitable alternative position being available;

the Chief Fire Officer proposes to enact a compulsory redundancy in accordance with current legislation and the Authority procedure by 31<sup>st</sup> March 2011.

### **5 RISK MANAGEMENT**

5.1 A risk assessment has been undertaken to ensure that the risk to the Authority has been minimised as far as practicable. The assessment has considered an appropriate balance between risk and control; the realisation of efficiencies; the most appropriate use of limited resources; and a comprehensive evaluation of the benefits. The risk to the Authority has been assessed as medium utilising the standard risk matrix based on control measures being in place. The complete risk assessment is available on request from the Chief Fire Officer.

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## **6 INITIAL CONSULTATIONS**

6.1 Initial consultations have been undertaken with the representative body and the post holder. Their aim, supported by the Chief Fire Officer, is to prevent any compulsory redundancies however they are fully aware of the funding position with regard to this post.

## **7 FINANCIAL IMPLICATIONS**

7.1 It is estimated that, other than the cost of the notice period, redundancy costs will be in the region of £3,000.

7.2 All costs will be met from existing budgetary headings. Further the Chief Fire Officer is in consultation with regional colleagues with a view to sharing any cost associated with this potential redundancy situation.

## **8 EQUALITY AND FAIRNESS IMPLICATIONS**

8.1 There are no equality and fairness implications in respect of this report.

## **9 HEALTH AND SAFETY IMPLICATIONS**

9.1 There are no health and safety implications in respect of this report.

## **10 RECOMMENDATIONS**

10.1 The Authority is requested to:

- a) Approve a redundancy consequent upon the removal of the requirement for the Regional Diversity and Equality Advisor post, should there be no resolution in terms of redeployment;
- b) Receive further reports as appropriate.

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