



TYNE AND WEAR FIRE AND RESCUE AUTHORITY HUMAN RESOURCES COMMITTEE

Minutes of the Meeting held on Monday 3 October 2022 at 10.30am at Fire and Rescue Authority Headquarters

Present:

Councillor Haley in the Chair.

Councillors Bell, Flynn, Ord, Warne and Wood.

Part I

Apologies for Absence

Apologies for absence were received from Councillors Dodds and Hunter.

Prior to the commencement of the business of the meeting, the Chair made reference to the extraordinary events of the previous month and noted that the nation had paid its respects to Her Majesty Queen Elizabeth II. Liz Truss had become the Prime Minister and it was highlighted that the Authority would have to be responsive to future budget announcements from the Government.

Declarations of Interest

There were no declarations of interest.

Minutes

11. RESOLVED that the minutes of the Human Resources Committee held on 20 July 2022, Part I, be confirmed as a correct record.

Occupational Health Service Improvement Project Update Report

The Chief Fire Officer/Chief Executive (Clerk to the Authority) and the Personnel Advisor to the Authority submitted a joint report briefing Members on the progress made in relation to the improvement project for Occupational Health within the Service.

The Committee had previously received a report in February 2022 setting out the methodology for the review and an improvement roadmap for Occupational Health service delivery. Key areas of focus for the review included: customer perception; capability; department structure, systems; and strategic alignment.

Meetings had been held with Sunderland City Council's Occupational Health function to discuss their operating model and systems and there was also to be a demonstration of their newly developed data management system. A new approach to scheduling appointments had been developed which was intended to reduce the time taken for employees to receive their first counselling session.

Monthly meetings were now taking place with the Service Medical Adviser which had improved the flow of information between Occupational Health and Human Resources and improved the level of information to base decisions on. A new process had also been implemented so that escalations regarding non-attendance at appointments were made directly to an employee's line manager. Initiatives continued to be developed between Occupational Health and the Health and Fitness Advisor to provide holistic support to employees requiring both medical and fitness related advice.

DCFO Heath referred to the agenda on fire contaminants and clear carbon policies and the ongoing research into the prevalence of cancers in those who had been exposed to such substances. There was a seminar taking place later in the week on the topic and Tyne and Wear was a leading voice in the drive to reduce the impact on firefighters in relation to fire toxicity and contaminants. This was a joint drive along with the local, TWFRS FBU representatives

The Chair commented that he was pleased to see female-specific health being included within the review as this had been raised by the Fire Brigades Union; he asked if there was a timescale for the conclusion of the review.

The Committee were advised that the review was incrementally progressing and was initially established for a three year time frame.

Councillor Warne asked if non-attendance at appointments was a significant issue and the Human Resources Manager said that it happened on odd occasions but there had previously been no process in place to escalate this as a concern. Councillor Flynn commented that sometimes individual contact with staff was what made the difference in encouraging them to attend appointments.

Having considered the report, it was: -

14. RESOLVED that: -

- (i) the content of the report be noted; and
- (ii) further reports/updates be received as appropriate.

Employers Network for Equality and Inclusion

The Chief Fire Officer/Chief Executive (the Clerk to the Authority) and the Personnel Advisor to the Authority submitted a joint report updating Members on the decision to join the Employers Network for Equality and Inclusion (enei) and setting out the benefits that were intended to be achieved.

Sophie Swanston-Newbrook, Inclusion Manager, was in attendance to talk to the report and in doing so reminded the Committee that they had received a report in July which advised that the Service was identifying and evaluating a number of alternatives to the Stonewall Workplace Equality Index (WEI). One of the disadvantages of the Stonewall WEI was that it was perceived as being solely focused on LGBT+ issues and did not consider other protected characteristics.

The Employers Network for Equality and Inclusion was considered the leading employer network covering all aspects of equality and inclusion and provided the TIDE (Talent Inclusion and Diversity Evaluation) benchmarking tool. This was seen as a pioneering tool which measured performance across all nine protected characteristics. TIDE measured an organisation's approach and progress on diversity and inclusion in the following areas: -

- Workforce
- Strategy and associated plans
- Leadership and accountability
- Recruitment and attraction
- Training and development
- Other employment practices
- Communication and engagement
- Procurement

The Service had taken a two year subscription to enei and this included access to the TIDE tool, events, training, e-learning resources and consultancy. The TIDE tool used a secure and easy to use online platform which allowed the organisation to upload evidence to support responses. A personalised report would then be generated which clearly showed how the score was built up and how higher scores could be achieved. Once a year a benchmarking exercise was undertaken called the TIDEmark and the best performing organisations would be able to use electronic TIDE award badges and logos and websites and literature.

The cost of enei membership could be met from within existing budgets and it was felt that it would be a huge positive for equality and fairness in the Service.

The Chair commented that there had previously been a paper brought to the Committee about the equality journey and suggested that Authority Members might

benefit from seeing that document. He asked if the Human Resources Director might circulate that report and this paper about joining enei.

Councillor Bell flagged up that some of the terminology was not consistent and needed to be reviewed; he asked if other organisations were changing their approach and asked which bodies were already using this tool.

The Inclusion Manager reported that six other fire and rescue services were already signed up to enei, including Devon and Somerset, Leicestershire and Milton Keynes and Buckinghamshire. Other members of enei included a number of NHS trusts, a few police forces and the Department of Work and Pensions.

DCFO Heath advised other fire and rescue services were looking at what equality and diversity looked like more widely and there was a move to a more wide-ranging and inclusive approach. HMIFRCS had identified this as a priority for a number of services and conversations were live across the sector.

Having considered the report it was: -

15. RESOLVED that: -

- (i) the content of the report be noted; and
- (ii) further reports and updates be received as appropriate.

Annual Equality Data and Gender Pay Gap Report

The Chief Fire Officer/Chief Executive (Clerk to the Authority) and the Personnel Advisor to the Authority submitted a joint report presenting the Authority's draft Annual Equality Data and Gender Pay Gap report 2021/2022 and requesting approval for its publication.

The Authority had specific duties to publish equality data under the Equality Act 2010 covering Annual Equality Data and Gender Pay Gap Data. The Equality Data Report 2021/2022 was required to be published internally and externally before 31 January 2023 and the Gender Pay Gap Report by 30 March 2023.

The Human Resources Director highlighted that the draft version of the report presented to the Committee was not the publication version, which would be more based around more visual representations of data rather than text, and there were also some figures to be added and typographical amendments to be made.

Turning to the information within the report, the Committee were advised that the Gender Pay Gap had reduced very slightly; the reasons for the gap remained unchanged in that there was a larger percentage of women employed in lower paid roles and only 14% of higher level management posts were held by women. This was a trend seen throughout public sector organisations and the economy generally.

The report set out the commitment of the Service to creating an even more inclusive workforce and the data for applicants to the Service was highlighted. DCFO Heath

stated that through the support of the Fire Authority, Tyne and Wear had been able to operate an active recruitment campaign for firefighters and other roles. DCFO Heath commented that it was difficult to diversify if there was no, or limited, new recruitment and the landscape ahead was uncertain in financial terms. The speed and weight of recruitment into all roles was dependent upon affordability and sustainability.

Training and development opportunities continued to be offered to staff and leaver information was collected and monitored while individuals were also invited to give feedback when they left the organisation.

The report also outlined community engagement activity which had taken place during 2021/2022, this included over 14,500 Safe and Well checks where 8,841 households had been found to have a vulnerability.

The Chair commented that it was pleasing to see that recruitment had increased and asked if the future uncertainty had been reflected in the risk register.

DCFO Heath said that there were risks related to financial matters, such as the cost of living and the costs of pay rises, and the leadership team were discussing these risks on a regular basis. The Service was engaging in national debates on financial pressures through Chair and Chief Fire Officer meetings and the National Employers' agreement on pay was awaited

16. RESOLVED that: -

- (i) the Authority's draft Annual Equality Data and Gender Pay Gap Report 2021/2022 be approved for publication; and
- (ii) further reports be received as appropriate.

Emergency Call Handler Apprenticeship – OFSTED Monitoring Visit

The Chief Fire Officer/Chief Executive (Clerk to the Authority) and the Personnel Advisor to the Authority submitted a joint report updating Members on the Level 3 Emergency Contact Handlers (ECH) Apprenticeship and the recent OFSTED visit.

The Tyne and Wear Fire and Rescue Service had been approved to the register of apprenticeship training providers in November 2019 and commenced delivery in January 2021. To date, one apprentice had completed the ECH apprenticeship and five apprentices were enrolled.

OFSTED carried out a monitoring visit on 20 and 21 July 2022 and focused on the following themes: -

- How much progress have leaders made in ensuring that the provider is meeting all the requirements of successful apprenticeship provision?
- What progress have leaders and managers made in ensuring that apprentices benefit from high-quality training that leads to positive outcomes for apprentices?

- How much progress have leaders and managers made in ensuring that effective safeguarding arrangements are in place?

Each theme was assessed against progress judgements of insufficient, reasonable or significant progress and the Service had achieved 'reasonable progress' in relation to all three themes.

Scott Spencer, Station Manager in the Learning and Development department, highlighted some of the comments from the OFSTED report for Members, noting that the curriculum content had been judged to be positive and sufficient and the structure of the delivery was also positive. There was a dedicated apprenticeship co-ordinator and trainers and teachers delivered high quality on and off the job training.

It was also commented that there were good quality training facilities and good liaison with external agencies. The Service had created a culture of safety and protection and the Designated Safeguarding Leads were suitably qualified with appropriate policies and procedures. Apprentices were aware of their safeguarding responsibilities and were confident to raise any concerns.

Scott commented that there were no real negative comments and it was expected that the Service would receive a full inspection by OFSTED in respect of the Emergency Call Handling Apprenticeship in the next 18 months.

Councillor Wood noted that organisations should not be fearful of OFSTED and that it could be a useful experience.

Councillor Flynn asked about the subcontract for Maths and English and Scott advised that a company called Eden was commissioned to provide functional skills training. It was highlighted that the current apprentices were aged between 21 and 37.

DCFO Heath was pleased to note the judgement of 'reasonable progress' but added that sustainability was the key aim of the Service. Scott advised that while this report covered Emergency Call Handlers, the Service had a contract with New College Durham for Firefighter apprenticeships and this contract would expire in December 2022. It was a hope and intention to be an employer provider for these apprenticeships after December.

The Chair asked if the Service was sufficiently resourced to provide Firefighter apprenticeships. The Human Resources Director stated that there would have to be some restructuring of the team but the positive OFSTED visit had provided confidence that the Service could do this and the new arrangements would be in place for the next intake of trainees.

Following consideration of the report, it was: -

17. RESOLVED that: -

- (i) the report be noted; and

- (ii) further reports and updates be received as appropriate.

New Employee Code of Conduct and Ethics

The Chief Fire Officer/Chief Executive (Clerk to the Authority) and the Personnel Advisor to the Authority submitted a joint report asking the Committee to consider the new draft employee Code of Conduct and Ethics (the Code) and to approve it in advance of its consideration by the Fire and Rescue Authority at its meeting on 10 October 2022.

The proposed Code would embody the many and varied legal requirements which applied to Service employees and also, for the first time, the requirements of the national Core Code of Ethics for Fire and Rescue Services. The Core Code was able to be adapted by every service and allowed for local values, behaviours and governance models to be added. The Core Code set out five ethical principles which had been derived from Nolan's Seven Principles of Public Life as follows: -

- **Putting our communities first** – we put the interest of the public, the community and service users first
- **Integrity** – we act with integrity including being open, honest and consistent in everything we do
- **Dignity and respect** - making decisions objectively based on evidence, without discrimination or bias
- **Leadership** – we are all positive role models, always demonstrating flexibility and resilient leadership. We are all accountable for everything we do and challenge all behaviour that falls short of the highest standards
- **Equality, diversity and inclusion (EDI)** – We continually recognise and promote the value of EDI both within the FRSs and the wider communities in which we serve. We stand against all forms of discrimination, create equal opportunities, promote equality, foster good relations and celebrate difference.

The Fire Services White Paper included proposals for a national code of ethics to be placed on statutory basis and the creation of a fire and rescue services 'oath' for services in England. For this reason it was felt to be unwise to commence a review of Tyne and Wear's values at the current time and that the implementation of the Core Code should proceed on the basis of retaining the Service's existing Values within the proposed employee Code of Conduct and Ethics.

The proposed Code had been subject to extensive consultation and would be able to be updated in the future to reflect any relevant changes in legislation or local changes to Service policies, unless it was replaced by a new national code.

Once approved the Code would be implemented throughout the Service, including training for all employees, being cross referenced in other relevant policies and reflected in recruitment materials and inductions.

Councillor Flynn asked what constituted being politically restricted in the Fire Service and the Human Resources Director stated that the definition referred to officers who were involved in advising Members being politically restricted and this was set out within their contract of employment.

The Chair commented that the reference to councillors on the Fire Authority may need to be amended to reflect that the Authority included the Police and Crime Commissioner. He asked if all codes were aligned and the Human Resources Director said that the Code for Members did not need to be exactly aligned with the employee code.

Councillor Warne asked, in relation paragraph to 5.4 of the proposed Code, what would happen if an employee made a political statement at an outside meeting for example. The Human Resources Director said that outside of work, employees were citizens like everyone else but DCFO Heath added that behaviour should not bring the Service into disrepute.

Having considered the draft Code it was: -

18. RESOLVED that the new draft employee Code of Conduct and Ethics be approved in advance of consideration by the Fire and Rescue Authority at its meeting on 10 October 2022.

Local Government (Access to Information) (Variation Order) 2006

19. RESOLVED that in accordance with the Local Government (Access to Information) (Variation) Order 2006 the public be excluded during consideration of the remaining business as it was considered to involve a likely disclosure of information relating to consultations/negotiations in connection with any labour matter arising between the Authority and employees of the Authority (including the Authority holding that information). (Local Government Act 1972, Schedule 12A, Part I, Paragraph 4).

(Signed) G HALEY
Chair