

**HUMAN RESOURCES COMMITTEE**

Minutes of the meeting of the  
HUMAN RESOURCES COMMITTEE held  
in the Fire and Rescue Headquarters,  
Barmston Mere, Sunderland on MONDAY,  
13 JULY, 2009 at 10.30 a.m.

**Present:**

Councillor Charlton in the Chair

Councillors Boyes and T. Wright.

**Part I**

**Apologies for Absence**

Apologies for absence were submitted to the meeting on behalf of Councillors  
N. Forbes, Hayley, Jordan and Woodwark.

**Declarations of Interest**

There were no declarations of interest.

**Minutes**

1. RESOLVED that the minutes of the Human Resources Committee held on  
27 October 2008, Part I (copy circulated) be confirmed and signed as a correct  
record.

## National Equality and Diversity Report

The Chief Fire Officer, the Finance Officer and the Personnel Advisor submitted a joint report (circulated) highlighting key findings and notable good practice across the national fire and rescue service with a focus on the Authority's performance against national equality and diversity targets.

(For copy report – see original minutes).

The Deputy Chief Fire Officer advised that the National Equality and Diversity Strategy 2008-2018 was the first of its kind published by Government.

The report had been divided into five sections, namely:-

- Section One - which sets out the context in line with the National Strategy and Audit Commission's Performance Assessment 2008.
- Section Two - which reports on some key national initiatives including details of the 2008 Equality and Diversity Award winning initiatives.
- Section Three - which details the National Action Plan, identifying initiatives that stakeholders had committed to progress in 2009/2010.
- Section Four - Local Government targets set by each fire and rescue service in England published for the first time.
- Section Five - an overview of current performance on equality and diversity in the fire and rescue services in England and of each individual service.

Members referred to Section 2, paragraph 5.5 which provided details on the Fire and Rescue Service Equality and Diversity Awards. During which Members noted that the Authority's Catering Manager received runner-up for work to overcome significant disability, to facilitate a comprehensive process of rehabilitation, adjustment and a return to work programme.

Section 4 of the report related to Recruitment Targets. It was reported that twenty-nine Fire Authorities (out of 45) endorsed the stretch targets for BME employees and thirty-six Fire Authorities endorsed the stretch target for female entrants, therefore the Deputy Chief Fire Officer there was clearly a gap.

The 2009 National Equality and Diversity Report provided an analysis of Equality and Diversity performance based upon statistical returns provided annually to the CLG and Local Government by all Fire Authorities. Members referred to an addendum attached as Appendix A detailing what is required in terms of the National Strategy.

Attention was then drawn to the supplementary Self Assessment document (copies circulated), at which point Members were advised that a gap analysis had been completed against the five priorities contained within the Strategy. The colours within the document identified achievement against priorities (green), work in progress (orange) and urgent action (red).

Councillor Wright commented that a black and ethnic minority group had been set up at City-wide level in Sunderland to act as a support group. However, some female organisations had raised that groups such as this were mostly formed by men and that due to cultural differences it can be difficult to involve women.

Councillor Boyes concurred with Councillor Wright stating that Gateshead Council had a small ethnic minority group in place and that it was also male dominated.

The Deputy Director of Human Resources and Organisational Development explained that networking had been undertaken nationally as a way of encouraging and supporting black, ethnic and minority groups.

Upon discussion, it was:-

2. RESOLVED that:-

- (i) the contents of the report be noted;
- (ii) the actions taken towards the National Strategy be endorsed; and
- (iii) further reports to be received as appropriate.

### **Fire and Rescue Service Equality Framework (FRSEF)**

The Chief Fire Officer, the Finance Officer and the Personnel Advisor submitted a joint report (circulated) advising Members of the proposed Fire and Rescue Service Equality Framework (FRSEF).

(For copy report – see original minutes).

Members of the Committee were informed that the new FRSEF had been drafted and was currently subject to consultation until August 2009.

The FRSEF included the same three benchmarking levels as the Equality Framework for Local Government i.e. 'developing', 'achieving' and 'excellent'.

Based on the five themes within the Equality and Diversity Strategy and strongly linked to the Equality Framework for Local Government, the FRSEF is expected to enable application across all the governance arrangements, including county based services as well as facilitating equality and diversity partnership arrangements established with Local Authorities and other partners.

Councillor Wright stated that he supported the new framework and enquired would there be a charge. The Chief Fire Officer responded stating that costs would be incurred in the same way as all external accreditation processes.

Councillor Boyes enquired whether there was a time frame in place. In response, the Deputy Chief Fire Officer advised that for the moment this particular stage was about committing to the process and taking part in consultation. Until the outcome of the pilot exercises a recommendation could not be made.

Upon consideration, it was:-

3. RESOLVED that:-

- (i) the contents of the report be received and noted;
- (ii) the Chief Fire Officer in consultation with the Chairman of the Human Resources Committee were to respond to the consultation; and
- (iii) further reports be received as appropriate.

### **Fire and Rescue National Framework 2008/11 – HR Issues**

The Chief Fire Officer and the Personnel Advisor submitted a joint report (circulated) providing an overview of the progress made and future work programmes in respect of 'people' issues.

(For copy report – see original minutes).

The Deputy Chief Fire Officer explained that a traffic light system had been used throughout the document where risks had been identified as green, yellow and red. The Deputy Chief Fire Officer updated Members in relation to the actions identified as red.

Councillor Wright enquired as to whether this would delay the Regional Board. The Deputy Chief Fire Officer confirmed that it would indeed delay the Regional Board, however that every effort was being made to minimise risk to firefighters.

Consideration having been given to the report, it was:-

4. RESOLVED to:-

- (i) endorse the actions outlined in the report; and
- (ii) further reports to be received as appropriate.

## **Introduction of a Single Equality Scheme**

The Chief Fire Officer, the Clerk to the Authority, the Finance Officer and the Personnel Advisor submitted a joint report (copy circulated) enclosing the first edition of the Authority's Single Equality Scheme (SES) and associated action plans.

(For copy report – see original minutes).

The Deputy Chief Fire Officer advised Members that currently there were a number of equality schemes in place within the Authority, that have been brought together to form one document, which is easy to read, understand and follow.

The SES was considered to be a 'live' document, that will be regularly reviewed and developed on an annual basis. The scheme covers six strands of equality:-

- Disability
- Race
- Gender
- Religion and Belief
- Age
- Sexual Orientation

Councillor Wright commented that he fully supported all six strands and felt the merger of the six equality strands was worth celebrating.

Councillor Wright requested that all new Members sign up to the Equality Scheme.

Councillor Boyes enquired whether all Fire Authority buildings were accessible to wheelchair users. In response the Deputy Chief Fire Officer confirmed indeed they were all accessible to the blind, disabled and wheelchair users via the use of handrails, lifts and ramps. What's more, all fire stations had accommodation for both genders and were fully accessible. All buildings were of an excellent standard and for that reason very few problems had ever been encountered.

Councillor Boyes then queried whether a dog would be allowed to enter into a fire station. It was confirmed that dogs for the blind were allowed to enter the fire station and that recently a member of staff had requested permission to train to become a guide dog trainer, which had been granted.

Upon consideration, it was:-

5. RESOLVED that:-

- (i) the introduction of a single Equality Scheme be approved;
- (ii) plans identified within each of the six strands be endorsed; and
- (iii) further reports be received as appropriate.

## **Regional Human Resources Management Strategy**

The Chief Fire Officer, the Finance Officer and the Personnel Advisor submitted a joint report (circulated) providing Members with an update on the progress made with regard to the implementation of the Human Resources Strategy for the North East Fire and Rescue Services.

(For copy report – see original minutes).

The Deputy Chief Fire Officer advised that following a review of the Strategic Direction for Human Resources, at a North East Regional level, a collaborative approach was considered to ensure optimising performance improvement.

Areas where progress had been made were identified in the report as follows:-

- Regional Policy Frameworks;
- Overtime;
- Part-Time Working;
- Day Duty Systems;
- Wholetime/Retained;
- Discipline, Grievance and Capability;
- Secondary Employment Framework;
- Additional Responsibility Allowances;
- Career Breaks;
- Collaborative approach to Absence Management;
- Regional Toolkit for alternative duty systems;
- Collaborative approach to Health and Safety Management including Occupational Health; and
- Provision of HR support and guidance to the Regional Control Centre project.

Members were advised that Workforce Development and Health and Safety also featured high on the Authority's agenda. Collaborative arrangements for HR and working in partnerships remained vital to ensure the delivery of effective and efficient local services.

Consideration having been given to the report, it was:-

6. RESOLVED that:-

- (i) progress made to date be noted; and
- (ii) further reports be received as appropriate.

## **Implementation of the Agency Workers Directive**

The Chief Fire Officer and the Personnel Advisor to the Authority submitted a joint report (circulated) advising Members of the proposed implementation of the Temporary Agency Workers Directive (2008/104/EC), which affords agency workers equal treatment in basic employment and working conditions as if they had been recruited directly by the end user.

(For copy report – see original minutes).

Members were advised that the Department for Business and Regulatory Reform (BERR) is seeking views on the implementation of the Directive on Conditions for Temporary (Agency) Workers – Directive 2008/104/EC. The purpose of the consultation is to seek the views of agency workers, temporary worker agencies and hirers. This was the first stage of the consultation, running for 12 weeks until 31 July 2009.

The Deputy Chief Fire Officer stated that any agency workers employed at the Fire and Rescue Services tended to be temporary and covering only on a short-term basis, for example to backfill a post if someone has resigned.

Councillor Wright enquired whether there was a policy in place should agency workers remain in a post for in excess of ten or eleven weeks. In response the Deputy Chief Fire Officer stated that the Fire and Rescue Authority monitor the situation regarding agency staff regularly and tend to find that agency staff move on to another post of their own accord within a few weeks, or are offered full-time work outside of the agency to which they are subscribed. For that reason, the Fire Authority does not ever need to sever links with any agency workers who may be employed there.

Upon consideration, it was:-

7. RESOLVED that:-

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

## **Occupational Health Unit – Annual Report**

The Chief Fire Officer submitted a report (circulated) advising Members of the services provided by the Occupational Health Unit and its staff over the period 1 April 2008 to 31 March 2009, marking the sixteenth year of the operation of the Unit.

(For copy report – see original minutes).

Members were advised that the role of the OHU has evolved over the past three decades and has developed to add another dimension to health, safety and welfare by taking a holistic view of the work place.

The aim of the Unit continued to support the broad aims of the Government health initiatives whilst focusing on specific areas of concern within the working environment for the benefit of employees.

The Deputy Chief Fire Officer updated Members that the Unit had been actively involved in the formation of operational swift water rescue and High Volume Pumping Teams saw the Unit provide Typhoid and Hepatitis A immunisation for the respective teams which was undertaken in-house.

The Unit had also provided OHU cover to a neighbouring fire and rescue service in response to a request from Cleveland Fire Brigade, which commenced in April 2008 and lasted for a period of six months.

In relation to health screening and surveillance, monitoring and preventative measures continued to be a fundamental aspect of OHU practice which allowed for the early detection of detrimental changes allowing for positive intervention. The Unit has developed health screening programmes which were detailed within the report.

Members' attention was then drawn to a graph illustrating retirements, during which the Deputy Chief Fire Officer reported that from 1997 there has been a substantial increase in medical retirements up to 2000/01. Since then work has been undertaken to try and reduce these numbers and he was happy to report that for the first time ever, the Authority had not had any ill health retirements in operational staff.

Another success of the Authority was the implementation of the accelerated workforce system to allow firefighters who have been injured back into work quickly.

Finally, the Deputy Chief Fire Officer remarked that the Authority saw this as a positive report and thanked Members for adopting the schemes that had been implemented.

Councillor Boyes commented that the report was excellent. She went on to enquire whether OHU nursing staff undergo follow-up training. In response the Deputy Chief Fire Officer explained that they did and that personal development plans were in place to allow OHU nurses to do this. He added that all OHU nurses had received vaccination training and that the necessary medical insurances are taken out on them.

Councillor Boyes went on to enquire further should a firefighter contract a serious illness do the firefighter's family receive support. The Deputy Chief Fire Officer explained that Counselling and Welfare support was available, and that the level of support would depend on the individual circumstances, however confirmed that support does indeed extend to the firefighter's family. Primarily the support is in place to assess the impact upon the individual and supporting them back to work.

Councillor Charlton enquired how many doctors were in place at the OHU. The Deputy Chief Fire Officer responded that one part-time male doctor was in post.



Consideration having been given to the matter, it was:-

8. RESOLVED to:-

- (i) endorse the actions taken by the Chief Fire Officer; and
- (ii) to receive further reports as appropriate.

(Signed) D. CHARLTON,  
Chairman.



**SUBJECT: THE NEW EQUALITY DUTY**

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

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**1 INTRODUCTION**

- 1.1 The purpose of this report is to advise members of the proposed implementation of the new Single Equality Duty, which will require public bodies to tackle discrimination and advance equality of opportunity, including reporting annually on their gender pay gap and considering using procurement to drive equality.
- 1.2 The Government Equalities Office (GEO) aim to commence the new Equality Duty, and for the regulations to come into force, in April 2011. This will allow sufficient time for public sector, business and other interested parties to prepare, and for comprehensive guidance to be provided by the Equality and Human Rights Commission and others prior to implementation.

**2 BACKGROUND**

- 2.1 The new Equality Bill, which is now going through Parliament, contains provision for a single Equality Duty. This will build on the existing gender, race and disability duties, and extend it to also cover age, sexual orientation, pregnancy and maternity, religion or belief and gender reassignment in full. The Duty requires public bodies to consider how their spending decisions, employment practices and the services they provide affect people from these groups. Moving away from specific duties requiring prescriptive processes and a tick box approach, this will allow for greater innovation and flexibility and help public bodies build the Equality Duty into their own organisational culture.

**3. THE NEW EQUALITY DUTY PROPOSALS**

- 3.1 The new Equality Duty proposals include:
- Public authorities should publish equality objectives, with reference to the relevant evidence and the requirements of the general duty, and set out the steps they intend to take to achieve them;
  - Public authorities should report annually on progress against their objectives at least every three years;
  - Public authorities with 150 or more employees should publish their gender pay gap figures, their black and minority ethnic employment rates and their disabled people employment rates;

## **PREVENTING PROTECTING RESPONDING**

- Public authorities should demonstrate how they have taken into account evidence of the impact on equality in the design of key policy and service delivery initiatives and what difference this has made.

3.2 The Government also propose a set of specific duties which will help public bodies to use public procurement to contribute to delivery of their equality objectives under the Equality Duty. These consist of requirements on contracting authorities to consider using equality criteria when awarding contracts, for example requiring public authorities bidding for a diversity training contract to report the proportion of black or minority ethnic people they employ.

### **4. CURRENT GOVERNMENT PROTECTION**

4.1 Over time the Government has already put in place anti-discrimination legislation. These include the first Race Relations Acts back in the 1960s to important steps toward equality for women in the Equal Pay and the Sex Discrimination Act in the 1970s, strengthening rights for disabled people in the 1990s to the banning of age, religion or belief and sexual orientation discrimination since 2000. In addition, over the past 9 years they have introduced pioneering legislation requiring public bodies to proactively root out discrimination in all they do.

### **5. CONSULTATION**

5.1 The Governments consultation paper sets out their proposals for the specific requirements, to be set out in secondary legislation, which will help the public bodies meet the new Equality Duty in an effective and proportionate way.

5.2 Members are therefore asked to consider, comment and subsequently approve the proposed response attached and agree that the Chief Fire Officer and the Chairman of the Authority submit the response on behalf of the Authority.

### **6. CONCLUSIONS**

6.1 Following the consultation, GEO officials will analyse the responses. They intend to publish a response to the consultation, setting out what people thought of their plans.

6.2 They will then consult on the draft regulations. They expect the duties to commence in April 2011.

6.3 The Equality and Human Rights Commission will also consult on its draft statutory code of practice, which it aims to be in place before the duties commence.

### **7. EQUALITY AND FAIRNESS IMPLICATIONS**

7.1 There will be equality and fairness implications in respect of the implementation of the New Equality Duty which will be subject of a further report.

**8. HEALTH AND SAFETY IMPLICATIONS**

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

**9. RECOMMENDATIONS**

9.1 Members are requested to:

- a) Consider, comment and approve the response to the consultation;
- b) Agree that the Chief Fire Officer and the Chairman submit the response on behalf of the Authority;
- c) Receive further reports as appropriate.

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**BACKGROUND PAPERS**

The undermentioned Background Papers refer to the subject matter of the above report:

- GEO – Equality Bill: making it work Policy proposals for specific duties A consultation.
- CFOA response to Equality Bill Consultation for information August 2009



## EQUALITY BILL CONSULTATION

### Consultation Questions

### Response

**Q1: Do you think the criteria set out above are the right ones? Please give your reasons.**

Yes. When identifying those organisations which should be subject to specific duties it is important to achieve a balance between a desire to achieve improvement and the capacity of individual organisations to deliver significant outcomes. We believe that the correct application of the four set criteria is likely to identify those organisations who are most likely to have a significant impact upon improving equalities without causing undue burden.

**Q2: Are there any other criteria we should use? If so, what do you suggest?**

We do not wish to suggest any other criteria.

**Q3: Do you agree that public bodies should have a specific duty to publish equality objectives with reference to the relevant evidence and their wider general Equality Duty obligations?**

Yes. In doing so, public bodies should also be required to have due regard to relevant national strategies and guidance documents. For the fire & rescue service this would include the FRS Equality & Diversity Strategy, the FRS Equality Framework and Integrated Risk Management Planning.

**Q4: Do you agree that public bodies should set out the steps they intend to take to achieve their equality objectives?**

Yes, there is little value in setting equality objectives without indicating the steps that will be taken to achieve them.

**Q5: Do you agree that public bodies should be required to implement the steps they have set out for themselves within the business cycle period unless it would be unreasonable or impractical to do so?**

Public bodies should be required to set timescales for the delivery of equality objectives and to ensure that they are integrated within normal business planning processes.

**Q6: Do you agree that public bodies should be required to review their objectives every three years? If not, what time-period do you suggest instead?**

Yes, public bodies should be required to review their equality objectives every three years; which would be compatible with the three yearly requirement to review equality schemes. A requirement to review objectives more frequently would be too onerous.

**Q7: Do you agree that public bodies should set equality objectives taking into account priority areas set by the relevant Secretary of State?**

Yes, it is important to take national priorities into account though this should not be interpreted as an absolute requirement since public bodies will also need to take local needs/issues into account. It may therefore assist with clarity by requiring public bodies to take both national and local priorities into account when setting equality objectives.

**Q8: Do you agree that public bodies should not be required to set equality objectives in respect of each protected characteristic?**

Yes, though public bodies should be required to show evidence of having considered setting objectives for each protected characteristic and determined specific appropriate objectives based upon a needs analysis.

**Q9: Do you agree that public bodies should be required to report annually on progress against their equality objectives, but that the means by which they do so should not be prescribed in legislation?**

Yes, what matters most is achieving significant outcomes not setting overly prescriptive legislation. Public bodies should have ample opportunity to report annually on progress through their normal mechanisms. For the fire & rescue service, Communities & Local Government (CLG) provide an overview of national performance via their Annual Report.

**Q10: Do you agree that public bodies with 150 or more employees should be required to publish their gender pay gap, their ethnic minority employment rate and their disability employment rate? We would welcome views on the benefits of these proposals in encouraging public authorities to be more transparent.**

The gender pay gap is not a significant issue for the fire & rescue service. Matters relating to gender pay would be more appropriately addressed through equal pay planning/reporting rather than a requirement to publish a gender pay gap.

A requirement to publish ethnic minority and disability employment rates would also add little value.

For the fire & rescue service, it would be more relevant to require that reporting should focus on race, gender and disability employment rates taking into account performance against specific local/national targets. The fire & rescue service has, for instance, adopted national and local recruitment targets for female firefighters and all BME employees; any requirement to simply report against employment rates would overlook such specific priorities. For the fire & rescue service, it also needs to be recognised, and taken into account when reporting/ benchmarking, that figures can be skewed by the differences between operational and non-operational roles.

**Q11: Do you agree with the proposal to use the overall median gender pay gap figure? Please give your reasons. If not, what other method would you suggest and why?**

We do not agree with a requirement for public bodies to publish their gender pay gap as this is very complex, confusing and potentially misleading. It would be more appropriate to require public bodies to report the extent of their compliance with equal pay legislation.



**Q12: Do you have any evidence of how much it would cost to produce and publish this information, and of what the benefits of producing and publishing this information might be?**

We do not have detailed evidence of the costs associated with producing and publishing such information. Similarly we do not have detailed evidence of the benefits of producing and publishing such information.

**Q13: Do you agree with the proposal not to require public bodies to report employment data in relation to the other characteristics protected under the Equality Duty? If not, what other data do you think should be reported on?**

Yes, it is still very difficult to collate accurate data regarding matters such as faith/religious belief and sexual orientation due to privacy issues. Such data is therefore likely to be incomplete and not wholly reliable.

This should not be seen as a reason for public bodies to not collect and monitor employment data in relation to all characteristics. Our view is simply that it would be inappropriate at this time to require public bodies to report such information.

**Q14: Do you agree with the move away from an emphasis on describing process, to requiring public bodies to demonstrate how they have taken evidence of the impact on equality into account in the design of their key policy and service delivery initiatives and the difference this has made?**

Yes, providing appropriate guidance is available we welcome a move away from a process driven approach to a focus upon outcomes. This is in the best interests of improving equalities and also reflects similar changes in public sector performance assessments, eg Equality Frameworks and Comprehensive Area Assessments.

**Q15: Do you agree that public bodies should have a specific duty – when setting their equality objectives, deciding on the steps towards their achievement and reviewing their progress in achieving them to take reasonable steps to involve and consult employees, service users and other relevant groups who have an interest in how it carries out its functions – or where appropriate their representatives; and in particular take reasonable steps to consult and involve the protected groups for whom the duty is designed to deliver benefits?**

Yes, this is the best way of ensuring that public bodies develop effective services that meet community needs. However, such a duty must be supported by clear guidance on the expected scope and depth of effective involvement and consultation. Such guidance should recognise the broad range of public bodies and the different contexts within which they operate.

**Q16: Do you think that imposing specific equality duties on contracting authorities in relation to their public procurement activities are needed, or are the best way to help deliver equality objectives? Do you think such an approach should be pursued at this time?**

Yes, public sector procurement has the potential to exert a significant impact on improving equalities, providing any specific equality duties are relevant and proportionate. It is timely to introduce such duties supported by clear, concise guidance. It should be noted, however, that fire & rescue services do not commonly contract services to the same extent as local authorities. Such differences should be recognised when drafting any specific duties.

**Q17: Do you agree that contracting authorities should be required to state how they will ensure equality factors are considered as part of their procurement activities?**

Yes.

**Q18: Do you agree that contracting authorities should be required to consider using equality-related award criteria where they relate to the subject matter of the contract and are proportionate?**

Yes.

**Q19: Do you agree that contracting authorities should be required to consider incorporating equality-related contract conditions where they relate to the performance of the contract?**

Yes.

**Q20: What would be the impact of a regulatory proposal aimed at dealing with suppliers who have breached discrimination law? What might be the benefits, costs and risks?**

We support the proposal but are unable to comment on the detailed implications.

**Q21: Do you support the proposal to establish a national equality standard which could be used in the procurement process? If so, do you believe this is achievable through a specific duty or is this better tackled through a non-legislative approach? Are there any practical issues that would need to be considered?**

No, we do not support the proposal. We believe that improvement can best be achieved through a non-legislative approach.

Separate Equality Frameworks (standards) are being developed for different public bodies, i.e. local authorities, fire & rescue service, police and NHS. These all use the same principles and include procurement as a key element but are tailored to reflect different organisational roles/structures/needs etc.

Public bodies should be required to work in accordance with their relevant Equality Framework, see response to question 24.

**Q22: Which of the four models (set out below) do you consider achieves the best balance between joined-up working and senior accountability for equality outcomes, while avoiding unnecessary burdens? Please explain why.**

- (1) A requirement for relevant Secretaries of State to report every three years against the national equality priorities that they have set for their policy areas.
- (2) A requirement for relevant Secretaries of State to include, in the third year of their department's annual reporting cycle, an expanded report covering the policy area for which they have the overview.

We believe that Option (1) should be the preferred choice as it presents a meaningful, proportionate approach. Public bodies should be gathering relevant performance information/data as part of their normal performance management/reporting mechanisms; this would therefore not represent a new burden. The other options have limited scope or would be an additional burden.

- (3) To rely on reporting procedures attached to the Public Service Agreements covering equality.
- (4) To require relevant Secretaries of State to report on how equality data is gathered and used across their relevant policy sectors.

**Q23: Do you have any other suggestions how this duty could be remodelled to retain the valuable features of senior accountability and joined-up working, whilst avoiding unnecessary burdens?**

No

**Q24: Are there any specific requirements, other than those that we have proposed, which you think are essential to ensure that public bodies deliver equality outcomes in an effective and proportionate manner?**

Equality Frameworks are currently being developed for a wide range of public bodies, i.e. local authorities, fire & rescue service, police and NHS. These are all outcome focused and attainment of the highest performance levels of those frameworks will inevitably cause public bodies to deliver significant equality outcomes.

Public bodies should therefore be required to develop and report the progress of equality improvement plans in accordance with their relevant Equality Framework.

**Q25: What role do you think the guidance from EHRC should play in helping public bodies implement the specific duties in a sensible and proportionate manner? What do you think it would be helpful for such guidance to cover?**

Guidance should provide examples of desired outcomes. It should pose questions of public bodies rather than provide a prescriptive list of required actions/processes. There should be clear, strong links with relevant Equality Frameworks.



**SUBJECT: MEMBERSHIP OF EXTREMIST POLITICAL PARTIES**

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

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**1 INTRODUCTION**

- 1.1 The purpose of this report for Members to consider a Joint Statement from the Chairman of the Fire Authority, Chief Fire Officer and Representative Bodies in relation to the Tyne and Wear Fire and Rescue Authority's position regarding membership of extremist political parties or similar organisations.

**2 BACKGROUND**

- 2.1 Following high profile media coverage the Fire Brigades Union (FBU) Chairperson Samantha Samuels wrote to all chief fire officers in the UK Fire and Rescue Service to determine whether they had a clearly defined position on employee membership of extreme right wing organisations.
- 2.2 The Chief Fire Officers Association was also consulted to seek guidance on a proposed national position for fire and rescue services in relation to such activities to ensure consistency in messages given in responding to the media coverage.

**3 PROPOSED POSITION**

- 3.1 The Authority strives to ensure that all those employed by it have the personal qualities and attributes to ensure that we work effectively with all sections of our diverse communities and to ensure we fully support the Equality and Diversity agenda.
- 3.2 Membership of extremist political parties or other similar organisations is contradictory to the aims and Core Values of our organisation. For example; the British National Party's stance on issues such as Domestic Violence, Disability, Sexuality and Race does not support the Authority's aim to ensure fairness and equality for all.
- 3.3 Given the above, it is therefore important that the Authority clearly defines its position regarding employee membership of such political parties / organisations. In order to get an unambiguous message to both our employees and people within our communities that the Authority will not support membership of extremist political parties or other similar organisations it is imperative that a statement is released and is included as part of our Single Equality Scheme.

- 3.4 The Representative Bodies are in full support of an appropriate statement being released and a proposed joint statement has been developed to reflect the collective position (see Appendix A). It is proposed that this position be endorsed by Members and that this statement be jointly signed by the Chairman of the Fire Authority, the Chief Fire Officer and the Representative Bodies.

### **4 RISK MANAGEMENT**

- 4.1 By issuing the above statement the Authority can minimise and potentially eradicate any risk of negative impact on its reputation as an employer of choice that embraces fairness and equality for everyone, which support fairness and equality in everything we do irrespective of race, gender, sexual orientation, disability or religion and/or belief.

### **5 HEALTH AND SAFETY IMPLICATIONS**

- 5.1 There are no health and safety implications in relation to issuing the above statement however, a clear position in relation to membership of extremist political parties or similar organisations may help to ensure the safety and wellbeing of our employees and the community we serve.

### **6 FINANCIAL IMPLICATIONS**

- 6.1 There are no specific financial implications arising however, ensuring our position is clear in that we will not support membership of extremist political parties or other similar organisations may prevent any future potential legal / financial implications.

### **7 EQUALITY AND FAIRNESS IMPLICATIONS**

- 7.1 The Authority has clear policies and procedures in place to ensure equality and fairness for its employees and members of the community and the above statement will enhance its commitment to equality and diversity.

### **8 RECOMMENDATIONS**

- 8.1 The Authority is recommended to:
- a) Note the content of this report;
  - b) Endorse the release of a joint statement; and
  - c) Receive further reports as appropriate.

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### **BACKGROUND PAPERS**

There are no background papers in respect of this report.

**Appendix A**

**Joint Statement on Membership of Extremist Political Parties or Similar Organisations**

Tyne and Wear Fire and Rescue Authority values diversity and supports the promotion of equality. As a public sector provider, we require all employees to provide an equal service to the people of Tyne and Wear regardless of their race, gender, sexual orientation, age, disability or religion and/ or belief.

Media coverage regarding members of extremist political parties or similar organisations has prompted us to remind colleagues of the organisation’s commitment to the equalities agenda, and the importance of promoting this through our daily activities.

We would like to emphasise that the values and objectives of extremist political parties or similar organisations are incompatible with the values and objectives of Tyne and Wear Fire and Rescue Authority.

Tyne and Wear Fire and Rescue Authority are committed to full compliance with its legal duty to eliminate unlawful discrimination and to promote equality of opportunity.

Signed

Chairman of the Fire Authority

Chief Fire Officer

FBU

FOA

UNISON

GMB





**SUBJECT: HSE PLEDGE 'BE PART OF THE SOLUTION'**

**REPORT OF THE CHIEF FIRE OFFICER**

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**1. INTRODUCTION**

- 1.1 This report is to advise Members about the introduction of a pledge, launched by the Health & Safety Executive (HSE) on Wednesday 3<sup>rd</sup> June 2009, to encourage employers to keep their staff safe at work.

**2 BACKGROUND**

- 2.1 The Health and Safety at Work etc Act 1974 clearly places responsibility on those who create the risk to manage it. All workers have a fundamental right to work in an environment where risks to health and safety are properly controlled. The primary responsibility for this lies with the employer. However, workers have a duty of care for their own health and safety and for others who may be affected by their actions. Legislation also requires that workers co-operate with employers on health and safety issues.
- 2.2 One of the most effective ways to improve health and safety practices is for senior management to show positive leadership on the issue. Consequently the HSE has requested all Fire and Rescue Authorities to sign the pledge to 'Be Part of the Solution' and continue to improve health and safety standards.
- 2.3 The Chief Fire Officers Association (CFOA), as a corporate body has already signed the 'HSE Pledge' and reaffirmed its' commitment to making the safety of its staff top priority by supporting this new health & safety drive. As CFOA represents the fire and rescue service, they are also encouraging Fire and Rescue Authorities to sign up too.

**3 HSE PLEDGE 'BE PART OF THE SOLUTION'**

- 3.1 The Authority continues to demonstrate a commitment to protecting the health and wellbeing of its' employees and the team approach to a positive health and safety culture that exists at all levels throughout the Authority will ensure this excellent performance will be maintained.
- 3.2 In recognising and underpinning this commitment, the Chief Fire Officer considers that it would prove beneficial for the Authority to sign the Health & Safety Pledge. Should Members approve the proposal, the undoubted commitment of the Authority will be formally recognised, with additional benefits for the Authority of:

- Continuing to play an active part in reducing the numbers of work-related deaths, injuries and ill health in Great Britain.
- Underpinning the commitment to debunking myths around health and safety that trivialise the impact of injuries, ill health and deaths on individuals and their families.
- Continuing recognition of the importance of health and safety in difficult economic times and the dangers of complacency.
- Working closely with the Health and Safety Executive and its partners to 'Be Part of the Solution'.

3.3 If approved, signing the pledge emphasises the continuing success of the Authority in once again being awarded the RoSPA Gold Award together with the key elements of the Authority's health and safety management system including health and safety policy, arrangements, organisation, audit and review. The co-operation and arrangements for management and employees to work together in order to achieve the goal of a safe working environment is also recognised.

3.4 In addition, the Authority will gain further recognition through positive public relations as well as continuing to demonstrate commitment to continuous improvement to health, safety and welfare.

#### **4 RECOMMENDATION**

4.1 Members are recommended to:-

- a) Endorse the Chief Fire Officer in signing the HSE Pledge "Be part of the Solution"
- b) Agree that the Chief Fire Officer maintains the Authority's commitment to a safe working environment.

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#### **BACKGROUND PAPERS**

The undermentioned Background Papers relate to the subject matter of the above report:

- HSE "The Health and Safety of Great Britain - Be Part of the Solution".