

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 FEBRUARY 2012 at 10.30 am

Present:

Councillor Bell in the Chair

Councillors Haley, Stephenson, D. Trueman, Watters, and S. Mortimer

Part I

Apologies

Apologies for absence were submitted to the meeting on behalf of Councillor Mole.

Declarations of Interest

There were no declarations of interest.

Minutes

13. RESOLVED that the minutes of the Human Resources Committee held on 17 October 2011 (copy circulated) be confirmed as a correct record.

Public Sector Equality Duty

The Chief Fire Officer and the Personnel Advisor to the Authority submitted a joint report (copy circulated) informing Members of actions undertaken in order to ensure

that the Authority was meeting the requirements associated with the Public Sector Equality Duty which came into force on 5 April 2011.

(For copy report – see original minutes).

The Deputy Chief Fire Officer advised that the Equality Act 2010 brought together all previous equality legislation in England, Scotland and Wales and replaced the separate duties relating to race, disability and gender equality.

Members were reminded that the Public Sector Equality Duty, which came into force on 5 April 2011 required public authorities, in carrying out their functions to have due regard to the need to: -

- eliminate discrimination, harassment and victimisation and any other conduct that was prohibited by or under the Act;
- advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it; and
- Foster good relations between people who share a relevant protected characteristic and those who do not share it.

Attention was drawn to an Equality Data Report which had been submitted as an appendix accompanying the report. In referring to the report, the Deputy Chief Fire Officer briefed Members on the equality information that was provided in relation to employees and service users. The information specifically related to age, disability, pregnancy and maternity, marriage and civil partnership, religion and belief, sex, sexual orientation, grievances and dismissals by protected characteristics, gender balance by varying levels within the organisation, applications for Flexible Working and success rates, Authority Members, recruitment and promotion by characteristic and training opportunities.

Members were advised that an internal and external consultation exercise was being undertaken regarding equality information, allowing the Authority to engage with key stakeholders regarding the data and identify key equality priorities. The Deputy Chief Fire Officer stated that the analysis of the data, along with feedback received during the consultation process would help to identify the Authority's future equality objectives.

The Deputy Chief Fire Officer stated that the draft Equality Strategy 2011-2015, which would replace the Authority's Single Equality Scheme and Corporate Equality Plan was currently being developed. This would be a four year overarching document which would be aligned with the Fire and Rescue Service Equality and Diversity Strategy 2008-18 and the Fire and Rescue Service Equality Framework. The annual Equality Data Report and the Authority's equality objectives and equality action plan would also be included.

Councillor Watters referred to page 5 of the appendix, which outlined that 22% of the workforce had not declared their sexual orientation. In doing so, he stated that he hoped that the information that was declared remained confidential and by no way affected the way people were treated. The Deputy Chief Fire Officer responded confirming that sexual orientation and gender were deemed to be private and was

self declared, therefore this information was indeed treated confidentially. He also confirmed that employees were treated fairly with dignity and respect regardless of their age, gender, sexual orientation, disability or religion. He added that no pressure was placed upon employees to declare such information. However, the Fire and Rescue Service did have a variety of support mechanisms in place for those staff that did declare this kind of information.

Councillor Bell commented that it was pleasing to see that the number of ethnic minority groups was on the increase, and that the figures were good compared to previous years.

Councillor Haley stated that it was useful to understand equality at an organisational level, and that he appreciated all of the hard work and effort that had gone into producing the Equality Strategy 2011-2012.

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

14. RESOLVED to:-

- (i) endorse the actions to date; and
- (ii) Receive further reports as appropriate.

Stonewall Workplace Equality Index

The Chief Fire Officer submitted a report (copy circulated) informing Members of the result of the Stonewall 2012 Workplace Equality Index (WEI) Top 100 Employers. Details of the Authority's standing in the Index were also provided.

(For copy report – see original minutes).

The Deputy Chief Fire Officer explained that Stonewall was founded in 1989 and, since its inception had worked ceaselessly to place sexual equality on the mainstream political agenda and to achieve equality and justice for lesbians, gay and bisexual (LGB) people. One method that the Tyne and Wear Fire and Rescue Service used to assist its work was the Workplace Equality Index (WEI).

Members noted that in 2010, the Authority was placed just outside of the Top 100 ranked at 101st position. A detailed action plan was then developed by the Diversity and Equality Advisor who worked closely with the Employee Advisory Group to progress all of the actions.

Since then, a much stronger entry was submitted in 2011, which led to an impressive increase of 40 places to 60th position. The Authority also secured the prestigious title of joint number one Fire and Rescue Service in the country, alongside West Yorkshire Fire and Rescue Service.

2012 marked the eighth WEI, and every year the Index was reviewed in terms of its design and scoring mechanism. Also, participation increased year on year making it an ongoing challenge to remain in the Top 100.

Members were advised that to take part in the WEI involved the production and circulation of a questionnaire and supporting evidence to demonstrate how the Authority supported LGB people. Specific details regarding the questionnaire were provided for Members, together with the number of entries and results of the exercise in 2012.

The Deputy Chief Fire Officer drew Members' attention to paragraph 5.4 of the report, which highlighted that colleagues from across the Fire and Rescue Service had offered their congratulations on making it into the Top 100 Employers, which he stated were gratefully received.

Next steps included a benchmarking with Stonewall in early in 2012 and any comments, feedback and/or development areas would be included in an Improvement Plan for the forthcoming year.

The 2012 Stonewall WEI Action Plan would also be progressed by the Diversity and Equality Advisor and Sexual Orientation Employee Advisory Group with a view to making all of the necessary improvements required in preparation for the 2013 WEI which was aimed towards improving the Authority's position even further.

The Chief Fire Officer stated that he himself fully endorsed the Workplace Equality Index and confirmed his intention was for the Authority to continue to take part in the exercise in future in order to continue to commit to supporting LGB colleagues, service users and future employees.

Councillor Bell commented that the external accreditation was testament to the Authority, and was an excellent way of providing recognition for its achievements.

Councillor Watters enquired if any member of staff had ever been disciplined due harassment or bullying in relation to sexual orientation or race. In response, the Deputy Chief Fire Officer stated that some years ago staff had been disciplined on the grounds of sexual harassment, but confirmed that disciplinary action had not ever needed to be taken in relation to LGB harassment. He stated that the Authority had worked very hard to educate its workforce to work together.

Councillor Stephenson referred to the comment from Bob Neill MP congratulating the Authority on its achievement, which was documented in paragraph 5.4 of the report. In doing so, she stated it was pleasing to see his comment, and noted that the Authority were already working towards progressing what it had already achieved, to build on that and move forward.

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

15. RESOLVED to:-

(i) Note the contents of the report;

- (ii) Congratulate the core team on the achievement; and
- (iii) Receive further reports as appropriate.

Fire and Rescue Service Equality Framework

The Chief Fire Officer, the Finance Officer and the Personnel Advisor submitted a joint report (copy circulated) updating Members on progress made in preparing for self assessment against the Fire and Rescue Service Equality Framework (FRSEF).

(For copy report – see original minutes).

Area Manager Robson was introduced to Members and continued to present the report.

Members were advised that the FRSEF in fire and rescue service terms superseded the Equality Standard for Local Government (ESLG) was launched on 7 December 2009. In developing the FRSEF the Improvement and Development Agency (IDeA) worked in partnership with the Chief Fire Officers Association (CFOA) to create a bespoke equality performance and improvement framework for the Fire and Rescue Service.

Area Manager Robson highlighted that FRSEF focused around outcomes and the five key performance areas of the national Strategy (Leadership and Promoting Inclusion, Accountability, Effective Service Delivery and Community Engagement, Employment and Training and Evaluation and Sharing Good Practice).

The framework had three performance levels, namely 'Developing', 'Achieving' and 'Excellent', and the Authority had already been regarded as 'Moving Towards Excellence', which was above the 'Achieving' level and potentially working at 'Excellent' level.

Members' attention was drawn to the appendix accompanying the report, which was based on the revised FRSEF self assessment guidance document produced in the later part of 2011 to take into account changes to legislation such as the introduction of the Equality Act 2010 and Public Sector Equality Duty.

Area Manager Robson advised Members that a FRSEF project team was in place to ensure that the Authority was fully prepared for the Diversity Peer Challenge. The five main objectives of the self assessment were outlined, as detailed within the report and it was confirmed that any actions identified during the self assessment would be implemented.

The Diversity Peer Challenge would be conducted by the Peer Challenge Team, consisting of one Member and three officer peers, all of whom would be on site for three days. It was explained that the process of the Diversity Peer Challenge was based around a review of the Fire and Rescue Authority's self-assessment, supporting documentation and on site activity (including interviews and focus groups

with managers, employees, elected members and other stakeholders). A final report would be produced together with good practice case studies.

Members were then advised of the associated benefits in achieving the 'Excellent' level of the FRSEF. One of which was that it would greatly assist the Authority in meeting its legal obligations under the Equality Act of 2010 and the Public Sector Equality Duty.

Area Manager Robson drew Members' attention to the risks that were involved should 'excellence' not be achieved, together with the financial implications of the FRSEF Diversity Peer Challenge. It was confirmed that the assessors' expenses had been accounted for in the 2012/2012 delegated budgets.

Councillor Stephenson commented that the report highlighted very positive news which enhanced the good work the Authority was already doing. Councillor Stephenson fully supported the Authority in seeking validation and accreditation for its work.

Councillor Haley enquired whether sufficient notice and briefings could be provided to any Members who would be required to take part in the Diversity Peer Challenge process, to which it was confirmed indeed Members would be.

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

16. RESOLVED to:-

- (i) endorse the actions taken to date; and
- (ii) Receive further reports as appropriate.

Review of Maternity/Paternity Procedure

The Chief Fire Officer, the Clerk to the Authority, the Finance Officer and the Personnel Advisor submitted a joint report (copy circulated) requesting Members to consider a review of the Authority's Maternity/Paternity Procedure and Guidance (MPPG).

(For copy report – see original minutes).

Area Manager Robson updated Members in relation to issues raised by pregnant women and new mothers within the Service from both the operational and corporate side of the organisation in relation to the current MMPG.

Members were advised that the Equality and Diversity Committee had considered the feedback received and that subsequent discussions had taken place with the Fire Brigades Union members and senior management.

At the present time, the MPPG was predominantly based on previous best practice from like-minded organisations, and updated regularly in accordance with legislative

changes. However, Members' were informed that a review of MPPG would present an opportunity to further explore issues in the context of the Fire and Rescue Service, Equality Act 2012 and the new Public Sector Equality Duty, which now included Pregnancy and Maternity as a protected characteristic.

It was also considered that a review would be of benefit to look at the MPPG in line with the 'Excellent' level of the Fire and Rescue Service Equality Framework (FRSEF) to ensure that Authority was demonstrating its commitment to equality and meeting the standard in preparation for an assessment in late 2012.

The main objectives of the review would be: -

- To seek views and constructive feedback from key employees and individuals who had experienced implementing and interpreting the current MPPG exploring for example; provision of clothing, communication protocols, pay, returning to work, welfare/support, facilities, understanding rights and responsibilities;
- To undertake a comprehensive review of the MPPG to ensure it incorporated the necessary maternity, paternity, and adoption information which supported the Authority's equality objectives in line with organisational goals and priorities.
- To review the content of the MPPG to ensure it was easy to interpret and relevant for employees and line management from an operational and corporate perspective, and to ensure consistent, effective welfare and support mechanisms were in place for expecting/new parents/carers.

The associated risks and equality and fairness implications were outlined, as contained within the report. However it was confirmed that there were no financial or specific health and safety implications.

Councillor Bell commented that she fully supported the review, which he considered would be an excellent piece of work which would be of benefit to staff within the organization. Councillor Bell looked forward to receiving further reports.

Councillor Haley enquired if there were any differences with Sunderland City Council's Maternity/Paternity Policy compared with other four neighboring authorities. Area Manager Robson responded advising that the review could involve casting a wider net to look at other Authorities.

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

17. RESOLVED to:-

- (i) Approve the commencement of a comprehensive review of MPPG; and
- (ii) Receive further reports as appropriate.

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

At the instance of the Chairman, it was:-

18. RESOLVED that in accordance with Section 100(A)4 of the Local Government Act 1972, the public be excluded during consideration of the remaining business as it was considered to involve information relating to any individual or information which is likely to reveal the identity of an individual, or a likely disclosure of exempt information relating to any consultations or negotiations, in connection with any labour relations matter arising between the Authority and employees of the Authority (including the Authority holding that information) (Local Government Act 1972, Schedule 12A, Part I, Paragraphs 1, 2 and 4).

(Signed) J. BELL,
Chairman.

Note:-

The above minutes comprise only those relating to items during which the meeting was open to the public.

Additional minutes in respect of other items are included in Part II.