

HUMAN RESOURCES COMMITTEE

Meeting of the HUMAN RESOURCES COMMITTEE to be held in the Fire Authority Rooms at the Fire and Rescue Service Headquarters, Nissan Way, Barmston Mere, Sunderland on MONDAY, 18 OCTOBER 2010 at 10.30 a.m.

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DAVE SMITH,
Clerk to the Authority.

Civic Centre,
SUNDERLAND.

8 October 2010

HUMAN RESOURCES COMMITTEE

Minutes of the meeting of the
HUMAN RESOURCES COMMITTEE held
in the Fire and Rescue Headquarters,
Barmston Mere, Sunderland on MONDAY
12 JULY 2010 at 10.30 a.m.

Present:

Councillor Charlton in the Chair

Councillors Boyes, M. Forbes and T. Wright.

Part I

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillors N. Forbes and D. Trueman.

Declarations of Interest

Councillor Boyes declared a Personal Interest in relation to Item 4 – Fire and Rescue National Framework 2008-11 – HR Issues, Item 6 – Attendance Management and Item 8 – Occupational Health Unit – Annual Report.

Minutes

1. RESOLVED that the minutes of the Human Resources Committee held on 1 March 2010 (copy circulated) be confirmed and signed as a correct record.

Fire and Rescue National Framework 2008-11 – HR Issues

The Chief Fire Officer and the Personnel Advisor to the Authority submitted a joint report (copy circulated) on the Fire and Rescue Service National Framework 2008-11 which included fire and rescue staff issues. The report informed Members of the progress made and the future work programmes in respect of 'people' issues.

(For copy report – see original minutes).

Members were advised that while the intention was that the framework should remain in force for the three years of the comprehensive spending review period, this would be reviewed at the 2-year point. This was to ensure the National Framework remained relevant and continued to properly reflect the Government's performance expectations. CLG had confirmed that there would be no mid term review and that the 2008-11 Framework would run to 2011.

The Deputy Chief Fire Officer drew Members attention to the 'traffic light' system within the report, and in doing so highlighted the three actions categorised as 'yellow' meaning that risk had been mitigated to an acceptable level although further work was ongoing to further reduce risks. All other risks had been identified as green, meaning that risk had been mitigated to the lowest possible level.

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

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

Royal Society for the Prevention of Accidents (RoSPA) Occupational Health and Safety Gold Award

The Chief Fire Officer submitted a report (copy circulated) advising Members that the Authority had been awarded the prestigious RoSPA Award for the fifth consecutive time.

(For copy report – see original minutes).

The Royal Society for the Prevention of Accidents (RoSPA) Occupational Health and Safety Achievement Awards was considered as an ultimate testimonial to an organisation's commitment to health and safety.

The Deputy Chief Fire Officer advised that the RoSPA awards were not just about reducing the number of accidents and cases of ill health at work, they also helped to ensure that organisations had good health and safety management systems in place.

The Authority's achievement was an excellent reflection of the commitment and team approach to the positive health and safety culture that existed within all levels throughout the service.

As the winner of the RoSPA Gold Award for the fifth consecutive time, the RoSPA Awards Adjudication Panel had also recommended that Tyne and Wear Fire and Rescue Authority be awarded the RoSPA Gold Medal Award for Occupational Health and Safety.

David Rawlings, RoSPA Awards Manager, had said "Tyne and Wear Fire and Rescue Authority continue to show a commitment to protecting the health and wellbeing of its employees and others. We hope other businesses and organisations will follow its lead and strive for continuous improvement of health and safety management."

Councillor Wright commended the Authority on their achievement.

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

3. RESOLVED to:-

- (i) recognise the accolade given to the Authority in achieving the RoSPA Gold Medal Award; and
- (ii) agree that the Chief Fire Officer convey congratulations and thanks to all staff and their representative bodies for their contribution to a safe working environment.

Attendance Management

The Chief Fire Officer, the Finance Office and the Personnel Advisor to the Authority submitted a joint report (copy circulated) advising Members of the outcomes associated with the approved sickness and absence management policy.

(For copy report – see original minutes).

In order to better inform the decision-making process, the national picture with regard to sickness absence was briefly outlined to Members.

The Deputy Chief Fire Officer went on to state that in the last reporting year (2008/09), the average level of employee absence had decreased by 0.2% to 3.3% of working time, equating to 7.4 days per employee. In the public sector the rate was 9.7 days, which was a decrease from 9.8 days in the previous year.

The report explained that the Chief Fire Officer had monitored the application of the absence management policy and confirmed that the policy was robustly applied throughout the Authority and was securing overall reductions in sickness absence and ill health retirements.

Members were advised that effective monitoring of absence enabled identification of:-

- the point at which specific management action was required based upon an individual's cumulative absence from work;
- the points at which specific management action was required was based upon an individual's continuous absence from work; and
- the point at which a review of an individual's absence was to be undertaken.

Members noted that the Occupational Health Scheme introduced in 1994 had helped to reduce absence within the Authority in recent years. The Deputy Chief Fire Officer advised that absence rates were 7.33 shifts/days lost for operational staff and 7.65 shifts/days lost for all staff which showed an overall reduction of 0.51 shifts lost from the previous year.

In relation to retirements, since 2000/01 the number of medical retirements had decreased year on year. Furthermore, after the last two years the Authority had seen no ill health retirements from the operational workforce. This was credit to the proactive approach taken by senior management assisted by the dedicated efforts of the Occupational Health Team.

Councillor Boyes in referring to paragraph 4.3 complimented the Authority on the early intervention of medical treatment and support given to firefighters.

Councillor Boyes then went on to enquire if a record was kept detailing every accident and injury in order to determine where the dangers lay. In response the Deputy Chief Fire Officer explained that a record was kept by the Authority's Health and Safety Department, he also stated that most accidents occurred on the premises, such as slips, trips and falls and that very few accidents occurred at operational level out on the job due to the vigorous training that firefighter staff received.

Councillor M. Forbes enquired how many senior managers had primary responsibility for managing absence as opposed to line managers. The Deputy Chief Fire Officer stated that all senior managers had primary responsibility for absence management through the Functional Management Team and that messages were communicated at Functional Management meetings and cascaded to other staff.

Councillor M. Forbes raised concerns regarding the cost and impact absence has on the staff who pick-up the extra work and responsibility when someone is off. The Deputy Chief Fire Officer agreed that other staff did have to pick-up the work of those on sick leave and that this was agreed at team meetings. However he reaffirmed that the Authority continued to try to reduce sickness absence and that data on sickness absence was circulated regularly to Managers to raise awareness.

To prevent sickness, a counselling service was available for Fire Authority staff. Members were informed that this was used mostly by employees to address issues affecting them in their personal lives i.e. outside of the job.

A debt counselling facility had also been made available for staff. All of this was being implemented in order to keep sickness absence figures down.

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

4. RESOLVED to:-

- (i) endorse the actions taken;
- (ii) consider whether or not to make further reviews/recommendations in respect of absence management; and
- (iii) receive further reports as appropriate.

National Equality and Diversity Report

The Chief Fire Officer and Personnel Advisor to the Authority submitted a joint report (copy circulated) providing Members with an overview of the Community and Local Government (CLG) Fire and Rescue Service Equality and Diversity Report published in March 2010.

(For copy report – see original minutes).

Members were informed that the National Strategy required that Fire and Rescue Authorities provide information to CLG on their annual performance on equality and diversity.

Following publication of the first annual report in 2009, the National Equality and Diversity Delivery Partnership (NEDDP) recommended that future reports should include qualitative and quantitative data to further evidence progress.

Members were informed that in accordance with requirements, the Authority completed a questionnaire at the end of 2009 highlighting progress on equality and diversity issues for inclusion in the national report. As a result, the national report was more detailed and comprehensive in comparison to the 2009 report, with the report now being divided into six sections.

The national report also included updates and information regarding several national initiatives, national conferences and seminars.

The report referred to the National Action Plan for 2009, whereby details of the activities, initiatives and commitments being made by the NEDDP were included within the report. Details regarding the 2010 National Action Plan were also included.

Progress towards the National Strategy in 2009 was discussed, including workforce composition, recruitment, progression and retention.

Councillor T. Wright stated that the report was very pleasing. He also drew Members' attention to the fact that they had signed up to stretch targets for recruitment, therefore in order to monitor this he suggested that sessions be arranged to look at performance in relation to this topic.

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

5. RESOLVED to:-

- (i) note the contents of the report; and
- (ii) receive further reports as appropriate.

Occupational Health Unit – Annual Report

The Chief Fire Officer submitted a report (copy circulated) providing Members' with a summary of the services provided by the Occupational Health Unit and its staff over the period 1 April 2009 to 31 March 2010, marking the seventeenth year of the operation of the Unit.

(For copy report – see original minutes).

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

The Deputy Chief Fire Officer updated Members that the Unit had continued to support the broad aims of the Government health initiatives whilst primarily addressing specific areas of concern within the working environment of all employees of the Authority.

Services provided by OHU were outlined within the report. Members were informed that OHU consisted of three professional qualified nurses who provided good advice, clinics, health screening, health and fitness promotions, vaccinations and physiotherapy.

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

Councillor Forbes in referring to paragraph 3.5 relating to vaccinations and how they were once administered by individual's GPs but that guidance from the GPs General Practitioner Committee made it clear that the responsibility now lay with the employer, enquired had this been investigated. The Deputy Chief Fire Officer responded advising that as an employer, the Authority felt that they had no other option than to take the responsibility and associated costs on board. He added that all staff had been appropriately trained and that costs would reduce in future with firefighters who had already been immunised only needing booster vaccinations.

Councillor Forbes raised concern that the issue had not been fought by the Unions and requested that activity surrounding vaccinations and costs be monitored. The Deputy Chief Fire Officer confirmed that monitoring was being undertaken, nonetheless he would ensure to feedback Councillor Forbes' concerns.

Councillor Wright enquired as to who administered vaccinations, to which the Deputy Chief Fire Officer responded that administration was conducted by all four Occupational Health Unit staff, who he reiterated were professional qualified nurses.

Councillor Charlton in referring to the Accelerated Medical Scheme enquired how many firefighters utilised the facilities at Penrith to gain appropriate treatment for medical problems. The Deputy Chief Fire Officer advised that the facility at Jubilee House in Penrith was an excellent facility for those suffering with burns or muscular skeletal problems and that approximately thirty people per year visited the facility. He explained that those who visit the facility work very hard with the qualified staff focusing 100% on their injury. Members were informed that the facility was funded by the Firefighters Charity, which was sponsored by the Fire Authority employees.

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

6. RESOLVED to:-

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

Stonewall Workplace Equality Index

The Chief Fire Officer, the Clerk to the Authority, the Finance Officer and Personnel Advisor to the Authority submitted a joint report (copy circulated) informing Members of the results of the Stonewall Workplace Equality Index (WEI) Top 100 Employers 2010.

(For copy report – see original minutes).

Members were advised that Stonewall was an organisation which worked to achieve equality and justice for lesbians, gay men and bisexual (LGB) people. The National WEI was a benchmarking exercise showcasing Britain's top employers for the 1.7 million LGB people in Britain.

The Authority had been a member for four years which demonstrated a commitment to LGB colleagues, service users and future employees.

Taking part in the WEI involved the Authority completing and submitting a questionnaire with supporting evidence demonstrating how the Service supported LGB people.

The Deputy Chief Fire Officer advised that in 2009 the Authority had been ranked 126th and in 2010 was ranked 101st, just 5% short of being in the top 100 list.

Since then, a Stonewall WEI Action Plan had been produced which accompanied the report for Members attention. The Action Plan detailed the areas for improvement where 68 points had been lost in the 2010 submission.

Councillor Forbes enquired if there were any financial implications involved, to which the Deputy Chief Fire Officer advised that the costs were very low and were primarily made up of staff time in taking the issue forward.

Councillor Wright took the opportunity to inform Members that a Pride Parade, organised by Northern Pride was scheduled to take place on Saturday 12 July 2010 starting at 12 pm at Newcastle Civic Centre and he encouraged Members' to attend.

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

7. RESOLVED to:-

- (i) endorse the content of the report;
- (ii) approval be given to the WEI Action Plan;
- (iii) continue to support the Service in working towards becoming a top 100 employer; and
- (iv) to receive further reports as appropriate.

Employee Advisory Group

The Chief Fire Officer, the Clerk to the Authority, the Finance Officer and Personnel Advisor submitted a joint report (copy circulated) informing Members of the launch of two Employee Advisory Groups (EAGs) within the Authority.

(For copy report – see original minutes).

Members were advised that following the publication of the Single Equality Scheme there was a need to establish EAGs within the Authority to further explore issues across six strands of equality and diversity (disability, race, gender, religion or belief, age and sexual orientation).

In terms of progress two groups had been set up. The sexual orientation EAG launched on 22 April, followed by the Disability EAG launching on 7 May 2010. Group Champions, Councillor Nick Forbes, Vice-Chair of the Fire Authority and Mr. John Hindmarch, Deputy Chief Fire Officer had addressed their respective groups at the initial launch meetings, which were well attended by employees who had volunteered to take part. Both Group Champions had vocalised their commitment to provide support on an ongoing basis.

Members were informed that at the meetings the Groups discussed and agreed Terms of Reference, including roles and responsibilities, group communication methods and themes for communication and marketing.

Next steps included the Diversity and Equality Advisor continuing to work with both EAGs to ensure that their work and progress was communicated effectively to the wider workforce.

It was envisaged that both EAGs would report regularly and provide the Authority with updates in order to widen Members' knowledge and understanding of the feelings of society.

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

8. RESOLVED to:-

- (i) note the contents of the report;
- (ii) endorse the creation and development of the EAGs; and
- (iii) receive further reports as appropriate.

Regional Firefighter Recruitment Campaign

The Chief Fire Officer, the Clerk to the Authority, the Finance Officer and Personnel Advisor submitted a joint report (copy circulated) advising Members of the outcomes of the recent Regional Firefighter Recruitment Campaign which commenced on 4 November 2009.

(For copy report – see original minutes).

The Deputy Chief Fire Officer outlined that all four Fire and Rescue Services in the North East had participated in the campaign and that the report specifically considered the effectiveness of the Positive Action Programme, brand campaign and outcomes of the process relating to the diversification of the workforce.

He went on to describe that from January to October 2009 a Positive Action Programme was implemented which included recruitment process workshops and fitness sessions.

Members' attention was then drawn to some amendments that had been made to the national firefighter selection process, which had been implemented following a review of previous recruitment campaigns, to make the process more efficient and cost effective.

Statistical data was presented within the report detailing a breakdown of the current workforce compared to the previous year's figures. Information regarding the recruitment campaign which commenced on 4 November 2009 was then provided, including the number of applications viewed online and downloaded. The data was then broken down into age profile, gender profile and ethnicity profile.

Members were advised further that from 10,648 potential candidates, 4,379 applicants had submitted a completed application form, equating to a 41% return.

Moving on to the recruitment analysis, Members were advised that 205 candidates who were part of the Positive Action Programme submitted an application form and had been tracked through the entire process. The campaign had also seen a significant increase in the number of female and BME candidates compared to the 2008 campaign.

Further details were then provided on the analysis which could be seen in detail contained within the report.

The data collected indicated that the marketing initiatives, external marketing and positive action had made a significant impact on attracting a higher percentage of under-represented groups to the recruitment process.

The Deputy Chief Fire Officer also stated that it was likely that there would be sufficient candidates within the system from the recruitment process to meet the Authority's staffing requirements for the next two to three years.

Councillor Forbes enquired in relation to electronic testing for candidates what kind of electronic testing this would involve. The Deputy Chief Fire Officer advised that currently written tests were conducted in an exam type environment and were required to go through a marking process afterwards. It was this that was proposed could potentially become an electronic process, with candidates being offered the facility to complete assessments via the Authority's intranet using a personal secure and confidential ID number.

Councillor Forbes responded stating that the integrity of candidates responses was the only reservation she would have, which the Deputy Chief Fire Officer confirmed would certainly be something that the Authority would consider.

Councillor Boyes then went on to enquire if explanatory answers could be provided in an electronic test, to which the Deputy Chief Fire Officer advised that as part of the research that was undertaken by the Authority that would certainly be one of the issues to be considered.

Councillor Wright in referring to the personal data collected from those that had applied enquired do the Authority simply asked the question 'Do you consider yourself to have a disability?' He explained he was asking the question because he was aware that some people do not consider themselves as having a disability when in fact they sometimes do. The Deputy Chief Fire Officer advised that guidance from Government was that a disability was self declared and that candidates were also asked do they have dyslexia, because the Authority work to target this.

Councillor Boyes raised that some sufferers of dyslexia were not aware that they had the condition and there were others that do know but ignore it. The Deputy Chief Fire Officer stated that the Authority go so far as to raise awareness of dyslexia and work alongside the Dyslexia Foundation in doing so. The Authority also ensure that

individual's recognise this and steps are taken to make sure that they are fairly assessed.

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

9. RESOLVED to:-

- (i) note the contents of the report;
- (ii) endorse the actions of the Chief Fire Officer instigating a full review of the process;
- (iii) support the development of an enhanced Positive Active Programme, build successes and include specific areas highlighted within the report; and
- (iv) to receive further reports as appropriate.

(Signed) D. CHARLTON,
Chairman.

SUBJECT: REVIEW OF THE DIVERSITY AND EQUALITY POLICY

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

1 INTRODUCTION

- 1.1 The purpose of this report is to inform members of the review of the Authority's Diversity and Equality Policy and outline the main changes for approval.

2 BACKGROUND

- 2.1 The current Diversity and Equality Policy had been in place since March 2007. In accordance with the Policy a full review has been undertaken in order to bring its content up to date and to re-assess how easy it is to understand and for readers to access specific information.
- 2.2 Many organisations have a separate policy covering bullying and harassment and in collating evidence for the Stonewall Workplace Equality Index Top 100 Employers¹, the Diversity and Equality Advisor identified that the original Policy did not sufficiently meet the needs of the criteria in relation to the provision of information / guidance regarding bullying and harassment and this was a key area which required attention.
- 2.3 The Chief Fire Officer has now undertaken a complete review, which commenced with researching best practice and also involved an informal consultation exercise with employees. The revised policies are attached as appendices A and B to this report for approval by Members.

3 POLICY AMENDMENTS

- 3.1 Initial feedback from employees and research findings indicated that the policy was too long and detailed and, as a result, employees found it difficult to find key information and fully understand the policy.
- 3.2 The Policy has therefore been revised and re-structured into a more logical order to improve its clarity so that readers could easily understand the policy and find specific information quickly.

¹ Stonewall is an organisation which works to achieve equality and justice for lesbian, gay and bisexual (LGB) people and runs a national Index each year which showcases Britain's top 100 employers for the 1.7 million LGB people in Britain.

3.3 In line with current good practice, the original policy was then divided into two separate policies namely; The Diversity and Equality Policy 1.28 and the Dignity and Respect Policy 1.19, which places the focus firmly on bullying and harassment, previously incorporated as part of the original policy.

3.4 Further consultation was completed with the Authority's Diversity and Equality Committee which includes representatives from the recognised Trades Unions, and necessary amendments made.

4 FUTURE REVIEW

4.1 The Diversity and Equality Policy 1.28 and the Dignity and Respect Policy 1.19 will be subject to an annual review in accordance with the timescales set out in the Single Equality Scheme.

4.2 Minor amendments to the policies will be required following the implementation of the Equality Act 2010 and any further ad-hoc reviews will be carried out should additional changes to legislation take place.

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.

5.2 Ensuring up to date and relevant Diversity and Equality policies are in place ensures that the risk to the authority is low (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.

6 FINANCIAL IMPLICATIONS

6.1 There are no financial implications in relation to this report.

7 DIVERSITY AND EQUALITY IMPLICATIONS

7.1 It is vital to have in place and effectively communicate the Diversity and Equality policy and the Dignity and Respect policy to ensure that all employees conduct themselves in a manner, which concords with the core values of the organisation and ensures equality and fairness for all.

7.2 By accepting and adopting these policies the Authority and its employees are demonstrating their support for equality and fairness at work.

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 recommended to:

- a) Note the content of this report;
- b) Approve the amended Diversity and Equality policy and the Dignity and Respect policy;
- c) Receive further reports as appropriate.

BACKGROUND PAPERS

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

- Equality and Diversity Strategy 2008-2018.

TYNE AND WEAR FIRE AND RESCUE SERVICE (TWFRS)	
DIVERSITY AND EQUALITY POLICY	
Diversity & Equality Advisor	Sept 2010
Admin Procedure 1.28	

DIVERSITY AND EQUALITY POLICY

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1. DIVERSITY AND EQUALITY STATEMENT

- 1.1 The Authority is committed to continuous improvement in all diversity and equality matters. This policy ensures that we all work towards achieving a diverse workforce, which serves a diverse community.
- 1.2 Our Diversity and Equality Policy is underpinned by our core values.
- 1.3 All members and employees are required to adopt and continuously work to the core values in everything they do.

Our Core Values Are-

<p>We value SERVICE to the COMMUNITY by:</p> <ul style="list-style-type: none">• Working with all groups to reduce risk• Treating everyone fairly and with respect• Being answerable to those we serve• Striving for excellence in all we do	<p>We value all our EMPLOYEES by practising and promoting:</p> <ul style="list-style-type: none">• Fairness and respect• Recognition of merit• Honesty, integrity and mutual trust• Personal development• Co-operative and inclusive working
<p>We value DIVERSITY in the Service and Community by:</p> <ul style="list-style-type: none">• Treating everyone fairly and with respect• Providing different solutions for differing needs and expectations• Removing barriers to employment and progression within the Service• Challenging prejudice and discrimination	<p>We value IMPROVEMENT at all levels in the Service by:</p> <ul style="list-style-type: none">• Accepting responsibility for our performance• Being open-minded• Considering criticism thoughtfully• Learning from our experience• Consulting others

2 RESPONSIBILITY FOR THE POLICY

- 2.1 The Authority and its' Members have direct responsibility for the implementation, monitoring and review of this policy. On a day-to-day basis this is delegated to the Chief Fire Officer who also has in place a Diversity & Equality Committee, which comprises of members from across the organisation and recognised representative bodies.
- 2.2 In addition, all employees have an individual responsibility in terms of diversity and equality, and are required to:
- Read and ensure that the policies contained within this and other associated documents are carried out; and to
 - Promote and maintain diversity and equality principles both in the working environment and the community.
- 2.3 This document is widely available to all employees of the Authority. Appropriate training is organised on a regular basis and general awareness sessions are carried out.
- 2.4 Advice and guidance on any aspect of the policy can be obtained by contacting the Diversity and Equality Advisor on 0191 4441626 or email at rachel.beadle@twfire.gov.uk
- 2.5 This policy should be read in line with the Dignity and Respect Policy, Recruitment policy and Grievance and Discipline Policies.
- 2.6 The Authority also recognises that, as well as having responsibilities, all staff have rights within the working environment. These rights are detailed below.
- 2.7 This policy will be monitored continuously with a view to improvement wherever possible. As a minimum standard, the Policy will undergo a comprehensive review every two years.

3 EMPLOYEE RIGHTS AND RESPONSIBILITIES

- 3.1 Employees have the right to: -
- Work in a safe, secure and productive environment where they are treated fairly in recruitment, employment, training and promotion
 - Be treated fairly, consistently and with respect by other staff (including managers) and to be treated fairly and courteously by people they provide a service for
 - Refuse an instruction or pressure which may discriminate against other employees or service users
 - Have access to appropriate training and development

- Not be harassed or intimidated by other employees because of any areas referred to in the Diversity and Equality Policy and Code of Conduct
- Be able to make a complaint and to be able to have faith in the investigation process and to receive support during that time
- Be valued by the organisation
- Be able to contact the Equality and Human Rights Commission, ACAS, any recognised body or your Trade Union if they feel the organisation is guilty of bad practice

3.2 Employees have the responsibility:-

- To implement the policy on diversity and equality and to carry out laid down procedures in their job including treating colleagues fairly without prejudice or discrimination
- To report any suspected discriminatory actions or practices
- To develop their skills and to encourage others towards an integrated working environment
- **Not** to unlawfully discriminate against job applicants or employees in recruitment, employment, promotion, conditions of service and training
- **Not** to harass, bully or unlawfully discriminate against people because of any areas referred to in the Diversity and Equality Policy and Code of Conduct
- **Not** to instruct or put pressure on others to discriminate unlawfully
- **Not** to victimise people because they have made a complaint or provided information on harassment or discrimination
- To seek guidance from an appropriate person – e.g. Human Resources Manager, Diversity & Equality Advisor, Trade Union or Line Manager – if in any doubt about any aspect of the policy
- To be aware of the terms and conditions of other Codes of Conduct within the Authority such as Protection of Children and Vulnerable Adults, and the Prevention of Fraud and Corruption
- Not to misuse emails and/or the internet and are reminded that the Authority has a comprehensive policy on such matters, which must be adhered to

4 DIVERSITY AND EQUALITY – GENERAL GUIDANCE

4.1 Detailed within this section is general guidance for employees, prospective staff and the community on the key aspects of our policy. The Authority is committed to meet both statutory and non-statutory duties.

4.2 Applicable Legislation

4.2.1 In addition to the provisions set out in this Policy Document, the Authority is bound by its legal responsibilities.

4.2.2 The key legislation is as follows:

- Sex Discrimination Act 1975 and 1986
- Race Relations Act 1976 and Race Relations Act 2000 (Amendment)
- Disability Discrimination Act 1995
- Equal Pay Act 1970 and Equal Pay Regulations (Amendment)
- Equal Pay (Questions and Replies) Order 2003
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Religion or Belief) Regulations 2003
- Rehabilitation of Offenders Act 1974
- Human Rights Act 1998
- Criminal Justice and Public Order Act 1994
- Protection from Harassment Act 1997
- Employment Protection (Part-Time Employees) Regulations 1995
- Sex Discrimination (Gender Reassignment) Regulations 1999
- Age Regulations from the 1st October 2006
- The requirement to have a Disability Equality Scheme 1st December 2006
- The requirement to have a Gender Equality Scheme 30th April 2007

4.2.3 Direct discrimination occurs where a person of one sex or race is treated less favourably than another person would be in the same circumstances. Examples in the Fire and Rescue Service may include advertising for a fireMAN rather than a fireFIGHTER and in the same way segregating a person from others on racial grounds – e.g. not considering applications from persons of a specific racial group.

4.2.4 Indirect discrimination consists of applying a requirement or condition which, whether intentional or not, adversely affect a considerably larger proportion of one gender or of one racial group more than another. Marriage discrimination can also be direct or indirect.

4.2.5 Under these laws, positive action can be taken legally to encourage disadvantaged groups who have been under-represented in work areas to consider applying for or receive special training for a particular vocation. Positive action **does not guarantee** that anyone of a specific sex or race will gain employment.

- 4.2.6 There is however the provision of Genuine Occupational Requirement (GOR). In certain circumstances it is permissible to specifically advertise for someone of a particular sex or race. In addition where a particular religion or belief is a genuine and determining requirement for the job. An example of this could include working in the community with persons of a specific racial group or to preserve common decency.
- 4.3 An overview of this legislation for reference is provided in Appendix B.

5 MALPRACTICE OCCURRING INSIDE THE WORKPLACE (WHISTLEBLOWING)

- 5.1 The term used to describe arrangements which allow employees to express concerns about any types of malpractice which may be occurring in the workplace is 'whistle blowing'. Such arrangements are closely linked to a culture which encourages individuals to express their concerns (sometimes anonymously) without the fear of intimidation or recrimination, and in the confident knowledge that any reported concerns will be treated seriously and confidentially.
- 5.2 These arrangements are not simply confined to specific issues but encompass breaches of health and safety, malpractice, bullying, harassment, and any other situation that causes an employee to have serious concerns.
- 5.3 The Authority has in place an independent, confidential whistle-blowing hotline 'Safecall' (0870 241 0762) which is available 24 hrs per day. This is to allow any employee to raise concerns about any matter of Authority business whether personally involved, anonymously or otherwise.

Reports taken via Safecall are sent directly to the Service Investigating Officer (or Chief Emergency Planning Officer in the case of the EPU) thereby bypassing the normal reporting structure and ensuring a prompt response. If it is believed that a Principal Officer could be involved, the Clerk to the Fire Authority will be informed and will take any necessary action.

- 5.4 The Safecall number is well publicised within the organisation and by information published in the Service Gazette. In addition, every employee is issued with a credit-card-sized advice sheet for their use.
- 5.5 Safecall can be used to report any incidence of wrong doing in the workplace. It has been designed to reinforce the Authority's determination to have an open, transparent, fair, equal and inclusive culture in which the workplace is free from discrimination, bullying and harassment. This facility allows staff to report wrong doing to an independent body without any fears of recrimination from other staff.
- 5.6 If you require any help or information about this or about any other aspect of the Code of Conduct you can contact the Human Resources Manager on 0191 444 1620 or e-mail enquiries@twfire.gov.uk

USEFUL CONTACT INFORMATION

Internal Resources

Occupational Health Unit	0191 444 1982
Welfare Officer	0191 444 1985
Chaplains - Rev Stephen Hazlett	0191 565 4121
Safecall – Confidential Hotline	0870 2410762

Union Contacts

FBU	Office	0191 444 1510
UNISON Stewards		0191 444 1356 0191 444 1021
GMB	Branch secretary	0191 5538785

External Resources

Equality and Human Rights Commission	<u>www.equalityhumanrights.com</u>
Equality North East	<u>www.equality-ne.co.uk</u>
ACAS	<u>www.acas.org.uk</u>

APPLICABLE LEGISLATION

Below is a list of the legislation and a brief description of its purpose:

Civil Partnership Act 2004

This Act provides legal recognition and parity of treatment for same-sex couples and married couples, including employment benefits and pension rights.

Disability Discrimination Act 1995 as amended

This Act outlaws the discrimination of disabled people in employment, the provision of goods, facilities and services or the administration or management of premises.

Amendments made to the 1995 Act by the Disability Discrimination Act 2005 introduce a positive duty on public bodies to promote equality for disabled people.

The Employment Equality (Age) Regulations 2006

This Act protects against discrimination on grounds of age in employment and vocational training. It prohibits direct and indirect discrimination, victimisation, harassment and instructions to discriminate.

The Employment Equality (Religion or Belief) Regulations 2003

The directive protects against discrimination on the grounds of religion or belief in employment, vocational training, promotion and working conditions.

The Employment Equality (Sex Discrimination) Regulations 2005

Introduces new definitions of indirect discrimination and harassment, explicitly prohibits discrimination on the grounds of pregnancy or maternity leave, sets out the extent to which it is discriminatory to pay a woman less than she would otherwise have been paid due to pregnancy or maternity issues.

The Equality Act (Sexual Orientation) Regulations 2007

These regulations extend the prohibition of discrimination from employment to education, goods, services, facilities and public sector duties.

The Employment Equality (Sexual Orientation) Regulations 2003

The directive protects against discrimination on the grounds of sexual orientation in employment, vocational training, promotion, and working conditions.

Equal Pay Act 1970 as amended

This gives an individual a right to the same contractual pay and benefits as a person of the opposite sex in the same employment, where the man and the woman are doing: like work; work rated as equivalent under an analytical job evaluation study; or work that is proved to be of equal value.

Equality Act 2006

This Act established a single Commission for Equality and Human Rights by 2007 that replaces the three existing commissions. In addition it introduced a positive duty on public sector bodies to promote equality of opportunity between women and men and eliminate sex discrimination. The Act also protects against discrimination on the grounds of religion or belief in terms of access to good facilities and services.

Gender Recognition Act 2004

The purpose of the Act is to provide transsexual people with legal recognition in their acquired gender. Legal recognition follows from the issue of a full gender recognition certificate by a gender recognition panel.

Race Relations Act 1976 as amended

The Act prohibits discrimination on racial grounds in the areas of employment, education and the provision of goods, facilities, services and premises.

Race Relations Amendment Act 2000

Places a statutory duty on all public bodies to promote equal opportunity, eliminate racial discrimination and promote good relations between different racial groups.

Race Relations Act 1976 (Amendment) Regulation 2003

This Act introduced new definitions of indirect discrimination and harassment, new burden of proof requirements, continuing protection after employment ceases, new exemption for a determinate job requirement and the removal of certain other exemptions.

Racial and Religious Hatred Act 2006

The Act seeks to stop people from intentionally using threatening words or behaviour to stir up hatred against somebody because of what they believe.

Sex Discrimination Act 1975 as amended

The Act makes it unlawful to discriminate on the grounds of sex. Sex discrimination is unlawful in employment, education, advertising or when providing housing, goods, services or facilities. It is unlawful to discriminate because someone is married, in employment or advertisements for jobs.

TYNE AND WEAR FIRE AND RESCUE SERVICE (TWFRS)	
DIGNITY AND RESPECT POLICY	
Diversity & Equality Advisor	Sept 2010
Admin Procedure 1.19	

DIGNITY AND RESPECT POLICY

1. PURPOSE

This policy is to ensure all TWFRS employees are treated equally and with respect and dignity whilst at work (or work related events) irrespective of race, disability, age, gender, sexual orientation, religion or belief, gender reassignment, or any other protected characteristics to create a positive working environment for all.

2. SCOPE

This policy applies to all employees, full and part-time, permanent and temporary and covers harassment, bullying and unreasonable behaviour. It outlines some key definitions to be considered and provides guidance in relation to what to do should such behaviours be demonstrated.

The policy should be read in line with the Diversity and Equality Policy 1.28, Discipline Policy 3.05 and Grievance policy 3.16.

3. DEFINITIONS

3.1 Harassment:-

Harassment is the unwanted conduct that is unwelcome and offensive to either men or women. It can be physical, verbal or non-verbal. Examples of harassment include but are not limited to:

Insulting someone or spreading rumours - Sharing personal information with others who do not need to know - Picking on someone - Misuse of power or overloading someone with work to make them look incapable - Unwanted sexual advances such as touching, comments, standing too close or displaying or handing out offensive materials, i.e. nude pictures - Blocking promotion or threatening job security for no reason.

Harassment is also a form of discrimination. Harassment can include verbal abuse, suggestive remarks and unwanted physical contact. You may also be discriminated against if you are victimised because you have tried to take action about discrimination.

3.2 Bullying:-

Bullying is often seen as a form of harassment. Bullying is behaviour that is:

Threatening or intimidating- Offensive/Insulting- Humiliating- A misuse of power by someone in a senior position- Intends to injure or upset the person being bullied.

3.3 Victimization:-

Where a person is treated less favourably than others because they have made, or intend to make, a complaint of discrimination.

Any form of harassment or bullying is unacceptable and TWFRS will not tolerate or condone such behaviour. If such behaviour occurs then it will be subject to our disciplinary procedure and could lead to dismissal.

3.4 Types of behaviour:-

3.4.1 Physical

Physical assault or threat of physical assault
Practical jokes
Initiation ceremonies
Damaging or stealing another's property

3.4.2 Verbal

Shouting or swearing
Talking about people maliciously
Public reprimanding or humiliation
Belittling, patronising comments
Bringing up someone's past failures
Unnecessary phone calls to someone's home
Comments about hours of work or working times
Jokes which single one particular individual out

3.4.3 Non-verbal

'Sending to Coventry'
Giving someone impossible tasks to do
Changing objectives and priorities unnecessarily
Excluding a person
Arranging meetings or events on a frequent basis when someone is not available

4. LEGAL POSITION

Although it is not possible to make a direct claim to an employment tribunal about bullying an employee may be able to bring a complaint under laws which cover harassment and discrimination.

4.1 Gender

The Sex Discrimination Act 1975 and The Sex Discrimination (Gender Reassignment) Regulations 1999 protects against discrimination and victimisation on the grounds of sex, marriage or because some has or intending to undergo gender reassignment.

4.2 Race

The Race Relations Act 1976 gives protection against discrimination and victimisation on the grounds of nationality or colour. The Race Relations Act 1976 (Amendment) Regulations 2003 gives a right to protection from harassment on the grounds of race, ethnic or national origin.

4.3 Disability

The Disability Discrimination Act 1995 protects against discrimination and victimisation on the grounds of disability.

4.4 Sexual Orientation

The Employment Equality (Sexual Orientation) Regulations 2003 protect against discrimination and harassment on the grounds of orientation towards persons of the same sex (lesbian and gay), the opposite sex (heterosexuals) and the same and opposite sex (bisexuals). The Regulations also cover association, i.e. being discriminated against on grounds of the Sexual Orientation of those with whom you associate (for example, friends and/or family).

4.5 Religion or Belief

The Employment Equality (Religion or Belief) Regulations 2003 protect against discrimination and harassment on grounds of perceived as well as actual religion or belief. The Racial & Religious Hatred Act 2006 also protects against discrimination and insisting racial or religious hatred. (i.e. assuming - correctly or incorrectly - that someone has a particular religion or belief). The Regulations also cover association, i.e. being discriminated against on grounds of the religion or belief of those with whom you associate (for example, friends and/or family).

4.6 Age

Employment Equality (Age) Regulations 2006 protects against discrimination and harassment on the grounds of age.

4.7 The Protection from Harassment Act 1997

The Act makes it a criminal offence to pursue a course of conduct, which amounts to harassment of a person. This is a very important piece of legislation which can potentially provide protection in cases of racial harassment, bullying at work, as well as hate mail and persistent unwanted telephone calls.

Harassment is not defined in the Protection from Harassment Act and so it will be a matter for assessment based on each case.

5. PROCESSES AND PROCEDURES FOR DEALING WITH COMPLAINTS OF HARASSMENT OR BULLYING

These procedures do not replace or detract from any employee's statutory rights under discriminatory legislation provisions. This is an internal process and should be treated in accordance with TWFRS Grievance and or Discipline procedure.

5.1 Informal Procedure

Most employees simply want the behaviour to stop. The person who feels they have been subject to harassment may decide to:

- Do nothing having sought advice and information and talked about the situation, the individual may feel that they do not wish to pursue the matter and this is their prerogative.
- Make the person aware that their behaviour is unacceptable and that they should stop. This is often the most successful method of stopping unacceptable behaviour although it is often hard for the person feeling harassed to tackle. It is acceptable to bring a colleague along for support or if preferred to put it in writing. The complaint should be outlined giving specific examples as well as their impact.

All efforts should be made to resolve the issue informally before raising the issue at a formal level. The informal procedure is normally appropriate for "minor" harassment or where it has not been repeated. However, employees are entitled to instigate the formal procedure at any time.

5.2 Formal Procedure

Action may be taken in line with the TWFRS Grievance and or Discipline Procedure and is instigated by the employee who feels harassed or bullied by contacting their Line Manager, or another Manager or person of their choice with who they may feel more comfortable with after which a formal investigation will be carried out.

At all times during the investigation matters will be dealt with in a thorough and impartial manner and all parties concerned will be given a fair hearing and an opportunity to give their version of events.

At all times including the informal stage, confidentiality will be paramount and any evidence gathered as part of a complaint or investigation will be treated as confidential, subject to any statutory requirement.

5.3 Potential actions following Investigation

One of the following decisions will be made:

- Take no further action
- Recommend action other than the Disciplinary procedure to resolve the situation
- Initiate Disciplinary procedure

The outcome of the investigation will be communicated fully to all involved.

SUBJECT: THE EQUALITY ACT 2010

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

1 INTRODUCTION

- 1.1 Members will be aware that, following an extensive consultation period by central Government, the new Equality Act 2010 came into force on 1st October 2010. The Act applies to all organisations that provide a service to the public and to anyone who sells goods or provides facilities.
- 1.2 The purpose of this report is to inform members of the key features of The Equality Act 2010.

2 BACKGROUND

- 2.1 Although much has been done to make sure people are treated fairly in Britain there are still major challenges to be addressed in relation to equalities. For example, the pay gap between men and women, the low levels of black and minority ethnic and disabled people in employment, and poor life chances for young people in less wealthy families.
- 2.2 A range of research has highlighted that equalities legislation had become outdated, long and complex and focused on paperwork and box ticking. It tended to look at specific strands such as gender, race, sexual orientation, rather than viewing people as individuals with different characteristics for example a person could be male, disabled and gay which stretches across three strands.
- 2.3 Subsequently, the previous Government made a decision to revise and bring together the existing equality laws to make them clearer, stronger and easy to follow which has resulted in the Equality Act 2010.

3 THE EQUALITY ACT

- 3.1 The Equality Act is a major piece of legislation, bringing all of the current nine discrimination laws into one whilst streamlining and simplifying the legislation. It harmonises the definitions and exceptions and strengthens the law in order to tackle discrimination and inequality.
- 3.2 In summary, The Act includes the following:
- A new Equality Duty on public bodies
 - Bans age discrimination
 - Bans dual discrimination
 - Gender pay and equality reporting*

- Extends positive action*
- Strengthens protection for disabled people
- Power to ban caste discrimination
- Socio-economic duty*

* Ministers are currently considering how to proceed with these areas.

3.3 The Act places a general duty to eliminate discrimination, harassment, and victimisation, advance equality of opportunity; and foster good relations. It includes specific duties to: publish data, assess impact, set equality objectives; report progress at least annually and also promotes transparency on data to drive culture change moving towards democratic accountability rather than bureaucratic, tick box type processes.

4 KEY CHANGES

4.1 The Equality Act protects people from discrimination on the basis of 'protected characteristics' (previously called 'grounds', or referred to as 'strands'). These are:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Marriage and Civil Partnership
- Race
- Religion or belief
- Sex; and
- Sexual orientation

4.2 **The definition of 'disability' has changed** to 'a person who has a physical or mental impairment that has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.' To qualify for protection from discrimination, a disabled person no longer has to show that their impairment affects a particular 'capacity', such as mobility or speech, hearing or eyesight.

4.3 **The definition of 'gender reassignment' has changed** and will apply to 'a person who is proposing to undergo, is undergoing or has undergone a process to change their sex. A transgender person no longer has to show that they are under medical supervision in order to qualify for protection under the Act.

4.4 **Direct discrimination** has been extended to cover discrimination by association and perception in relation to all protected characteristics with the exception of Marriage and Civil Partnership and Pregnancy and Maternity. It is now recognised that direct discrimination can occur even though that person does not have the characteristic for example if they are treated less favourably because they are associated with someone who has a protected characteristic or because they are wrongly thought to have a particular protected characteristic.

4.5 **Indirect discrimination** now applies to disability and gender reassignment as well as the other protected characteristics. Whilst 'pregnancy and maternity' are not covered by indirect discrimination, policies and practices that put pregnant

women and new mothers at a disadvantage could constitute unlawful indirect sex discrimination.

4.6 Harassment - Whilst the provision under harassment remains predominantly unchanged the harmonisation of the definition has included harassment on the association or perception of a protected characteristic.

4.7 Victimisation - The provision is substantially the same with the exception of removing the need for a claimant to identify a comparator.

5 NEXT STEPS

5.1 The Chief Fire Officer is currently in the process of reviewing existing equality and recruitment policies to ensure they are consistent with the Act.

5.2 The majority of the Act came into force on October 1st 2010 with a few elements coming into force in November.

5.3 Consultation is currently underway regarding specific duties regarding the Public Sector Equality Duty until 10 November 2010 and it is envisaged that this will be implemented on 1 April 2011.

5.4 The age discrimination ban will come into force in 2012.

6 RISK MANAGEMENT

6.1 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 low 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.

7 FINANCIAL IMPLICATIONS

7.1 There are no financial implications in relation to this report.

8 EQUALITY AND FAIRNESS IMPLICATIONS

8.1 Equality and fairness implications in relation to the implementation of The Act are outlined in the main body of this report.

8.2 It is essential that the Authority continues to prepare for the implementation of all elements of the Act as and when they come into force to ensure policies and procedures are up to date and accurate in terms of legislative requirements.

9 HEALTH AND SAFETY IMPLICATIONS

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

10 RECOMMENDATIONS

Creating the Safest Community

10.1 Members are is recommended to:

- a) Endorse the actions taken by the Chief Fire Officer;
- b) Receive further reports as appropriate.

BACKGROUND PAPERS

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

- National Equality and Diversity Strategy 2008-18.
- Government Equalities Office summary and guides – Equality Act 2010: What do I need to know? www.equalities.gov.uk
- Equality and Human Rights Commission detailed guidance at www.equalityhumanrights.com

SUBJECT: REVIEW OF AUDIT COMMISSION EQUALITY AND DIVERSITY REPORT

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

1 INTRODUCTION

- 1.1 The purpose of this report is to provide Members with an update regarding progress made against the recommendations of the Audit Commission Equality and Diversity Report 2009.

2 BACKGROUND

- 2.1 The Audit Commission's 2008 Direction of Travel (DoT) assessments of fire and rescue services, determined that no service could be viewed as an exemplar of best practice in its approach to equality and diversity.
- 2.2 As a result, Tyne and Wear Fire and Rescue Authority were subject to a review of its equality and diversity policies and processes. This review was carried out as part of the 2008/09 external audit process.
- 2.3 The audit was undertaken within a regional framework that covered Tyne and Wear, Cleveland, and Durham and Darlington Fire and Rescue Authorities.
- 2.4 The process involved an examination of key documents including the findings from the successful level three review of the Equality Standard for Local Government (ESLG), workshops with a range of staff representatives and an observation of a regional positive action activity.
- 2.5 A final report was collated and presented to each Fire and Rescue Authority in May 2009 which encompassed both regional and individual authority findings along with an action plan of recommendations for improvement.
- 2.6 The focus of this report is the Audit Commission's recommendations for improvement contained in the Audit Report. Findings regarding good practice within Tyne and Wear can be found in the Audit Commission Report: Equality and Diversity – Tyne and Wear Fire and Rescue Authority; May 2009.

3 ACTION PLAN – PROGRESS TO DATE

- 3.1 The Audit Commission report highlighted areas for development which would compliment the commitment and work of the Service. Key recommendations are outlined below along with a summary of progress made to date to address the development areas identified:

- 3.2 **More effective use of regional resources** - to share good practice and develop a more consistent approach to self assessment and to improve learning from further external assessment against the Equality Standard.

Action taken:

- Regional GAP analysis against National Equality and Diversity Strategy 2008-2018 complete.
- The Authority declared level 4 of ESLG and migrated to the 'Working towards Excellence' level of the Fire and Rescue Service Equality Framework (FRSEF).
- Regional and local GAP analysis against FRSEF complete.
- FRSEF regional development workshop.
- Development of a regional evidence database.

- 3.3 **Develop corporate website** - to ensure that best practice is adopted, and consistent messages given on recruitment.

Action taken:

- Development of a regional recruitment website.
- North East recruitment portal launched and utilised for regional recruitment (subsequently evaluated as a successful recruitment tool).
- Development work undertaken in relation to the Authority's diversity and equality internet and intranet content.
- Equality Impact Assessment (EIA) information now published and EIA register available to the public via the Authority's internet.

- 3.4 **Continue to monitor the quality of applicants attracted by positive action** - activity to assist in evaluating whether the initiative is targeting suitable applicants.

Action taken:

- Positive Action (PA) Plan implemented during 2009 which included an interactive 10-month PA programme, targeted development workshops for women and black and minority ethnic (BME) candidates, an employment conference for careers advisors, development of a brand identity to promote the role of Firefighter and various targeted marketing initiatives e.g. the use of Facebook, Bluetooth technology, advertising on Real Radio and Spice FM (Asian North East radio station).
- Implementation of the PA Plan was carefully monitored at each stage and results have shown it has been a great success in terms of attracting and recruiting females and BMEs.

- The November 2009 regional Firefighter recruitment campaign saw a 76% increase in female applicants and 122% increase in BME applicants since the 2008 campaign. A total of 35% of females and BME individuals applying to the role had been part of the PA programme.
- Following completion of the regional Firefighter recruitment campaign, a Firefighter trainee course commenced in September 2010 comprising 30 individuals. Of those individuals 5 are females and 2 have classified themselves as BME, proving the success of the PA activities carried out.
- The Chief Fire Officer on behalf of the Authority has entered the 2010 North East Equality Awards, 'Outstanding Contribution by a Larger Organisation' category for their work around positive action. Results will be announced late October 2010.

3.5 Ensure that the potential role of all front line staff as ambassadors for the service is considered as part of the recruitment process and engaging minority and vulnerable communities in wider community safety initiatives.

- All staff were invited to be involved in the recruitment process through the delivery of a specific core briefing to all employees. Several members of staff volunteered to support the regional firefighter campaign and participated in positive action activities including the brand campaign and targeted radio advertising.
- Members will be aware that the Authority launched two Employee Advisory Groups (EAG) in early 2010; one to focus on Sexual Orientation and the other on Disability. Both groups have proved to be a great success where employees have been actively engaged in policy development impacting directly upon the community including reviewing the Single Equality Scheme.
- The Sexual Orientation EAG has co-ordinated a number of engagement activities including the 2010 Pride event which involved engaging with our lesbian, gay, bisexual and transgender community and communicating key fire safety messages. This event was hosted in partnership with Northumbria Police.
- A new Community Relationship Manager has joined the Authority and is currently developing a Community Engagement Strategy for the Authority, which will be subject to a report.

4 FURTHER DEVELOPMENT WORK

4.1 The Chief Fire Officer is pleased to report that the Audit Report Action Plan has now been fully implemented however development will continue in the areas as recommended by the Audit Commission in order to ensure continuous improvement, including:

- Review positive action initiatives;
- Review the current content of the D&E web pages including researching best practice; and

Creating the Safest Community

- Amend and republish the EIA register and information.

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 low 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.

6 FINANCIAL IMPLICATIONS

- 6.1 There are no financial implications in relation to this report.

7 DIVERSITY AND EQUALITY IMPLICATIONS

- 7.1 Diversity and equality implications are contained within the main body of this 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 recommended to:
- a) Note the contents of this report;
 - b) Endorse the progress made in this area;
 - c) Receive further reports as appropriate.

BACKGROUND PAPERS

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

- Strategic Community Safety Plan 2010/13
- National Equality and Diversity Strategy 2008-18
- Audit Commission Report: Equality and Diversity – Tyne and Wear Fire and Rescue Authority; May 2009.

SUBJECT: LAUNCH OF E-NETWORK FOR LESBIAN, GAY AND BISEXUAL EMPLOYEES

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

1 INTRODUCTION

- 1.1 This report provides Members with an overview of the recently launched e-network for lesbian, gay and bisexual (LGB) employees of the Authority.

2 BACKGROUND

- 2.1 The Chief Fire Officer on behalf of the Authority has entered the Service in the Stonewall Workplace Equality Index Top 100 Employers¹ for four consecutive years. One key area for improvement identified as part of this process was to enhance engagement with LGB people, specifically with employees.
- 2.2 In order to address this development area an Employee Advisory Group (EAG) for Sexual Orientation was constituted to provide guidance in relation to LGB issues, advise on policy and procedural issues to ensure inclusivity for LGB people, and most importantly to provide a support mechanism for LGB employees.
- 2.3 Once established the EAG (including LGB and non-LGB members) undertook a project to develop an employee e-network to support the work of the EAG.

3 E-NETWORK SET-UP AND LAUNCH

- 3.1 Unfortunately, previous attempts to set up an employee network had not been as successful as hoped; this led to in-depth research into identifying successful models which existed in other organisations.
- 3.2 To try and ensure similar success of the new e-network the EAG decided to adopt a different approach in order to develop a useful, informative, supportive and practical network, which would be used by both LGB employees and non-LGB employees, to add value to the work of the Authority.
- 3.3 EAG group members carried out extensive consultation and research regarding e-networks and worked closely with the e-communications Officer to collate key details for the e-network and create an interesting and informative site.

¹ Stonewall is an organisation which works to achieve equality and justice for lesbian, gay and bisexual (LGB) people and runs a national Index each year which showcases Britain's top 100 employers for the 1.7 million LGB people in Britain.

- 3.4 Fully endorsed by the Chief Fire Officer, the Strategic Management Team, the Stonewall Diversity Champion and the EAG Champion, Vice Chair of the Fire Authority Councillor Nick Forbes, the first Service-wide LGB e-network was launched in September 2010.

4 E-NETWORK AIMS AND OBJECTIVES

- 4.1 It is vital that the Authority effectively engages with LGB employees to ensure as an employer it is providing the right support and creating an environment where LGB staff are comfortable, and feel safe and valued as an employee of the Authority.
- 4.2 Research shows that employees who can be themselves at work will perform to the best of their abilities, reaching their full potential, which provides many benefits for the organisation and in turn for the LGB community in terms of ensuring the provision of appropriate services.
- 4.3 To achieve a clear focus and direction for the LGB e-network the EAG identified six key objectives:
- Provide information and support for all employees on LGB issues;
 - Advertise social and other networking events for LGB staff;
 - Raise awareness for non LGB staff and managers;
 - Provide links to other LGB employee network groups and support mechanisms;
 - Provide contacts for LGB staff with issues at work; and
 - Provide a confidential discussion forum for LGB staff.

5 E-NETWORK ACCESS

- 5.1 The e-network is housed within the Service intranet, and is accessible to all employees to raise awareness and understanding of LGB issues across the Service, equipping employees with the knowledge needed to be able to effectively serve LGB communities.
- 5.2 The e-network incorporates a confidential discussion forum, which is accessible only to LGB staff. LGB staff who wish to use the confidential discussion forum can request membership via the EAG.
- 5.3 The confidential discussion forum provides a facility for LGB employees to explore personal or sensitive issues they may be facing. Action can then be taken by EAG group members to support and assist individuals as required.

6 E-NETWORK BENEFITS

- 6.1 Committing to a LGB employee e-network demonstrates that the Authority is proactively supporting LGB employees and awareness of LGB issues can be raised throughout the organisation. Further engagement may also result in opportunities for improved partnership working, training, networking, etc.

- 6.2 An e-network is a more efficient method of communication in comparison to telephone calls, emails, etc. leading to improved communication within the Service and amongst the LGB group.
- 6.3 The e-network could facilitate the sharing of initiatives, ideas and common obstacles to help improve the overall Service.

7 E-NETWORK EVALUATION

- 7.1 An evaluation will be carried out in February 2011 (six months after implementation of the e-network) and will include an on-line survey for all employees. The survey will be designed to assess the success of the six objectives outlined in 4.3 and to consult with LGB employees on improvements. A focus group will also be undertaken with EAG members.
- 7.2 Quantitative information will be collected to inform the evaluation including the number of hits made to the e-network and discussion forum, as well as closed survey questions as part of the electronic survey.

8 RISK MANAGEMENT

- 8.1 There is a risk that the discussion forum may be misused however, this will be mitigated by the use of a moderator and managed in the same way as all electronic communications methods (email, internet use etc.) via the acceptable usage policy and code of conduct.
- 8.2 There is a risk that the purpose of the e-network is not communicated correctly, which may result in employees being overcautious about using it, or not using it at all. This risk will be controlled by clear communication as to the purpose of the e-network. There is also a risk the e-network is not used at all which will be reviewed at the evaluation stage.
- 8.3 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 low 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.

9 FINANCIAL IMPLICATIONS

- 9.1 The work required to create and set up the e-network was undertaken as part of the e-Communications Officer and EAG roles and there are no direct costs associated with establishing the new intranet pages and a discussion forum.

10 DIVERSITY AND EQUALITY IMPLICATIONS

- 10.1 Some employees may not have the necessary ICT skills to use the facility and this could include LGB employees. Mitigation is via monitoring by line managers and addressed via the Personal Development Plan process. The e-Communications Officer upon request will provide extra training and support to use the discussion forum.

Creating the Safest Community

10.2 There may be issues arising if any users have visual impairment or learning difficulties. Again, this should be identified via the line management structure and addressed through available support mechanisms.

11 HEALTH AND SAFETY IMPLICATIONS

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

12 RECOMMENDATIONS

12.1 Members are recommended to:

- a) Note the contents of this report;
- b) Endorse the actions taken by the Chief Fire Officer;
- c) Receive further reports as appropriate.

BACKGROUND PAPERS

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

- TWFRS Intranet LGB E-Network
- Network Groups: setting up networks for lesbian, gay and bisexual employees - Stonewall Workplace Guide available via www.stonewall.org.uk

1 INTRODUCTION

- 1.1 The purpose of this report is to inform members of the Authority's achievement in being selected as a finalist in the 'Outstanding Practice by a Larger Organisation' category as part of the 2010 North East Equality Awards.

2 BACKGROUND

- 2.1 The North East Equality Awards, sponsored by ONE NorthEast recognise and reward employers, learning providers and individuals who strive to ensure that good equality and diversity practices are implemented in their workplace, improving recruitment and retention for people from diverse groups.
- 2.1 Previous winners and shortlisted applicants are able to demonstrate, through recognition and positive publicity, that they have good policies and procedures leading to a number of benefits such as better staff retention rates and a greater chance of finding the right people for the right jobs.
- 2.2 Organisations from voluntary and community, private, and public sectors with over 250 employees, who can demonstrate that they have made an outstanding contribution in promoting equality and diversity in the community, are eligible to enter.
- 2.3 The Chief Fire Officer on behalf of the Authority submitted an application within the 'Outstanding Practice by a Larger Organisation' category for the successful implementation of the Positive Action Plan devised in 2009.

3 AWARDS CRITERIA

- 3.1 When evaluating applicants within the 'Outstanding Practice by a Larger Organisation' category the judges will be looking for initiatives, projects or strategies that, by their consideration support the Strategic Equality and Diversity Action Plan by:
- Encouraging participation of under-represented groups in the labour market;
 - Increasing the pace of diversity and equality engagement within public sector organisations;
 - Increasing awareness and engagement of diversity and equality within private sector organisations; and
 - Ensuring that the procurement process effectively takes account of the diversity and equality agenda for clients and suppliers.

4 AWARD APPLICATION

- 4.1 The Authority's only focussed on the successful implementation of the Positive Action (PA) Plan, including a range of actions to promote the Fire and Rescue Service to under-represented groups.
- 4.2 The aim of the 10-month PA programme, specifically tailored and promoted to females and black and ethnic minority individuals, was to address the imbalance of under-represented groups within the Authority workforce.
- 4.3 Open to all under-represented groups, this free programme delivered a variety of fitness sessions and workshops to educate and prepare potential candidates for all elements of the recruitment process and role of a Firefighter.
- 4.4 The Service recruitment team, Community Advocates and BME partners worked together to generate interest and support the programme. A group of 70 candidates attended each monthly event, delegates made up of 60% females and 40% BME's.
- 4.5 A successful Employment Conference specifically tailored to the careers advisors and community leaders within the BME community, informed participants of the variety of career opportunities that exist in the Service, which in turn could be promoted by participants within their respective communities.
- 4.6 A variety of initiatives were also adopted as part of the PA plan including the use of Facebook to promote the PA programme, Bluetooth Technology to promote the firefighter campaign used at different concerts and the Newcastle Mela, the development of a regional website and DVD, along with placing adverts on Real Radio to specifically attract female applicants.
- 4.7 Partnership working with Spice FM, the only Asian North East radio station, also took place to promote all career opportunities and inform people in the Asian community of the recruitment process with an informative question session.
- 4.8 Implementing the PA Plan resulted in a significant increase in the number of females and BME applicants in the 2009 Firefighter recruitment campaign.
- 4.9 Since the 2008 campaign the Authority had seen a 76% increase in the number of females and 122% increase in BMEs applying to the Service. 35% of applicants in 2009 had been part of the PA programme. Furthermore, 44% of candidates who were successful through the whole process had taken part in some or all of the PA events.
- 4.10 The major success of its PA Plan led to the application for an award as part of the 2010 Equality North East Awards.

5 NEXT STEPS

- 5.1 The Chief Fire Officer awaits the results of the winner of the 'Outstanding Practice by a Larger Organisation' category, which will be announced at the Awards event on Friday 22 October held in Newcastle-upon-Tyne.
- 5.2 Regardless of the outcome, the Chief Fire Officer considers that the strength of the positive action programme has actively contributed to improving the diversity of the workforce and that this initiative deserves recognition in that respect alone.

6 RISK MANAGEMENT

- 6.1 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 low 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.

7 FINANCIAL IMPLICATIONS

- 7.1 There are no financial implications in relation to this report.

8 DIVERSITY AND EQUALITY IMPLICATIONS

- 8.1 By participating in the North East Equality Awards the Authority is demonstrating its commitment to driving forward the diversity and equality agenda.
- 8.2 The actions implemented as part of the PA Plan were clearly a success in promoting the role of a Firefighter to females and BME individuals. This is reflected in the trainee course of September 2010 where out of 30 individuals on this course, 5 are females and 2 have classified themselves as from a BME background.
- 8.3 Due to the success of the PA process and the individuals involved, the Service can continue to build on this excellent work in order to continue to increase the diversity of its workforce, which will benefit internal culture and enhance the services provided to the diverse communities of Tyne and Wear.

9 HEALTH AND SAFETY IMPLICATIONS

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

10 RECOMMENDATIONS

- 10.1 Members are recommended to:
 - a) Note the contents of this report;
 - b) Endorse the actions taken by the Chief Fire Officer;

- c) Consider a letter of appreciation to the staff involved in the programme;
- d) Receive further reports as appropriate.

BACKGROUND PAPERS

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

- National Equality and Diversity Strategy 2008-18.
- 2010 North East Equality Awards Application Form (available from the Recruitment and Selection Manager).

HUMAN RESOURCES COMMITTEE

MEETING: 18 OCTOBER 2010

SUBJECT: COMMUNITY ENGAGEMENT FILM PROJECT

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

1 INTRODUCTION

- 1.1 The purpose of this report is to update Members on progress of the Community Engagement Film Project.

2 BACKGROUND

- 2.1 Members will be aware that in 2008, the Authority and Tyneside Cinema came together to discuss the idea of working with young people to produce a documentary film, which would engage young people, increase the exposure of the Authority with under-represented groups and raise the profile as an employer of choice within BME communities.
- 2.2 In late 2008 a group of 12 young people from a wide range of backgrounds were brought together and, working with Tyneside Cinema, they learnt how to operate cameras and sound equipment and also how to direct, produce and edit film.
- 2.3 Throughout 2009, the young film makers developed their idea to produce a documentary on the Service. They filmed and interviewed a wide variety of staff and recorded over 40 hours of footage, which they edited down to produce a 25 minute documentary covering all aspects of the Fire and Rescue Service.
- 2.4 The premier of the documentary entitled "1253 Life Savers!" was held at the Tyneside Cinema on 15th October, 2009 and since then the film has been shown at recruitment and community events across the Authority area.

3 GOVERNMENT AGENDA

- 3.1 The Fire and Rescue Service Equality and Diversity Strategy 2008 – 2018 aims to meet the challenge to bring real, radical, lasting change to the Fire and Rescue Service in England.
- 3.2 The Strategy sets out a Vision for the Fire and Rescue Service and the Goals which should be achieved by 2018 to realize this vision. It is designed to guide and support every Fire and Rescue Authority to deliver an effective service to everyone in the community and to treat all employees with fairness, dignity and respect. It also sets out our commitment, direction and goals, which include;

- The workforce better reflects the communities we serve.
- Talented people from all parts of the community are encouraged to join us.
- Recruitment of minority ethnic employees is at the same percentage or higher than the representation of the working age population.

3.3 The Strategy set out specific targets to achieve the change in the workforce profile, however, the Authority has agreed in principle to adopt stretch targets for the recruitment of BME and women. The stretch targets equate to 18% for women recruited into operational posts and 9.2% recruitment of BME candidates into all parts of the organisation.

4 EVALUATION

4.1 Evaluation has been carried out amongst groups from various backgrounds to measure their opinions before and after viewing the documentary. The evaluation captures the views of both potential employees and of other partners and employers within the region.

4.2 As shown below the evaluation carried out to date has shown that the film has had a positive effect in changing the views of audiences.

Potential Employees

Prior to watching the Community Engagement Film

- Only 42% had considered a career with the Authority
- Only 13% were aware of the various careers available within the Authority
- Only 47% were aware of the work carried out within the community by the Authority

After watching the Community Engagement Film

- 82% would consider a career with the Authority
- 100% were aware of the various careers available within the Authority
- 100% were aware of the work carried out within the community by the Authority

Business Leaders – Potential Employers

Prior to watching the Community Engagement Film

- Only 20% had considered recommending a career with the Authority
- Only 10% were aware of the various careers available within the Authority
- Only 50% were aware of the work carried out within the community by the Authority

After watching the Community Engagement Film

- 100% would consider recommending a career with the Authority
- 100% were aware of the various careers available within the Authority

Creating the Safest Community

PREVENTING PROTECTING RESPONDING

- 100% were aware of the work carried out within the community by the Authority

4.3 An edited version of the film will be continually used by the Authority's Prevention and Education teams, Recruitment and Selection Department and BME Community Advocates, who will show the film at all appropriate events. A copy of the film is available on request to the Chief Fire Officer.

5 RISK MANAGEMENT

5.1 The risk to the authority was assessed as minimal utilising the standard risk matrix.

6 FINANCIAL IMPLICATIONS

6.1 The financial implications of this project amounted to £31, 500. A funding grant from Gateshead council was secured which amounted to £12,800.

6.2 By utilising internal skills and equipment within the Authority, a further saving of £3,700 was achieved to offset against the total cost.

6.3 The financial contribution of the Authority amounted to £15,000 which was met from existing budgetary heads.

7 DIVERSITY AND EQUALITY IMPLICATIONS

7.1 The project is an innovative approach to supporting the Authority in the diversification of our workforce as detailed as a responsibility under the FRS Equality and Diversity Strategy and the National Framework.

7.2 This project directly supports the Authority's Equality and Diversity agenda, specifically in engaging positively with individuals from the BME community and seeks to improve the transparency of the Authority with BME communities and position us as an employer of choice.

7.3 By distribution through the extended networks of the BME communities, the Authority not only gains greater exposure as an employer, but can also include key information on Community Safety within the packages to reach our diverse communities.

7.4 Furthermore this will provide evidence of progress on equality and diversity to Communities and Local Government for publication, as required annually in the Fire and Rescue Service Equality and Diversity 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) Note the contents of this report
- (b) Endorse and support the Community Engagement Film project;
- (c) Receive further reports as necessary

BACKGROUND PAPERS

The under mentioned background papers refer to the subject matter of the above report:

- Fire and Rescue Service Equality and Diversity Strategy 2008 – 2013
- National Framework 2008 - 2011