



TYNE AND WEAR FIRE AND RESCUE AUTHORITY HUMAN RESOURCES COMMITTEE

Minutes of the Meeting held on Monday 22 July 2019 at 10.30am in the Fire and Rescue Headquarters, Barmston Mere, Sunderland

Present:

Councillor Haley in the Chair.

Councillors Dodds, Flynn, Pickard, Taylor and Woodward.

Part I

Apologies for Absence

Apologies for absence were received from Councillor Stephenson.

Declarations of Interest

Councillors Dodds and Woodward declared an interest in item 7 'Overpayment Policy'. Councillor Dodds was a recipient of a Firefighters pension and Councillor Woodward was an employee of the Department of Work and Pensions.

Minutes

1. RESOLVED that the minutes of the Human Resources Committee held on 4 February 2019 Part I, be confirmed as a correct record.

Northern Pride

The Chair referred to the Pride event which had been held in Newcastle over the weekend and the great success of the Blue Light breakfast. This was another excellent example of the Fire Service, Police and now the Police and Crime Commissioner's Office working together. The Chair extended his thanks to all those involved in the event.

ACO Baines added his thanks to the Authority Members, staff groups and the Fire Brigades Union for their involvement in Pride. It was noted that the Sunderland Pride event would be held in September.

HMICFRS Inspection

The Chair advised that he had requested that a paper be brought to the Human Resources Committee, following an analysis of the HMICFRS inspection report, setting out what the inspection result would mean for the Committee.

Investors in People (IiP) Update – 24 Month Review Outcome

The Chief Fire Officer/Chief Executive (the Clerk to the Authority), Strategic Finance Manager and the Personnel Advisor to the Authority submitted a joint report updating Members of the outcome of the recent Investors in People (IiP) 24 month review carried out over April and May 2019.

The Investors in People award process was on a three year cycle with reviews carried out at 12 and 24 months. The 24 month review took place in April and May 2019 and was focused on two key themes: the impact and understanding of the Leadership Bond Behaviours amongst representative managerial and non-managerial employees; and the Service's Senior Management Group experiences of working with the new Personal Development Review (PDR) process. These areas linked to IiP Indicator One: Leading and Inspiring People and Indicator Four: Managing Performance. They also crossed over into Indicator Three: Empowering and Involving People and Indicator Five: Recognising and Rewarding High Performance.

The assessor facilitated two separate focus groups and held a series of 1-2-1 calls with members of the Senior Management Group. The outcome of the 24 month review was that Tyne and Wear Fire and Rescue Service continued to be recognised as an Investors in People Gold organisation. Members were reminded that the HMICFRS inspection report had highlighted that the service was 'good at looking after [its] people' and 'had passionate staff who [were] proud to serve their community'.

The IiP Gold standard accreditation would expire in April 2020 and Members were asked for their continued support in maintaining the accreditation with IiP for a further three year term.

Councillor Woodward commented that a lot of this information would come out through the HMICFRS inspection report but the general direction of travel was very positive.

The Chair noted that it was useful to have external organisations to come and look at services as a whole. There would be further expenditure associated with continued IiP accreditation but he viewed this as good value for money. ACO Baines stated

that he worked with the Authority's Strategic Finance Manager in terms of forward looking for budgets to ensure that this was able to be funded.

Upon consideration of the report, it was: -

2. RESOLVED that: -

- (i) the contents of the report be endorsed;
- (ii) the service be supported in continuing its accreditation with LiP; and
- (iii) further reports be received as appropriate.

Family Friendly Procedure

The Chief Fire Officer/Chief Executive (Clerk to the Authority), Strategic Finance Manager and the Personnel Advisor to the Authority submitted a joint report providing an update on the recent review of Family Friendly Procedures, including Maternity, Adoption, Paternity and Shared Parental Leave.

The Human Resources Manager presented the report and advised that maternity pay provisions had been revised in 2015 and it had been agreed to review these again in 2018. The National Fire Chiefs Council (NFCC) led research on this and had looked at a standardised approach. It was found that maternity and adoption were treated differently, as was the way that return to work was managed.

The proposed policy brought together family friendly elements including maternity, paternity, adoption, shared parental leave, surrogacy, fertility treatment, health and safety, returning to work and alternative duty arrangements. In relation to Maternity, Adoption and Shared Parental Leave, it was proposed that the entitlement be changed from one weeks pay at 100%, five weeks at 90%, 21 weeks at 50% SMP and 12 weeks at SMP to 26 weeks pay at 100% and 13 weeks at SMP. Paternity Leave was to be two weeks pay at 100% instead of one week at 100% and one week at SPP.

In addition to the increased benefit to employees, the frequency of payments would be more bespoke and tailored to each employee. Throughout the review, the Joint Consultative Committee have been kept informed and involved in the development of key proposals and around 100 people in Staff Network Groups and workshop sessions had been consulted on the review.

There would be a potential increase in revenue expenditure of approximately £40,000 per year based on the average number of employees undertaking leave and this expenditure could be accommodated within the Employee budgets for the Service.

Councillor Dodds commended the report, not only what was being done but the depth to which the work had gone. He was not surprised that the return to work rate at Tyne and Wear Fire and Rescue Service was so high.

Councillor Woodwark asked if the Family Friendly Procedure would include provision for carers and was also pleased to note that it was not just the formal staff networks which had taken part in the review.

ACO Baines said that the work had taken place over a lengthy period and there had been great feedback from staff and that the Human Resources Manager and her team had done an excellent job. The procedure was about providing a wraparound package for staff and caring responsibilities were picked up in the Flexible Working policy. The Human Resources Manager added that as part of the workshops they had looked to futureproof the policy by including grandparental leave and provision for adoptive carers.

The Chair asked which of the local representative bodies had been involved in the review and ACO Baines advised that the FBU, Unison and GMB had been involved on a local level and feedback had been given nationally.

Having considered the report, the Committee accordingly: -

3. RESOLVED that: -

- (i) the contents of the report be noted;
- (ii) the increase in pay provisions set out in section 4.4 of the report be endorsed; and
- (iii) further reports be received as appropriate.

Firefighter Recruitment

The Chief Fire Officer/Chief Executive (Clerk to the Authority), the Strategic Finance Manager and Personnel Advisor submitted a joint report advising of the current position relating to the Firefighter recruitment campaign, providing an update since the appointment of 24 trainee Firefighters and the approach to diversifying the workforce.

ACO Baines stated that inclusivity was key to the recruitment campaign and this was done in both targeted and more subtle ways, however the bottom line was to attract the highest quality candidates. The current campaign was being carried out in partnership with County Durham, Darlington and Northumberland Fire and Rescue Service and it was the intention to make 30 offers of employment with a course beginning on or around 16 September 2019.

Following the recruitment process which had taken place earlier in the year a debrief had been conducted with key themes identified and working groups set up to challenge the topics identified as improvement areas: -

- Employer Branding – how we present and describe TWFRS as an employer of choice, as well as our employee value proposition.
- Recruitment Process – the candidate experience from application, on boarding to hire.

- Inclusive workforce – how do we work with our current employees to inform and educate them on diversification, allowing them to become the advocates of change through delivery of key messages.

A new whole-time recruitment process would be launched before Christmas and the cost of this was in line with the previously allocated budget of £230,000. Online testing provided by the Fire Service College would cost £7,400 and the use of targeted social media and job boards would cost £4,000.

Councillor Dodds asked if data from previous applications was being retained and ACO Baines stated that it had been retained in line with GDPR. Previous applicants would be encouraged to reapply but it was the intention to broaden out the pool with each campaign.

The Human Resources Manager noted that as part of the debrief, partners had looked at where protected groups may have been disadvantaged. ACO Baines added that the focus was on the point of entry and getting applicants from a range of backgrounds.

Councillor Pickard highlighted that the Service was making a big investment in its people and there was good feedback from trainees; this was why family friendly policies were crucial to the development of the service.

Councillor Flynn commented that it was pleasing that last year's recruitment process was not a one off and more trainee firefighters were being sought. ACO Baines advised that there was good predictive analysis which balanced the needs of the Service and ensured that it was not heading over establishment at any point.

Councillor Taylor referred to non-front line recruitment and asked if there were any staff on temporary contracts. ACO Baines stated that there were some non-Grey Book staff who had fixed term contracts and that the approach tended to be used when the Service was required to backfill posts. Wherever the opportunity existed, the Service would seek to create substantive posts. The policy had also been to avoid compulsory redundancies and temporary staff had been used in these circumstances.

The Human Resources Manager stated that it was still not possible to have a 100% permanent non-front line workforce; prior to the Organisational Management Review there had been 60% temporary staff and this was now 15-20%. Four departments were part of the current IRMP review.

Councillor Woodward noted that changing diversity was a recruitment driver and supported this being foremost in the thinking for campaigns. The Human Resources Manager said that many lessons had been learned from the previous campaign and suggestions put forward had been used to develop some bespoke branding.

4. RESOLVED that: -

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

Overpayment Policy

The Chief Fire Officer/Chief Executive (Clerk to the Authority), Strategic Finance Manager and the Personnel Advisor to the Authority submitted a joint report setting out a draft overpayment recovery policy in relation to Firefighter Pensions.

The report was in relation to Grey Book staff only and brought forward a proposed policy in line with best practice. The Scheme Administrator had highlighted that the Service did not have a policy in place with regard to the recovery of overpayment of Firefighter pensions. From 1 April 2018 this would be covered by the policies and procedures of West Yorkshire Pension Fund (WYPF) as Scheme Administrator but the policy set out a procedure from recovering overpayments before this date.

The draft policy covered how overpayments would be recovered and how these would be dealt with if the overpayment was the fault of Tyne and Wear Fire and Rescue Service or the scheme member. There would be a right of appeal for any member who disagreed that they had been overpaid.

The Strategic Finance Manager advised that the draft policy was in line with good practice and highlighted that incidents of overpayment were rare. Underpayments were rectified immediately. The Pension Board had previously had the opportunity to consider the draft policy and had referred the matter to the Human Resources Committee.

Councillor Woodward asked how many individuals were likely to be affected and if there was any issue regarding the transfer between scheme administrators. The Strategic Finance Manager explained that the previous pension administrator had a paper based system and West Yorkshire Pension Fund had computerised records. There were some data issues being identified but the computerised system was much more adept at finding errors.

Staffing had been temporarily increased in the Pensions Team to go through the data and both under and over payments had been identified, however there had been nothing over £2,000 to report. This work was intended to 'de-risk' the authority.

ACO Baines highlighted that this was a good demonstration of continuous improvement as moving to West Yorkshire Pension Fund, which administered a number of schemes, Tyne and Wear were able to benefit from their digital system.

The Chair noted that mistakes in relation in pensions inevitably became more expensive the longer that these errors went on and it was important to be assured that long term errors were being identified. With regard to the fee which WYPF could charge for recovering overpayments, he queried if 5% adequately reflected the charge of recovery. The Strategic Finance Manager said that the public sector should set a charge for full cost recovery and it would be up for negotiation if it was more than that charge.

5. RESOLVED that the Overpayment Policy be approved.

Freedom of Information and Subject Access Requests

The Chief Fire Officer/Chief Executive (Clerk to the Authority), Strategic Finance Manager and Personnel Advisor to the Authority submitted a joint report providing Members with an overview of Freedom of Information Requests (FOI) and Subject Access Requests (SAR) which had been received over the period 1 January 2018 to 31 March 2019. All subsequent reports would cover the fiscal year.

The Service had received a total of 141 FOI requests between January and December 2018 which was an increase of 39% on the previous year. The most common sources of FOI requests were private citizens (39.3%) and the press and media (33.33%). Of the total requests, six had been exempted for reasons including costs and national security.

There had been six SAR in the 2018/2019 fiscal year; previously the Service had only received three SAR over the previous five years. It was felt that the increase could be attributed to the GDPR legislation coming into force in May 2018 and individuals becoming more aware of their rights.

Councillor Woodward asked what was meant by departments being 'involved' in FOI requests and ACO Baines advised that this would be members of staff in the departments preparing or supplying data in response to requests.

Councillor Flynn queried why trade unions and local authorities would be making FOI requests. ACO Baines said that this could be as a result of national work being carried out by the trade unions and local authorities may adopt this approach if they did not know who would provide the information they required.

Councillor Pickard referred to the number of requests which had been received from the press and was interested to know how much time had been spent on this. ACO Baines had asked the team to look at how the time spent on requests was recorded and how costs could be quantified in the future.

The Chair asked if there had been any FOIs on procurement processes and he was advised that four had been received during the year. There was often a standstill period after a contract had been awarded and information was sought through those arrangements rather than through FOI processes.

Following consideration of the report, it was: -

6. RESOLVED that: -

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

External Appointments (Gold Book Roles CFO and ACO)

The Chief Fire Officer/Chief Executive (Clerk to the Authority), Strategic Finance Manager and the Personnel Advisor to the Authority submitted a joint report providing Members with information regarding the external appointments undertaken by Gold Book conditioned officers.

The undertaking of paid external positions or appointments by officers of the Authority was regulated by standing orders and the delegation scheme and approval for such appointments was entirely at the discretion of the Authority. Unpaid posts were not regulated by the Authority and could be undertaken by an individual whilst operating within FRS policy. To support transparency, Members were provided with this detail for information only.

The current external appointments were as follows: -

- CFO Chris Lowther – Chairman of the National Fire Chiefs Council (NFCC) Operations Coordination Committee (OCC), Chairman of the Together for Children Touchstone Group, Sunderland and Board Member and Trustee of the Institution of Fire Engineers (IFE).
- ACO John Baines – Vice Chair of NFCC National Operational Effectiveness Working Group (NOEWG), Chair of Impeller Ltd (in line with Authority approval), Member of the Advisory Board of Common Purpose, Trustee of the Firefighters Charity and Board Member (Director) of Cardinal Hume Digital Hub.
- ACO Alan Robson – Member of the National Fire Chiefs Council (NFCC) Operations Coordination Committee (OCC) and lead for Tunnels and Underground Incidents, President IFE (Northern Branch).

Councillor Dodds commented that it was important that senior officers were involved in national bodies particularly the NFCC. ACO Baines stated that all senior officers supported the NFCC in different ways and were encouraged to take up voluntary positions such as school governorships and sporting and coaching roles.

7. RESOLVED that: -

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

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

8. RESOLVED that in accordance with the Local Government (Access to Information) (Variation) Order 2006 the public be excluded during consideration of the remaining business as it was considered to involve a likely disclosure of information relating to any individual or which was likely to reveal the identity of any individual or information relating to consultations /negotiations in connection with any labour matter arising between the Authority and employees of the Authority (Local Government Act 1972, Schedule 12A, Part I, Paragraphs 1, 2 and 4).

Part II

Minutes

9. RESOLVED that the minutes of the Human Resources Committee held on 4 February 2019 Part II, be confirmed as a correct record.

(Signed) G HALEY
Chair

