

West Midlands Fire and Rescue Authority

Scrutiny Committee

You are summoned to attend the meeting of Scrutiny Committee to be held on
Monday, 01 November 2021 at 10:30

At Fire Service Headquarters, 99 Vauxhall Road, Nechells, Birmingham B7 4HW
and digitally via Microsoft Teams

for the purpose of transacting the following business:

Agenda – Public Session

- | | | |
|----|--|----------------|
| 1 | To receive apologies for absence (if any) | |
| 2 | Declarations of interests | |
| 3 | Minutes of the Scrutiny Committee held on 24.02.20 | 1 - 12 |
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Distribution:

Nicolas Barlow - Member, David Barrie - Member, Jsbinder Dehar - Member, Mary Locke - Vice Chair of the Scrutiny Committee, Kirat Singh - Member, Sybil Spence - Chair of The Scrutiny Committee, Patricia Young - Member

This meeting of the West Midlands Fire and Rescue Authority will be held at Fire Service Headquarters. However, please note that although the meeting will be open to the public, there will be limited capacity due to ongoing social distancing measures.

The meeting will also be held digitally via Microsoft Teams allowing observers to access remotely. To access the meeting, please contact a member of the Strategic Hub, West Midlands Fire Service, who will be able to provide login details (please note that Microsoft Teams is not required to join a meeting) or provide guidance if you wish to attend in person at HQ.

Clerk Name:	Karen Gowreesunker
Clerk Telephone:	0121 380 6678
Clerk Email:	Karen.Gowreesunker@wmfs.net

Agenda prepared by Stephen Timmington

Strategic Hub, West Midlands Fire Service

Tel: 0121 380 6680 email: stephen.timmington@wmfs.net

This agenda and supporting documents are also available electronically on the West Midlands Fire Service website at www.wmfs.net

Minutes of the Scrutiny Committee

24 February 2020 at 10:30 a.m.
at Fire Service Headquarters, Vauxhall Road, Birmingham
B7 4HW

Present: Councillor Spence (Chair)
Councillors Barlow, Barrie, Gill and Young

Apologies: Councillors Dehar and Jenkins
S Middleton

Observer: Nil

1/20 **Declarations of Interest in contracts or other matters**

There were no declarations of interest.

2/20 **Minutes of the Scrutiny Committee held on 4 November 2019**

Resolved that the minutes of the meeting held on 4 November 2019 be approved as a correct record.

3/20 **Minutes of the Scrutiny Committee held on 11 November 2019**

Resolved that the minutes of the meeting held on 11 November 2019 be approved as a correct record.

4/20 **Scrutiny Committee Briefing – Overview of Water Related Incidents**

As a result of Members' request at the last meeting of the Committee, a briefing was provided to the Committee on

water related incidents. Mark Flanagan, Station Commander, Organisational Learning and People Development, provided an overview of the report:

Under the Fire and Rescue Services Act 2004 (FRS Act 2004), Fire and Rescue Authorities (FRA) had a legal duty to provide a fire and rescue service that meets the needs of the local community. Authorities were responsible for providing, training and equipping a fire and rescue service capable of undertaking the core functions within the FRS Act 2004:

- Fire safety
- Fire fighting
- Road traffic collisions
- Other emergency rescue activities

Under the FRS Act 2004, FRAs had the power to respond to other eventualities, which water related incidents were classed as. However, there was no statutory duty for a FRA to do so.

An overview was provided of a variety of legislation and guidance that applied to the Authority including:

- Responsibilities of category one responders in accordance with the Civil Contingency Act 2004
- The role and responsibilities of Local Resilience Forums including the development of specific flood plans and a multi-agency flood plan
- A detailed capability assessment of flood emergency planning and preparedness undertaken by the Department for Environment, Food and Rural Affairs (Defra)
- The Pitt Review – an appraisal of all aspects of flood risk management in England
- The Defra Flood Rescue Concept of Operations and the Flood Rescue National Asset Register

It was noted that the Service's Technical Rescue capability was included on the Flood Rescue National Asset Register with the ability to respond nationally.

Water related incidents could involve rescues from rivers, lakes, canals and waterways, or involve flooding. West Midlands Fire Service (the Service) crews responded to incidents within the West Midlands and could be called upon nationally to support major incidents elsewhere in the country

Firefighters within the Service were trained to six different levels:

- Level 1 – Water awareness
- Level 2 – Water rescue first responder
- Level 3 – Water rescue technician
- Level 4 – Water rescue power boat operator
- Level 5 – Water incident management
- Level 6 – Subject matter advisors

All firefighters were trained to level 1 which enabled a land-based rescue to be carried out. Additionally, firefighters were able to carry out a voluntary water rescue swimmer assessment meaning that they could enter the water to conduct a rescue swim.

Firefighters trained to level 2 were deployed to wading water incidents where people could be led to safety in shallow water. There were currently four stations trained to this level: Coventry, Perry Barr, Sheldon, and Woodgate Valley. These were supplemented by the two Technical Rescue Units at Bickenhill and Wednesbury stations.

Levels 3 to 6 were undertaken by Technical Rescue.

An overview of the equipment available within the Service was provided. There were three levels and these resources were located across the Service area in accordance with the Integrated Risk Management Plan (IRMP).

There had been 1941 water related incidents between April 2016 and March 2019. The incidents were broken down to incident types (according to special service charge sub-group).

The National Fire Chiefs Council (NFCC) conducted a drowning prevention and water safety campaign entitled 'Be Water Aware', which aimed to raise awareness of the risk of accidental drowning. The NFCC issued a campaign toolkit to participating fire and rescue services to support the 'Drowning Prevention and Water Safety Week', which included information on key messages for raising awareness with key focus groups.

The Service provided information on its website about water safety including sections about open water, flooding and boat safety. Additionally, the Safe and Well booklet contained information on water safety.

Safeside Eastside delivered the programme 'Smart Choices' for primary schools which included a section on water safety with a focus on cold water shock, helping others and how to get help in an emergency.

In answer to Members' questions, the following points were raised:

- In the event that Service personnel were deployed to support a national situation, funding was undertaken in accordance with the Bellwin Scheme which allowed for expenses to be claimed back
- Only personnel who had received the appropriate training were able to enter water. At least one voluntary rescue swimmer was encouraged for each watch. Voluntary rescue swimmers would enter the water with the appropriate personal protective equipment, personal floatation device, and attached to a line.
- Fire Control check if a voluntary rescue swimmer is on duty at the start of each shift and would mobilise accordingly in the event of such an incident.

5/20 **An Analysis of Progress of Quarterly Performance against 'Our Plan' – Quarter Three 2019/20**

Gary Taylor, Assistant Chief Fire Officer, provided an overview of the report:

It was noted that there were no significant issues regarding corporate risk or the quarterly financial update to bring to the attention of the Committee.

PI 1 'The risk-based attendance standard', the median attendance time to high risk (category one incidents) was 4 minutes 46 seconds, an eight second increase compared to quarter two, although in line with expected seasonal trends. Attendance times for category two, three and four incidents were not available due to technical difficulties, but the Committee were assured that performance across the incident types would be within or below the tolerance levels.

PI 2 'The number of accidental dwelling fires', there had been 1218 incidents year to date, 16 above target but within the tolerance levels. It was noted that the performance observed by the Service was bucking the national trend which had witnessed an increase in incidents.

PI 3 'Injuries from accidental fires in dwellings', there had been 9 injuries during quarter three, 46 injuries year to date (above target and above the upper tolerance level). The highest number of casualties were younger males and 35% of injuries were caused by individuals attempting to tackle the fire. As a result, the Service was revisiting its safety messages with a view to reduce the number of such injuries going forward.

PI 4 'The number of deaths from accidental dwelling fires', there had been ten fatalities year to date.

PI 5 'The percentage of Safe and Well visits referred by our partners', performance was 37.6%, below the target of 40%. Performance during the previous quarters had been significantly below the target but an increase had been observed. It was noted that for the first time it had been possible to obtain reliable figures from the Tymly system used in Black Country South Command and the figures indicated that 75% of such Safe and Well visits were a result of partner referrals. If these were included within the overall figures, the overall average would increase to 42.5%, which was above the quarterly target.

PI 6 'The number of Safe and Well points achieved by the Brigade', 177,886 points had been achieved year to date. It was noted that the Safe and Well visits and points accrued via the Tymly system were not included within the figures. If they were to be added, the total figure would be closer to the target.

PI 7 'The number of people killed or seriously injured in road traffic collisions', there had been 588 people killed or seriously injured year to date (25 fatalities and 563 seriously injured). The figures had plateaued nationally and locally, although remained significantly higher than fire related injuries and fatalities. It was noted that 80% of fatalities were pedestrians, 80% of whom were male, and that this was an area that the Service would focus on.

PI 8 'The number of deliberate fires in buildings', there had been 158 incidents year to date, four below the target and within the tolerance levels. It was noted that such incidents were arguably some of the most serious types of incident. The Service continued to work with partners including the Police with regard to these types of incident.

PI 9 'The number of deliberate fires in non-domestic premises', there had been 105 incidents year to date, 27 below target and below the lower tolerance level.

PI 10 'The number of deliberate vehicle fires', there had been 532 incidents year to date, 87 incidents below target and within the tolerance levels. Deliberate vehicle fires had been an issue 12 months ago but a number of interventions had been implemented and the number of incidents had decreased.

PI 11 'The number of deliberate rubbish fires', there had been 1275 incidents year to date, 117 below target and below the lower tolerance level. 270 incidents had been recorded during quarter three which was the second lowest total for a quarter on record.

PI 12 'The number of deliberate fires in derelict buildings', there had been 104 incidents year to date, above target and

above the upper tolerance level. It was noted that the number of incidents had started to increase significantly and that there were clear geographical areas where increases were being observed, with incidents concentrated within specific Local Authority areas. Officers within those areas were aware of the increases in incidents and were working with partners to identify and target harden premises.

PI 13 'The number of accidental fires in non-domestic premises', there had been 327 incidents year to date which was 16 over target but within the tolerance levels.

PI 14 'The number of false alarm calls due to fire alarm equipment in dwellings and non-domestic premises', there had been 4572 incidents year to date which was above the target but within the tolerance levels.

It was noted that at over 4,500 incidents, such calls represented the largest demand on the Service. However, over 90% of false alarm calls were a waste of resources, tying up crews and appliances. It was noted that many fire and rescue services were in a similar position and there was the consideration if services respond to such calls or charged for attendance. This was a subject that would feature as part of the public consultation on the IRMP which was scheduled to be carried out later this year.

Helen Sherlock, Senior Business Partner, People Support Services, provided an overview of the People Support Services and Safety, Health and Environment performance indicators:

PI 15 'The percentage of employees that have disclosed their disabled status', 95.2% of staff had declared their disability status. 3.5% of staff had declared that they did have a disability. Targeted conversations were being held with those who had not declared their status although it was accepted that some would not wish to declare and therefore, the option was available for staff to state as such. The workplace adjustment passport had been launched which supported and enabled conversations with line managers. Additionally, line managers were being upskilled to identify neuro diverse disabilities.

PI 16 'The number of female uniformed staff', there were 138 female uniformed staff, representing 10.2% of operational staff. The national average was 6.4%. The Service continued to attract high numbers of females although performance remained below target.

The recruitment programme for females had been reviewed and evaluated and an annual plan had been developed.

PI 17 'The percentage of all staff from black and minority ethnic (BME) communities', at 11.9% performance was just below target but within the tolerance levels. However, performance was higher than previously experienced.

Pre-recruitment courses had started to be held for BME candidates and the course had been reviewed and evaluated.

A further update on the recruitment programmes would be provided to the Committee as part of the next quarterly performance update.

PI 17 'The percentage of all staff from BME communities', performance was 11.7%, below the target of 12.5% and below the lower tolerance level. It was noted that a concentrated effort was being taken to improve performance.

PI 18 'The average number of working days / shifts lost due to sickness – all staff', an average of 2.13 working days / shifts per person were lost due to sickness during quarter three, just above target and within the tolerance levels. This represented a 9% decrease compared to the same period in 2018/19.

An average of 5.97 working days / shifts per person were lost due to sickness year to date, above the target of 5.52 days although representing a 1.6% decrease compared to the same period in 2018/19.

Work was ongoing regarding the delivery of attendance management workshops to staff which would include

guidance on the requirements for recording sickness absence and return to work information.

PI 19 'The average number of working days / shifts lost due to sickness – uniformed and Fire Control staff', an average of 1.88 days / shifts were lost due to sickness during quarter three, below target and below the lower tolerance level.

It was noted that a high level of sickness had been observed in Fire Control and a targeted approach would be taken to deal with this.

1366 days / shifts were lost through restricted duties during quarter three. Joint work continued between Service Delivery, the Business Partners and Occupational Health to identify how best to manage the length of time that an individual remained on restricted duties.

Missing data regarding attendance management continued. However, the system had been updated within the quarter which should allow targeted intervention and line manager support.

Development sessions on attendance management had been delivered to every watch on every station to increase awareness. These were being rolled out to support staff during quarter four.

PI 20 'The average number of working days / shifts lost due to sickness – non-uniformed staff', an average of 2.97 working days / shifts were lost due to sickness during quarter three, above target and above the upper tolerance level. This represented a 9% increase compared to the same period in 2018/19. However, the year to date figure of 6.78 was above the respective target but represented a 2.9% decrease compared to the same period in 2018/19.

PI 21 'The total number of injuries', 26 injuries were reported during quarter three, below the quarterly target of 31.5. 115 injuries had been reported year to date, above the target of 95, and above the upper tolerance level. This was because a

high number of injuries had been reported in quarters one and two. A full breakdown of the injuries by type was provided in the report.

A high number of injuries (reddening of the skin) had been reported in quarter two involving tactical ventilation training. All 15 injuries had been attributed to heat. A number of interventions had been implemented including amending fire loading and not burning two rooms simultaneously. Additionally, there was a continued focus on the training of heat reduction techniques. A decrease in such injuries had been observed. Monitoring would continue to ensure that similar injuries did not reoccur.

40 near hit reports were received during the quarter, the lowest number year to date. It was noted that less than ten of the reports were genuine near hits.

The number of violence reports had reduced with 15 reports recorded. All reports were incident related, and none resulted in injuries.

PI 22 'The total number of RIDDOR injuries', there had been one RIDDOR report during quarter three, and 13 reports year to date. Performance year to date was above target and above the upper tolerance level. None of the reports had been incident related and none had been followed up by the Health and Safety Executive.

In answer to Members' questions, the following points were raised:

- Securing premises was a method of reducing the number of deliberate fires in derelict buildings. However, the location of some premises could make this difficult, for example a premises had been the location of multiple incidents but its location close to two canals meant it had been difficult to adequately secure the premises.
- With a regard to a spate of bin fires in a ward, the Local Authority had worked closely with the Service, leafleted residents to raise awareness, and installed a camera to monitor the area. It was confirmed that the Service

were not aware of any further incidents in the area. However, the Service had raised the issue nationally. Officers would be asked to provide an update for Cllr Young.

- Mental health was the top reason for sickness absence across all staff groups during quarter three. However, it was not necessarily a common denominator with analysis carried out over the last 12 months indicating that a variety of reasons were provided, and that mental health was a mixture of work and home issues. It was agreed that a further update would be provided as part of the next quarterly performance update and would include a breakdown of the figures.
- It was noted that the Service was looking to introduce a sub-category to identify reasons for mental health related absences.
- The Service had joined up with an external company who were supporting the Service's Wellbeing Strategy. Staff were being encouraged to look after their mental health wellbeing, physical wellbeing, and financial wellbeing. The Wellbeing Strategy had been launched in February and a number of staff had been trained to be Mental Health Advocates who were able to recognise wellbeing issues and signpost people to the relevant support. Additionally, more staff were being encouraged to become Mental Health Advocates.
- Two of the new recruits had resigned. Additionally, some individuals may not have passed the initial eight-week training course. Exit interviews were held with individuals leaving the Service to understand reasons why.

It was agreed that the following information would be provided when the report 'Analysis of Progress of Quarterly Performance Against Our Plan – Quarter Four' would be submitted to the Committee:

- An update on the female recruitment programme and annual plan
- An update on the BME recruitment programme

- Further information regarding sickness absence due to mental health reasons including a breakdown of the figures

6/20 **Scrutiny Committee Work Programme 2019/20**

The Committee noted the Work Programme for 2019/20 and progress to date.

Karen Gowreesunker, Clerk to the Authority, noted that a report would be submitted at the next meeting of the Committee to enable Members to consider the topics previously raised for review.

The meeting finished at 11:33am.

Contact Officer: Stephen Timmington Strategic Hub West Midlands Fire Service 0121 380 6680

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

SCRUTINY COMMITTEE

1 NOVEMBER 2021

1. **SCRUTINY COMMITTEE TERMS OF REFERENCE 2021-2022**

Report of the Clerk.

THAT the Terms of Reference for the Scrutiny Committee be noted.

2. **PURPOSE OF REPORT**

This report is submitted for Member comments and noting.

3. **BACKGROUND**

- 3.1 The terms of reference for the Scrutiny Committee were submitted to the Fire Authority at the Annual General Meeting held on 21 June 2021 ([Governance of the Authority 2021-2022](#)). It should be noted that the terms of reference were revised with the following addition:

Effective scrutiny frameworks will be in place for both the scrutiny of strategic policy, as well as performance. Aligned to the role of the Fire Authority and CFO as set out in articles 4 and 5 of this constitution, the scrutiny function should scrutinise decisions made or to be made, on the basis of 'public safety' aligned to the following definitions:

- Pre scrutiny enables changes proposed to strategic policy decisions to be scrutinised. These are decisions which if implemented, would change the strategic priorities and outcomes agreed by the Fire Authority (for example, matters contained in Authority 'Forward plan' for approval). Pre scrutiny can:

- i) inform policy development and/or
 - ii) hold the Authority to account.
- Post scrutiny enables the Fire Authority to seek assurance around operational decisions already made by the CFO and other officers in the delivery of strategic priorities and outcomes (for example: training, partnership working). Post scrutiny can i) scrutinise performance of specific issues and/or ii) hold officers to account.
- 3.2 No further amendments have been made to the terms of reference following Fire Authority approval. The terms of reference are attached in Appendix 1 in line with the Service's continued commitment to good governance arrangements.
- 3.3 Members should note that the approach to pre or post scrutiny reviews will be considered as part of the setting and agreement of scrutiny reviews as part of the Committee's work programme for 2021/22.

4. **EQUALITY IMPACT ASSESSMENT**

In preparing this report an initial Equality Impact Assessment is not required and has not been carried out. The matters contained in this report will not lead to and/or do not relate to a policy change.

5. **LEGAL IMPLICATIONS**

There are no particular legal requirements for the Authority to establish a Scrutiny Committee; it is however, considered good practice for authorities to have a vehicle through which monitoring and review of the Authority's policies and practices can be undertaken.

6. **FINANCIAL IMPLICATIONS**

There are no financial implications arising as a result of the content of this report. Advice may be provided internally by officers at no direct cost to the Authority, supporting the Committee in its work. The Scrutiny Committee can, if required, access resources to be able to engage external professional advice where applicable.

BACKGROUND PAPERS

The Constitution of the West Midlands Fire and Rescue Authority,
June 2021.

Fire Authority report, Governance of the Authority 2021-2022, 21
June 2021.

The contact name for this report is Karen Gowreesunker, Clerk to
the Authority, Strategic Enabler – Strategy, telephone number 0121
380 6678.

Karen Gowreesunker
Clerk to the Authority

APPENDIX 1**SCRUTINY COMMITTEE TERMS OF REFERENCE**

In line with expectations set out in the Fire and Rescue National Framework the Authority has established a Scrutiny Committee to support it in achieving its strategic objectives. The Committee ensures that its policy and budgetary framework is followed and developed to reflect the changing needs and demands in meeting its statutory obligations.

Effective scrutiny frameworks will be in place for both the scrutiny of strategic policy, as well as performance. Aligned to the role of the Fire Authority and CFO as set out in articles 4 and 5 of this constitution, the scrutiny function should scrutinise decisions made or to be made, on the basis of 'public safety' aligned to the following definitions:

Pre scrutiny enables changes proposed to strategic policy decisions to be scrutinised. These are decisions which if implemented, would change the strategic priorities and outcomes agreed by the Fire Authority (for example, matters contained in Authority 'forward plan' for approval). Pre scrutiny can:

- i) Inform policy development and/or
- ii) Hold the Authority to account

Post scrutiny enables the Fire Authority to seek assurance around operational decisions already made by the CFO and other officers in the delivery of strategic priorities and outcomes (for example: training, partnership working). Post scrutiny can:

- i) Scrutinise performance of specific issues and/or
- ii) Hold officers to account

Role and Functions:-

To carry out a maximum of two scrutiny reviews per annum

Ref. AU/Scrutiny/2021/Nov/11110214

selected by the Committee. Such reviews will be member-led and evidence based, and will produce SMART (specific, measurable, attainable, realistic and timely) recommendations to the Authority.

To track and monitor the implementation of review recommendations that are accepted by the Authority.

To summon any officer or member of the Authority to give account in respect of reviews or any other relevant matter.

To manage, in consultation with the Strategic Enabler for Finance and Resources, a specific budget for the purpose of buying in any necessary external advice and support in connection with the reviews.

To receive and scrutinise performance information including progress against the Community Risk Management Plan and 'The Plan', the objectives and priorities and corporate performance indicators and review performance targets.

To review and scrutinise strategic performance information of the Shared Fire Control on a biannual basis.

To have responsibility for scrutiny of Diversity, Inclusion, Cohesion and Equality and diversity throughout the West Midlands Fire Service and to review policies and monitor performance in relation thereto.

To monitor and scrutinise as appropriate the Authority's HR policies.

To monitor and scrutinise sickness levels, promotion policies and employee exit information.

To receive information and statistics on grievance monitoring and to report outcomes to the Joint Consultative Panel.

To ensure that the Authority is meeting its duties under Health and Safety and environmental and other relevant legislation.

To deal with any matters referred to it by the full Authority, the Policy Planning Forum, the Chief Fire Officer, Clerk, Monitoring

Officer or Treasurer, not within its work programme.

To refer any matter for consideration by the Authority, another Committee or an officer where considered appropriate.

To submit its minutes and an Annual Report to the Authority.

In order to allow for separation of the Scrutiny and decision-making functions, findings and recommendations of Scrutiny reviews will be presented to the Authority by the Chair of the Scrutiny Committee. Members (excluding substitutes) of the Scrutiny Committee shall not vote on matters arising from Scrutiny reviews.

The Committee will sit in public with minimum exceptions. In addition to its programmed meetings, the Committee will hold additional meetings, as and when required, in order to efficiently manage its workload.

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

SCRUTINY COMMITTEE

1 NOVEMBER 2021

1. DIVERSITY INCLUSION COHESION EQUALITY (DICE) UPDATE

Report of the Chief Fire Officer

RECOMMENDED

THAT Scrutiny Committee note the ongoing progress made by the Service in relation to Diversity, Inclusion, Cohesion, Equality (DICE).

2. PURPOSE OF THE REPORT

To provide an update to Scrutiny Committee to review and consider the ongoing progress being made by West Midlands Fire Service (WMFS) in advancing DICE. This activity supports our equality objectives as well as our statutory requirements of the Public-Sector Equality Duty and Equality Act 2010.

3. BACKGROUND

- 3.1 DICE objectives fulfil our legal duties as a public-sector organisation under the Equality Act 2010.
- 3.2 This report details our continued progress towards achieving our objectives and provides an update in relation to DICE activity. This report covers activity undertaken since January 2020 to date.

4. LEADERSHIP, PARTNERSHIP AND ORGANISATIONAL COMMITMENT

- 4.1 A series of “Brave Space” talks on a variety of DICE subjects have been held periodically allowing any member of staff to engage in open debate and learning. These have been supported by members of the Staff Engagement Groups and have had an average attendance of around 50 people each talk.

Subjects that have been covered so far have included, Women’s Safety, Neurodiversity, Religion and Belief and Positive Action. More are planned with many suggestions for topics coming from the Networking Groups and other members of staff. Members from other FRS have also attended with a view of using the same format in their FRS.

- 4.2 In December 2020 the official ranking for the Top 50 UK inclusive employers was announced. This nationally recognised league table of the most inclusive employers shines a light on best practice across all strands of diversity including age, disability, gender, LGBT, race, faith and religion.

Compiled by a dedicated panel of judges, the list has been collated based upon organisational performance in a range of areas within the diversity arena. Organisations featured provided sufficient evidence on an amalgamation of topics including recruitment procedures, training and a host of diversity related initiatives. WMFS ranked 6th in this year’s ranking making it the highest-ranking FRS, jumping 28 places from the previous year.

- 4.3 When we entered a new way of working due to the pandemic, we had to change the way we deliver some of our essential training courses.

During the COVID pandemic we have continued to carry out selection activity across the Service. The requirement to have adequately trained people conducting selection processes remains and therefore our training has been adapted to enable a virtual delivery method and be focused on the essential points to enable the attendee to acquire the

basic skills, knowledge and confidence to embark upon their own selection process.

Recruitment & Selection has now been running in its current 'Virtual' format for over 12 months and during that time we have successfully completed 25 virtual training sessions, training 148 members of staff. Feedback from these sessions is always positive and the training is well received by all who participate.

Unconscious bias training has been adapted for virtual delivery and courses scheduled once a month from February to May with courses filling rapidly.

A workshop, focusing on Neurodevelopmental disorders, will be delivered virtually in February. The workshop is designed to improve understanding and knowledge to better support learning of neurodiverse individuals in our workforce.

4.4 The Staff Engagement groups continued to be active throughout the pandemic:

4.4.1 Neurodiversity Group

- Dyslexia screening is going well and can now be done remotely.
- TextHelp testing on Oracle is underway to ensure we can support individuals with dyslexia to use the new Oracle system. An increasing number of staff are now using TextHelp, over 40 people had the function added to their profiles in the past 12 months.
- Arrangements are being made to train around 10 TextHelp "champions" to provide support to staff to use the Read Write functions and to help raise awareness of how Read Write can be useful for everyone.
- Research is underway to provide an eLearning module for all staff on Neurodiversity - collaborating with an external Subject Matter Expert.

4.4.2 Inspire

- In July 2021 Inspire established a Board structure to enable a more structured and collective approach to how the group operates and the activities they are involved with.
- As part of International Women's Day, members of Inspire were guest speakers at a Muslim Women's Association event.
- In June 2021 we saw the refresh of our WMFS Safeguarding Policy. Following consultation with Inspire the policy now includes issues such as Gang, County Lines.
- Several Inspire members attended the Lunch and Learn event celebrating international Windrush Day.
- Inspire have been working with West Midlands Police Violence Reduction Unit and, through Sports Elite, have provided been provided with free Mentoring training. An awareness session and initial training has taken place for six people.
- The 'Hear My Voice' event facilitated by West Midlands Police was attended by members of Inspire who provided feedback to the Communications team about how WMFS can communicate our future strategy.
- Members of Inspire alongside crews at Coventry Fire Station attended the Coventry City Combined Cultural Raksha Bandhan Event. Inspire had representation to take part in the Raksha Bandhan ceremony alongside local personalities and dignitaries.
- In August, Inspire, in conjunction with RCRT, DICE and Handsworth Fire Station attended the Simmer Down Festival, the largest Reggae festival in Birmingham.

4.4.3 AFSA

- Local AFSA members are supporting investigations into a potential solution for wearing BA and beards which is a major barrier to many potential FF applicants from Asian heritage.
- Due to the Covid pandemic, a planned regional event has been postponed. Restrictions permitting, the Midlands

region AFSA are looking to run the regional event in October. The theme of this event will be LGBT+ support and awareness which FireOut will be contributing to.

- Members of the group were key panellists in a recent Brave space talk around Faith and Belief, with several sharing their lived experience of their faith and answering questions about how it impacts on their working life.
- A local AFSA member has organised a charity event taking a large model fire engine up Snowdon in teams to raise money for the FF charity in September.
- The group is also supporting FireOut with the WMFS attendance at Birmingham Pride and Nagar Kirtans (Nov) and planning for future Diwali events.
- The group has been raising awareness via distribution of national AFSA informative newsletters and is now gearing up for the AFSA winter conference in November.

4.4.4 FireOut

- The group attended Birmingham Pride on 25th September and supported crews from Coventry at an LGBT family fun day at the RICOH arena in August which is instead of the normal Coventry Pride event.
- FireOut have been working with DICE on the development of an E-Learning package around building confidence and awareness when working with the LGBT+ community for frontline staff. This package will be launched later this year and has attracted interest from other Services.
- FireOut also helped host consultation events internally to support Wolverhampton City Councils "Rainbow City" project.

4.4.5 Affinity

- Affinity currently has around 100 members. Members of Affinity have been very active supporting the Welfare review adding insight and experience to help improve our welfare provision on station and on the fireground for our female staff.

- Members of Affinity have supported positive action programs by producing short videos used to challenge perceptions and stereotypes during a 'guess my careers event' earlier in the year. Members of Affinity have also supported DICE during the practical selection tests for firefighter recruitment, showing positive female role models in the Service.
- 4.5 To support the development of our managers, a toolkit is being produced to provide a 'one stop shop' for DICE information. These toolkits are being developed with support from the Staff Engagement Groups. Already published on the DICE MESH page are middle managers guides to Positive Action, Extension of the Workplace, and Neurodiversity. A middle manager guide to gender identity will shortly be published. Future guides will include disability, maternity and female welfare.
- 4.6 DICE assisted the development of a Cultural Guide to Bereavement to support the body movement teams during the COVID-19 pandemic. This provided crews with summary background information on a wide range of cultural traditions and norms around care for, and handling, of the deceased.
- 4.7 Positive action sessions have been rolled out to all watches across all stations. The sessions were conducted by the Watch Commander, DICE and covered all areas relating to firefighter recruitment and the Service's approach to positive action. Evaluation and feedback from these sessions have been positive. We have now developed a support package for firefighter recruitment including all information that station personnel needs to know. This package is available on the new Mesh Hub. A Manager's Guide to Positive Action is also under development and will be available as part of the wider toolkits for managers.
- 4.8 WMFS attended the AFSA conference in November 2019 and WMFS staff were among the award winners including Outstanding Endeavour by an AFSA member, Outstanding Charitable award, and Outstanding Charity Innovation. WMFS Fire Authority Members were also recognised in the Shining Light Executive Team award.

- 4.9 New disability and reasonable adjustment workshops have been implemented with a good take up from staff. The workshop is targeted at managers of those with a disability and Representative Bodies. These look at the legal requirements and definitions around disability and reasonable adjustment.

5. COMMUNITY KNOWLEDGE, ENGAGEMENT & SERVICE DELIVERY

- 5.1 WMFS staff have continued to volunteer to support activities throughout the COVID-19 pandemic. These include the delivery of Lateral Flow Testing and supporting the delivery of the COVID Vaccination Programme.

Non-operational staff from across the Service have been delivering essential care packages to the most vulnerable people in our communities. Staff from across the Service have volunteered to deliver this vital service to those who were 'shielding' because of COVID-19 or otherwise vulnerable or isolated. These volunteers, working out of the Hubs situated across the brigade area, supported Local Resilience Forum (LRF) partners in delivering crucial support to West Midlands residents in extra need during the challenging circumstances created by the pandemic. Our staff took part in many extra duties which would not normally form part of their role. Under the banner of being #ReadyWillingAble these volunteers have been involved in delivering thousands of essential food and medical parcels.

Our Operational staff have supported local councils and the ambulance service with support for body movement of victims of COVID-19. To ensure our teams carried out this task with dignity and respect to our diverse communities, operational crews received special training which included comprehensive guidance on how different cultures handle the death of a family member.

Staff volunteers continue to support the COVID-19 vaccination programmes. Staff have undertaken both online and face to face training with St. John's Ambulance and our staff are joining vaccination teams across the West Midlands.

- 5.2 Data collection for safeguarding has improved in quantity and quality in the last 6 months with greater equality data now being recorded. Data could be further improved with enhancement to gender identity categories.

The most frequently occurring themes in WMFS safeguarding activity between October 2020 and June 2021 are:

1. Poor living conditions and poor housing (39)
2. Mental health (37)
3. Self-neglect (30)
4. Hoarding (21)
5. Alcohol (16)
6. Child neglect including children not attending school (16)
7. Domestic Abuse including coercion and threat by partner to set fire to property (15)
8. Smoking including smoking in bed (13)
9. Threat of suicide including threat of suicide by child (12)

Multiple themes are often present within a safeguarding concern. For example, mental health and hoarding. Consequently, the frequency of some themes is likely to be significantly higher. For example, poor living conditions may indicate self-neglect but not be recorded as such.

Multiple themes are sometimes identified in the same safeguarding concern. The most commonly occurring together have been:

- Poor living conditions and poor housing (39) –Self-neglect (including neglect) were identified in over 24% and mental health in over 21% of these cases.
- Mental Health (37) – Hoarding was identified in over 16%, and self-neglect, alcohol, threat of suicide in nearly 14%.
- Self-neglect (30) – Hoarding was identified in 20% of these cases.
- Hoarding (21) – Electrical safety risks were present in 21%.
- Alcohol (16) – Mental health and smoking were identified in 25%.

- Child neglect (16) – Poor living conditions were identified in 25%.
- Domestic Abuse (15) – Mental health was identified in nearly 27% and threat of suicide in 20%. Children were recorded as being in the household in 3 cases.
- Smoking including smoking in bed (13) – Alcohol was identified in nearly 31% and mental health in over 23%.
- Threat of suicide (12) – Mental health in nearly 42% and domestic abuse were identified in 25%.

5.3 The Guardian Public Service Awards announced WMFS as the winner of the Workplace Diversity category. The Guardian recognised the work that has been done to encourage more people from underrepresented groups including women and people from BAME communities.

One of our female members of administration has also been recognised in the category of Unsung Hero in the Excellence in Fire Awards, for her charity work.

5.4 During the month of June, the PRIDE flag was flown at all Fire Stations, providing a visual demonstration of WMFS support for the LGBT+ community. Information about LGBT+ history was published on our MESH site both before and during the month to raise awareness amongst our staff. Members of FireOut, alongside our Communications team managed public comments on social media, with any adverse comments challenged respectfully but firmly.

5.5 WMFS attended the World Thinking Day event held at the National Exhibition Centre in February 2020. This event attracted 10,000+ females. Affinity took the lead with this event supported by DICE. Two interactive stands were used, a driving simulation scenario utilising XVR and a 60 second challenge where attendees were challenged to don PPE in a minute or less, replicating the time to get ready prior to an emergency turnout. The day provided the opportunity to engage with many females, spreading not only fire safety messages but also promoting the role of the firefighter and recruitment opportunities.

6. EMPLOYMENT CONDITIONS, HEALTH AND WELLBEING

6.1 The welfare review commenced in May 2021 and will review the current welfare and training provision for managers, in line with Health Safety and Wellbeing requirements. The scope of the review includes:

- Welfare provisions - on site / stations
 - Storage facilities for female personal items
 - Dignity rooms
 - Facility for privacy when dressing/undressing into level 2 water PPE
 - Toilet facilities

- Welfare provisions – training on/off site and at incidents
 - Mobilisation of welfare unit / toilets
 - Female welfare packs
 - HVPU welfare vehicle
 - MOU for shared facilities

- Staff Training
 - Training for managers to ensure the right environment is created
 - Incorporated into the progression model
 - Health Safety and Wellbeing training at all levels
 - Welfare considerations to be included in CDC assessments

- Support
 - Signpost to safe channels of networking groups
 - Buddy scheme
 - Supervisory manager mentors

- Policy and Procedure
 - Welfare Policy / Procedures
 - Mobilising

Work is progressing across all workstreams and updates will be provided in future reports.

6.2 As at 1st July 2021 WMFS employed a total of 1,897 employees of which:

- 1,386 (73%) are uniformed, 444 (23%) non-uniformed and 67 (4%) Fire Control
- 12% of uniformed staff are female compared to more than half of non-uniformed staff and 86% Fire Control staff. 50% of the working population of the West Midlands are female.
- 14% of all employees are from a Black, Asian or Minority Ethnic (BAME) background. 30% of the working population of the West Midlands are from BAME communities.
- Declaration rates remain high with 93% of all employees having made a declaration regarding disability. 3% have stated they have a disability.
- 86% of all employees have made a declaration regarding sexual orientation. It should be noted however that 12% (224) employees have declared that the 'prefer not to state'
- The average age of our employees is 43 years.

6.3 Our Occupational Health and Wellbeing team continues to offer and promote a wide range of activities for our employees, encouraging participation in our full wellbeing programmes which include the use of gym facilities, 24/7 Support Line (EAP), Occupational Health, Mindfulness and weekly webinars delivered by psychotherapists.

The MESH pages for both Occupational Health and employee Wellbeing offer a 'one stop shop' for information and toolkits for staff.

6.4 Grievances

6.4.1 During the reporting period January 2021 to June 2021 there were a total of 6 grievances raised.

- 2 x contractual issues – 1 is ongoing and 1 is at appeal
- 1 x equal pay – ongoing
- 1 x discrimination – not progressing
- 1 x Bullying and Harassment – not upheld
- 1 x dignity at work – withdrawn

6.4.2 During the reporting period July 2020 and December 2020 there were a total of 6 grievances logged.

- 4 x Dignity at Work / Bullying and Harassment
- 1 x Work Practice / Policy
- 1 x Terms and Conditions

6.4.3 During the reporting period January 2020 and June 2020 there were a total of 11 grievances logged.

- 5 x Dignity at Work / Bullying and Harassment
- 4 x Work Practice / Policy
- 2 x Terms and Conditions

6.5 Discipline Cases

6.5.1 During the reporting period January 2021 to June 2021 there were a total of 9 discipline cases.

- 2 x misconduct – 1 final written warning and 1 ongoing
- 7 x gross misconduct
 - 3 x dismissal – 1 no appeal, 1 appeal dismissed, 1 appeal reinstated
 - 1 x final written warning and demotion
 - 3 x ongoing

6.5.2 During the reporting period of July 2020 and December 2020 there were a total of 21 discipline cases. 8 misconducts (4 from one case, 2 from another). 13 gross misconduct (9 from one case).

- 8 x misconduct – 6 informal resolution, 2 written warning
- 13 x gross misconduct (9 from one case)
 - 6 x dismissal
 - 1 x resignation
 - 5 x final written warning
 - 1 x no case to answer

6.5.3 During the reporting period of January 2020 and June 2020 there were a total of 6 discipline cases.

- 1 x misconduct – written warning
- 5 x gross misconduct

- 2 x no formal outcome (did not progress to hearing)
- 3 x final written warning

6.6 WMFS Gender Pay Gap reported for the snapshot date of 31st March 2020 was 9.8%. The pay gap has decreased when compared to the 11.3% gap reported for 2019.

As at 31st March 2019, when considering the top 50 salaries, there were 15 females in this group. This increased to 18 in 2020. When considering the top 100 salaries, there were 24 females in this group in 2019, compared to 32 in 2020.

7 RECRUITMENT TRAINING AND PROGRESSION

7.1 In the year 1st April 2020 to 31st March 2021, WMFS employed 72 new entrant firefighters. Of these, 19 (26%) are women and 22 (31%) BAME.

Since April 2021 WMFS have employed 32 new entrant firefighters. Of these, 5 (15%) are women and 12 (38%) BAME.

Whilst activity has been restricted due to the pandemic, a range of positive action initiatives continue for both women and BAME candidates.

BAME candidates are offered online group workshops to offer preparation information and advice for behavioural assessment. These include an overview of the Service, the wider role of the firefighter, as well as interview techniques and effective communication. Individual support is offered where necessary to accommodate work/home situations and any individual concerns via teams, phone or email.

Female candidates are offered several levels of support. Online group workshops are taking place to offer preparation information and advice for behavioural assessment.

Female candidates have also received a group session for fitness advice to be followed up with an individual fitness assessment and home fitness programme offered by Occupational Health.

Females who have been offered employment, and are waiting for their training programme to commence, attend kit familiarisation / female fitness sessions to best prepare them for training.

We have seen a decline in the number of females who are successful during recruitment. This has been attributed to our inability to provide targeted physical training sessions during the pandemic restrictions. Now that restrictions are easing, the female recruitment course that was facilitated in 2018 and 2019 will be re-introduced.

The 'Be a Firefighter' portal that we utilise for initial attraction and expressions of interest is having a facelift. Working alongside colleagues in our Communications team, we have produced new video footage and photographs, and the look and feel of our recruitment web pages will be enhanced. This follows research undertaken by our WCdr in DICE, considering feedback from candidates and 'best practice' examples from other Services.

- 7.2 At the time of writing the report, the Service had commenced a recruitment campaign for Fire Control. The approach to recruitment has been reviewed and a targeted approach to advertising, utilising social media, is underway.

To enhance our Fire Control recruitment, members of DICE are working alongside Fire Control and reviewing selection tools, making full use of available technology for online recruitment.

- 7.3 As part of the Emerging Risks project, an ongoing approach to recruitment for the Technical Rescue Unit commenced in July. An Attraction and Selection strategy has been developed and a programme of attraction activity commenced. A dedicated MESH site has been published to support this work and there has been significant engagement with teams from across the Service including the Networking Groups.

The first phase has resulted in 46 applicants, with 5 (11%) being female and 4 (11%) BAME. This is representative of the pool from which we are recruiting (existing firefighters).

The level of applicants and diversity has massively increased when compared to the campaigns in recent years.

- 7.4 42% of uniformed posts are Crew Commander or above. 25% of female uniformed staff hold positions of Crew Commander or above, compared to 44% of male staff.

25% of BAME uniformed staff hold positions of Crew Commander or above, compared to 44% of white staff.

65% of non-uniformed posts are grade 9 or above. 53% of female non-uniformed staff hold positions of grade 9 or above, compared to 79% of male staff.

60% of BAME non-uniformed staff hold positions of grade 9 or above, compared to 67% of white staff.

- 7.5 Our positive action strategy has been enhanced to encompass internal positive action for progression. During the attraction phase of promotion selection activity, candidates from under-represented groups will be actively engaged to encourage and support participation in selection activity. Early and sustainable contact is made with our Networking Groups throughout.

8 **EQUALITY IMPACT ASSESSMENT**

This report responds directly to the General and Specific Duties of the Equality Act and considers DICE issues that are pertinent to the needs of the Service. In doing so a range of equality data has been analysed and considered regarding all protected characteristics.

9 **RISK IMPACT ASSESSMENT**

The objectives identified in this report support the organisation in mitigating its risk regarding claims of unlawful discrimination.

10 **LEGAL IMPLICATIONS**

The recommendations outlined in this report assist us to fulfil our duties under the Equality Act 2010 particularly to

advance equal opportunities and eliminate behaviours that are unlawful under the Act.

11 **FINANCIAL IMPLICATIONS**

There are no financial implications arising from this report.

12 **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications arising from this report.

The contact officer for this report is Simon Barry, Strategic Enabler for DICE, contact number 07973 810657

PHIL LOACH
CHIEF FIRE OFFICER

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

SCRUTINY COMMITTEE

1 NOVEMBER 2021

1. **DISPUTE RESOLUTION REPORT – JULY 2019 TO MARCH 2020**

Report of the Chief Fire Officer

RECOMMENDED

- 1.1 THAT the contents of the Dispute Resolution Report for the period 1 July 2019 to 31 March 2020 are noted by the Scrutiny Committee.
- 1.2 The Dispute Resolution Report for this period has already been submitted to, and considered by, the Joint Consultative Panel at its meeting held on 27 September

2. **PURPOSE OF REPORT**

To inform the Scrutiny Committee regarding the number, type and outcomes of discipline and grievance hearings and other dispute resolution including Employment Tribunal activity that have occurred during the period of 1 July 2019 to 31 March 2020.

3. **BACKGROUND**

- 3.1 This report provides a summary of the number, type and outcomes of disciplinary, grievance, debriefs, collective grievances and any reported failure to agree, or failure to consult.
- 3.2 Within this report we will identify any lessons learned. This considers feedback and regular discussions with Trade Unions/Representative Bodies and other employees within the Service. Feedback is also noted after case debriefs which we hold once a case has come to an end.
- 3.3 Discussions frequently take place at Joint Consultative Committee and monthly Joint Working Party meetings around the application

of the case management policy.

4. **SUMMARY OF CASES**

4.1 **Grievances**

11 grievances were received during this reporting period. There was 1 grievance completed from the previous reporting period relating to the cancellation of a period of leave. The appeal was not upheld.

Whilst there were discussions that took place to look to resolve these matters informally, 11 of these grievances went to a formal hearing.

1 grievance was relating to the payment of CPD.

3 of the grievances related to working practices to include:

- The taking of TOIL
- Equal pay
- Application of the Recruitment and Selection Framework.

7 of the grievances were relating to allegations of inappropriate behaviour towards them from other employees and include several claims of Bullying and Harassment, some linked to peers.

The Service is in receipt of 1 Employment Tribunal that is related to a grievance reported above.

The grievances received were from 9 Grey Book employees and 1 Green Book employee (2 grievances), 7 male and 4 female employees. Following analysis of the equality data there has been no impact on any specific group. Please refer to Appendix 1 which has a full breakdown of the equality data for each case.

Business Partners work very closely with line managers to identify any concerns at the earlier stages, which helps resolve issues informally.

Monthly breakdown on all grievance cases are given at the Joint Working Party which is attended by trade unions and the relevant managers.

We are currently managing 1 Collective Grievance relating to the taking of TOIL. A meeting was held in February 2020 to commence the discussions.

4.2 **Disciplinary**

There were 14 cases (8 at gross misconduct and 6 at misconduct) detailed as follows.

- 7 of the discipline investigations (3 Gross Misconduct and 4 Misconduct) were investigations into allegations of inappropriate behaviour, at the time of the reporting period 4 cases were still ongoing and 2 (2 Gross Misconduct) cases resulted in a final written warning one with a demotion and 1 Misconduct case resulted in a first written warning. There were no appeals received.

4.3 **Gross Misconduct Investigations**

- Failure of a 'with cause' test in the workplace relating to alcohol. A 'with cause' test is where an external company are brought in where there is a cause to believe that the employee has attended work under the influence of drugs or alcohol. This resulted in the employee being dismissed from the Service. There was an appeal and the decision was upheld.
- At the time of the reporting period 2 investigations were still in the investigation stage and relate to a breach of the organisational policy and procedures relating to time keeping and recording. These are ongoing.
- Inappropriate use of the ICT systems, this resulted in a final written warning and no appeal.
- Criminal conviction, this led to a dismissal. There was an appeal and the decision was upheld.

4.4 **Misconduct Investigations**

- Damage of Fire Service property and breach of procedures. This is ongoing.
- A period of being absent without leave where a person was absent from work without leave; this resulted in a development plan.

Debriefs are undertaken and are fed into the Service's debrief process through organisational intelligence which looks to identify trends and informs change to policy and practice.

11 of the disciplinary cases involved male employees and 3 related to female employees, with a variance of ages, race and religion. There has not been any impact on any particular group. Please refer to Appendix 1 which has the full breakdown of equality data for each case.

People Support Services work very closely with the managers and trade unions and resolve issues at the very early stages. New managers are buddied up when dealing with any disciplinary investigations which supports their development.

Monthly breakdown on all disciplinary cases are given at the Joint Working Party which is attended by Trade Unions and the relevant managers.

People Support Services' Business Partners have regular meetings, discussions and dialogues with Trade Unions to keep them informed on any issues and to help resolve at the earlier stages which will stop them developing into disciplinary or grievances.

5. **EMPLOYMENT TRIBUNALS**

The Service during this reporting period has received 3 Employment Tribunal Claims.

The Service is currently managing 5 Employment Tribunals including those from the previous reporting periods.

6. **DEBRIEFS AND LEARNING OUTCOMES**

Following the analysis of trends from the debriefs from this period and outcomes of previous debriefs, there has been an agreement

with management and Trade Unions to hold a Joint Working Party to specifically look at the amendments and enhancements that have been identified.

The outcomes of the debriefs have not to date identified areas where a change to the policy is required, but there are a number of areas where the guidance/toolkits provided to managers will be enhanced. Specific examples of areas for shared development we continue to work on in the above Joint Working Party with the Trade Unions include:

- the process for undertaking a management investigation prior to a formal process;
- the management and welfare of employees who are either off sick or suspended, including specific definition around the roles and responsibilities of the welfare officer; and
- a process for determining where there is a case that falls outside of business as usual and more resources are required for all key stakeholders.

7. **POLICIES AND PROCEDURES**

The Disciplinary policy and the Grievance policy are available for all employees on MESH. Trade unions and stakeholders have been fully involved when making any changes to this policy.

The Service continues to provide management training on a range of people management training including discipline and grievance, this was available to all supervisory managers and a supporting training package has been developed.

8. **EQUALITY IMPACT ASSESSMENT**

In preparing this report an initial Equality Impact Assessment is not required and has not been carried out. The Service's policies that are applied in all case management have been subject to full Equality Impact Assessments.

9. **LEGAL IMPLICATIONS**

There are no direct legal implications arising from this report.

10. **FINANCIAL IMPLICATIONS**

There are no financial implications to this report.

BACKGROUND PAPERS

Disciplinary Policy 2/1

Grievance Policy 2/2

Previous JCP reports Dispute Resolution Reports 0-19 and Review of Case Management Debriefs.

The contact officer for this report is Sarah Warnes, Assistant Chief Fire Officer, Strategic Enabler (People Programme) 0121 380 6551.

PHIL LOACH
CHIEF FIRE OFFICER

Appendix 1**Discipline Equality Monitoring**

Gender:	Male 10	Female 4
Age:	DNS	1
	20-29	2
	30-39	4
	40-49	4
	50-59	1
	60-69	2
Ethnicity:	White British	9
	Black British	3
	Mixed White British	1
	DNS	1
Sexual Orientation:	Heterosexual	9
	Prefer not to say	3
	Gay/Lesbian	1
Disability:	Prefer not to say	2
	No	11
	Yes	1
Role:	FF (and equivalent)	8
	Supervisory Manager	6
	Middle Manager	0
	Strategic Manager	0

Grievance Equality Monitoring

Gender: Male 7 Female 4

Age:

20-29	
30-39	2
40-49	8
50-59	1
60-69	

Ethnicity:

White British	6
Asian/Asian British	2
Greek	1
Mixed White British	1
Mixed Black/White	1

Sexual Orientation

Heterosexual	6
PNTS	5

Disability:

No	6
Yes	2
PNTS	3

Role:

FF (or equivalent)	3
Supervisory Manager	5
Middle Manager	
Strategic Manager	3

Dispute Resolution Summary

		Types of Grievance					Level					Outcomes			
Date of Report	No of Grievances	Work Practice	Bullying/ Harassment	Org Change	Other	No of Discipline Investigations	Gross Misconduct	Misconduct	Other	No of Discipline Hearings	Dismissal	Final Written Warning	Written Warning	No Formal	
Apr-13	17	2	4	6	5	12	8	1	3	4	2	2	0	0	
Sep-13	7	2	2	3	0	8	5	2	1	8	5	1	0	1	
Apr-14	7	0	0	6	1	15	14	1	0	4	1	2	1	0	
Sep-14	13	0	9	4	0	21	20	1	0	9	2	5	2	0	
Mar 15	8	0	3	5	0	13	13	0	0	15	4	4	3	4	
Oct 15	3	0	1	2	0	4	4	0	0	2	2	0	0	0	
Mar 16	8	2	4	1	1	4	4	0	0	2	0	1	1	0	
Aug 16	11	7	3	1	0	30	22	8	0	8	1	1	2	16	
Mar 17	4	0	3	1	0	9	8	1	0	7	4	1	2	2	
Sept 17	2	1	0	1	0	13	13	0	0	3	0	0	2	1	

Mar 18	6	4	2	0	0	8	7	1	0	5	1	0	4	0
Oct 18	5	5	0	0	0	14	11	3	0	9	2	6	1	0
Aug 19	5	5	0	0	0	10	5	5	0	4	0	4	0	0
Mar 2020	11	3	0	0	8	14	8	6	0	7	2	3	1	1

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

SCRUTINY COMMITTEE

1 NOVEMBER 2021

1. **DISPUTE RESOLUTION REPORT – APRIL 2020 TO SEPTEMBER 2021**

Report of the Chief Fire Officer

RECOMMENDED

1.1 THAT the contents of the Dispute Resolution Report for the two periods are noted by the Scrutiny Committee:

- 01/04/2020 – 31/03/2021 (period 1)
- 01/04/2021 – 30/09/2021 (period 2)

1.2 THAT the Dispute Resolution Report noted by the Scrutiny Committee is submitted at the Joint Consultative Panel.

2. **PURPOSE OF REPORT**

To inform the Scrutiny Committee regarding the number, type and outcomes of discipline and grievance hearings and other dispute resolution including Employment Tribunal activity that have occurred during the two periods listed above.

3. **BACKGROUND**

3.1 This report provides a summary of the number, type and outcomes of disciplinary, grievance, debriefs, collective grievances and any reported failure to agree, or failure to consult.

3.2 Within this report we will identify any lessons learned from the application of our then current practices but also a full and comprehensive review and stakeholder engagement in relation to

the disciplinary and grievance policies. The revisions and crucial conversations management training is aligned to the Discipline policy which went live from 1 July 2021 and the revision to the grievance policy will go live January 2022, along with mediation people management training. We also considered feedback and regular discussions with Trade Unions/Representative Bodies and other employees within the Service. Feedback is also noted after case debriefs which we hold once a case has come to an end.

3.3 Discussions frequently take place at the monthly HR Joint Working Party meetings (JWP) around the application of the case management policy.

4. **SUMMARY OF CASES**

4.1 **Grievances Period 1 (1 April 2020–31 March 2021)**

20 Grievances for period 1 starts from 1 April 2020 to 31 March 2021.

3 individuals raised more than 1 grievance totalling 6 out of the 20 and there are also 2 collective grievances raised by multiple employees. The second collective grievance being Fire Control.

Whilst there were discussions that took place to look to resolve these matters informally, 18 grievances went to a formal hearing.

Collective grievance 1 was around bullying and harassment, this was formally investigated, and the resolution was communicated to the employees.

Collective grievance 2 was from Fire Control based on CPD payments and the outcome was communicated.

7 of the grievances fell under bullying, harassment and discrimination which went to a hearing with the outcome communicated.

7 of the grievances are work practices/relations, relating to a transfer under recruitment and selection policy.

2 grievances came from the same employee, who was disputing their terms and conditions.

2 grievances were dealt with informally and both were relating to work practices/relationships.

The grievances received were from 17 Grey Book employees including both collective grievances and 3 Green Book employees, 11 male and 7 female employees the Fire Control Collective were made up of multiple employees (gender not known) 1 informal grievance was male and the 2nd being female. Following analysis of the equality data there has been no impact on any specific group. Please refer to Appendix 1 which has a full breakdown of the equality data for each case.

Business Partners work very closely with line managers to identify any concerns at the earlier stages, which helps to resolve issues informally.

It was identified through policy consultation, SET, Stakeholder engagement, Trade Union feedback and the number of cases that management training was required, we also considered the day-to-day management of people and specifically through the formal investigation process.

Monthly breakdown on all grievance cases will be re-introduced at the HR Joint Working Party with a collaborative engagement meeting chaired by the Trade Unions and the relevant managers.

Grievances Period 2 (1 April 2021–30 September 2021)

6 Grievances starts from the above period, all grievances lodged were independent and ZERO collective grievances.

All 6 grievances resulted in formal hearings

1 grievance related to bullying and harassment

2 grievances related to terms and conditions, i.e. loss of earnings, disparity of green and grey book salaries, (pay/hours etc.)

1 grievance relates to work practices which was part time employee receiving full CPD payment

1 grievance related to organisational change where the employee

disputed why they were placed on redeployment.

1 grievance was submitted by an employee under discrimination which has been investigated.

The grievances received were ALL from Grey Book employees, 1 male and 5 female employees. Following analysis of the equality data there has been no impact on any specific group. Please refer to Appendix 1 which has a full breakdown of the equality data for each case.

4.2 **Disciplinary**

Disciplinary Period 1(1 April 2020–31 March 2021)

There were 27 cases in total (18 at gross misconduct and 9 at misconduct) detailed as follows.

Gross Misconduct

8 x cases were inappropriate behaviour (all grey book employees, 7 males and 1 female)

- An individual behaved inappropriately towards other employees, the outcome resulted in a 6-month written warning.
- Inappropriate usage of social media case and 2 x employees were dismissed.
- x 3 inappropriate usage of social media case both resulted in a final 18 month written warning.
- Inappropriate usages of social media case resulted in a 6-month written warning.
- Inappropriate usage of social media, employee dismissed.

2 x cases were a breach of policy and procedure (both male employees, one was grey book and the other was green book employee)

- Employee had not declared a previous dismissal and inappropriate usage of social media. This resulted in a dismissal.
- Social distancing rules broken within the workplace, and employee had a final written 18 months warning.

1 x **case was bringing WMFS into disrepute** (grey book male employee)

- Inappropriate behaviour towards an employee which resulted in a development plan.

4 x **cases were bullying, harassment and discrimination** (all 4 grey book male employees)

- 3 cases were from the inappropriate usage of social media group, all resulted in dismissal.
- Employee was investigated for harassment and resulted in a demotion with a final written 18-month warning.

3 x **cases were criminal Conduct** (2 male employees, 1 female and all 3 were grey book)

- Employee gave false information, and this resulted in a dismissal
- Drink driving offence resulted in a criminal record and resulted in a formal warning.
- Employee was convicted of domestic abuse and dismissed.

4 x **cases were investigated informally** and there was no outcome however, these 4 cases then resulted in a collective grievance from a Fire Station (All 4 males and grey book).

Misconduct:

1 x **case was inappropriate behaviour** (grey book female employee)

- Inappropriate usage of social media and resulted in a 6-month written warning.

4 x **cases were bullying, harassment and discrimination** (4 male employees grey book)

- 4 employees behaved inappropriately whilst at work, this was managed informally.

1 x case was criminal conduct (grey book male employee)

- An employee drove the Brigade van breaking the speed limit rules. This had an informal outcome with a development plan.

2 x cases were damage to property (2 male grey book employees)

- 2 employees were investigated due to damages of WMFS equipment and this case resulted in no formal action.

1 x case was a breach of policy and procedure (grey book male employee)

- Inappropriate behaviour towards another member of staff and resulted in no formal action.

Disciplinary Period 2 (1 April 2021–30 September 2021)

There were 10 cases in total (6 at gross misconduct and 4 at misconduct) detailed as follows.

Gross Misconduct:

2 x case was inappropriate behaviour (both male and grey book employees)

- An employee who used drugs resulted in a final written 18 months.
- An employee who used drugs, based on the facts of the case, and information that was gathered at the investigation stage, considering all the presentation there were inconsistencies, dishonesty and the loss of trust and therefore the decision was to dismiss the employee from the Service.

1 x case was a breach of policy and procedure (male grey book employee)

- Inappropriate usage of ICT equipment, this case is still in the

investigation stage.

1 x cases where a breach of health and safety policy (both male employee, 1 grey book and the other green book)

- An employee resigned pending a hearing.
- Broken covid rules resulted in a development plan.

1 x case was bringing WMFS into disrepute (male grey book)

- An employee pleaded guilty to domestic abuse at court however, the investigation still in progress.

Misconduct:

1 x case was inappropriate behaviour (female grey book employee)

- A breach of GDPR rules and sharing of information, this was dealt with informally.

2 x cases where there was a breach of policies and procedures (both grey book male employee)

- An employee drove a WMFS vehicle and caused damage to vehicle and property (investigation still in progress).
- Employee breached covid rules, this investigation is still in progress.

1 x case where there was a breach of health and safety policy (male grey book employee)

- An employee accessed a station during covid rules, the outcome was informal.

5. EMPLOYMENT TRIBUNALS

The Service during this reporting period from 1 April 2020 until 30 September 2021 has received 10 Employment Tribunal Claims. However, five employment tribunals are from a large and complex disciplinary case which led to multiple dismissals.

6. **DEBRIEFS AND LEARNING OUTCOMES**

We have reviewed the policies as part of our normal review cycle and as part of this process we had set up a stakeholder group including Managers, Trade Unions reps, People Support Services and a HR Consult. The policies have been re-aligned to the ACAS Code of Practice on Disciplinary and Grievance and substantial revisions have been made to our policies, toolkits, procedures and practices.

7. **TRAINING AND DEVELOPMENT FOR LINE MANAGERS**

Following feedback from SET the trade unions and managers through the Disciplinary and Grievance stakeholder group and HR JWP a decision has been taken to provide those involved in people management including Trade Unions, line managers and PSS Business Partners training through external training providers ACAS and ABDCCCT (achievement by design Coaching Consulting training). The training that was provided is stated below:

- **Disciplinary Investigations** (78 managers and BPs attended)
- **Disciplinary Commissioning and Appeals** (29 managers and BPs attended this course) (*limited availability with this course*)
- **Crucial Conversations** (68 managers, BPs and Trade Unions officials attended)

In support of the ongoing learning development of our staff we are currently providing 'crucial conversation' training for all line managers. These training sessions provide practical and effective techniques to support managers to carry out difficult conversations confidently and sensitively with staff.

The Service recognises that there are many reasons for holding an internal investigation in the workplace. Investigations are held to clarify and establish the facts of an individual case and to assist in a decision as to whether there are grounds to call a disciplinary hearing or dismiss a member of staff.

The outcomes of attending both sessions were that line managers learnt new techniques, procedures and checklists that help ensure that they are considering all the critical factors and that they undertake the process in a fair and unbiased manner. The ACAS

training has completed for now but will be part of a regular training for our people managers alongside with the crucial conversations training too.

The disciplinary and crucial conversations training sessions were all expert-led and designed to facilitate discussion and interaction which our managers found beneficial and helpful.

8. **POLICIES AND PROCEDURES**

The Disciplinary policy and the Grievance policy are available for all employees on MESH.

Disciplinary Policy and Toolkit:

Following an extensive engagement process, we have made some significant changes to the way we develop and engage on our people policies.

All our policies are consulted with our Trade Unions, however, on considering lessons learnt, information from our debrief process and feedback from managers and trade unions we have identified further areas of improvement.

As an outcome of this feedback, we have revised the new discipline policy, to provide a clear and concise framework to support managers' decision making and application of the process.

The supporting toolkit contains additional supportive information, guidance, and template documents.

The revised policy focusses on the informal process, trying to resolve issues early, sharing advice and guidance through the day-to-day management and in a timely manner. This will help to resolve issues where appropriate and prevent escalation. Our PSS Business Partners will also be meeting with managers to go through the changes to support understanding and the application of the policy.

All employees are made aware that they need to be accountable for their conduct and behaviours and managers need to ensure the expectations on all staff to uphold our core values are upheld.

In support of this we have provided crucial conversations training to all managers with responsibility of managing people to support the early intervention and conversation to prevent the escalation of an issue to formal disciplinary stages. This will also assist in managing in the day-to-day management of staff including the informal stage of the discipline policy should it be required.

Managers will carry out this training as part of their ongoing development and need to book on to People Management training for crucial conversations.

Grievance Policy and toolkit is still in its draft stage of amendments and creation, this will be going through the same process as the disciplinary policy minus the training. This policy and process will be fully supported by the BPs in supporting the managers.

8. **EQUALITY IMPACT ASSESSMENT**

In preparing this report an initial Equality Impact Assessment is not required and has not been carried out. The Service's policies that are applied in all case management have been subject to full Equality Impact Assessments.

9. **LEGAL IMPLICATIONS**

There are no direct legal implications arising from this report.

10. **FINANCIAL IMPLICATIONS**

There are no financial implications to this report.

BACKGROUND PAPERS

Disciplinary Policy 2/1

Grievance Policy 2/2

Previous JCP reports Dispute Resolution Reports 0-19 and Review of Case Management Debriefs.

The contact officer for this report is Sarah Warnes, Assistant Chief Fire Officer, Strategic Enabler (People Programme) 0121 380 6551.

PHIL LOACH
CHIEF FIRE OFFICER

Discipline Equality Monitoring

Gender: Male 33 Female 4

Age:

DNS	
20-29	6
30-39	12
40-49	14
50-59	4
60-69	1

Ethnicity:

White British	
Black British Afro Caribbean	
Black British	
Mixed White British	
Mixed White Asian	
Indian	
DNS	1

Sexual Orientation:

Blank	11
Heterosexual	21
Prefer not to say	4
Bisexual	1

Disability: *Data cannot be accessed through the new Oracle system*

Role:

FF (and equivalent)	25
Supervisory Manager	10
Middle Manager	0
Strategic Manager	0
Pensioner	2

Marital Status:

Married	9
Single	14
Divorced	1
Living together	2
Common Law	1
No data	10

Grievance Equality Monitoring (this data is shown for 24 only employees as the remaining 2 are collective grievances with multiple employees)

Gender: Male 12 Female 12

Age:

20-29	2
30-39	12
40-49	5
50-59	4
60-69	1

Ethnicity:

White British	21
Asian/Asian British	1
Mixed White British	
British Black	1
Mixed Black/White	1

Sexual Orientation:

Heterosexual	22
PNTS	2

Disability: *Data cannot be accessed through the new Oracle system*

Role:

FF (or equivalent)	16
Supervisory Manager	5
Middle Manager	2
Strategic Manager	
Pensioner	1

Marital Status:

Married	10
Single	12
Divorced	1
No data	1

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

SCRUTINY COMMITTEE

1 November 2021

1. **PROGRESS REPORT ON REVIEW OF SAFEGUARDING IN WMFS**

Report of the Chief Fire Officer

RECOMMENDED

THAT Members note progress made to date on the implementation of the recommendations made as part of the review of safeguarding.

2. **PURPOSE OF REPORT**

This report is submitted to update the Scrutiny Committee on work to improve safeguarding arrangements and practice in West Midlands Fire Service (WMFS).

3. **BACKGROUND**

3.1 Effective safeguarding is integral to the WMFS strategic aims of Prevent and Protect. A review of safeguarding in WMFS was completed in 2019 by Alan Lotinga from the West Midlands Association of Directors of Adult Social Services. Alan returned to help progress the implementation of the action plan in early 2020. Several key areas for improvement including a further review of the WMFS Policy and Procedures were identified. The review of safeguarding made recommendations to:

- Strengthen leadership and governance for safeguarding.
- Improve oversight and assurance of safeguarding by establishing a Safeguarding Oversight and Assurance Group.

- Ensure safeguarding practice and principles are embedded across services in an efficient and effective way.
 - Lead and provide assurance both internally, with key partners and the National Fire Chiefs Council (NFCC).
- 3.2 The Safeguarding Manager, Mike Wood, was appointed in December 2020 following the safeguarding review undertaken by Alan Lotinga. The role was appointed to further progress this work and engage with key stakeholders and employees to embed a safeguarding culture. It acts as the Delegated Designated Safeguarding Officer as defined in legislation or NFCC safeguarding guidance on behalf of Strategic Enabler for People, leading, and managing safeguarding responsibilities across the organisation. The role ensures that WMFS effectively discharges its safeguarding duty, and that policy, process and practice is in line with current legislation. The implementation of Alan's work is being led by the Safeguarding Manager.

3.3 Summary of Progress to Date

There has been considerable progress to improve safeguarding in WMFS during 2021 as follows:

- The WMFS Safeguarding Oversight and Assurance Group was established with terms of reference (see Appendix 1) in the WMFS governance arrangements for safeguarding in February 2021. The main Group has senior representation from across WMFS and meets quarterly with monthly subgroup meetings in between. The Group has a safeguarding action plan which is updated at least monthly.
- Revised safeguarding policy and procedures have been produced and were implemented on 1 September 2021. They include, for the first time in WMFS, a people in a position of trust policy setting out the procedure for managing allegations of abuse against staff and volunteers. They also include a new safeguarding competency and supervision framework. It sets out minimum requirements to ensure the workforce (including volunteers) is competent to ensure the safety, protection and wellbeing of children and adults with care and support needs. Competencies within the

Framework refer to a combination of skills, knowledge and experience expected of individual staff and volunteers. The Framework aims to ensure that this informs safeguarding practice in keeping with an individual's job role, duties, and responsibilities.

- The Ecademy safeguarding awareness eLearning has been reviewed and significantly updated as a part of the safeguarding competency and supervision framework. The training content is with OLPD to develop the eLearning. The framework also includes a targeted approach for staff in intermediary, specialist, and strategic roles (the latter could include members of SET and the Scrutiny Committee). Work has started to set out the learning and development required to achieve competencies at these levels.
- Quarterly safeguarding data is produced from the Fire Control safeguarding records. It provides information on the number of safeguarding concerns, position of trust allegations, and identifies themes emerging from the data. It is regularly shared with the Safeguarding Oversight and Assurance Group. Recommendations and learning from Safeguarding Adult Reviews (SARs) and Serious Incident Reviews (SIRs) are being shared with the Safeguarding Oversight and Assurance Group. It shows that most people subject to SIRs have care and support needs. In 2020-21 there were 46 incidents that met the SIR criteria, 68% of casualties had care and support needs. Care and support is the mixture of practical, financial and emotional support for adults who need extra help to manage their lives and be independent - including older people, people with a disability or long-term illness, people with mental health problems, and carers.
- Work has started to improve systems for safeguarding. First, by developing Business Intelligence dashboard to improve safeguarding data, real-time information on activity and outcomes. Second, by further developing Tymly (an existing WMFS IT system) to include recording of safeguarding.
- All 7 Safeguarding Adult Boards (SABs) in the West Midlands Metropolitan region have agreed that the SAB will receive a single self-assessment and annual report from WMFS by the end of April starting in 2022. This will replace

the multiple requests for self-assessment and other assurance activity from SABs that WMFS is currently subject to. It will save time and a single self-assessment will strengthen WMFS's oversight of safeguarding in the Service.

- WMFS has had challenges to engage partners in SIRs. Some partners can be reluctant to share information for the purpose of an SIR, questioning the legal basis for sharing information. The 7 SABs have agreed to help promote the involvement of partner organisations in WMFS SIRs by tasking a SAB subgroup to help better understand and resolve the issue.
- WMFS and SABs are represented at the West Midlands Emergency Services Safeguarding Adult Group (WMESSAG). WMESSAG has developed a common referral form to social care for the West Midlands Metropolitan Region for WMFS, the Police, and Ambulance Service. It is not implemented yet.
- A new safeguarding page on Mesh is being used to share key safeguarding information with staff including the minutes of the Safeguarding Oversight and Assurance Group.

3.4 Engagement of Staff

Staff and Trade Union engagement has been an integral part of the progress set out in 3.3. This was particularly the case in the development of the safeguarding policy and procedures. For example, approximately 45 staff from across WMFS were involved in the development of the safeguarding policy and procedures through a Microsoft Teams site and 3 focus groups in March and April 2021. Each focus group covered the following 4 areas:

- Recognising and Responding to Abuse and Neglect.
- Reporting, Recording and Referring.
- People in a Position of Trust Policy.
- Staff Competency and Supervision Framework.

The focus groups resulted in amendments to the policy and procedures. They provided a wealth of information that will

be used to develop a safeguarding toolkit for staff.

There has been significant engagement with Trade Union representatives at the Human Resources Joint Working Party where safeguarding has been a standing agenda item.

A JCC consultation on the safeguarding policy and procedures was undertaken in July and August 2021.

The Safeguarding Oversight and Assurance Group has a communication plan to help organise and structure staff engagement.

3.5 Summary of Further Action Required

There are several actions to be completed by the end of June 2022. They are:

- A review Safeguarding Oversight and Assurance Group terms of reference and the safeguarding policy and procedures.
- Consider mainstreaming and recruitment for the Safeguarding Manager post.
- Complete the development of and implement the Business Intelligence dashboard to improve safeguarding data and the recording of safeguarding using Tymly.
- Develop and implement the learning and development required for the intermediary, specialist, and strategic levels of the safeguarding competency and supervision framework.
- Develop and implement the safeguarding toolkit including promoting use of the NHS safeguarding app which is on all brigade mobile phones and downloadable on personal devices if required
- Templates to record the investigation of position of trust allegations have already been produced but need to be implemented.
- Engagement with Children's Safeguarding Boards and partnerships to agree use of the WMFS single self-assessment and annual report, then conduct the first WMFS self-assessment and annual report and submit to safeguarding

boards by the end of April 2022.

- Implement common referral form through agreement at the WMESSAG.
- Improve assurance that learning from SIRs, SARs, Child Safeguarding Practice Reviews, and other reviews is embedded in practice.

4. **EQUALITY IMPACT ASSESSMENT**

A full Equality Impact Assessment has been completed and can be accessed (Appendix 2).

5. **LEGAL IMPLICATIONS**

The safeguarding policy and procedures will ensure that WMFS fulfills its safeguarding responsibilities for:

- Children and young people under the Children Act 1989 and 2004; and the statutory guidance Working Together to Safeguard Children 2018.
- Adults with care and support needs under the Care Act 2014.
- Fire and Rescue Services Act 2004 – This places a statutory duty to promote fire safety in the community. The safeguarding responsibilities are defined in other legislation.

6. **FINANCIAL IMPLICATIONS**

Any costs associated with releasing staff for safeguarding training would need to be met from within existing resources.

7. **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications arising from this report.

BACKGROUND PAPERS

Scrutiny Committee Report Review of Safeguarding 27.3.2019

[NFCC Safeguarding Framework](#)

The contact name for this report is Sarah Warnes, Assistant Chief Fire Officer, Strategic Enabler – People

Telephone number 07973 810813

PHIL LOACH
CHIEF FIRE OFFICER

WMFS SAFEGUARDING OVERSIGHT AND ASSURANCE GROUP**TERMS OF REFERENCE**1. Purpose

To ensure oversight of safeguarding activity in the Service and assurance of its quality, outcomes, and impact.

2. Main Roles of group

In line with the National Fire Chiefs Council (NFCC) Safeguarding Guidance, to ensure the Service has robust and proportionate arrangements to:

- Monitoring service performance on safeguarding and supporting organisational learning using intelligence.
- Ensure compliance with relevant statutory responsibilities.
- Ensure there is an effective accountability framework outlining safeguarding roles and responsibilities across the Service (including overall leadership responsibilities, policies, and procedures, how allegations/concerns/referrals are dealt with, advice and support.
- Ensure staff and volunteers are aware of current safeguarding policies and procedures as well as legal and moral obligations to effectively safeguard the Service's resident population.
- Ensure satisfactory systems are in place to monitor and report on the above arrangements.

3. Membership

- Assistant Chief Fire Officer (ACFO) (People) to Chair the Group
- Group Commander, Fire Safety
- Group Commander, Response
- Group Commander, Fire Control
- Group Commander, Organisational Learning and Personal Development (OLPD)
- Operations Commander (1)
- WMFS Safeguarding Manager, People Support Services (PSS)
- Children and Young Peoples Manager, Prevention
- Partnerships Manager, Prevention
- Senior Business Partner, PSS
- Data Controller
- Policy Team representative

4. Accountability

The Group reports to the designated Strategic Enabler, currently People.

Changes and outcomes will be consulted on with the Joint Consultative Committee (JCC) and through the Employee Relations Framework. The Group will establish task-and-finish groups as required.

5. Regularity

The Group will meet quarterly. A monthly working group will meet to progress the Group's action plan. The Group Commander best positioned to support this work would attend this meeting on behalf of the other Group Commanders.

6. Review

The Terms of Reference will be reviewed by the Group annually in January.

Appendix 2**Full Equality Impact Assessment 2019 v2.0**

A detailed equality impact assessment for a project, policy or procedure which will have a wide scale impact on a team(s) or on service delivery, also useful for a project which is likely to have a range of equality benefits and can be used as best practice.

1. Name of project, policy or procedure
Safeguarding arrangements
2. Directorate/ team this project or policy is owned by
People
3. Project lead (<i>This is the individual whose responsibility the project or policy; this is not always the author</i>)
ACFO Sarah Warnes
4. EIA author (<i>the name of the individual who is completing this form</i>)
Wendy Browning-Sampson
5. Is this a new or existing policy or project?
Existing policy but amended arrangements in relation to Safeguarding.
6. When is this project due for implementation/ completion?
September 2020
7. Please set a date to review this project (<i>pick a realistic date when you can review any impact of this project / policy in operation. You should at that point review considering any unforeseen impacts on equality that have arisen</i>)
March 2021
8. What are the aims / outcomes of the project/ policy? (<i>what do you hope to achieve? please be detailed so if a cost saving is expected then be specific, if it is a business improvement then detail what benefit you hope to see</i>)
The Service, wanting to assure their Safeguarding processes and practice, engaged a consultant during September 2018 and March 2019. As an outcome an interim report was submitted to Scrutiny Committee on February 2019. A final report with an action plan was developed as an outcome of the review, was received, considered and

recommendations approved by Scrutiny Committee at its meeting on 27 March 2019.

In January 2020, the Safeguarding accountabilities were aligned to the ACFO People – a Brigade manager post as a temporary measure. This is in line with NFCC guidance which stipulates ‘a named senior officer with overall responsibility’.

Further work is programmed to align the Service to the NFCC guidance and best practice to support the Service to protect the most vulnerable people in our communities. Some of the work being undertaken includes:

- Policy and procedures
- Appointment of designated safeguarding officer to support and embed safeguarding within the Service
- Competency Framework within CPA
- Redefining WMFS relationships within 14 Safeguarding Boards or equivalent partnerships to improve clarity, consistency of approach and year in and year end assurance processes.
- Arrangements for Position of Trust Adults and Children’s Policy.

Impacts

This section is for you to demonstrate due consideration of consider any impact of your project, policy or procedure. **You must** provide data to evidence that you have researched the possible impact of your policy on employees and/or the community. Your data collection must be robust, and you must show evidence that you have analysed any potential impact or trends. Workforce Planning can help provide data if needed and support and guidance is available from the DICE team. **DO NOT** identify individuals.

<p>9. Have you identified any impacts due to race, ethnicity or national identity?</p> <p>No <input type="checkbox"/> Yes <input type="checkbox"/></p> <p><i>If yes detail here:</i></p>
<p>10. Have you identified any impacts due to gender, including gender identity, transgender and non-binary gender identity?</p> <p>No <input type="checkbox"/> Yes <input type="checkbox"/></p> <p><i>If yes detail here:</i></p>
<p>11. Have you identified any impacts due to disability, including mental health, learning difficulties, and those on the Autistic spectrum?</p> <p>No <input type="checkbox"/> Yes <input type="checkbox"/></p> <p><i>If yes detail here:</i></p>

12. Have you identified any impacts due to Religion or Philosophical belief, including any non-mainstream faiths?
No x _____ Yes _____ <i>If yes detail here:</i>
13. Have you identified any impacts due to age? This includes any impact on those 18 years old and above
No x _____ Yes _____ <i>If yes detail here:</i>
14. Have you identified any impacts due to sexual orientation? This includes Bi sexual and should not be confused with gender identity.
No x _____ Yes _____ <i>If yes detail here:</i>
15. Have you identified any impacts due to maternity/ paternity?
No x _____ Yes _____ <i>If yes detail here:</i>
16. Have you identified any impacts due to an individual's marital status, this includes same sex partnerships?
No x _____ Yes _____ <i>If yes detail here:</i>
17. Who is will to benefit from this project or policy?
Vulnerable people within our communities will be more effectively supported through the new arrangements. The new arrangements will also ensure more consistency within our Service through the embedding of the Safeguarding assurance processes.
18. Are any individuals or groups likely to be adversely impacted by the project or policy? If so, detail who.
The Safeguarding arrangements will apply to all vulnerable people irrespective of any protected characteristic.
19. What consultation have you carried out or plan to carry out?
The Safeguarding Policy has been consulted through our consultative arrangements. Updates on our approach to safeguarding have been shared with WMFRA Scrutiny committee and amends to the arrangements with partners will be through an engagement process with the partners. This will include 14 Safeguarding boards across WMFS service delivery area.

<p>20. Does this policy or project meet the communities varied needs? (<i>applicable for polices which impact on the communities we serve and service delivery</i>)</p>
<p>Yes, please see above.</p>
<p>21. Does the policy/ activity support WMFS in fulfilling its General duties under the Equality Act 2010. (<i>not all projects, policy or activity will support but this section allows you to identity best practice/ benefits</i>) The general duties are; Advance equal opportunities, Foster good relations between different groups, Eliminate behaviours deemed to be illegal under the act such as harassment or discrimination</p>
<p>No direct contribution to General Duties.</p>
<p>22. Having shown due regard to the equality considerations what is your next step? (please select one option, if unsure of potential impact please contact a member of the DICE team for further advice. Remember direct discrimination CANNOT be justified under the Equality Act)</p> <ul style="list-style-type: none"> • Continue the policy /activity despite potential or actual impact • Continue the policy / activity with no major change needed • Adjust the policy / activity to remove or mitigate any adverse impact
<p>Continue review current arrangements and implement new arrangements. The new arrangements will include improved assurance processes. These assurance processes can be considered on a regular basis by the ACFO People supported by Safeguarding Manager during the Safeguarding Panel meetings. Which will take place on a regular basis.</p>
<p>23. DICE team comments EIA agreed, no adverse impact identified (TDP 16/06/20)</p>

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

SCRUTINY COMMITTEE

1 NOVEMBER 2021

1. **SCRUTINY REVIEWS FOR CONSIDERATION**

Report of the Clerk.

- 1.1 THAT the Scrutiny Committee consider the next themes for review.
- 1.2 THAT the Scrutiny Committee consider and approve prevention – Safe and Well as the next theme for review, in light of discussions and resolutions at previous meetings of the Committee.
- 1.3 THAT the Scrutiny Committee schedule the review within the Committee’s work programme.
- 1.4 THAT the Scrutiny Committee consider the approach to engaging with Members to refresh themes for future scrutiny reviews.

2. **PURPOSE OF REPORT**

- 2.1 This report is submitted to refresh the Scrutiny Committee on the themes previously discussed with Members to be considered for review by the Scrutiny Committee, with a view to approve and schedule such a review within the Committee’s work programme.

3. **BACKGROUND**

- 3.1 The Terms of Reference for the Scrutiny Committee sets out the role of the Committee, the main purpose of the Scrutiny function being to:

- inform policy development
 - hold Officers and the Service to account
 - hold the Authority to account
 - conduct pre or post scrutiny reviews into specific issues.
- 3.2 This final point is further elaborated upon within the Terms of Reference as follows: *'the Committee will identify matters that it wishes to conduct reviews into and call the relevant Officers and Members to assist it in carrying out those reviews.'*
- 3.3 As part of its role and functions, the Committee is to 'carry out a maximum of two scrutiny reviews per annum selected by the Committee. Such reviews will be Member led and evidence based, and will produce SMART (specific, measurable, attainable, realistic and timely) recommendations to the Authority'.
- 3.4 The Committee was due to consider themes for scrutiny reviews at its meeting on 24 March 2020, but this meeting was cancelled due to the COVID pandemic and the Service operating under business continuity arrangements.

4. **CONSIDERATIONS FOR SCRUTINY REVIEW THEMES**

- 4.1 A Scrutiny Review workshop was held at the conclusion of the Policy Planning Forum held on 17 September 2019, where Members considered themes which could form the basis of future reviews to be undertaken by the Scrutiny Committee:
- Business Continuity Arrangements
 - Prevention – Safe and Well
 - Operational training and effectiveness
 - Discipline Policy
- 4.2 A report outlining the themes was subsequently submitted to the Committee at its meeting on 7 October 2019 (see background papers). The outcomes of the meeting were that:

- the Committee agreed to undertake the review of the Service's business continuity arrangements. The review was undertaken over a period of three consecutive meetings, with the recommendation of the Committee being submitted for consideration by the Fire Authority on 18 November 2019.
- the Committee agreed to undertake a review of the performance of prevention activities, in particular the delivery of Safe and Well visits including a focus on the quantity versus quality of Safe and Well visits undertaken.
- the Committee agreed that the themes of operational training and effectiveness and discipline policy would be the subject of a Members' awareness session. To this end, Members received employment law training on 27 January 2020 which covered topics including the wider discipline policy.

4.3 In light of the above and based on resolutions of previous meetings of the Committee, it is recommended that Members consider confirming that prevention – Safe and Well will be the next theme to be reviewed and that the review is scheduled within the Committee's work programme. This will align to the original intent but can also take into account how these have evolved over and post the pandemic period, as well as how these can develop to continue to meet the needs of our vulnerable communities and individuals.

4.4 Members of the Committee may want to consider re-engaging through an additional discussion with the Fire Authority, to consider refreshed themes for future scrutiny reviews.

5. **EQUALITY IMPACT ASSESSMENT**

5.1 In preparing this report, an initial Equality Impact Assessment is not required and has not been carried out. The matters contained within this report will not lead to a policy change.

6. **LEGAL IMPLICATIONS**

- 6.1 There are no particular legal requirements for the Authority to establish a Scrutiny Committee; it is however, considered good practice for authorities to have a vehicle through which monitoring and review of the Authority's policies and practices can be undertaken.
- 6.2 There are no direct legal implications arising out of this report.

7. **FINANCIAL IMPLICATIONS**

- 7.1 There are no financial implications arising as a result of the content of this report. Advice may be provided internally by Officers at no direct cost to the Authority, supporting the Committee in its work. The Scrutiny Committee can, if required, access resources to be able to engage external professional advice where applicable.

BACKGROUND PAPERS

Scrutiny Committee Terms of Reference
Scrutiny Reviews – Scrutiny Committee 07.10.19
Minutes of the Scrutiny Committee – 11.11.19

The contact name for this report is Karen Gowreesunker, Clerk to the Authority, Strategic Enabler – Strategy, telephone number 0121 380 6678.

Karen Gowreesunker
Clerk to the Authority

**WEST MIDLANDS FIRE AND RESCUE AUTHORITY
SCRUTINY COMMITTEE WORK PROGRAMME 2021/22**

Date of Meeting	Item	Responsible Officer	Completed
2021			
1 November 2021	<p>Dispute Resolution Report – July 19 to March 20</p> <p>Dispute Resolution Report – April 20 to September 21</p> <p>Diversity, Inclusion, Cohesion and Equality Update</p> <p>Review of Safeguarding – Update</p> <p>Scrutiny Committee – Reviews</p> <p>Consideration of Scrutiny Committee Work Programme</p>	<p>ACFO Strategic Enabler - People</p> <p>ACFO Strategic Enabler – People</p> <p>ACFO Strategic Enabler - People</p> <p>ACFO Strategic Enabler - People</p> <p>Clerk to the Authority</p> <p>Clerk to the Authority / Chair of Scrutiny Committee</p>	

2022			
Date of Meeting	Item	Responsible Officer	Completed
14 February 2022	Fire Control Performance Report Scrutiny Committee Review(s)? – tbc	ACFO Strategic Enabler - People tbc	
23 May 2022	Dispute Resolution Report Diversity, Inclusion, Cohesion and Equality Update Fire Control Performance Report Annual Report of the Scrutiny Committee	ACFO Strategic Enabler - People ACFO Strategic Enabler - People ACFO Strategic Enabler – People Chair of Scrutiny Committee	

To report as appropriate:

- Updates on reviews

Note: separate meetings of any review working group are to be scheduled if and when required