

Minutes of the Scrutiny Committee

27 March 2017 at 12.30pm
at Fire Service Headquarters, Vauxhall Road, Birmingham

Present: Councillor Tranter (Chair);
Councillors Booth (substitute for Cllr Dad),
Brackenridge, Hogarth, Skinner, Spence
and Young

Apologies:

Councillors Barrie and Dad

Observer:

Nil

7/17 **Declarations of Interest**

There were no declarations of interest.

8/17 **Minutes**

Resolved that the minutes of the meeting held on 20 February 2017, be approved as a correct record.

In answer to a Members' question, it was confirmed that the review of positive action had been agreed. Joanne Simmonds, People Support Manager, was to develop an action plan which would be submitted to the Committee at a future meeting. Additionally, the Service was looking at the consultancy Equal Approach and securing a relationship with West Midlands Police in preparation for the review.

9/17 **Review of Data Sharing - proposals**

Michele Pym, Strategic Hub Team Leader, provided an overview of the report 'Review of Data Sharing - Proposals':

The review of data sharing had been undertaken as a result of the outcomes of the previous review of partnerships, which identified data sharing as critical in the work that the Service carried out, identifying vulnerable people within our communities.

A working group had been set up consisting of Councillors Hogarth, Spence and Tranter.

The scope of the review looked at how the Service shared data with other organisations and how other organisations shared data with the Service. It was recognised that the Service worked with a range of partners to share data and support the delivery of The Plan in making the West Midlands Safer, Stronger and Healthier.

Key findings of the review included:

- Data sharing was a significant part of the organisation but the Service did not have an established policy or operating principles for data sharing.
- It was noted that the Management of Information policy (due to be published imminently) referred to data sharing but it comprised only a small part of the policy.
- Due to a lack of policy or operating principles, there was currently no central control of data sharing and subsequently no complete picture of the data being shared between the Service and other agencies.
- Current data sharing agreements were very large and over complicated.
- ICT systems needed to be inter connected ('able to talk to each other'), both internal and external.

The review had resulted in five proposals (appendices two and three of the report) which included:

- The development of a data sharing policy and supporting principles of operation to guide the organisation.
- A review of the governance of data sharing to be undertaken. This should be followed with the undertaking of a full audit throughout the organisation to determine the amount, type and purpose of the data that is being shared internally and externally.
- The template for the WMFS data sharing agreement needs to be reviewed with a view to it being simplified.
- A suitable approach for the effective management and control of data that is shared with partners should be identified.
- In developing the approach to data sharing, consideration to best practice should be considered and adopted if it is regarded to be appropriate to WMFS.

It was noted that an improvement would be observed with the introduction of the Management of Information policy and the implementation of Microsoft Office 365 across the Service.

Next steps:

- Approval of the proposals by the Scrutiny Committee.
- Report to be submitted to the Executive Committee (dependent of approval by Scrutiny Committee).
- Action plan to be agreed.
- Regular updates on progress to be provided to the Scrutiny Committee.

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

- There was no requirement for an equality impact assessment to be carried out at this stage as it remained early in the process.
- The approach taken by the West Midlands Social Housing Group was a good example of best practice.

However, it was a relatively small group and there was a need for such an approach to be scaled up.

- A number of Members suggested that data sharing was a subject area where the Service needed to be cautious in its approach and there was a need for it to be managed carefully.
- It was important to remember that the Service wasn't just dealing with other agencies and partners but also dealing with individuals.

Resolved that the Scrutiny Committee approved the findings and subsequent proposals for change arising from the review of data sharing.

Resolved that the Scrutiny Committee approve the report to be submitted to the Executive Committee for consideration.

10/17 **Dispute Resolution Report**

Helen Sherlock, Senior Business Partner People Support Services, provided an overview of the Dispute Resolution Report (1 July 2016 to 31 December 2016):

There had been a total of four grievances lodged during the reporting period, three by Grey Book employees and one by Green Book employees.

With regard to investigations and disciplinary hearings, there had been nine cases under discipline:

- Eight cases were investigated under gross misconduct (seven resulted in a formal hearing, leading to four dismissals, and one resulted in no formal action)
- One case was investigated under misconduct (resulted in a formal hearing but the outcome was no formal action)

All nine discipline investigations concerned Grey Book employees and all nine were male.

At the close of the reporting period there were two outstanding claims against the Service lodged with the Employment Tribunals Service which were ongoing from

the previous reporting period of 1 January 2016 to 30 June 2016.

There had been one failure to consult submitted during this reporting period. The relevant representative body were in dialogue with the organisation to reach a satisfactory resolution.

There had been no collective grievances submitted during the reporting period.

The Service encouraged managers to deal with any issues earlier, in a bid to reduce the likelihood of issues escalating. Business Partners continued to provide support and guidance to managers to enable them to make assertive, safe and effective decisions in managing and supporting their staff.

The People Support Services team were working on a revised toolkit for managers, which would be shared with the representative bodies (who had welcomed the approach to ensure consistency within the process).

Collaborative working continued between managers, People Support Services and representative bodies including meeting regularly at the Joint Working Party to consider any issues that were raised.

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

- If an individual is dismissed from the Service, they are entitled to draw their pension if they are of pensionable age, otherwise it is held in a balance until the due date. It is dependent to some extent upon which pension scheme an individual is in.
- Representative bodies would be informed at the formal process. Individuals have the opportunity to be accompanied by a representative body official.
- With regard to dismissals, no such decision is ever taken lightly and it would always be the absolute last resort.

Resolved that the Dispute Resolution Report to be submitted to the Joint Consultative Panel.

11/17 **Consideration of the Annual Report of the Scrutiny Committee**

Councillor Tranter, with the support of Stephen Timmington, Strategic Hub, would produce the annual report of the Scrutiny Committee. The report would be submitted at the next meeting of the Committee (5 June 2017).

1217 **Scrutiny Committee Work Programme 2016/17**

The Committee noted the progress of the work programme for 2016/17.

(Meeting ended at 13:16 pm)

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