

# West Midlands Fire and Rescue Authority

## Scrutiny Committee

**You are summoned to attend the meeting of Scrutiny Committee to be held on  
Monday, 21 March 2016 at 12:30**

**at Fire Service HQ, 99 Vauxhall Road, Nechells, Birmingham B7 4HW**

**for the purpose of transacting the following business:**

## Agenda – Public Session

- |   |  |                |
|---|--|----------------|
| 1 | To receive apologies for absence (if any)                    |                |
| 2 | Declarations of interests                                    |                |
| 3 | Consideration of the Annual Report of the Scrutiny Committee |                |
| 4 | Minutes of the Scrutiny Committee held on 15th February 2016 | <b>3 - 12</b>  |
| 5 | Dispute Resolution Report                                    | <b>13 - 28</b> |
| 6 | Scrutiny Committee Work Programme 2015-16 (March 16)         | <b>29 - 32</b> |

### **Distribution:**

Peter Hogarth - Member, Sybil Spence - Member, Chris Tranter - Chairman, Ann Young - Member,  
David Skinner - Member, David Barrie - Member, Bally Singh - Member, Anita Ward - Member

Clerk Name: Karen Gowreesunker

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**Agenda prepared by Stephen Timmington**

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**Agenda Item No. 4**

**Minutes of the Scrutiny Committee**

**15 February 2016 at 12.30pm**  
**at Fire Service Headquarters, Vauxhall Road, Birmingham**

**Present:** Councillor Tranter (Chair);  
Councillors Barrie, Hogarth, B Singh, Skinner, and  
Young

**Apology:** Councillors Spence and Ward

**Observer:** Not applicable

1/16 **Minutes**

**Resolved** that the minutes of the meeting held on 16 November 2015, be approved as a correct record.

2/16 **Update on Partnership Review**

The Committee received an update on the 'Review of Partnerships' and the Members noted the initial direction of travel in implementing the recommendations made following the review.

Gary Taylor, Assistant Chief Fire Officer, presented an overview of the report to Members:

Members of staff had moved as a result of the review of the Strategic Enabling Team, resulting in a new Strategic Enabler for Prevention who would also cover the area of partnerships.

The Review of Partnerships had highlighted that although the Service had a good external view of partnerships, it had lost some focus in terms of an internal view. Therefore, the Service would ensure clear direction and support internally.

The post of Health and Wellbeing Advisor was in the process of being established formally and integrated further into the structure.

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

- The Service's financial plan includes £2 million to be raised via commissioning which is and will be one of the Service's key activities. Areas of work that are being commissioned by Clinical Commissioning Groups (CCG), such as hospital discharges, may be new products for the Service, but they compliment the WMFS service delivery model, aid the targeting of vulnerable people, and provides a source of income generation. The CCG's currently commission some of these activities to the private sector. However, an organisation such as WMFS can provide the service saving significant amounts of money per call, saving the NHS as a whole a significant amount, plus recycling public money and therefore it remaining within the public sector.
- In response to a question regarding how the Telecare Falls Service worked, it was explained that:
  - The wider Telecare Service was the responsibility of the local authority that devolves this to the service provider.
  - WMFS are called to non-emergency falls. WMFS do not respond under blue lights.
  - The average WMFS attendance is 14 minutes 51 seconds (the Service is contracted to attend within forty five minutes within receipt of a call).
  - Upon arrival, staff will assist the patient, lifting them up and checking they are ok. An ambulance is to be called in any situation where something is observed outside of this remit, such as an injury.
  - Approximately ninety five percent of calls result in no requirement for the attendance of the Ambulance Service (as of 6 March 2016, 15 out of 180 calls had resulted in the attendance of the Ambulance Service).
  - There had been 101 Telecare visits in the first three months of the pilot (it had been a slow start to the pilot

but numbers had increased as the confidence to make referrals had increased).

- The premises monitored under the Telecare Service have alarms installed which are directed to Fire Control in the event of actuation. '999' calls would still go through to the Ambulance Service.
- WMFS are currently supporting Coventry and Warwickshire NHS Trust with providing a hospital discharge service. The service would entail WMFS staff conducting a one hour visit to a person who has been discharged from hospital, checking that the individual has settled and suitable arrangements are in place including the availability of water, heating, toilet facilities, etc. A secondary visit would be arranged to be conducted in the presence of a family member or social worker, where necessary.

The Committee were introduced to Michele Pym, WMFS Strategic Hub, who briefed Members on the forthcoming review of data sharing:

The review of data sharing was one of the proposals identified as an outcome of the Scrutiny Committee review of partnership working. The review concluded that 'Whilst data sharing arrangements appear to be in place across commands, a systematic review of the quality of the arrangements and underpinning systems and processes should be undertaken'.

Data sharing had long been a critical success factor in identifying and engaging the most vulnerable people within our communities. It was a corporate responsibility to share data and refer vulnerable people (adults and children) with WMFS partners across the public sector.

In many cases, Serious Case Reviews and higher level investigations had all identified that the sharing of data remained a consistent barrier to effective partnership working and could be a contributory factor to a decreased service.

The review was intended to provide a clear picture of the level and effectiveness of data sharing between WMFS and partner agencies, in addition to identifying any lessons that could be learnt from other agencies and sectors.

A working group comprised of members of the Scrutiny Committee would be established to lead on the review. An update would be provided to members at the Scrutiny Committee meeting in August 2016. It was expected that the review would be completed and the findings / outcomes reported to members during the first quarter of 2017 (January to March).

**Resolved: -**

- 1) That a working group is to be established comprising Councillors Hogarth, Spence and Tranter to take forward a review of data sharing.
- 2) That as part of the working group, communication would be via email to include all Committee members. Executive decisions would to be delegated to Councillor Tranter.
- 3) The Scrutiny Committee would receive an update on the data sharing review at the August committee meeting.
- 4) The report of the review of data sharing would be completed and reported back to the Scrutiny Committee during the first quarter of 2017 (January to March).

3/16

**Analysis of Progress of Quarterly Performance Against The Plan Quarter 3 2015/16**

Gary Taylor, Assistant Chief Fire Officer and Sarah Warnes, Strategic Enabler for People Support Services, presented an overview of the report to Members:

PI 1 'the risk based attendance standard' remained blue although response times for category 1 incidents had increased by 5 seconds. The slight increase had been forecast by the Service's data analysts as a result of the winter months affecting response times.

Performance within prevention (PIs 2 to 12) remained largely positive:

- PI 3 'injuries from accidental fires in dwellings' had moved into a red rating following a spike of 10 injuries during October (the number of incidents was 2 above the upper tolerance level). However, no specific trends or reasons had been identified.

- PI 5 'the percentage of Home Safety Checks referred by our partners' remained red due to the target of 40% not being met. The Black Country North command area was close to reaching the target due to established good partnership networks. All other command areas had achieved percentage rates of 20% to 25%.
- PI 6 'the number of Home Safety Check points' was rated as over performing against the tolerance level (blue). During quarter three Safe and Well visits had been introduced and the risk point scoring system had been revised to better reflect the level and range of fire risk, and to improve alignment with the priority target groups identified in the Command Level 3 Plans. The points had been back dated and as a result the target for the year 2015/16 had been reached. The figures would be reset for quarter 4 to act as a baseline as part of a benchmarking exercise in preparation for 2016/17 when the target would be revised to reflect the changes to the scoring mechanism.
- There had been positive performance within the set of PIs related to arson, with the exception of PI 10 'the number of arson vehicle fires' and PI 12 'the number of arson fires in derelict buildings' which demonstrated under performance against the tolerance levels (red).

Performance within Protection (PI 13 'the number of accidental fires in non-domestic premises' and PI 14 'the number of false alarm calls due to fire alarm equipment') remained very positive with good work ongoing with local universities.

Performance of the People Support Services performance indicators was as follows:

- PI 15 'the percentage of employees that have disclosed their employment status' continued to demonstrate under performance against the tolerance level, although it was acknowledged that the target was ambitious and the direction of travel remained positive. Good progress continued to be made with a 12% increase in the number of declarations (to 88%) with evidence that members of staff understood the need for this information to be collated and trusted the Service. The impact of the dyslexia campaign had been a positive one and a second video entitled 'Behind the Mask'

focussing on disability was to be launched, featuring a number of people from WMFS discussing their conditions and experiences.

- Performance of PI 16 'the number of female staff' and PI 17 'the percentage of all staff from ethnic minority communities' remained within the tolerance levels (green). Retention and progression remain a key focus of the Service as a result of the recruitment freeze. The balance of the volunteers and community members had been examined to identify if their makeup was representative of the West Midlands communities and to identify ways in which the Service could engage with these groups.
- PI 18 'the average number of working days / shifts lost due to sickness': demonstrated over performance against the tolerance levels (red). Key areas of work included:
  - The formation of a task and finish group that was focussing on managing effectively. Changes had been proposed to be made to the sickness policy to ensure the correct balance was reached between the individual and the manager.
  - Tackling long term sickness via an emphasis around command areas about getting members of staff back to work, working closely with Occupational Health to identify operational limitations, for example identifying if any and what amendments could be made to allow a member of staff to return to work.
  - Reviewing how sickness absences were recorded to ensure the Service was receiving the correct information and data (previously 25% of people had recorded the reason for sickness absence as none; this had been reduced to 8% by the end of quarter 3).
- PI 19 'the average number of working days / shifts lost due to sickness (non-uniformed and Fire Control staff)' continued to perform well, demonstrating over performance against the tolerance levels (blue).

It was noted that the figures for January 2016 had improved significantly indicating a 90% reduction in sickness compared to January 2015 and that this would be monitored going forward.

PI 21 'the total number of injuries' demonstrated over performance against the tolerance levels (blue) with a 23% reduction in the number of injuries observed during quarter 3. The main causes of injuries continued to be slips, trips and falls, and manual handling. Age profiling of members of staff suffering injuries had been conducted but no trends had been identified. Manual handling training would be delivered as part of the distributed training model (training was currently be delivered to the trainers).

PI 22 'the total number of RIDDOR injuries' demonstrated under performance against the tolerance levels (red) although the gap between actual performance and the year end target had narrowed, with the number of incidents recorded just one above the upper tolerance level.

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

- In relation to the under performance of the percentage of Home Safety Checks referred by our partners:
  - It was believed that there were deep rooted issues regarding this and it was more than just a need for improved partnership working and more analysis. There was a need to identify critical success factors.
  - All registered social landlords received the same partnership approach from WMFS, no matter to their difference in size. Although the model adopted was important to ensure successful partnership working, it was appreciated that good working relationships were just as important.
  - The imminent data sharing review would assist with improvement within this area, enabling a more scientific approach.
  - It was agreed that Members were potential stakeholders in this process and any support provided was appreciated.

- In relation to PI 10 'the number of arson vehicle fires' and PI 12 'the number of arson fires in derelict buildings' performance had declined over the last 3 quarters of 2015/16 with a number of external factors having been identified:
  - The Service was working with Local Authorities to understand that the continued rate of these types of incidents was an outcome of the ripple effect from a number of factors. For example, the time it often took for vacant local authority buildings to be secured / boarded up to prevent access by members of the public was quite short but this was often not the case if a third party such as a private owner was involved. There was no longer a proactive approach to securing premises from unwanted access and the pump priming funding was no longer available.
  - The Service had commissioned a piece of work to be undertaken with Local Authorities to identify what was happening and what had changed. There had been a view to monitor these type of incidents but the Service had took the decision to take a proactive approach and to work with partner agencies to tackle these issues.
  - Arson was not an issue solely for the Fire Service and there was a need for a multi agency approach to take responsibility for reducing the number of such incidents, including organisations such as the Police.
  - With regard to securing premises on private land, there is no single authority or agency that is solely accountable. The responsibility is across a number of agencies and organisations. The Arson Task Forces used to have responsibility but they had been disbanded for some time, and although it fell within the remit of Environmental Officers, this was a significantly reduced resource due to the continuing decline in public funding and the resultant cuts to services.
- Educating the public on the causes and risks of kitchen fires, and the actions to take in the event of such an incident occurring formed part of national fire safety policy and was delivered by WMFS.

- Incident data evidenced that males aged 25 to 40 experienced a large number of fires but the vast majority were not significant in severity. Incidentally, the elderly did not necessarily experience multiple fires but the 1 fire they could experience would be significant. There was a need to identify and understand the factors that were involved in the group of males aged 25 to 40, for example, unemployment was often an underlying issue and support in finding employment could prove beneficial for this group.
- With regard to the levels of sickness absence, there was no evidence at the current time that the recruitment freeze was having an adverse affect and causing an increase, as members of staff left the Service. No correlation between the age of the work force and sickness had been identified so far. It was agreed that the workforce planning profile would be presented at the next meeting of the Scrutiny Committee in March 2016.

4/16

### **Scrutiny Committee Work Programme 2015/16**

The Committee noted the progress of the work programme for 2015/16.

Members of the committee agreed that:

- Updates on the data sharing review would be presented at the regular scheduled Committee meetings and the facility for specific meetings to be scheduled for this purpose would not be utilised
- Meetings of the Scrutiny Committee for year 2016/17 would be scheduled to occur on separate dates to other meetings of the Fire Authority

(Meeting ended at 14:01 pm)

Contact Officer: Stephen Timmington Strategic Hub West Midlands Fire Service 0121 380 6680
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**WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**SCRUTINY COMMITTEE**

**21 MARCH 2016**

1. **DISPUTE RESOLUTION REPORT**

Report of the Chief Fire Officer

RECOMMENDED

1.1 THAT the contents of the dispute resolution report for the period 1<sup>st</sup> July 2015 to 31<sup>st</sup> December 2015 are noted.

1.2 THAT the dispute resolution report is submitted to the Joint Consultative Panel.

2. **PURPOSE OF REPORT**

To inform the Scrutiny Committee about the number, type and outcomes of discipline and grievance hearings and other dispute resolution including Employment Tribunal activity which have occurred during the period of 1<sup>st</sup> July 2015 to 31<sup>st</sup> December 2015.

3. **BACKGROUND**

3.1 This report provides a summary of the number, type and outcome of disciplinary and grievance cases, the details of any Collective Grievances and any reported failure to agree or consult.

3.2 The report also provides a summary of lessons learned, taking into account issues raised by Trade Unions/Representative Bodies, Line Managers and People Support Services Business Partners, specifically issues raised during the discussions at the Joint Consultative Committee and People Support Joint Working Parties.

## 4. **SUMMARY OF CASES**

### 4.1 **Grievance Cases**

- 4.1.1 Appendix 1 Section A provides details of grievance cases during 1<sup>st</sup> July 2015 to 31<sup>st</sup> December 2015.
- 4.1.2 A total of 8 grievances were lodged during the reporting period, 6 by Grey Book employees and 2 by Green Book employees.
- 4.1.3 None of the above grievances led to a complaint being filed with the Employment Tribunal Service as at 31<sup>st</sup> December 2015.
- 4.1.4 The total number of formal grievances has increased by 5 compared to 3 in the last reporting period 1<sup>st</sup> January 2015 to 30<sup>th</sup> June 2015.
- 4.1.5 There were no collective grievances lodged during this reporting period.

### 4.2 **Investigations and Disciplinary Hearings**

- 4.2.1 Appendix 1 Section B provides details of investigations into conduct and gross misconduct, Section C provides details of disciplinary hearings for the period 1<sup>st</sup> July 2015 to 31<sup>st</sup> December 2015.
- 4.2.2 There were 4 investigations commenced in this reporting period, all of which were undertaken at Gross Misconduct level. As at the 31<sup>st</sup> December 2015, one had been resolved with no formal action being taken and 3 investigations were still ongoing.
- 4.2.3 Of the 4 disciplinary investigations, all concerned Grey Book employees. 3 of the employees who were subject to investigations were male and 1 female.
- 4.2.4 There were 2 disciplinary hearings in this period concerning Grey Book employees
  - both disciplinary hearings related to an investigation that

commenced in the previous reporting period.

- 4.2.5 Both hearings were managed as gross misconduct resulting in one Final Written Warning being issued and one Written Warning. Of these hearing decisions there were no appeals raised.
- 4.2.6 Analysis of the discipline case figures suggest that managers continue to give due consideration to individual circumstances when deciding the appropriate outcome for each case.
- 4.2.7 Analysis of the data by the 9 protected characteristics can be found in Appendix 2 of the report. Having analysed the data for this report the data sets are small, looking back and reflecting on previous reports there are no trends to report and the data is proportionally reflective of the Service.
- 4.2.8 A summary of previous reports can be found at Appendix 3.

#### 4.3 **Employment Tribunal Activity**

At the close of the reporting period 31<sup>st</sup> December 2015 there is one outstanding claim against WMFS lodged with the Employment Tribunals Service in November 2015.

#### 4.4 **Lessons Learned**

- 4.4.1 Key lessons concerning the implementation of the Discipline and Grievance policies continue to be learned through regular communication between stakeholders. Policies provide guidance based upon the ACAS Code of Practice, as well as employment legislation regarding fair dismissal and avoiding unlawful discrimination in the workplace.
- 4.4.2 The Disciplinary Procedure and Grievance Procedure are now embedded within the Service. The Business Partner Team are spending more of their time on stations and with departments to ensure managers fully understand their roles in managing cases at the earliest opportunity. The Business Partners are providing support and guidance to Managers to enable them to make assertive, safe and effective decisions in managing and supporting their staff.

- 4.4.3 The People Support Services Team are working on a revised toolkit for managers including template letters. This toolkit will be discussed with the Trade Unions/ Representative Bodies. The Trade Unions/Representative Bodies have welcomed this approach to ensure consistency within the process.
- 4.4.4 From 1<sup>st</sup> January 2015 the People Support Services team have identified and are recording against a range of local performance indicators that will be used to provide more comprehensive information within this report. The local performance indicators will be used to measure our performance as a team but also highlight any areas for concern or improvements. These local performance indicators will be shared with the Trade Unions/ Representative Bodies as part of our ongoing communication.
- 4.4.5 Below are the local performance indicators that People Support Services have been reporting on. By recording this level of detail on the case management we have been able to monitor the progression of cases through the relevant processes. The data sets have been too small to provide averages for the period 1<sup>st</sup> January 2015 to 31<sup>st</sup> December 2015 but some of the key outcomes are that we are starting to both record and see issues being dealt with at an informal stage of the process where appropriate and also we are seeing a more timely approach to the completion of investigations, reports and appeal.

As a team we have taken a more proactive approach to supporting this process and work closely with the Trade Union/Representative Bodies across all areas. The reasons for any delays in the process are now only around where the employee is absent from work or where there is a police investigation ongoing.

<b>Discipline</b>
No of cases at Gross Misconduct (GM)
No of GM Investigations
No of GM Hearings
No of GM Appeal
No of GM Appeals Upheld

No of cases at Misconduct
No of Misconduct (Mis) Investigations
No of Mis Hearings
No of Mis Appeal
No of Mis Appeals Upheld
No of Dismissals
No of Cases managed informally
Time taken from Terms of Reference to Report
Time taken from Report to Hearing
Time taken from Hearing to Appeal

<b>Grievance</b>
No of Formal Grievance Trackers received
No of informal Grievance cases
Time taken from tracking form to Meeting
Time taken from meeting to outcome letter
Time taken to outcome letter to appeal
No of allegations relating to Bullying and Harassment
No of allegations relating to Organisational Change
No of allegations relating to Terms and Conditions

- 4.4.6 Collaborative working between Managers, People Support Services and Trade Unions/Representative Bodies including meeting regularly at the Joint Working Party to consider any issues that are raised, continues to be ongoing leading to further improvement in practice.
- 4.4.7 In preparing this report, the views of the Trade Unions/Representative Bodies were sought to offer observations on general issues arising. These observations from the Trade Unions/Representative Bodies were collected on a routine basis at Joint Working Party and Joint Consultative Committee meetings throughout the reporting period. These issues are reported below.
- 4.4.8 During meetings with the Trade Unions/Representative Bodies the following issues have previously been raised for consideration and action.
- 4.4.9 In the previous report the Trade Unions/Representative Bodies indicated that they would still like to be regularly invited to all debriefs (this will continue to be considered on

a case by case basis). We have conducted a number of debriefs in this reporting period and the Trade Unions/Representative Bodies have both attended and contributed. This approach has provided valuable learning opportunities for the Service. A revised approach has been developed by People Support Services and this forms part of the structured debrief and this will ensure that all relevant learning outcomes can be shared.

4.4.10 Given previous concerns from the Trade Unions/Representative Bodies there has been recognition by all of the Trade Unions/Representative Bodies that there has continued to be a reduction in formal discipline cases in this reporting period from previous reporting periods; this will be continually monitored and discussed by all parties on a regular basis at the Joint Working Party.

4.4.11 The People Support Services Team regularly meet with the Trade Unions/Representative Bodies and will continue to discuss any concerns at the Joint Working Party which will ensure that regular updates are available for members of the Joint Consultative Panel. As the number of Grievances has increased in this period a review of the Grievances will be undertaken for this period to ensure we capture all of the learning to manage any future Grievances appropriately.

4.4.12 There have been no other/new areas raised by the Trade Unions/Representative Bodies.

#### 4.5 **Grievance and Discipline Training Updates**

4.5.1 The People Support Service Team continue to give advice to Managers who receive informal and formal grievances as and when grievances are received and to address minor misconduct issues before formal action is required.

4.5.2 Case debriefs and lessons learnt sessions continue to be utilised following complex cases from a disciplinary/grievance and Employment Tribunal perspective.

4.5.3 There is an ongoing training programme 'The Effective Managers Series' which is being provided to managers to refresh the development given to Managers across the organisation on a range of management issues including Discipline and Grievance, Capability and Attendance Management.

4.5.4 The purpose of these sessions is to encourage Managers to deal with issues at the earliest opportunity and give them the confidence to manage in an assertive, safe and effective way. These sessions are also being attended by the Trade Unions/Representative Bodies.

#### 4.6 **Dispute Resolution**

There are no Failures to Consult or Agree that have been identified to present to the JCP during this reporting period.

The Service currently has an ongoing Trade Dispute with the FBU relating to an element of the Staffing Project. Whilst the details of this dispute are not being included in this report as it was received outside of the current reporting period, the Trade Dispute is currently being managed through the Service's internal processes and may be presented to a Joint Consultative Panel at a future date.

#### 4.7 **Collective Grievances**

There were no collective grievances submitted in this reporting period.

#### 4.8 **Failure to Consult/Agree**

We currently have one failure to agree on a specific issue relating to the Staffing Project which has resulted in a Trade Dispute with the FBU, this is being managed as detailed above. Alongside this there continues to be other issues raised during our internal consultative meetings which are managed and satisfactorily resolved. This continues to indicate that employee engagement initiatives across the Service are working and the Employee Relations Framework is embedded within the Fire Service.

### 5. **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. The matters contained in this report will not lead to a policy change. Equality data is analysed as part of this report and details can be found in paragraph 4.2.7 and Appendix 2.

6. **LEGAL IMPLICATIONS**

There are no direct legal implications arising from this report.

7. **FINANCIAL IMPLICATIONS**

There are no direct financial implications arising from this report.

8. **TRADE UNION CONSULTATION**

- 8.1 In preparing this report, Trade Union Representatives' views on general issues concerning grievance handling and disciplinary procedure handling were sought in addition to monthly case updates.
- 8.2 A Standing Item features on the Joint Working Party and Joint Consultative Committee 'Discipline and Grievance' and comments received from the Trade Union and Representative Bodies on these occasions are included within this report.
- 8.3 Further exchanges of comments and observations took place before the submission of the final report for the Joint Consultative Panel.

**BACKGROUND PAPERS**

Disciplinary Standing Order 2/1, Grievance Standing Order 2/2  
Previous JCP reports '01' to '10'

The contact officer for this report is Phil Hales, Deputy Chief Fire Officer,  
0121 380 6907.

PHIL LOACH  
CHIEF FIRE OFFICER

## APPENDIX 1

### Report No.

*Reporting Period 1st July 2015 to 31st December 2015*

### **Section A: WMFS Formal Grievance & Appeal Cases**

Grievance Description	Total no. Grievances	No. Grievances Resolved	No. Grievances Rejected	No. Grievances Appealed	No. Appealed Grievances Upheld	No. Appealed Grievances Rejected	No. Grievances leading to ET claim
No. of Grievances raised by <b>Grey Book</b> employees	<b>6 raised</b> <b><u>(1 still ongoing)</u></b>	<b>5</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>
No. of Grievances raised by <b>Green Book</b> employees	<b>2 raised</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

### Further details (including E&D information)

- The subject nature of the 8 grievances included:

Organisational Change x 1  
Bullying and Harassment x 4  
Working Practises/Processes x 2  
At Resignation x1

*Reporting Period 1st July 2015 to 31st December 2015*

## **Section B: Investigation Activity**

<b>Description</b>	<b>Total no. Investigations</b>	<b>Investigation result was no formal action</b>	<b>Outcome not yet confirmed</b>	<b>Formal disciplinary hearing</b>
No. of Investigations into <b>Grey Book</b> employees	<b>4</b>	<b>1</b>	<b>3</b>	<b>0</b>
No. of Investigations into <b>Green Book</b> employees	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
No. of investigations into allegations of bullying/harassment	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total</b>	<b>4</b>	<b>1</b>	<b>3</b>	<b>0</b>

### **Further details**

- There have been 4 disciplinary investigations which have commenced during this reporting period.
- There are 3 investigations ongoing (outcome of investigation outstanding) as at 31<sup>st</sup> December 2015.

*Reporting Period 1st July 2015 to 31st December 2015*

### **Section C: Discipline Hearings & Appeal Cases**

<b>Discipline Description</b>	<b>No. of Hearings</b>	Outcome: <i>no formal action</i>	Outcome: <i>1<sup>st</sup> WW</i>	Outcome: <i>Final WW</i>	Outcome: <i>Dismissal</i>	<b>No. outcomes appealed</b>	<b>No. overturned at appeal</b>
No. of misconduct cases	0	0	0	0	0	0	0
No. of <b>gross misconduct</b> cases	<b>2</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Totals</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>

**APPENDIX 2**

Table 1 summarises the data into 3 protected characteristics: Sex; Disability and Race. A key to the abbreviations is at table 1.1.

**Table 1**

	SEX			DISABILITY					RACE					
	M	F	TG		YES	NO	PNTS	NS	WB	BBC	WIr	BBr	Wh-BL Car	PNTS
<b>Grievance X 8</b>	5	3	0		1	5	0	2	8	0	0	0	0	0
<b>Discipline X 4</b>	3	1	0		0	4	0	0	4	0	0	0	0	0

**Table 1.1 Key for table 1****Sex**

F – Female

M – Male

TG – Transgender

**Disability**

PNTS – Preferred not to say

NS – Not stated

**Race**

WB – White British

BBC – Black/British

Caribbean

WIr – White Irish

BBR- Black British

Wh-BL Car – White and Black Caribbean

Table 2 summarises the data into 3 protected characteristics: Religion and Belief, Sexual Orientation and Age. A key to the abbreviations is at table 2.1.

**Table 2**

	RELIGION AND BELIEF			SEXUAL ORIENTATION		AGE			
	NS	CHRN	MUSLIM	GAY/ LESBIAN	HETERO SEXUAL	20- 29	30- 39	40- 49	50- 59
<b>Grievance X 8</b>	6	2	0	1	7	1	2	4	1
<b>Discipline X 4</b>	2	2	0	0	4	0	2	1	1

**Table 2.1 Key for table 2**  
**Religion and Belief:**

NS – Not stated  
 CHRN – Christian  
 NO REL – No religion  
 SIKH – Sikh  
 MUSLIM - Muslim

Table 3 summarises the data into 3 protected characteristics: Married/Civil Partnership, Pregnancy/Maternity and Gender Re-assignment.

**Table 3**

	<b>MARRIED/ CIVIL PARTNERSHIP</b>					<b>PREGNANCY/ MATERNITY</b>	<b>GENDER RE- ASSIGNMENT</b>
	MARRIED	SINGLE	DIVORCED	LIVING Together	PREFER NOT TO SAY		
<b>Grievance X 8</b>	3	3	1	1	0	NONE	NONE
<b>Discipline X 4</b>	2	1	0	1	0	NONE	NONE

**APPENDIX 3****Dispute Resolution Summary**

			Types of Grievance					Level				Outcomes			
Report No.	Date of Report	No of Grievances	Work Practice	Bullying/ Harassment	Org Change	Other	No of Discipline Investigations	Gross Mis-conduct	Mis-conduct	Other	No of Discipline Hearings	Dismissal	Final Written Warning	Written Warning	No Formal
1	Mar-11	4	na	na	na	na	na	na	na		12	3	3	4	2
2	Oct-11	14	6	3	5	na	11	6	5	0	10	2	4	3	1
3	Mar-12	6	na	1	na	5	14	8	6	0	5	1	3	0	1
4	Sep-12	9	2	4	3	na	5	4	1	0	5	2	2	0	1
5	Apr-13	17	2	4	6	5	12	8	1	3	4	2	2	0	0
6	Sep-13	7	2	2	3	0	8	5	2	1	8	5	1	0	1
7	Apr-14	7	0	0	6	1	15	14	1	0	4	1	2	1	0
8	Sep-14	13	0	9	4	0	21	20	1	0	9	2	5	2	0
9	Mar 15	8	0	3	5	0	13	13	0	0	15	4	4	3	4
10	Oct 15	3	0	1	2	0	4	4	0	0	2	2	0	0	0
11	Mar 16	8	2	4	1	1	4	4	0	0	2	0	1	1	0

**WEST MIDLANDS FIRE AND RESCUE AUTHORITY  
SCRUTINY COMMITTEE WORK PROGRAMME 2015/16**

<b>Date of Meeting</b>	<b>Item</b>	<b>Responsible Officer</b>	<b>Completed</b>
<b>2015</b>			
17 August 2015	Analysis of Progress of Corporate Performance against The Plan for Quarter 1 2015/2016 (including performance indicators; strategic objectives; corporate risk and programmes and projects)	Director of Service Delivery	
	Update on the progress of the Partnerships Review	Chair Of Scrutiny Committee	
	Review of Human Resources Policies (People Support Services) that relate to positive action strategies	Area Commander, Strategic Enabler for People	
	Consideration of Work Programme	Director of Service Delivery	

Agenda Item 6

<b>Date of Meeting</b>	<b>Item</b>	<b>Responsible Officer</b>	<b>Completed</b>
October 2015	Review working group (if required)		
12 October 2015	Progress on the Partnerships Review  Dispute Resolution Monitoring	Chair Of Scrutiny Committee  People Support Services	
16 November 2015	Consideration of Scoping Document for Review of Data Sharing  Report on the Partnerships Review  Analysis of Progress of Corporate Performance against The Plan for Quarter 2 2015/2016 (including performance indicators; human resources indicators strategic objectives; corporate risk and programmes and projects)  Progress on implementation of the Equality Objectives 2012-2015  Public Sector Equality Duty and the Equality Act (2010)	Director of Service Delivery  Chair of Scrutiny Committee  Director of Service Delivery  Strategic Enabler DICE  Strategic Enabler DICE	

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March 2016

Agenda Item 6

	Diversity, Inclusion, Cohesion & Equality Quarterly Update – Quarters 1 & 2 2015/16	Strategic Enabler DICE	
December 2015	Review Working Group (if required)		
<b>2016</b>			
<b>Date of Meeting</b>	<b>Item</b>	<b>Responsible Officer</b>	<b>Completed</b>
January 2016	Review Working Group		
15 February 2016 (after Authority meeting)	Analysis of Progress of Corporate Performance against The Plan for Quarter 3 2015/2016 (including performance indicators; strategic objectives; corporate risk and programmes and projects)	Director of Service Delivery	
February 2016	Review Working Group (if required)		
9 March 2016	Review Working Group (if required)		
21 March 2016	Dispute Resolution Monitoring Report	People Support Services	
	Consideration of the Annual Report of the Scrutiny Committee	Chair of Scrutiny	

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March 2016

<b>Date of Meeting</b>	<b>Item</b>	<b>Responsible Officer</b>	<b>Completed</b>
28 April 2016	Review Working Group		
6 June, 2016	<p>Analysis of Progress of Corporate Performance against The Plan for Quarter 4 2015/2016 (including performance indicators; human resources indicators strategic objectives; corporate risk and programmes and projects)</p> <p>Diversity, Inclusion, Cohesion &amp; Equality Quarterly Update – Quarters 3 &amp; 4 2015/16</p> <p>Annual Report of the Scrutiny Committee</p>	<p>Director of Service Delivery</p> <p>Strategic Enabler DICE</p> <p>Chair of Scrutiny</p>	

To report as appropriate:

- Review of data sharing practices (a working group to be established upon the completion of the Partnerships Review, as resolved at meeting on 16<sup>th</sup> February 2015)