

Minutes of the Scrutiny Committee

27 March 2019 at 10:00 a.m.
at Fire Service Headquarters, Vauxhall Road, Birmingham
B7 4HW

Present: Councillor Tranter (Chair)
Councillors Barlow, Brackenridge, Jenkins and
Young
S Middleton

Apologies: Councillors Barrie and Spence

Observer: Nil

7/19 Declarations of Interest in contracts or other matters

There were no declarations of interest.

8/19 Minutes of the Scrutiny Committee held on 27 February 2019

Resolved that the minutes of the meeting held on the 27 February 2019 be approved as a correct record.

9/19 Review of Safeguarding

Alan Lotinga, Associate Consultant, West Midlands Association of Directors of Adult Social Care, presented the final report on the Review of Safeguarding Arrangements, and the accompanying implementation action plan framework.

The review had commenced in December 2018 and concluded with the presentation of this report.

Alan Lotinga thanked all that had been involved and contributed to the review, both Officers and Members.

Gary Taylor, Assistant Chief Fire Officer, noted that the findings of the review and the report would provide the opportunity to revisit Safeguarding with independent advice. The Service was beginning to understand the associated risks and impacts earlier than other Fire and Rescue Services. There was a lot of work being undertaken nationally, and the Service would need to be ready for when the outcomes of that work came to fruition.

Alan Lotinga noted that he felt that Safeguarding leadership should sit with a Principal Officer, supported by a dedicated expert or experts, who would be able to advise the lead. The symbolism was important in that it underlined the fact that Safeguarding was not purely a prevention issue. Similar structures were in place in other organisations such as the Police.

Andrea Simmonds, Partnerships Manager, noted that such an arrangement would align with the direction of the National Fire Chiefs Council.

Gary Taylor noted that the Service had introduced Safeguarding training as a mandatory requirement for new recruits joining the Service, followed up with refresher training.

Gary Taylor noted that an overview of the report and presentation delivered to the Committee at its meeting in March, would need to be provided to the Strategic Enabling Team, and progress would need to be reported back to the Committee.

Alan Lotinga noted that the timescales regarding the actions outlined within the report were not mandatory.

Gary Taylor thanked Alan Lotinga for the review and report, and thanked all who had contributed to the review.

The following points were raised by Members:

- The report was welcomed by all Members, and the Committee thanked Alan Lotinga and all Officers and Members for their work on the review.
- Safeguarding had an impact upon every part of an organisation. It was good to see that the review had examined the impact upon the Service's staff, as well as externally.
- It was agreed that the number of annual self-assessment templates and safeguarding concern referral forms should be consolidated, identifying the best forms to use.
- It was suggested that spatial distribution, exploring geographical and relational relationships, could be worth exploring in more detail.

Resolved that the Committee approved the report on the Review of Safeguarding Arrangements.

It was agreed that progress on the outcomes of the review and of the implementation action plan framework would be reported to the Committee.

10/19 **Dispute Resolution**

Sarah Warnes, Strategic Enabler People Support Services provided an overview of the report:

Nine new grievances were received during the reporting period, five received from Green Book Staff and four received from Grey Book Staff. Additionally, a collective grievance had been raised by two watches on a station regarding the booking of leave.

Three outstanding appeals from the previous reporting period (January 2018 to June 2018) were heard, none of which were upheld. The Service was currently managing two

Employment Tribunals in relation to these grievances (previously three but one had subsequently been withdrawn).

Debriefs had been undertaken for each of the cases or were planned for those that had reached a conclusion.

Following analysis of the equality data, there had been no impact on any specific group.

There were 21 disciplinary cases during the reporting period. The cases related to 20 Grey Book Staff and one member of Green Book Staff. Of the cases, 16 were at Gross Misconduct level and five were at Misconduct level.

A single incident and related issues from the initial investigation from one station had resulted in 14 disciplinary investigations. Ten were managed at Gross Misconduct level and four were managed at Misconduct level. Seven cases progressed to formal hearings, whilst the other seven cases were managed through local performance management. Given the significance of this investigation, both individual debriefs of each case plus a wider debrief would be completed. The debrief report would be included within the next Dispute Resolution Report submitted to the Committee.

The Service had not received an Employment Tribunal relating to any of the 21 cases. There were no hearing outcomes from the previous reporting period. There had been no key themes identifying staff possessing protected characteristics.

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

- The Service officially recognised that members of staff on maternity leave are able to follow their existing shift pattern. Any proposed change to such a member of staff's shift pattern must be done in consultation with the individual. The Service supported members of staff to continue their existing shift pattern upon return from maternity leave. Awareness had been raised by the

Service, and Business Partners were available to provide relevant guidance to managers.

- There was an expectation for all members of staff to adopt and demonstrate behaviours in line with the Service's Core Values.
- The purpose of the Dispute Resolution Report was to demonstrate that the Service dealt with disciplinary issues effectively, taking such behaviours and actions very seriously.
- The Service had a Social Media Policy which provided guidance to staff on the use of such media, setting out the basic principles and values which were expected of all WMFS staff, Fire Authority members, and volunteers. It was agreed that the Social Media Policy would be circulated to Members at the next Committee meeting.

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

It was agreed that the Service's Social Media Policy would be circulated to Members at the next Committee meeting

11/19 **Operational Assessment Improvement Register**

Karen Gowreesunker, Clerk to the Authority and Strategic Enabler of the Strategic Hub, presented a report on the Operational Assessment (OpA) Improvement Register:

Following the publication of the OpA and Peer Challenge Report in June 2017, the Service had developed an Improvement Register to record and monitor progress in addressing the areas for consideration that had been raised as a result of the findings of the report. Periodic reports on the progress of the Improvement Register had been submitted to the Committee on a regular basis.

Of the 36 areas for consideration (38 including sub-areas 14a, b and c) within the Improvement Register and noted by the Scrutiny Committee at its November 2018 meeting:

- Seven areas for consideration had been completed in addition to the 23 areas for consideration already classed as completed prior to the November 2018 meeting of the Scrutiny Committee.
- Eight areas for consideration had been addressed since the November Scrutiny Committee and had been classed as completed, requiring no further action for the purposes of the Improvement Register.
- All 38 areas have now been marked as completed and the Improvement Register was now considered closed.

Resolved that the Committee noted the completion of the OpA Improvement Register.

12/19 Consideration of the Annual Report of the Scrutiny Committee

It was confirmed that the draft Annual Report of the Scrutiny Committee would be submitted to the Committee for consideration and approval at its meeting scheduled for 5 June, prior to submission to the Fire Authority at its Annual General Meeting on 24 June 2019.

13/19 Scrutiny Committee Work Programme 2018-19

The Committee noted the Work Programme for 2018/19.

The meeting finished at 11:27am.

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