

Minutes of the Scrutiny Committee

04 September 2017 at 12:30 p.m.
at Fire Service Headquarters, Vauxhall Road, Birmingham

Present: Councillor Tranter (Chair),
Councillors Barrie, Brackenridge, Hogarth, Male, Miks, Spence
(Vice-Chair), Young

Apologies:

Nil

Observer:

Nil

20/17 **Declarations of Interests**

There were no declarations of interest.

21/17 **Minutes of the Scrutiny Committee held on 12 June 2017**

Resolved that the minutes of the meeting held on 12 June 2017, be approved as a correct record.

22/17 **Scrutiny of Positive Action and Firefighter Recruitment**

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

The Committee had agreed to scrutinise positive action and firefighter recruitment and that a working group comprising Members would be set up.

It was noted that Joanne Simmonds, People Support Manager, was leading this work from a Service point of view and an update on progress would be provided at the November 2017 meeting of the Committee.

Resolved that the Scrutiny Committee agreed the working group comprising Councillors, Hogarth, Spence and Tranter.

It was noted that Joanne Simmonds would meet with Members during October.

23/17 **Dispute Resolution Report**

Helen Sherlock, Senior Business Partner, People Support Services, provided an overview of the report:

The purpose of the report was to inform Members of the number, type and outcomes of discipline and grievance hearings and other dispute resolution including employment tribunal activity that had occurred during the period 01 January 2017 to 30 June 2017.

Two grievances had been received. The first grievance was resolved and no appeal was lodged. The second grievance was a collective grievance which was heard by an independent manager and not upheld.

No employment tribunal claims had been submitted.

There had been 13 disciplinary cases:

- A single incident from 1 station which resulted in 10 disciplinary investigations; these were fully investigated and resulted in no formal action.
- Two hearings resulted in a 6-month written warning and did not go to an appeal.
- The third resulted in no formal action.

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

- The information contained within Appendix 1 had been presented in a new format to simplify the figures (as had been requested by members of the Joint Consultative Panel). It was agreed by the Committee for the figures to be presented in the new format going forward.
- A briefing on the Service's dispute resolutions process would be provided to Members at a future meeting of the Committee.

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

24/17 Update on Progress of Outcomes from the Data Sharing Review

Martina Doolan, Data Manager, Data Management Team, provided an overview of the report:

The main actions to date were as follows:

- The establishment of an implementation team
- An audit to be carried out to determine the data being shared
- The launch of the Management of Information Standing Order (go live as of June 2017 and a review process had been put into place)
- Training videos produced and released to upskill employees on the Management of Information
- An agreement made on where the responsibility for the governance of data sharing rested within the organisation (the responsibility rested with the Data Management Team and a data sharing register had been established)
- Updated template for data sharing agreements had been disseminated across the Service for use by stations and departments

Stations shared personal data in relation to the following areas:

- Safe and Well referrals
- Junior Fire Setter information
- Vulnerable Person details
- Incident data
- Safeguarding

These were all purposes that were defined in some of the existing data sharing agreements. Specialist teams within WMFS were recipients of some of this data, who then shared further with partner organisations as appropriate.

With regard to governance, data sharing agreements were in operation in some areas and working well but agreements were not current in some areas. It had also been noted that some agreements remained in draft format and it was unclear whether they had been signed off in some areas.

Work in progress included:

- Population of the Data Sharing Register
- Locating current agreements
- Ensuring agreements are signed

- Identifying areas where no agreement exists
- Ensuring where possible that agreements support the work of WMFS
- Data exchange mechanisms

Additionally, further work would include consideration of the implications of the EU General Data Protection Regulation (GDPR) and review processes in preparation for the introduction of the regulations in May 2018. Additional work would also be carried out regarding secure emails and the processes to facilitate easier exchange.

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

- It was necessary that the Service complied with the Statutory Code of Practice from the Information Commissioner's Office. The aspiration would be to improve upon the requirements of the code but the first step was to ensure that the Service had the right processes in place before progressing further.
- The proposed data audit was important to capture data flows, for example stations regularly sharing data with partner organisations and other departments. The purpose should be covered within the relevant data sharing agreements.
- The GDPR was a new legal framework within the EU. It would be implemented in the UK and remain applicable following the UK's exit from the EU.
- A lot of the data collected by the Service was done so at Safe and Well visits. Members of staff conducting a Safe and Well visit would always ask the recipient if the information could be collected and shared. When an individual consented to the collection / sharing of personal information, their signature would be obtained. It was noted that this was an area that needed to be looked at closer as a result of new regulations being stricter regarding implied consent.
- There was a need for the Service to look at social media engagement and in particular to ensure that when individuals requested to be removed from a mailing list, that their details were removed in a timely manner.

25/17 Analysis of Progress of Quarterly Performance Against 'The Plan' - Quarter One 2017-18

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

Performance Indicator (PI) 1 – The Risk Based Attendance Standard: continued good direction of travel and demonstrated the ability of the Service to respond quickly to incidents. It was the best attendance standard in the country, however the Service was continually looking at ways to reduce response times even further, for example the introduction of a pre-alert system.

PI 5 The percentage of Safe and Well visits referred by our partners, and PI 6 The number of Safe and Well points achieved by the Brigade – both PIs were below target and demonstrated under performance. This was being examined by the Strategic Enabler for Prevention, working closely with Ops Commanders and watches to identify causes and how to ensure improvement.

Performance of the arson suite of PIs (PI 8, 9, 10, 11 and 12) had all improved with the exception of PI 11 The number of arson rubbish fires, which had worsened. This was due to the very dry weather which had been experienced during the reporting period.

Overall, performance within the Service Delivery PIs reflected a positive direction of travel.

PI 15 The percentage of employees that have disclosed their disability status – steady progress had been made and the percentage of staff that had declared their status was 93%. Other areas of declaration such as ethnicity and sexual orientation also had high levels of disclosure which allowed a greater understanding of the organisation.

PI 16 The number of female uniformed staff – one female had left the Service resulting in a figure of 74. 30 new entrant firefighters were due to commence employment in July and August of which three (10%) were women.

PI 17 The percentage of all staff from Black Minority Ethnic (BME) communities – was recorded as on target at 10%. As a result of feedback from the Committee, a new PI had been introduced this year; PI 17a The percentage of uniformed staff from BME communities. 17% of non-uniformed staff, 8.2% of uniformed staff, and 2% of Fire Control staff described themselves as being from a BME background.

A focus on progression continued with 25% of females and 29% of staff from BME backgrounds within management roles.

Of the 30 new entrants due to commence employment in July and August, eight (27%) were from BME backgrounds.

PI 18 The average number of working days / shifts lost due to sickness – all staff: performance was within the tolerance levels, and represented a 13% decrease compared to the same period in 2016.

PI 19 The average number of working days / shifts lost due to sickness – uniformed and Fire Control staff: performance was within the tolerance levels.

It was noted that the approach to attendance management involved a balance between managing the needs of individuals and the needs of the Service.

The attendance management policy had been reviewed and had included a revision of the trigger points which had been lowered from eight to six days / shifts.

PI 20 The average number of working days / shifts lost due to sickness – non-uniformed staff: performance was within the tolerance levels and attendance had increased over recent years. Performance represented a 16.3% decrease compared to the same quarter in 2016.

PI 21 The total number of injuries – there had been 33 injuries during quarter one. The continued good performance represented the positive health and safety culture within the organisation. It was noted that seven injuries had been reported following tactical ventilation training. The number of injuries reported was low compared to the number of staff undertaking the training (equating to 1.5%). However, a review would be carried out to examine any common factors and to identify learning points.

PI 22 The total number of RIDDOR injuries – there were two RIDDOR reports during quarter one which was low and below the lower tolerance level.

PI 24 To reduce gas use of Fire Authority premises, and PI 25 To reduce electricity use of Fire Authority premises – performance for both PIs was below the lower tolerance level.

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

- The Service continued to work closely with West Midlands Police in tackling arson rubbish fires. There had been no direct correlation identified between the number of arson rubbish fires and the bin strike within Birmingham. The approach taken to tackling fly tipping was important and the Service continued to engage with partners regarding this.
- It was noted that it was important for schools to visit the Safeside facility.

- The reasons behind the performance of individual command areas with regard to the number of Safe and Well points achieved would be examined by the prevention team.
- The response time to category three incidents was quicker than the response time to category two incidents and this was largely due to vehicle location. The Brigade Response Vehicles attended a lot of the category three incidents.
- The position vacated by the one female member of uniformed staff would be backfilled by one of the new entrants, of which 10% were women. The Service was aiming to recruit 70 people this year, with the aim that 20% would be female. However, it was acknowledged that remained a low percentage and that the Service was aiming for 50% female, hence the use of positive action with regard to recruitment.
- Historically, circa 80% of applications were from white males. 15% of applications could be from females, a number which could reduce as female applicants discontinued their applications. Additionally, the number would generally decrease further as a result of the practical application process. As a result, the Service would always struggle to be representative of the population using traditional recruitment campaigns. Therefore, more controlled processes would be used.
- The Service held a pre-recruitment course for women during quarter one to help them develop a better idea of expectations. A further pre-recruitment course would be run later in the year. A number of taster days had also been held across the Service. The current pool of applicants featured 361 women and just over 400 people from a BME background.
- The continuing issues surrounding the recording of sickness absence was being addressed by management. There was evidence that absences were not being recorded effectively and business partners within People Support Services were working closely with managers to ensure recording is done correctly. Some of the instances were potentially due to a recording issue within the system and not due to return to work interviews not happening.
- Mental health was the top cause of sickness absence for uniformed staff. Mental health support had never been cut by WMFS. Support was provided through Mind's Blue Light Programme. The Service was exploring the ability to provide mental health first aiders who could provide peer support. The Service have 12 individuals who are carrying out this role and will be utilised on a trial basis. Critical incident debriefs would continue to be held to support individuals and teams. It was

noted that the falls response service could trigger different counselling requirements/

- Concern was raised about firefighters suffering injuries whilst training. It was appreciated that firefighting involved a degree of risk and the number of individuals injured was low but it was still too many. It was agreed that further information on this subject area would be reported back to the Committee at the next meeting.

26/17 Scrutiny Committee Work Programme 2017-18

The committee noted the work programme for 2017/18.

It was noted that the item, Operational Assessment Improvement Register, would be submitted to the Committee at the October 2017 meeting.

Meeting ended at 14.20 p.m.

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