

**AWDURDOD TÂN AC ACHUB CANOLBARTH A GORLLEWIN  
CYMRU**



**MID AND WEST WALES FIRE AND RESCUE AUTHORITY**

**NOTE: THESE MINUTES ARE SUBJECT TO CONFIRMATION BY THE PEOPLE  
& ORGANISATIONAL DEVELOPMENT COMMITTEE AT ITS NEXT MEETING ON  
15 MARCH 2010**

**COFNODION Y PWYLLGOR DATBLYGU POBL A'R GYFUNDREFN  
MINUTES OF THE PEOPLE & ORGANISATIONAL DEVELOPMENT  
COMMITTEE**

**DYDD LLUN, 18 IONAWR 2010**

**MONDAY, 18 JANUARY 2010**

***PENCADLYS Y GWASANAETH TÂN,  
HEOL LLWYN PISGWYDD, CAERFYRDDIN***

***FIRE SERVICE HEADQUARTERS,  
LIME GROVE AVENUE, CARMARTHEN***

**11.00 – 12.45**

**60% PRESENOLDEB/ATTENDANCE**

Presennol yn y Cyfarfod/Present at Meeting:

CADEIRYDD/CHAIRMAN: M Williams  
IS-GADEIRYDD/VICE CHAIRMAN: R Llewellyn

AELODAU/MEMBERS: Cyng/Cllrs: A Davies,  
P James, WEA Jones, C Philpott

YMDDIHEURIADAU/APOLOGIES: D Howells

YN BRESENNOL /IN ATTENDANCE: P Coleman, E Aitken, A Howells,  
K Jones, J Maunder, R Smith (for part  
of the meeting)

## **1. PERSONAL MATTERS**

Members were delighted to note that the Chair of the Fire Authority, Councillor T E Evans, had been awarded the MBE in the Queen's New Year's Honours List and extended their congratulations to Cllr Evans.

A warm welcome was extended to Jacqui Maunder, Head of CCMS, on her return to work following maternity leave.

## **2. DECLARATION BY MEMBERS OF ANY PERSONAL INTERESTS**

None were declared.

## **3. TO RECEIVE AND CONSIDER THE MINUTES OF THE MEETING HELD ON 2<sup>nd</sup> NOVEMBER 2009**

The minutes of the People and Organisational Development Committee held on 2<sup>nd</sup> November 2009 were received and approved as a true record.

## **4 TO CONSIDER MATTERS ARISING FROM THE MINUTES**

### **Item 5 – To receive a report on Employment of Members of Police Forces by Fire & Rescue Authorities**

The Deputy Chief Fire Officer reported that following endorsement being sought from the Chief Constables of Dyfed Powys and South Wales Police Forces, an acknowledgement to the request had been received from Dyfed Powys Police but nothing from South Wales Police Force to date.

## **5 TO RECEIVE A REPORT ON HEALTH AND WELLBEING**

Consideration was given to the sickness absence figures for the period April – November 2009 from which Members noted that current sickness absence rates across all employee sectors were running at 3.91 shifts lost as an average per employee, with a projected end of year figure of 5.87 shifts lost, which was only marginally outside of the Service's target of 5.8.

At the last meeting, Members did note the high absence rates within a small number of employee sectors, and whilst those absences related to only one or two individuals, it did nevertheless present a skewed effect. All Managers had again been reminded of the facility available for early intervention via medical advice, physiotherapy services and managed returns to work as measures to alleviate any long-term sickness absences wherever possible.

The Corporate Head of People & Organisational Development reported that since the last meeting, further advice has been provided to employees on the facility available to them of confidential counselling services, in cases of stress and anxiety, via a Confidential Helpline and expert advice was also available in certain cases on a one to one basis in consultation with the Occupational Health Consultant.

Consideration was given to the issue of the causes of sickness absence, and pie charts illustrating the number of days lost for both in service and non-service related medical conditions were noted. The Corporate Head of People & Organisational Development reported that a new software package had been procured which would enable these results to be shown in a clearer format by the next meeting. Members noted that muscular skeletal injuries continued to have a significant effect on employee absences and manual handling training, together with early intervention by the Corporate Risk Team and Occupational Health Service played a significant role in investigating causes and providing rehabilitation programmes for employees. In response to a question from Cllr Paul James, regarding detailed figures relating to the number of back injuries, the Corporate Head of People & Organisational Development agreed to have these figures available in readiness for the next meeting.

Councillor Cheryl Philpott stressed the importance of highlighting the number of staff who had **not** taken a day off sick during the past year, and although it was noted that a letter was sent to each one of these employees, it was agreed that a breakdown of these figures would be available at the next meeting.

The ongoing retirement profile for employees continued to remain favourable in terms of low numbers of employees retiring from the Service on ill-health grounds. Again, early intervention at managerial levels, supported by both the Occupational Health Service and Corporate Risk Team had served to return a positive effect on this area of performance.

## **RESOLUTION**

*It was RESOLVED that*

*The report be received and noted.*

### **6 TO RECEIVE A REPORT ON DISCIPLINARY PROCEDURE FOR BRIGADE MANAGERS**

At its meeting on 2 November 2010, Committee had requested that a draft discipline protocol for Brigade Managers be formulated based on the Model Disciplinary Procedures for Local Authority Chief Executives, which was specific to the requirements of Mid & West Wales Fire & Rescue Service.

Consideration was therefore given to the resulting draft Discipline Policy for Brigade Managers, which would also apply to Statutory Officers, and which incorporated comments made by Members, which were highlighted through tracked changes to the document for ease of reference.

Following detailed evaluation of the Policy, the following points were highlighted:

#### **2.1 – Structures to Manage the Procedure**

Reviewing the proposed composition of the Investigating and Disciplinary

Committee, and also the Appeals Committee, Members expressed reservations that only three Members were required to be part of these Standing Committees and cited potential problems such as unavoidable absence through sickness. It was proposed that the number on these Committees should be increased to five Members, with the quorum being three. It was further proposed that a 'pool' of twelve Fire Authority Members should receive specialised training in order to provide them with the necessary knowledge and skills required to sit on the two Committees. The Clerk mentioned that part of the training would be provided by Eversheds, the Authority's legal advisors, as part of their contract with the Authority.

## **6.6 – Other Appropriate Actions**

In discussion of the possibility of a 'mutual termination of the contract' as a solution to an allegation of misconduct, concerns were raised as to the propriety of allowing a Member of staff to tender their resignation during the course of an investigation. Although it was believed that a member of the Service under investigation should not be allowed to leave without being answerable to the Authority, it was also considered important that options should be left open to allow for individual circumstances.

Councillor Andrea Davies was strongly of the view that once an investigation had commenced then an individual should not be allowed to resign until its conclusion and cited that the majority of legal proceedings required a *prima facie* case to exist. It was suggested that Cllr Davies, the Clerk and the Corporate Head of People & Organisational Development liaise to agree a form of words to this effect.

## **RESOLUTION**

***It was RESOLVED that***

***The Discipline Policy for Brigade Managers and Statutory Officers within Mid & West Wales Fire & Rescue Service be approved subject to the following amendments:***

- 1. The number of Members required to sit on both the Investigating and Disciplinary Committee, and the Appeals Committee be increased to five.***
- 2. The Quorum for both Committees to be three***
- 3. A 'pool' of twelve Fire Authority Members receive the specialised training required to enable them to sit on the two Committees.***
- 4. Cllr A Davies, the Clerk and the Corporate Head of People & Organisational Development liaise to agree a form of words regarding the potential resignation of an individual once an investigation had commenced***

## **7 TO RECEIVE A REPORT ON SECONDARY EMPLOYMENT**

At the last Committee meeting, Members had been interested to learn the current procedures which existed for the consideration and approval, or otherwise, for Secondary Employment requests from employees primarily conditioned to the Grey Book.

Members also requested details of the current numbers of individuals who had been granted Secondary Employment approval with brief details of the nature of such activities, together with sickness absence records.

Accordingly consideration was given to the data relating to current Secondary Employment approvals, the Service's Policy relating to this issue and an extract from the 6<sup>th</sup> Edition of the Grey Book referring to Secondary Employment.

Following consideration of the sickness absence records, the Deputy Chief Fire Officer noted that it would be very difficult to prove any correlation between those figures and secondary employment but that the Service continually monitored all aspects of Secondary Employment. In response to a query from Members, the Corporate Head of People & Organisational Development agreed to provide a report to the next meeting on the year in which each episode of sickness occurred. Councillor Michael Williams also requested that figures comparing the sickness figures of those undertaking secondary employment, with those not undertaking such work, be made available.

### **RESOLUTION**

*It was RESOLVED that*

*1. The report be received and noted*

*2. The following information be provided for the next meeting:*

*i) a report on the year in which each episode of sickness occurred.*

*ii) figures comparing the sickness figures of those undertaking secondary employment, with those not undertaking such work*

*3. Future reports on Secondary Employment be anonymised with the Employees initials being removed*

## **8 TO RECEIVE A REQUEST FOR SECONDARY EMPLOYMENT**

Requests had been received from two employees wishing to engage in Secondary Employment as outlined in the Grey Book Conditions of Service, and in line with the Authority's policy, which were presented to Members for consideration as follows:

<b><i>Sickness absence 2009/10</i></b>	<b><i>Command / Department</i></b>	<b><i>Secondary Employment</i></b>
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No sickness	People and Organisational Development	Driving Instructor
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4 days – ear infection	Neath / Port Talbot County Command	Taxi Driver
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## **RESOLUTION**

***It was RESOLVED that***

***The two requests for Secondary Employment be approved***

### **9 TO RECEIVE A REPORT ON THE SETTING UP OF AN APPOINTMENTS COMMITTEE FOR PRINCIPAL OFFICERS**

The Clerk reported that Article 4 of the Authority's Constitution (Role of the Authority) provided that one of the functions reserved to the Authority was the appointment of its Principal Officers – Chief Fire Officer, Deputy Chief Fire Officer, Assistant Chief Fire Officers, Directors and the Clerk / Monitoring Officer.

For some time both Members and Officers had queried as to whether whole Authority appointments in respect of Principal Officers was the most effective, efficient and appropriate manner for the Authority to make such appointments.

There was a wide variation of practices, amongst not only other Fire and Rescue Authorities but also Unitary Authorities, in terms of the appointment of its most senior officers. The general trend in unitary authorities was towards the appointment of all Principal Officers, with the exception of the Chief Executive, being made by an appropriately constituted Appointments Committee; the appointment to the post of Chief Executive being reserved to the full Authority.

Adopting such a practice in this Authority would mean that the appointment of all Principal Officers, with the exception of the Chief Fire Officer, would be made by a newly constituted Appointments Committee which would need to be politically balanced. Such a Committee should include both the Chair and Vice Chair of the Authority together with the Chairs of the Authority's three Standing Committees. Given the need for such a Committee to be politically balanced the Clerk suggested that its composition should be as follows:

Chair of the Authority  
Vice Chair of the Authority  
Chair of Resources Committee  
Chair of Performance Review & Audit Committee  
Chair of People & Organisational Development Committee  
One Independent Member  
One Plaid Cymru Member  
Leader of the Labour Group  
Two Labour Members

It was noted that the composition of the Committee would need to be reviewed should there be a change in the Chairmanship of the Authority or its Committees.

Members stressed the importance of ensuring that Members were available before an Appointments Committee was convened and were pleased to note the flexibility in the composition of Members.

## **RESOLUTION**

*It was RESOLVED that:*

- 1. the setting up of an Appointments Committee for the appointment of all Principal Officers with the exception of the post of Chief Fire Officer be approved*
- 2. The Committee comprise of 10 Members as detailed in the report*
- 3. The Authority's Constitution be amended to reflect such changes*

## **10 TO RECEIVE A REPORT ON SERVICE DISCIPLINARY MATTERS**

At its meeting on 2 November 2009 Committee had been presented with a breakdown of the statistics for disciplinary matters within the Service for the period 1 April 2008 to date.

Members were reminded that the Service's Discipline policy had been designed to help and encourage all employees in achieving and maintaining standards of conduct, attendance and job performance which was satisfactory to the Authority, and in line with the Service's values. The aim was to ensure consistent and fair treatment for all employees in dealing with disciplinary matters, in line with ACAS best practice.

Attached for Members' information was an updated summary of discipline offences together with the level of award. It was noted that the report had received a certain amount of press coverage in that it showed that the Service were protecting the public interest by dealing with disciplinary matters in an open and transparent manner.

Included within the report was information relating to the number of appeals received from individuals who had been awarded a disciplinary sanction.

Members noted the relatively small number of appeals, which suggested that disciplinary matters were seen to be managed in a fair and consistent manner.

## **RESOLUTION**

*It was RESOLVED that*

*The report be noted and that the column relating to 'role' be removed in future before circulation in order to ensure anonymity.*

### **10 TO RECEIVE THE CORPORATE RISK DEPARTMENT REPORT**

The Deputy Chief Fire Officer presented Members with a periodic overview of Health and Safety management performance within the Service. Attention was drawn to the number of on-duty injuries, whereby a total of 62 injuries had been reported compared with 66 reported injuries within the same reporting period last year. Members were pleased to note the 6% reduction in total injuries to date.

Upon scrutiny, the most reported cause of On Duty injury during the period to date was Slips, Trips and Falls (11 events), closely followed by handling, lifting and carrying (10 events) and then Hit by Moving / Flying object (7 events).

In regard to Health & Safety Training the Department had run a number of in-house manual handling training courses where 35 members of staff had been trained. To achieve a broad spread of knowledge across Support Staff Departments, each Head Of Department had been asked to nominate one or two persons to attend this course so that they could become the 'Manual Handling' focal point within their respective areas.

## **RESOLUTION**

*It was RESOLVED that*

*The report be noted.*

### **11 TO RECEIVE ITEMS OF ANY OTHER BUSINESS**

The Deputy Chief Fire Officer provided Members with an update on the seven personnel from the Service who had formed part of the UK's ISAR team who had been deployed to Haiti last Tuesday in response to the earthquake. Sixty four personnel from the UK had travelled to Haiti in total, as part of twenty seven teams from around the world with one hundred rescue dogs. Members were delighted to learn that the UK team had been successful in rescuing at least three people who had been trapped in the rubble including a two year old girl and that all members of the team were fit and well. Committee asked that their best wishes be sent to the Team and that a full update be received on their return to the UK.

## **RESOLUTION**

*It was RESOLVED that*

*Members received a full update on the Service's ISAR Team on their return from Haiti*